STATE OF UTAH

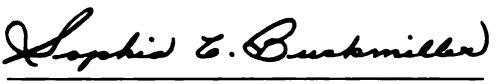
SENATE JOURNAL

FIRST SPECIAL SESSION OF THE FORTY-THIRD LEGISLATURE

December 15 and 16, 1980

CERTIFICATION

The undersigned, as the duly appointed committee on revision of the Senate Journal for the First Special Session of the Forty-Third Legislature of the State of Utah, do hereby certify that herein contained is a full, true and accurate record of the proceedings of the First Special Session convening Monday, December 15, 1980 at ten o'clock a.m. and adjourning sine die at 6:15 p.m. on December 16, 1980.



Sophia C. Buckmiller
Secretary of the Senate



Joan B. Thomas
Senate Minute Clerk

STATE OF UTAH
SENATE JOURNAL

FIRST SPECIAL SESSION

of the

FORTY-THIRD LEGISLATURE

December 15 and 16, 1980

FIRST DAY

Senate Chamber
State Capitol
Salt Lake City, Utah

MORNING SESSION

Pursuant to a proclamation by His Excellency Governor Scott M. Matheson, the Senate of the Forty-Third Legislature of the State of Utah met in the Senate Chamber at the State Capitol in First Special Session at 10:00 a.m.

The Senate was called to order by President Miles 'Cap' Ferry.

Prayer — Senator Glade M. Sowards (Morgan, Wasatch, Duchesne, Summit, Daggett, Uintah, District 26).

EXECUTIVE ORDER

WHEREAS, the Governor issued an Executive Order on September 3, 1980, which called for certain reductions in state expenditures to meet an expected shortfall in revenues; and

WHEREAS, further information about the economy of the state and revenue received by the state in the first five months of fiscal year 1980-81 have led the State Budget Office and the Tax Commission to estimate a shortfall in revenue of $6.6 million in the Transportation Fund, under the amounts which the 1980 Legislature budgeted for in their 1980-81 Appropriation Act; and

WHEREAS, Section 63-38-10, Utah Code Annotated 1953, provides as follows:

1. In providing for appropriations, it is the declared intention of the Legislature that expenditures of departments, agencies and institutions of state government be kept within revenues available for such expenditures.

2. If the total of all revenues accruing in any given fiscal year to the state general fund or any special fund or fund account, collections or dedicated credits, from which appropriations are made, are not sufficient to cover the appropriations made for said period, the governor shall reduce the budgetary allotments and transfer of funds by the amount of any such deficiency.

NOW, THEREFORE, I, Scott M. Matheson, Governor of the State of Utah, by virtue of the power vested in me by the Constitution and the laws of the State of Utah, do hereby order as follows:

1. State agencies funded with money from the Transportation Fund are directed to submit to the Budget Office, by January 1, 1981, a work program to reduce their expenditures from the Transportation Fund by 7.2 percent for fiscal year 1980-81. This work program will be submitted to the Governor and Legislature for their approval.

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 3rd day of December, 1980.

Scott M. Matheson
Governor, State of Utah

David S. Monson
Lt. Governor/Secretary of State

Sophia C. Buckmiller, Secretary of the Senate, read the following certification and proclamation.

CERTIFICATION

I, DAVID S. MONSON, Lieutenant Governor/Secretary of State of the State of Utah, do hereby certify that the proclamation issued under date of December 2, 1980, and signed by Governor Scott M. Matheson, is a true and correct copy of the original proclamation calling the 43rd Legislature of the State of Utah into a First Special Session at the State Capitol in Salt Lake City, Utah, on the 15th day of December, 1980, at the hour of 10:00 a.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, this 3rd day of December, 1980.

David S. Monson
Lt. Governor/Secretary of State

PROCLAMATION

WHEREAS, since the close of the Budget Session of the 43rd Legislature of the State of Utah, certain 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 Session; and

WHEREAS, Article VII, Section 6 of the Constitution provides that the Legislature shall

transact no legislative business except that for which it was especially convened, or such other legislative business as the Governor may call to its attention while in session;

NOW, THEREFORE, I, Scott M. Matheson, Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and Laws of the State of Utah, do by this Proclamation call the 43rd Legislature of the State of Utah into First Special Session at the State Capitol at Salt Lake City, Utah on the 15th day of December, 1980, at 10:00 a.m. for the following purposes:

1. To consider the repeal of Chapter 62 of the Laws of 1980 "Tax Credit for Homeowners and Renters," or in the alternative, the postponement of the effective date.

2. To consider amendments to Chapter 51 of the Laws of 1980, "School Finance," and Chapter 52 of the Laws of 1980, "School Building Equalization Amendments," to provide for a reduction in State expenditures for public education of two and one-half percent.

3. To consider necessary legislation relating to the implementation of Article VII, Executive Article of the Constitution of the State of Utah, as revised and adopted by the people at the General Election on November 4, 1980, which shall take effect January 1, 1981.

4. To advise and consent on the appointments of: Albert N. Porter and Peter G. Behrens to the State Building Ownership Authority; and, Leonard J. Lewis to the Utah State Building Board.

5. To consider such other alternatives to balance the budget as the legislative leadership and Governor may agree to and which the Governor brings to the attention of the Legislature by supplemental communications during the First 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 2nd day of December, 1980.

Scott M. Matheson
Governor, State of Utah

David S. Monson
Lt. Governor/Secretary of State

COMMUNICATION FROM THE GOVERNOR

Dear President Ferry: December 5, 1980

This is to officially notify you that upon the recommendation of the Salt Lake County Democratic party, I have decided to concur in their request that Mrs. Vivian Jensen fill the seat held by her husband, the late Moroni Jensen, for the Special Session of the Legislature only. Please keep her informed of all necessary requirements.

Scott M. Matheson, Governor, State of Utah

Communication filed.

Mrs. Vivian Jensen was given the oath of office by The Honorable Miles 'Cap' Ferry, President of the Utah State Senate.

CERTIFICATE OF MEMBERSHIP OF THE 1980 FIRST SPECIAL SESSION

I, DAVID S. MONSON, Lieutenant Governor/Secretary of State of the State of Utah, do hereby certify that the membership of the Utah Senate has not changed from that of the 1980 Budget Session of the Utah State Legislature, exept that by virtue of the appointment by the Governor, occasioned by a vacancy's occurring in the State Senate by the death of Senator Moroni L. Jensen, the following is entitled to serve for the unexpired term of Senator Jensen:

SIXTH DISTRICT County of Salt Lake **Mrs. Vivian Jensen**

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, this 9th day of December, 1980.

David S. Monson
Lt. Governor/Secretary of State

Communication filed.

Roll Call — All senators present except Senator Kimball (excused) and Senator Jones (excused).

Senate Rules — Senator Snow moved that the Senate Rules of the Budget Session be adopted as the rules for the First Special Session. The motion carried.

Officers — Senator Snow moved that the President and Officers of the 43rd Legislature be the officers for the First Special Session. The motion carried.

Joint Rules— Senator Snow moved that the Joint Rules of the Budget Session of the 43rd Legislature be adopted as the Joint Rules for the First Special Session. The motion carried.

On motion of Senator Finlinson, the President appointed a committee comprised of Senators Carling, Barton and Money to notify the House of Representatives that the Senate is duly organized and ready to do business.

President Ferry appointed a committee comprised of Senators Cornaby, Matheson and Bunnell, to notify the Governor that the Senate is gathered in First Special Session as per his proclamation and that the Senate is duly organized and ready to receive any messages from him.

Committee to Read and Revise the Journal — President Ferry appointed Senators Wayment, Matheson and Renstrom to read and revise the Journal for the First Special Session.

A committee from the House of Representatives comprised of Representatiaves Atwood-

Ferrari, Patterson, and Cannon appeared before the Senate and reported that the House is organized and ready to do business.

Senator Cornaby reported that his committee, with a like committee from the House of Representatives, had notified the Governor that the Senate was organized and ready to do business. Governor Matheson advised that he wishes to address the Senate.

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

On motion of Senator Finlinson, the Senate voted to print the following remarks by Governor Matheson in the Senate Journal.

The Honorable Scott M. Matheson
Governor, State of Utah

President Ferry, Members of the Utah State Senate . . .

I know that you shared my hope that the 43rd Utah Legislature would conclude without the need for a special session. Extraordinary circumstances have arisen, however, that require decisions by the people's representatives before the 44th Legislature convenes next month.

Before I briefly discuss the two basic items on the call, I would like to take a moment to pay tribute to one of the truly distinguished members of this body whose untimely passing deprived Utah of a great servant and all of us of a great friend. Senator Moroni Jensen served in both houses of the State Legislature but he had a special love for the Senate where, as President, he was a strong and positive force during one of the most important decades in Utah's history. We will all join in a concurrent resolution in this special session praising his inherent decency and his intelligence as well as extolling his service to our state; but nothing we can say honors his memory more than the presence of his wife, Vivian, as a member of this body to complete the term of a man whose ideals of civility and integrity will ever be enshrined in this chamber.

The first item on the special session call is the need for a legislative clarification of the new Executive Article that resulted from the passage of Proposition #1 last month. Implementing language is required to transfer the functions now held by the Secretary of State over to the new constitutional Office of Lieutenant Governor and as an interim measure to allow me to appoint Lieutanent Governor David S. Monson to the office to which he was elected. I would also urge you to define the role of the new Board of Examiners that was created by the passage of Proposition #1. Auditor-elect Oveson and I have agreed on the jurisdiction of the board which is outlined in the bill that is before you. Attorney General-elect Wilkinson advises me that he has not resolved the matter but has an open mind on the issue.

The second item on the call is not less urgent but much more difficult. None of us anticipated the severity of the recession on Utah's economy which has resulted in a

projected revenue shortage of between fifty to sixty million dollars in the current fiscal year in the general and uniform school funds.

I have submitted to you a financing plan to cope with this anticipated shortage: a 2.5 percent across-the-board cut effecting all state agencies, Higher Education and Public Education, and the repeal of the tax credit to homeowners and renters which was adopted by the Legislature last year. The adoption of this tax credit was based on the assumption the state would have revenues at least equal to appropriated expenditures. Since that is not the case, I feel that the Legislature is not violating the people's trust by repealing this rebate during this time of fiscal uncertainty.

The last three years have been austere for most state agencies and programs. The total budget was increased less than the rate of inflation during the last two years, and a budget cut of 4 percent was required last year because of revenue difficulties. For this reason I do not feel that it is possible to cut back all state programs by 7 or 8 percent and still meet the state's basic commitment to serve its citizens in education, health, social and other essential public services.

Even with the measures I propose, there still might be a gap in revenue of between $4 and $9 million in the current fiscal year. However, I feel that we could better examine such gaps in more detail during the regular session where it is possible to make other program cuts in a reflective way to make up the shortage, if that is necessary. These are my recommendatons.

Utah voters and taxpayers, as a recent newspaper editorial pointed out, are well aware of the current economical downturn and are mature enough to make the sacrifices connected with balancing the state budget.

They expect us to be about our work promptly and sensibly. I will therefore conclude my remarks by wishing you a productive session and by offering the full support of the resources of my office.

Thank you.

READING OF TITLES OF BILLS AND RESOLUTIONS

On motion of Senator Snow, and as provided in the Joint Rules of the Senate and House of Representatives (Joint Rule 23:18) and as provided in the Utah Constitution, Article VI; Section 22, the Senate voted to suspend the reading of the formal title of all Senate and House bills and resolutions on the Senate Calendar this day. The reading of the formal title is to be suspended as bills and resolutions are read the first time (Introduced) and as bills and resolutions are considered on Second Reading and Third Reading Calendars.

COMMUNICATION FROM THE GOVERNOR

Dear Mr. President and Mr. Speaker: December 15, 1980

In addition to the matters listed on the Proclamation, dated December 2, 1980, calling the 43rd Legislature of the State of Utah into Special Session on December 15, 1980, I hereby authorize and request you to consider and enact an addendum to the Call that would allow:

1. A concurrent Resolution honoring and memorializing Senator Moroni L. Jensen and Representative Rey Florez on their untimely deaths.

Scott M. Matheson, Governor, State of Utah

Communication filed.

PRESENTATION OF RESOLUTION

MORONI L. JENSEN RESOLUTION

S.C.R. No. 1 All members of the Senate

A CONCURRENT RESOLUTION OF THE FIRST SPECIAL SESSION OF THE 43RD LEGISLATURE OF THE STATE OF UTAH, THE GOVERNOR CONCURRING THEREIN; EXPRESSING APPRECIATION AND GRATITUDE FOR THE CONTRIBUTIONS AND ACCOMPLISHMENTS OF MORONI L. JENSEN, AND CONVEYING CONDOLENCES TO HIS FAMILY, was read the first time and, under suspension of the rules, placed on Second Reading Calendar.

INTRODUCTION OF BILL

TAX CREDIT FOR HOMEOWNERS AND RENTERS REPEAL

S.B. No. 1 Senators Matheson, Pugh

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING FOR REPEAL OF THE HOMEOWNERS' AND RENTERS' TAX CREDIT; AND PROVIDING FOR AN EFFECTIVE DATE. THIS ACT REPEALS SECTION 59-14A-8.5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 62, LAWS OF UTAH 1980, was read the first time and placed on Second Reading Calendar.

Senator Finlinson announced that meetings in committees and in caucus between Senate and House members would occur during the reminder of the day.

On motion of Senator Finlinson and at 10:45 a.m., the Senate voted to adjourn until Tuesday, December 16, 1980 at 9:00 a.m.

SECOND DAY

MORNING SESSION

The Senate was called to order at 9:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present except Senator Wayment (excused).

Prayer — Senator Wilford R. Black, Jr. (Salt Lake, District 2).

READING OF TITLES OF BILLS AND RESOLUTIONS

On motion of Sentor Snow, and as provided in the Joint Rules of the Senate and House of Representatives (Joint Rule 23:18) and as provided in the Utah Constitution, Article VI; Section 22, the Senate voted to suspend the reading of the formal title of all Senate and House bills and resolutions on the Senate Calendar this day. The reading of the formal title is to be suspended as bills are read the first time (Introduced) and as bills and resolutions are considered on Second and Third Reading.

APPOINTMENTS
By Governor Scott M. Matheson

Senator Finlinson made the motion that the Senate advise and consent in the affirmative to the appointments listed in the following communication from the Governor.

Dear President Ferry: December 10, 1980

In accordance with Section 67-1-2, Utah Code Annotated 1953, I propose to make the following appointments:

1. **Leonard J. Lewis,** appointed as a member of the Utah State Building Board for a term to expire April 1, 1983, Section 63-10-1, UCA (1953).
2. **Albert N. Porter,** appointed as a member of the State Building Ownership Authority for a term to expire January 15, 1983. S.B. 328, 1979 General Session.
3. **Peter G. Behrens,** appointed as a member of the State Building Ownership Authority for a term to expire January 15, 1983. S.B. 238, 1979 General Session.

I respectfully request that the Senate take immediate action on the above appointments so that these individuals will have the constitutional and legal authority to assume their duties should the Senate advise and consent in the affirmative.

Scott M. Matheson, Governor, State of Utah

Communication filed.

The Senate voted unanimously to advise and consent in the affirmative to the above listed appointments. Senator Wayment was absent.

SECOND READING CALENDAR
Tribute to The Honorable Moroni L. Jensen, Utah State Senator

On motion of Senator Finlinson and under suspension of the rules, S.C.R. No. 1, MORONI L. JENSEN RESOLUTION, was read the second and third times and before the Senate.

Sophia C. Buckmiller, Secretary of the Senate, read the following resolution.

MORONI L. JENSEN RESOLUTION

S.C.R. No. 1 — All members of the Senate

Be it resolved by the Legislature of the State of Utah, the Governor concurring therein:

WHEREAS, Moroni L. Jensen was a member of this Legislature for some 16 years, having been elected to the House of Representatives in 1964, and to the Senate in 1968;

WHEREAS, Moroni L. Jensen served with distinction in both the House of Representatives and Senate and was President of the Senate in 1977;

WHEREAS, Moroni L. Jensen was a member of his party state central committee and Salt Lake County committee, served on the Executive Committee of the Western Conference of the Council of State Governments and the Education Comission of the States;

WHEREAS, Moroni L. Jensen was a life-long educator, a life member of both the Utah State and National Education Associations;

WHEREAS, Moroni L. Jensen served as president of the Utah State and National Education Associations;

WHEREAS, Moroni L. Jensen's life-long dedication to education and his unselfish service on innumerable education committees, boards and commissions evidenced his commitment to young people and their education;

WHEREAS, Moroni L. Jensen's contributions to the people of Utah in public and community service are manifest in the legacy he leaves this state;

WHEREAS, Moroni L. Jensen had served his faith as president of the Seventies Quorum in the North Sevier Stake and in the presidency of the Wilford Stake Mission.

WHEREAS, Moroni L. Jensen was a graduate of North Sevier High School and Snow College and also received degrees from Brigham Young University and Columbia University;

WHEREAS, Moroni L. Jensen served his country in the 532nd Engineer Boat and Shore Regiment in the Philippines, Korea and Japan and with the American Red Cross.

WHEREAS, Moroni L. Jensen leaves behind his beloved wife, Vivian Nelson Jensen, two sons, M. Leon Jensen and Jerold L. Jensen, seven grandchildren and innumerable friends and colleagues;

NOW, THEREFORE, BE IT RESOLVED, that the First Special Session of the 43rd Legislature of the State of Utah and the Governor of the State of Utah join the people of the state in expressing their gratitude and appreciation for the accomplishments and services of Moroni L. Jensen, as a dedicated educator, legislator, citizen and public servant.

BE IT FURTHER RESOLVED, that the Secretary of State forward a copy of this Resolution to the wife and family of Moroni L. Jensen as an expression of the condolences of this Legis-

lature, and the Governor, on the death of this esteemed legislator and in recognition of the accomplishments of Moroni L. Jensen.

Senator Bunnell expressed his love and respect for Moroni Jensen and acknowledged the considerable contributions he made to Utah's public education system and to the children of the State of Utah. Senators Finlinson, Black, Farley, Waddingham, Asay and Pugh commented. Senator Sowards presented Senator Vivian Jensen with a gift from Lin, Yang-Kang, Governor of Taiwan, Republic of China.

The resolution passed on a unanimous voice vote of all senators present. Senators Wayment, Bangerter and Carling were absent.

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

* * *

On motion of Senator Finlinson and under suspension of the rules, the Senate voted to lift S.B. No. 1, TAX CREDIT FOR HOMEOWNERS AND RENTERS REPEAL, from Rules Committee and placed it on Second Reading Calendar.

INTRODUCTION OF BILLS

REDUCTION OF SCHOOL DISTRICT ALLOCATIONS

S.B. No. 2 Senators Pugh, Bunnell, Barlow

AN ACT RELATING TO PUBLIC SCHOOLS; PROVIDING GENERAL AUTHORITY IN THE STATE BOARD OF EDUCATION TO IMPLEMENT LEGISLATIVELY IMPOSED REDUCTIONS IN THE STATE SUPPORT OF PUBLIC SCHOOLS; PROVIDING THE METHOD FOR IMPLEMENTATION OF REDUCTIONS AT THE SCHOOL DISTRICT LEVEL; PROVIDING FOR A 2.5% REDUCTION IN THE TOTAL STATE CONTRIBUTIONS UNDER THE MINIMUM SCHOOL FINANCE ACT AND THE SCHOOL BUILDING EQUALIZATION ACT; AND PROVIDING FOR AN EFFECTIVE DATE.

THIS ACT AMENDS SECTION 53-1-12, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 159, LAWS OF UTAH 1975, SECTION 53-7-26, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 51, LAWS OF UTAH 1980, AND SECTION 6 OF CHAPTER 52, LAWS OF UTAH 1980, was read the first time, and under suspension of the rules, placed on Second Reading Calendar.

EXECUTIVE AND JUDICIAL APPROPRIATION

S.B. No. 3 Warren E. Pugh

AN ACT REDUCING EACH APPROPRIATION ITEMIZED IN THE APPROPRIATIONS ACT ENACTED BY CHAPTER 87, LAWS OF UTAH 1980; AND PROVIDING AN EFFECTIVE DATE, was read the first time and, under suspension of the rules, placed on Second Reading Calendar.

GENERAL STATE APPROPRIATIONS REDUCTION

S.B. No. 4 Warren E. Pugh

AN ACT REDUCING EACH APPROPRIATION ITEMIZED IN THE STATE GENERAL APPROPRIATIONS ACT ENACTED BY CHAPER 86, LAWS OF UTAH 1980, BY THE AMOUNT OF 2.5%; AND PROVIDING AN EFFECTIVE DATE, was read the first time and under suspension of the rules, placed on Second Reading Calendar.

The Senate recessed for Republican Party Caucus at 9:35 a.m. The Senate reassembled at 11:30 a.m. Senator Wayment is present.

SECOND READING CALENDAR

On motion of Senator Cornaby, the Senate voted to replace **S.B. No. 1** with **Substitute S.B. No. 1**, TAX CREDIT FOR HOMEOWNERS AND RENTERS DELAY.

On motion of Senator Cornaby, **Substitute S.B. No. 1** was amended as follows:

Page 2, Lines 15, 19 and 23:
Delete *"1980"* and insert in lieu thereof *"1981"*

Page 4, Line 7:
Delete *"1982"* and insert in lieu thereof *"1980"*

The Senate recessed for a Democratic Party Caucus at 11:25 a.m. The Senate reassembled at 11:35 a.m.

Senator Swan moved that Senate action which replaced **S.B. No. 1** with **Substitute S.B. No. 1** and the amendments be reconsidered, and that the original bill be before the Senate. Senators Farley and Kimball commented. The motion failed.

On motion of Senator Cornaby, and under suspension of the rules, **Substitute S.B. No. 1** was read for the second and third times and placed on final passage.

Substitute S.B. No. 1 passed second and third readings on the following roll call:

Yeas, 25; Nays, 4; Absent, 0

Voting in the affirmative were: Senators

Bangerter	Christensen	Jensen	Snow
Barlow	Cornaby	Jones	Sowards
Barton	Farley	Matheson	Swan
Black	Finlinson	Pugh	Waddingham
Bullen	Halverson	Renstrom	Wayment
Bunnell	Jeffs	Sandberg	Mr. President (Ferry)
Carling			

Voting in the negative were: Senators

Asay	Kimball	Money	Pace

Substitute S.B. No. 1 is reconsidered.

* * *

S.B. No. 2, REDUCTION OF SCHOOL DISTRICT ALLOCATIONS, was read the second time and before the Senate. Senator Pugh explained the bill.

On motion of Senator Halverson, **S.B. No. 2** was amended as follows:

Page 3, Line 8:
after *"such reductions"* insert *"including those funds levied under section 53-7-23 for the year ending June 1981."*

Senators Bunnell, Swan and Pugh commented.

Senator Pugh moved that, under suspension of the rules, **S.B. No. 2** be considered read the third time and up for final passage.

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

Yeas, 25; Nays, 4; Absent, 0

Voting in the affirmative were: Senators

Bangerter	Christensen	Jensen	Snow
Barlow	Cornaby	Jones	Sowards
Barton	Farley	Matheson	Swan
Black	Finlinson	Money	Waddingham
Bullen	Halverson	Pugh	Wayment
Bunnell	Jeffs	Sandberg	Mr. President (Ferry)
Carling			

Voting in the negative were: Senators

Asay	Kimball	Pace	Renstrom

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

RECONSIDERATION

Substitute S.B. No. 1, TAX CREDIT FOR HOMEOWNERS AND RENTERS DELAY

On motion of Senator Finlinson, the Senate voted to reconsider its action on **Substitute S.B. No. 1,** TAX CREDIT FOR HOMEOWNERS AND RENTERS DELAY.

On motion of Senator Cornaby, **Substitute S.B. No. 1** was amended as follows:

Page 4, Line 7:
after *"effect"* insert the words *"as of"* delete the period and add in lieu threof *"upon approval."*

Senators Asay and Pugh discussed the bill.

Substitute S.B. No. 1 passed, as amended on reconsideration, and on the following roll call:

Yeas, 26; Nays, 2; Absent, 1

Voting in the affirmative were: Senators

Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Matheson	Snow
Barton	Farley	Money	Sowards
Black	Finlinson	Pace	Swan
Bullen	Halverson	Pugh	Waddingham
Bunnell	Jeffs	Renstrom	Mr. President (Ferry)
Carling	Jensen		

Voting in the negative were: Senators

Asay	Kimball

Absent and not voting was: Senator

Wayment

Substitute S.B. No. 1 was transmitted to the House.

* * *

On motion of Senator Pugh, the Senate voted to replace **S.B. No. 3** with **Substitute S.B. No. 3**, EXECUTIVE AND JUDICIAL APPROPRIATIONS, and under suspension of the rules, read the substitute bill the second and third times and placed it on final passage. Senators Black, Renstrom, Swan, Bangerter, Pugh and Snow commented.

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

Yeas, 23; Nays, 6; Absent, 0

Voting in the affirmative were: Senators

Asay	Carling	Jensen	Snow
Bangerter	Christensen	Jones	Sowards
Barlow	Cornaby	Matheson	Waddingham
Barton	Finlinson	Money	Wayment
Bullen	Halverson	Pugh	Mr. President (Ferry)
Bunnell	Jeffs	Sandberg	

Voting in the negative were: Senators

Black	Farley	Kimball	Pace
Renstrom	Swan		

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

* * *

On motion of Senator Pugh, the Senate voted to replace **S.B. No. 4** with **Substitute S.B. No. 4**, GENERAL STATE APPROPRIATIONS REDUCTION, and under suspension of the rules, read the substitute bill the second and third times and placed it on final passage.

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

Yeas, 26; Nays, 3; Absent, 0

Voting in the affirmative were: Senators

Bangerter	Christensen	Jones	Snow
Barlow	Cornaby	Matheson	Sowards
Barton	Farley	Money	Swan
Black	Finlinson	Pugh	Waddingham
Bullen	Halverson	Renstrom	Wayment
Bunnell	Jeffs	Sandberg	Mr. President (Ferry)
Carling	Jensen		

Voting in the negative were: Senators

Asay	Kimball	Pace

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

On motion of Senator Finlinson and at 12:30 p.m., the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Miles 'Cap' Ferry presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: December 16, 1980

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.C.R. No. 1, REY FLOREZ RESOLUTION**, by All Members of the House, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

Communicated filed.

H.C.R. No. 1 was read the first time and on motion of Senator Finlinson the rules were suspended with no dissenting votes, and **H.C.R. No. 1** was read the second and third times and placed on final passage.

H.C.R. No. 1 passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Christensen	Matheson	Sandberg

Bangerter	Farley	Money	Snow
Barton	Finlinson	Pace	Sowards
Black	Jeffs	Pugh	Swan
Bullen	Jensen	Renstrom	Mr. President (Ferry)
Bunnell			

Absent and not voting were:

Barlow	Cornaby	Jones	Waddingham
Carling	Halverson	Kimball	Wayment

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

* * *

Mr. President December 11, 1980

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.C.R. No. 2, JAMES V. HANSEN RESOLUTION,** by All Members of the House, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

Communicated filed.

H.C.R. No. 2 was read the first time and on motion of Senator Finlinson the rules were suspended with no dissenting votes, and **H.C.R. No. 2** was read the second and third times and placed on final passage.

H.C.R. No. 2 passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Cornaby	Jones	Sandberg
Bangerter	Farley	Matheson	Snow
Barton	Finlinson	Money	Sowards
Bullen	Halverson	Pace	Swan
Bunnell	Jeffs	Pugh	Mr. President (Ferry)
Christensen	Jensen	Renstrom	

Absent and not voting were: Senators

Barlow	Carling	Waddingham	Wayment
Black	Kimball		

H.C.R. No. 2 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

* * *

Mr. President: December 16, 1980

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.C.R. No. 1**, MORONI L. JENSEN RESOLUTION, by All Members of the Senate, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

Communication filed.

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

* * *

Mr. President December 16, 1980

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 2**, LIEUTENANT GOVERNOR IMPLEMENTATION, by Representative Bangerter, et al., and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

Communication filed.

H.B. No. 2 was read the first time, and on motion of Senator Finlinson and under suspension of the rules, read the second and third times and placed on final passage.

H.B. No. 2 passed second and third reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Cornaby	Kimball	Sandberg
Bangerter	Farley	Matheson	Snow
Barlow	Finlinson	Money	Sowards
Barton	Halverson	Pace	Swan
Bullen	Jeffs	Pugh	Wayment
Bunnell	Jensen	Renstrom	Mr. President (Ferry)
Christensen			

Absent and not voting were: Senators

Black	Carling	Jones	Waddingham

H.B. No. 2 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

* * *

The Senate recessed at 2:45 p.m. The Senate reassembled at 4:50 p.m.

* * *

Mr. President December 16, 1980

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 1**, BOARD OF EXAMINERS IMPLEMENTATION, by Representative Harward, et al., and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

Communication filed.

H.B. No. 1 was read the first time and on motion of Senator Finlinson, and under suspension of the rules, placed on Second Reading Calendar, and read the second time. Senator Snow explained the bill and moved that the rules again be suspended and **H.B. No. 1** read the third time and up for final passage.

H.B. No. 1 passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Carling	Jensen	Renstrom
Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Kimball	Snow
Barton	Farley	Matheson	Sowards
Black	Finlinson	Money	Swan
Bullen	Halverson	Pace	Wayment
Bunnell	Jeffs	Pugh	Mr. President (Ferry)

Absent and not voting was: Senator Waddingham

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

* * *

The Senate recessed at 5:10 p.m. The Senate reassembled at 6:00 p.m.

COMMUNICATION FROM THE GOVERNOR

Dear Mr. President and Mr. Speaker: December 16, 1980

In addition to the matters listed on the Proclamation, dated December 2, 1980, calling the 43rd Legislature of the State of Utah into Special Session on December 15, 1980, I hereby authorize you to consider an amendment to the Call which would allow:

1. A change in item 2 of the Proclamation dated December 2, 1980 to allow the Legislature to provide for a reduction in State expenditures for Public Education of up to three and one-half percent.

I will issue an Executive Order to reduce expenditures of General Funds and Uniform School Funds in the Appropriation Act by the same amount as Public Education is reduced by the Legislature in the Special Session.

Scott M. Matheson, Governor, State of Utah

Communication filed.

COMMUNCIATIONS FROM THE HOUSE

Mr. President: December 16, 1980

I am directed to inform the Senate that the House of Representatives has this day struck the enacting clause of **S.B. No. 3,** EXECUTIVE AND JUDICIAL APPROPRIATIONS, by Senator Warren E. Pugh, et al., and the same is transmitted herewith for Senate filing.

I am directed to inform the Senate that the House of Representatives has this day struck the enacting clause of **S.B. No. 4,** GENERAL STATE APPROPRIATIONS REDUCTION, by Senator Warren E. Pugh, et al., and the same is transmitted herewith for Senate filing.

Allan M. Acomb, Chief Clerk

Communications filed.

S.B. No. 3 and **S.B. No. 4** were filed.

* * *

Mr. President: December 16, 1980

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.B. No. 1,** TAX CREDIT FOR HOMEOWNERS AND RENTERS DELAY, by Senator Ivan M. Matheson, et al., which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

Communications filed.

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

* * *

Mr. President: December 16, 1980

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House **S.B. No. 2,** REDUCTION OF SCHOOL DISTRICT ALLOCATIONS, by Senator Pugh, et el., and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

Communication filed.

The Senate voted to concur in the House amendments on the following roll call:

Yeas, 18; Nays, 10; Absent, 1

Voting in the affirmative were: Senators

Bangerter	Christensen	Jones	Snow
Barlow	Cornaby	Matheson	Sowards
Barton	Finlinson	Pugh	Wayment
Bullen	Halverson	Sandberg	Mr. President (Ferry)
Carling	Jeffs		

Voting in the negative were: Senators

Asay (expln.)	Farley	Money	Renstrom
Black	Jensen	Pace	Swan
Bunnell	Kimball		

Absent and not voting was: Senator Waddingham

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

* * *

Mr. President:

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 2,** REDUCTION OF SCHOOL DISTRICT ALLOCATIONS, by Senator Pugh, et al., and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

Communication filed.

S.B. No. 2 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: December 15, 16, 1980

The Committee on Revision of the Journal respectfully reports that we have read the Journal for the first and second day of the First Special Session of the 43rd Legislature and find it correct with minor amendments noted on the final copy.

Sherman A. Wayment, Committee Chairman

Committee report read and adopted.

At the direction of President Ferry, the Senate Journal is to reflect that Sophia C. Buckmil-

ler and Joan B. Thomas are to read and make minor corrections in the Daily Journals and be responsible for certifying the indexed and bound copies as the full, and accurate record of the proceedings of the First Special Session of the 43rd Legislature.

President Ferry appointed Senators Sandberg, Sowards and Vivian Jensen to act with like committee from the House to wait upon the Governor and to ascertain whether he has any further business to bring before the Legislature.

A committee from the House of Representatives comprised of Representatives Watt, Christiansen and Heslop notified the Senate that the House has concluded business and is ready to adjourn sine die.

President Ferry appointed Senators Bangerter, Jones and Renstrom to notify the House of Representatives that the Senate has concluded business and is ready to adjourn sine die.

Senator Bangerter notified members of the Senate that the House of Representatives has been notified that the business of the Senate has concluded and the Senate is ready to adjourn sine die.

Senator Vivian Jensen reported that her committee, with a like committee from the House of Representatives, had notified the Governor. The Governor requested that the committee convey to their respective houses that he has no further business to bring before the Legislature. He did state that he would like to speak before each House prior to adjournment.

The Honorable Scott M. Matheson
Governor, State of Utah

"... You have been here addressing an emergency situation in our state, have considered the items on the call for this special session, and have provided legislative solutions to the balancing of our budget for the current fiscal year. This has been done under circumstances and at a time of year which makes this kind of service difficult. I am here to express the appreciation of the citizens of the State of Utah for your diligence, work and efforts in providing the tools by which the budget will be balanced. I must tell those of you who will return in January, however, that I think the budget problems which you have addressed in the last two days have been minor skirmishes compared to those facing us in establishing a fair budget for fiscal year 1981-82. I look forward to working with you in devising, developing and accomplishing a budget under fairly stressful economic circumstances, and one of which we will all be proud.

For those of you who will not return, let me express my appreciation to you for your public service and wish you well. And may I particularly pay my respects to Senator Jensen who has served admirably in this special session and we congratulate her and wish her well — Senator Vivian Jensen!

Senators, thank you so much. I hope that your holiday season is joyful. I look forward to working with you in the general session. Goodnight."

* * *

President Ferry thanked Governor Matheson for his cooperation and wished everyone a Merry Christmas.

Benediction — Senator Arnold Christensen.

On motion of Senator Finlinson and at 6:15 p.m., the First Special Session of the 43rd Legislature adjourned sine die.

FINAL ACTION INDEX

S.B. No. 1	TAX CREDIT FOR HOMEOWNERS AND RENTAL REPEAL, by Senators Ivan M. Matheson and Warren E. Pugh — Signed by Governor, December 26, 1980 Effective date — January 1, 1980
S.B. No. 2	REDUCTION OF SCHOOL DISTRICT ALLOCATIONS, by Senators Warren E. Pugh, Omar B. Bunnell and Haven J. Barlow — Signed by Governor, December 26, 1980 Effective upon approval
S.B. No. 3	EXECUTIVE AND JUDICIAL APPROPRIATIONS, by Senator Warren E. Pugh — House Struck Enacting Clause, December 16, 1980
S.B. No. 4	GENERAL STATE APPROPRIATIONS REDUCTION, by Senator Warren E. Pugh — House Struck Enacting Clause, December 16, 1980
S.C.R. No. 1	MORONI L. JENSEN RESOLUTION, by All Members of the Senate — Signed by Governor, December 22, 1980
H.B. No. 1	BOARD OF EXAMINER'S IMPLEMENTATION, by Merrill W. Harward — Signed by Governor, December 26, 1980
H.B. No. 2	LIEUTENANT GOVERNOR IMPLEMENTATION, by Norman H. Bangerter — Signed by Governor, December 26, 1980
H.C.R. No. 1	REY FLOREZ RESOLUTION, by All Members of the House — Signed by Governor, December 22, 1980
H.C.R. No. 2	JAMES V. HANSEN RESOLUTION, by All Members of the House — Signed by Governor, December 24, 1980

STATE OF UTAH

SENATE JOURNAL

GENERAL SESSION OF THE FORTY-FOURTH LEGISLATURE

Convened
Monday, January 12, 1981

Adjourned sine die
Thursday, March 12, 1981

CERTIFICATION

The undersigned, as the duly appointed committee on revision of the Senate Journal for the General Session of the Forty-Fourth Legislature of the State of Utah, do hereby certify that herein contained is a full, true and accurate record of the proceedings of the General Session convening Monday, January 12, 1981 at ten o'clock a.m. and continuing for sixty consecutive days. The General Session of the Forty-Fourth Legislature adjourned sine die Thursday, March 12, 1981.

Sophia C. Buckmiller

Sophia C. Buckmiller
Secretary of the Senate

Joan B. Thomas

Joan B. Thomas
Senate Minute Clerk

PRESIDENT OF THE SENATE
General Session — Forty-Fourth Legislature



The General Session of the Forty-Fourth Legislature, faced with severe financial constraints, was successful in maintaining the State's budget within available revenues. We are hopeful that this example of fiscal restraint will encourage our citizens and government at all levels to continue the fight against inflation. Through a determined effort we believe it will be possible to maintain desirable levels of services without over taxing the people.

The people of Utah should be pleased with the dedicated manner in which their Senators represented them. I am proud to have served with such loyal public servants whose primary concern was preserving our basic freedoms.

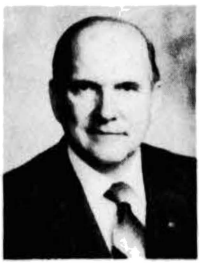
President Miles 'Cap' Ferry

SENATE LEADERSHIP

MAJORITY LEADERSHIP (Republican)



Karl N.
Snow, Jr.
Majority Leader



Jack M.
Bangerter
Majority Whip

MINORITY LEADERSHIP (Democrat) AND SENATE STAFF



Wilford R.
Black, Jr.
Minority Leader



Karl G.
Swan
Minority Whip



Sophia C.
Buckmiller
Secretary of the Senate



Joan B.
Thomas
Senate Minute Clerk



Shauna
Hoffman
Docket Clerk



Barbara
Miller
Leadership Secretary



James W.
Carrico
Sergeant at Arms

SENATE LEADERSHIP

President (R)	Miles 'Cap' Ferry
Majority Leader (R)	Karl N. Snow, Jr.
Majority Whip (R)	Jack M. Bangerter
Minority Leader (D)	Wilford R. Black, Jr.
Minority Whip (D)	Karl G. Swan
Appropriations Chairman	Warren E. Pugh
Secretary of the Senate	Sophia C. Buckmiller

HOUSE LEADERSHIP

Speaker (R)	Norman H. Bangerter
Majority Leader (R)	LeRay L. McAllister
Majority Whip (R)	Lee W. Farnsworth
Assistant Majority Whip (R)	Robert H. Garff
Minority Leader (D)	Roger F. Rawson
Minority Whip (D)	John M. Garr
Assistant Minority Whip (D)	Jeff Fox
Parliamentarian	Robert B. Sykes
Appropriations Chairman	Gary H. Brockbank
Chief Clerk of the House	Allan M. Acomb

STATE OFFICIALS

Governor	Scott M. Matheson
Lieutenant Governor	David S. Monson
Attorney General	David L. Wilkinson
Auditor	W. Val Oveson
Treasurer	Edward T. Alter

CONGRESSIONAL DELEGATION

Senator	E.J. 'Jake' Garn
Senator	Orrin G. Hatch
Congressman	James V. Hansen
Congressman	Dan Marriott

UTAH SUPREME COURT

Chief Justice	Richard J. Maughan
Justice	Gordon R. Hall
Justice	I. Daniel Stewart
Justice	Richard C. Howe
Justice	Dallin H. Oaks

MEMBERS OF THE SENATE



Haven J. Barlow



Bryce C. Flamm



Warren E. Pugh



Frances Farley



Arnold Christensen



William N. Jones



Richard J. Carling



Charles W. Bullen



Charles E. Bennett, Sr



Kay S. Cornaby



A. Dean Jeffs



Omar B. Bunnell



Ronald T. Halverson



Ivan M. Matheson



Lowell S. Peterson



Wayne L. Sandberg



William T. "Bill" Barton



Cary G. Peterson



E. Verl Asay



Fred W. Finlinson



Arthur L. Kimball



Glade M. Sowards



Sherman A. Wayment



Eldon A. Money

MEMBERS OF THE SENATE

Forty-Fourth Legislature

Senator	District	Counties	Party	Address & Telephone No.
Asay, E. Verl (LaVaun)	11	Salt Lake	R	4857 South 1950 West Taylorsville 84118 Res: 968-3247 Bus: 466-9143
Bangerter, Jack Monson (Connie)	23	Davis	R	1177 East Fifth North Bountiful 84010 Res: 292-5771 Bus: 295-7342 & 6667
Barlow, Haven J. (Bonnie Rae)	22	Davis	R	552 Elm Street Layton 84041 Res: 376-4109 Bus: 359-8121
Barton, Bill T. (Karen)	12	Salt Lake	R	3940 West 4100 South West Valley 84120 Res: 968-6964 Bus: 968-2121 & 969-5102
Bennett, Charles E., Sr. (Marva Joy)	6	Salt Lake	D	2729 Alden Street Salt Lake City 84106 Res: 467-0710 Bus: 266-4461
Black, Wilford Rex, Jr. (Helen)	2	Salt Lake	D	826 North 1300 West Salt Lake City 84116 Res: 359-7456
Bullen, Charles W. (Jonnie)	25	Cache, Rich	R	1624 Sunset Drive Logan 84321 Res: 752-3309 Bus: 752-7301
Bunnell, Omar B. (Helen)	27	Carbon, Emery, Grand & San Juan	D	640 North Third East Price 84501 Res: 637-1465 Bus: 637-0284
Carling, Richard J. (Diane)	3	Salt Lake	R	1075 Alton Way Salt Lake City 84108 Res: 582-1231 Bus: 359-7771
Christensen, Arnold (Necia Ann)	10	Salt Lake	R	891 East 8600 South Sandy 84070 Res: 255-2196 Bus: 255-7305 & 8035
Cornaby, K.S. (Linda)	7	Salt Lake	R	3794 Hermes Drive Salt Lake City 84117 Res: 277-6932 Bus: 532-1600
Farley, Frances (Gene)	1	Salt Lake	D	1418 Federal Way Salt Lake City 84102 Res: 364-2405 Bus: 350-1091 & 1171
Ferry, Miles 'Cap' (Sue)	24	Box Elder, Cache	R	Box 70 Corinne 84307 Res: 744-2259 Bus: 744-2258
Finlinson, Fred W. (Jeanne)	8	Salt Lake	R	720 Shiloh Way Murray 84107 Res: 268-9248 Bus: 363-8823
Flamm, Bryce C. (Uleah)	19	Weber	R	3951 North 550 West Ogden 84404 Res: 782-7720 Bus: 621-1921

Halverson, Ronald T. (Linda)	18	Weber	R	1540 Burton Court Ogden 84403 Res: 479-5354 Bus: 731-4742
Jeffs, A. Dean (Darnell)	15	Utah	R	220 East 1950 South Orem 84057 Res: 225-4995 Bus: 373-8848
Jones, William N. (Eleanor)	14	Utah	R	1856 North Fort Lane Alpine 84003 Res: 756-4474 Bus: 487-9861
Kimball, Arthur L.	5	Salt Lake	D	Salt Lake City 84111 Bus: 533-5701
Matheson, Ivan M. (Etta Louise)	29	Beaver, Iron, Washington, Garfield, Kane	R	265 East Midvalley Road Cedar City 84720 Res: 586-9239
Money, Eldon A. (Sharlene)	17	Utah	D	RFD #2, Box 30 Spanish Fork 84660 Res: 798-3668
Peterson, Cary G. (Ranee)	28	Juab, Sanpete, Sevier, Millard, Piute, Wayne	R	406 East 500 North Nephi 84648 Res: 623-1816
Peterson, Lowell S. (Kathleen)	20	Weber	R	4538 South 1725 West Roy 84067 Res: 731-2170 Bus: 731-2169
Pugh, Warren E. (Leta C.)	9	Salt Lake	R	5124 Cottonwood Lane Salt Lake City 84117 Res: 277-2182 Bus: 355-6500
Sandberg, Wayne L. (Phyllis O.)	4	Salt Lake	R	1650 Lone Peak Drive Holladay 84117 Res: 277-5723 Bus: 521-3222
Sowards, Glade M. (Elizabeth)	26	Morgan-Summit, Wasatch-Uintah, Duchesne- Daggett	R	380 West 100 South Vernal 84078 Res: 789-0149 & 532-1668 Bus: 789-0657
Snow, Karl N., Jr. (Donna)	16	Utah	R	1847 North Oak Lane Provo 84601 Res: 373-6709 Bus: 378-5017
Swan, Karl G. (Janet)	13	Tooele, Salt Lake	D	347 Upland Drive Tooele 84074 Res: 882-3740 Bus: 882-0300
Wayment, Sherman A. (Dona)	21	Davis, Weber	R	2634 West 1800 North Clinton 84015 Res: 773-9349 Bus: 782-8090 x 214

CONSTITUTION

LEGISLATIVE DEPARTMENT
ARTICLE VI

Section 1. Power vested in Senate, House and People. The Legislative power of the State shall be vested:

1. In the Senate and House of Representatives which shall be designated the Legislature of the State of Utah.

2. In the people of the State of Utah, as hereinafter stated:

The legal voters or such fractional part thereof, of the State of Utah as may be provided by law, under such conditions and in such manner and within such time as may be provided by law, many initiate any desired legislation and cause the same to be submitted to a vote of the people for approval or rejection, or may require any law passed by the legislature (except those laws passed by a two-thirds vote of the members elected to each house of the Legislature) to be submitted to the voters of the State before such law shall take effect.

The legal voters or such fractional part thereof as may be provided by law, of any legal subdivision of the State, under such conditions and in such manner and in within such time as may be provided by law, may initiate any desired legislation and cause the same to be submitted to a vote of the people of said legal subdivision for approval or rejection, or may require any law or ordinance passed by the law making body of said legal subdivision to be submitted to the voters thereof before such law or ordinance shall take effect.

Sec. 2. Time of General and Budget Sessions. Sessions of the Legislature shall be held annually at the seat of government and shall begin on the second Monday in January. A general session shall be held during odd-numbered years, and a budget session shall be held during even-numbered years. Legislation not directly related to the state budget may be considered by the Legislature during budget sessions only if permitted by a joint resolution passed by two-thirds of the members elected to each house.

Sec. 3. Members of House, how and when chosen. The members of the House of Representatives, after the first election, shall be chosen by the qualified voters of the respective representative districts, on the first Tuesday after the first Monday in November, 1896, and biennally thereafter. Their term of office shall be two years, from the first day of January next after their election.

Sec. 4. Senators, how and when chosen. The senators shall be chosen by the qualified voters of the respective senatoral districts, at the same times and places as member of the House of Representatives, and their term of office shall be four years from the first day of January next after their election and as nearly one-half as may be practicable shall be elected in each biennium as the Legislature shall determine by law with each apportionment.

Sec. 5. Who eligible as legislator. No person shall be eligible to the office of senator or representative who as of the last date provided by law for filing for the office is not a citizen of the United States, twenty-five years of age, a qualified voter in the district from which he is chosen, a resident for three years of the State, and for six months of the district from which he is elected.

Sec. 6. Who ineligible as legislator. No person holding any public office of profit or trust under authority of the United States, or of this state, shall be a member of the Legislature:

Provided, That appointments in the State Militia, and the offices of notary public, justice of the peace, United States commissioner, and postmaster of the fourth class, shall not, within the meaning of this section, be considered offices of profit or trust.

Sec. 7. Ineligibility of legislator to office created at term for which elected. No member of the Legislature, during the term for which he was elected, shall be appointed or elected to any civil office of profit under this State, which shall be been created, or the emoluments of which shall have been increased, during the term for which he was elected.

Sec. 8. Legislator, Privilege from arrest. Members of the Legislature, in all cases except treason, felony or breach of the peace, shall be privileged from arrest during each session of the Legislature, for fifteen days next preceding each session, and in returning therefrom; and for words used in any speech or debate in either house, they shall not be questioned in any other place.

Sec. 9. Compensation of legislators. The members of the Legislature shall receive compensation of $25 per diem while actually in session, expenses of $15 per diem while actually in session, and mileage as provided by law.

Sec. 10. Each house to be judge of election, and qualifications of its members — Expulsion. Each house shall be the judge of the election and qualifications of its members, and may punish them for disorderly conduct, and with the concurrence of two-thirds of all members elected, expel a member for cause.

Sec. 11. Majority is quorum — Attendance compelled. A majority of the members of each house shall constitute a quorum to transact business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner and under such penalties as each house may prescribe.

Sec. 12. Rules — Choosing officers and employees. Each house shall determine the rules of its proceedings and choose its own officers and employees.

Sec. 13. Vacancies to be filled. Vacancies that may occur in either house of the legislature shall be filled in such manner as may be provided by law.

Sec. 14. Journals — Yeas and nays. Each house shall keep a journal of its proceedings, which, except in case of executive sessions, shall be published, and the yeas and nays on any question, at the request of five members of such house, shall be entered upon the journal.

Sec. 15. Sessions to be public — Adjournments. All sessions of the Legislature, except those of the Senate while sitting in executive session, shall be public; and neither house, without the consent of the other, shall adjourn for more than three days, nor to any other place than that in which it may be holding session.

Sec. 16. Duration of Sessions. No general session of the Legislature shall exceed sixty calendar days, except in cases of impeachment. No budget session shall exceed twenty calendar days, except in cases of impeachment. No special session shall exceed thirty calendar days, except in cases of impeachment. When any session of the Legislature trying cases of impeachment exceeds the number of calendar days it may remain in session as provided in this section, the members shall receive for compensation only the usual per diem expenses and mileage.

Sec. 17. Impeachment by House. The House of Representatives shall have the sole power of impeach-

ment, but in order to impeach, two-thirds of all the members elected must vote therefor.

Sec. 18. Trial of impeachment by Senate. All impeachments shall be tried by the Senate, and Senators, when sitting for that purpose, shall take oath or make affirmation to do justice according to the law and the evidence. When the Governor is on trial, the Chief Justice of the Supreme Court shall preside. No person shall be convicted without the concurrence of two-thirds of the senators elected.

Sec. 19. Officers liable for impeachment — Judgment — Prosecution by law. The Governor and other State and Judicial officers, except justices of the peace, shall be liable to impeachment for high crimes, misdemeanors, or malfeasance in office; but judgment in such cases shall extend only to removal from office and disqualification to hold any office of honor, trust or profit in the State. The party, whether convicted or acquitted, shall, nevertheless, be liable to prosecution, trial and punishment according to law.

Sec. 20. Service of articles of impeachment. No person shall be tried on impeachment, unless he shall have been served with a copy of the articles thereof, at least ten days before the trial, and after such service he shall not exercise the duties of his office until he shall have been acquitted.

Sec. 21. Removal of officers. All officers not liable to impeachment shall be removed for any of the offenses specified in this article, in such manner as may be provided by law.

Sec. 22. Reading of bills — Bill to contain only one subject — Bills passed by majority. Every bill shall be read by title three separate times in each house except in cases where two-thirds of the house or such bill is pending suspend this requirement. Except general appropriation bills and bills for the codification and general revision of laws, no bill shall be passed containing more than one subject, which shall be clearly expressed in its title. The vote upon the final passage of all bills shall be by yeas and nays and entered upon the respected journals of the house in which the votes occurs. No bill or joint resolution shall be passed except with the assent of the majority of all the members elected in each house of the Legislature.

Sec. 23. Regulation of income taxes. Not withstanding any provision of this Constitution, the Legislature, in any law imposing income taxes, may define the amount on, in respect to, or by which the taxes are imposed or measured, by reference to any provision of the laws of the United States as the same may be or become effective at any time or from time to time and may prescribe exemptions or modifications to any such provision.

Sec. 24. Presiding officers to sign bills. The presiding officer of each house, not later than five days following adjournment, shall sign all bills and joint resolutions passed by the Legislature, certifying to their accuracy and authenticity as enacted by the Legislature.

Sec. 25. Publication of acts — Effective dates of acts. All acts shall be officially published, and no act shall take effect until sixty days after the adjournment of the session at which it passed, unless the Legislature by a vote of two-thirds of all the members elected to each house, shall otherwise direct.

Sec. 26. Private laws forbidden. No private or special law shall be enacted where a general law can be applicable.

Sec. 27. Lotteries not authorized. The Legislature shall not authorize any game of chance, lottery or

gift enterprise under any pretense or for any purpose.

Sec. 28. Special privileges forbidden. The Legislature shall not delegate to any special commission, private corporation or association, any power to make, supervise or interfere with any municipal improvement, money, property or effects, whether held in trust or otherwise, to levy taxes, to select a capitol site, or to perform any municipal functions.

Sec. 29. Lending public credit forbidden. The Legislature shall not authorize the State, or any county, city, town, township, district or other policial subdivision of the State to lend its credit or subscribe to stock or bonds in aid of any railroad, telegraph or other private individual or corporate enterprise or undertaking.

Sec. 30. Continuity in government. Notwithstanding any general or special provisions of the Constitution, the Legislature in order to insure continuity of state and local government operations in periods of emergency resulting from disaster caused by enemy attack shall have the power and immediate duty (1) to provide for prompt and temporary succession to the powers and duties of public offices of whatever nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and duties of such offices, and (2) to adopt such measures as may be necessary and proper for insuring the continuity of governmental operations including, but not limited to, the financing thereof; but subsections 1 and 2 of this section shall not permit the public officers so appointed to act or the measures so adopted to be in contravention of the Constitution and applicable law.

Sec. 31. Additional compensation of legislators. For attendance at meetings interim committees established by law to function between legislative sessions, members of the Legislature shall receive additional per diem compensation and mileage at a rate not to exceed that provided in this Constitution for regular legislative sessions.

Sec. 32. Appointment of additional employees. The Legislature may appoint temporary or permanent nonmembers employees for work during and between sessions, including independent legal counsel which shall provide and control all legal services for the Legislature except as the Legislature by law shall authorize performance thereof by the attorney general.

Sec. 33. Legislative auditor appointed. The Legislature shall appoint a legislative auditor to serve at its pleasure. The legislative auditor shall have authority to conduct audits of any funds, functions, and accounts in any branch, department, agency or political subdivision of this state and shall perform such other related duties as may be prescribed by the Legislature. He shall report to and be answerable only to the Legislature.

EXECUTIVE ARTICLE
ARTICLE VII

Sec. 8. Bills presented to Governor — Veto — Appropriations bills. Every bill passed by the Legislature, before it becomes a law, shall be presented to the Governor; if approved, the Governor shall sign it, and thereupon it shall become a law; but if disapproved, the bill shall be returned with the Governor's objections to the house in which it originated, which house shall enter the objections at large upon its journal and proceed to reconsider the bill. If upon reconsideration the bill again passes both houses by a yea and nay vote of two-thirds of the members elected to each house, it shall become a law. If any bill is not returned by the

Governor within ten days after it has been presented to the Governor, Sunday and the day it was received excepted, it shall become a law without signature; but if legislative adjournment prevents return of the bill, it shall become a law unless the Governor within twenty days after adjournment files the objections thereto with such officers as provided by law. The Governor may disapprove any item of appropriation contained in any bill while approving other portions of the bill; and in such case the Governor shall append to the bill at the time of signing it a statement of the item or items which are disapproved, together with the reasons therefor, and such item or items shall not take effect unless passed over the Governor's objections as provided in this section.

AMENDMENT AND REVISION ARTICLE XXIII

Section 1. Amendments: proposal, election. Any amendment or amendments to this Constitution may be proposed in either house of the Legislature, and if two-thirds of all the members elected to each of the two houses, shall vote in favor thereof, such proposed amendment or amendments shall be entered on their respective journals with the yeas and nays taken thereon; and the Legislature shall cause the same to be published in at least one newspaper in every county of the state, where a newspaper is published, for two months immediately preceding the next general election, at which time the said amendment or amendments shall be submitted to the electors of the state for their approval or rejection, and if a majority of the electors voting thereon shall approve the same, such amendment or amendments shall become part of this Constitution.

The revision or amendment of an entire article or the addition of a new article to this Constitution may be proposed as a single amendment and may be submitted to the electors as a single question or proposition. Such amendment may relate to one subject, or any number of subjects, and may modify, or repeal provisions contained in other articles of the Constitution, if such provisions are germane to the subject matter of the article being revised, amended or being proposed as a new article.

Sec. 2. Revision of the Constitution. Whenever two-thirds of the members, elected to each branch of the Legislature, shall deem it necessary to call a convention to revise or amend this Constitution, they shall recommend to the electors to vote, at the next general election, for or against a convention, and, if a majority of all the electors, voting at such election, shall vote for a convention, the Legislature, at its next session, shall provide by law for calling the same. The convention shall consist of not less than the number of members in both branches of the Legislature.

Sec. 3. Submission to electors. No Constitution, or amendments adopted by such convention, shall have validity until submitted to, and adopted by, a majority of the electors of the State voting at the next general election.

CRIMES AGAINST THE LEGISLATIVE POWER

UTAH CODE ANNOTATED 1953

76-28-13- Preventing meeting of Legislature.

76-28-14- Disturbing Legislature While In Session.

76-28-15- Altering Draft or Bill After Introduction.

76-28-16- Altering Engrossed Copy of Bill or Resolution.

76-28-17- Bribes — Giving or Offering to Member.

76-28-18- Bribes — Members Asking for or Receiving.

76-28-19- Member Promising to Trade Vote or Influence.

76-28-20- Members Trading Vote or Influence.

76-28-21- Corruptly Soliciting Official Action of any Public Officer.

76-28-22- Member Failing to Disclose Private Interest in Legislation.

76-28-23- Voting in Consideration or on Condition of Governor's Action.

76-28-24- Promise of Vote by Senator, to Affect Governor's Appointments.

76-28-25- Witnesses Before Legislature — Failing to Attend and Testify.

76-28-26- Lobbying for Hire.

76-28-27- Witnesses Denied Claim of Privileges in Prosecutions Under this Chapter.

RULES OF THE SENATE

1. ORGANIZATION AND OFFICERS

1.01 Secretary of State-Lt. Governor to Call to Order.
The Senate at the commencement of every regular session of the Legislature, shall be called to order by the Secretary of State-Lt. Governor, or some person designated by the Secretary of State-Lt. Governor, who shall preside until the members have been sworn in and have elected a President.

1.02 Election of President.
The Senate shall elect a President who shall preside during the session, and who shall have responsibility for the general direction of the Senate.

1.03 President May Call a Senator to Chair.
The President may call a Senator to the chair as President and the Senator shall have all the powers of the President while conducting; but the substitution shall not extend beyond an adjournment.

1.04 Temporary Presiding Officer in Absence of President.
When the President vacates the chair temporarily he shall appoint a senator to preside until his return. In case the President or the Senator appointed by the President to perform the duties of the chair is absent at the hour to which the Senate stands adjourned, the oldest senior Senator present shall call the Senate to order and shall preside.

1.05 Duties of President.
It shall be the general duties of the President:

1. To assign to the officers and employees of the Senate their respecitve duties and stations, and to have general supervision over them.

2. To assign places to media representatives.

3. To take the chair every day, precisely at the hour to which the Senate has adjourned, immediately call the Senate to order, and proceed with the daily order of business.

4. To announce the business before the Senate in the order in which it is to be acted upon.

5. To receive and submit in the proper manner all motions and propositions presented by the Senators.

6. To put to vote all questions which are regularly moved, or which necessarily arise in the course of proceedings, and to announce the results thereof.

7. To restrain the Senators while engaged in debate, within the rules of order.

8. To enforce on all occasions the observance of order and decorum among the Senators.

9. To inform the Senate when necessary, or when referred to for that purpose, on any point of order or practice.

10. To receive messages and other communications from other branches of the government, and to announce them to the Senate.

11. To authenticate by his signature when necessary, all the acts, orders and proceedings of the Senate.

12. To name the members of committees when directed to do so in any particular case, or when it is part of his general duty by the rules.

13. To represent and stand for the body over which he presides, declaring its will, and in all things obeying its commands. Every officer of the Senate is subordinate to the President, and in all that relates to his several duties, is under his supervision. In all his action pertaining to members of the body, seniority shall be a factor.

14. The President or the Secretary of the Senate shall sign all requisitions on the State Department of Finance for warrants to pay expenses of the Senate. In the absence of the Presi-

dent and the Secretary of the Senate the requisitions shall be valid if signed by the Chairman of the Committee on Rules.

1.06 Appointment of Secretary of the Senate.
A Secretary of the Senate, who shall be a notary public, shall be appointed by the President before the commencement of each session to hold office at the pleasure of the President. The general duties of the Secretary shall be:

1. To act as chief administrative officer of the Senate office, subject to the direction of the President.
2. To supervise Senate personnel during the session and interim and to allocate, under direction of the President, the duties and responsibilities of all Senate personnel.
3. To supervise the custody of all official documents in the possession of the Senate.
4. To receive, number and file all pre-filed bills.
5. To record accurately the number, title, sponsors, each action, and final disposition of every bill on bill backs.
6. To prepare and distribute the legislative agenda for each day.
7. To assist the Minute Clerk in preparation of the Senate journal and to certify it as an accurate reflection of legislative action in the Senate.
8. To read in open session, the formal title of all bills when introduced and other material as requested by the President.
9. To receive committee reports and present them to the Senate.
10. To assist the President and Senators by providing parlimentary information, calling attention to constitutional requirements, joint and senate rules, and rules of order.
11. To assist with amendments to bills.
12. To record voice roll call votes and present the final vote to the President.
13. To correct spelling or other similar minor errors on bills.
14. To certify and transmit bills to the House of Representatives and to inform the House of all Senate action.
15. To transmit to the Governor all approved bills which have originated in the Senate, after they have been signed by the Speaker of the House and the President of the Senate, put in correct form and enrolled.
16. To approve material for placement on the Senators' desks, making certain the person, group or agency requesting distribution is clearly identified.
17. To respond to inquiries from legislators, government agencies and members of the public both in and out of the State, regarding senate history, activities and legislative action.
18. To represent the Senate at schools, organizations, clubs and other civic groups when requested to do so by the President.

1.07 Appointment and Duty of Sergeant at Arms.
A Sergeant at Arms shall be appointed by the President at the commencement of each session to hold office at the pleasure of the President. His general duties shall be described by the President.

2. ATTENDANCE

2.01 Every Senator Must be Present.
Every Senator shall be present within the Senate Chamber during the sessions of the Senate unless duly excused or necessarily prevented.

2.02 Less Than Quorum May Send for Absent Senators.
In case a less number than a quorum of the Senate shall convene at the hour to which the Senate shall have adjourned, those present are authorized to send the Sergeant at Arms, or any other person, for the absent Senators.

3. DECORUM

3.01 President to Preserve Order; Appeal.
The President shall preserve order and decorum; he may speak to points of order in preference to other Senators, rising from their seats for that purpose; and he shall decide questions of order, subject to an appeal by any Senator. No Senator shall speak more than once on the appeal unless by leave of the Senate. On appeal being taken, the question shall be: *"Shall the decision of the chair stand as the judgment of the Senate?"* The question and the action thereon shall be entered in the journal.

3.02 Disorderly Conduct.
In case of any disturbance or disorderly conduct in the areas adjacent to the chamber or the gallery, the President may order the areas or gallery to be cleared.

3.04 Smoking Not Permitted.
No person shall be permitted to smoke within the Senate Chamber, gallery or committee rooms, in or out of session, and it shall be the duty of the Sergeant at Arms to enforce this rule.

3.05 Obtaining the Floor.
When any Senator is about to speak or to deliver any matter to the Senate or obtain the floor, a Senator shall rise and respectfully address the President as "Mr. President." Upon being recognized by the chair, the Senator may address the Senate confining his remarks to the question under consideration and avoiding personalities. No Senator shall impugn the motives of any other Senator.

3.06 Calling a Senator to Order for Transgressing Rules.
If any Senator in speaking (or otherwise) trangresses the rules of the Senate, the President shall, or any Senator may, call the Senator to order, in which case the Senator called to order shall sit down, unless permitted to explain; and the Senate if appealed to shall decide the case without debate. If the decision is in favor of the Senator called to order, that Senator shall be at liberty to proceed; if otherwise and the case requires it, the Senator shall be liable to the censure of the Senate.

3.07 Calling a Senator to Order for Words Spoken.
If a Senator is called to order for words spoken in debate, the Senator calling the member to order shall repeat the words to which exception is taken, and they shall be recorded by the Secretary; but no Senator shall be held to answer, or be subject to the censure of the Senate for words spoken in debate, if any Senator has meanwhile spoken in debate, or if other business has intervened after the words spoken and before the exceptions have been taken.

3.08 President to Decide Who Is Entitled to Floor.
If two or more Senators rise at once, the President shall name the Senator who is to speak first.

3.09 Senators Not to Leave Chamber.
When the President is addressing the Senate or putting a question, no Senator shall walk out of or across the chamber; or while a Senator is speaking, walk between the member and the chair.

3.10 Calling Yeas and Nays.
No Senator or other person shall visit or remain by the Secretary's desk while the yeas and nays are being called.

4. ORDER OF BUSINESS

4.01 Hour for Meeting.
The hour for the meeting of the Senate shall be at 10:00 o'clock a.m. daily except Saturdays and Sundays unless a different hour or day is prescribed by resolution or motion adopted by a majority vote. The President shall announce at the beginning of each week the scheduled meeting times of the Senate that vary from this rule.

4.02 Roll Call; Quorum.
Before proceeding to business, the roll of the Senators shall be called and the names of those present and those absent shall be entered on the journal. A majority of the Senators must be present to constitute a quorum for the transaction of business but a smaller number may adjourn from day to day and may compel the attendance of absent members.

4.04 Daily Order of Business.
The daily order of business of the Senate shall be as follows:

1. Roll Call.
2. Prayer.
3. Leaves of Absence.
4. Reading and approval of the journal of the preceding day.
5. Communications and petitions.
6. Reports of standing committees.
7. Reports of special committees.
8. Motions, resolutions, and notices.
9. Announcement of committee meetings.
10. Introduction of bills.
11. Unfinished business.
12. Consideration of resolutions.
13. Consideration of bills on third reading.
14. Consideration of bills on Consent Calendar.
15. Consideration of bills on second reding.
16. Miscellaneous business.

4.05 Message and Reports Received at Any Time.
Messages from the Governor and from the House of Representatives; communications and reports from State officers; and reports from the Committee on Rules may be received at any time, except when the President is putting the question or when the yeas and nays are being called.

4.06 Action Out of Regular Order.
The Senate may at any time on motion supported by a majority vote of the Senators present proceed out of order to any order of business or return to an order already passed. When the Senate has reached any particular order of business, any item thereunder may be taken up for consideration out of its regular order upon motion supported by a majority vote of the Senators present.

4.07 Priority of Business.
All questions relating to priority of business shall be decided without debate by majority vote of the Senators present.

4.08 Unfinished Business.
The item of unfinished business in which the Senate was engaged at the last preceding adjournment shall have the preference under its regular order in the daily order of business.

6. COMMITTEES

6.01 Committee on Rules.
All legislation introduced during the session or filed prior to the session shall be submitted to the Rules Committee. The Rules Committee shall have the following responsibilities:

1. To prepare and recommend the standing rules of the Senate and to report them to the Senate for approval, change, or disapproval before the end of the second day of each legislative session.
2. To examine each bill introduced to determine that it is in proper form for submission to the Legislature, and when in proper form to require the bill to be printed.
3. To submit each bill to the Senate with the recommendation:
    a. That the bill be held in Rules Committee.
    b. That the bill be referred to a standing committee for consideration.
    c. That the bill be referred directly to the second reading calendar.

The Rules Committee (and sifting committee when appointed by the President and approved by the Senate)

shall have the power to establish a calendar for committee and floor consideration of every introduced bill or resolution which the committee considers to be of major importance and to maintain and periodically review the calendar, keeping it current and consistent with conditions and priorities of the legislative session.

The Rules Committee may recommend a time certain for floor consideration of any bill reported out of the Rules Committee, or any time thereafter, and any bill so scheduled which has been assigned to a standing committee shall thereafter have priority status in the standing committee.

6.02 Standing Committees.
The following standing committees shall be appointed by the President of the Senate:

1. Appropriations.
2. Agriculture.
3. Business, Labor and Economic Development.
4. Energy and Natural Resources.
5. Higher Education.
6. State and Local Affairs.
7. Judiciary.
8. Public Education.
9. Revenue and Taxation.
10. Rules and Sifting.
11. Social Services.
12. Transportation and Public Safety.

6.03 Chairman of Committee.
The first Senator named on the committee shall be the chairman thereof.

6.04 Time, Location and Notice of Committee Meeting.
Each committee shall meet at the time and in the room assigned by the President except that the committee may meet at additional times or in other locations as determined by the chairman, upon the issuance of reasonable notice. Each committee chairman shall have posted in places designated by the President, the time, room number and agenda of the committee meetings.

6.05 Committee Not to Sit While Senate in Session.
No committee shall sit while the Senate is in session, without special leave.

6.06 Special Committees.
Special committees may be provided for on motion or by resolution designating the number and the object, and unless otherwise ordered shall be appointed by the President.

6.07 Committee Quorum; Subcommittees.
A majority of any committee shall constitute a quorum for the transaction of business. Subcommittees, which shall report to the regular committee, may be appointed to take charge of any part of the committe's business.

If a Senator appointed to any committee shall fail, without giving notice of the reason thereof, to attend three consecutive meetings of any committee of which he is a member, his membership in the committee shall not be counted for purposes of determining a quorum.

6.08 Committee Responsibility.
Every committee to which a bill is referred shall give the measure due consideration and may recommend favorably, unfavorably, or without recommendation; amend; table; or substitute for the bill. A majority vote of the committee is required to amend, substitute, table or recommend a bill.

Each committee shall be provided with a secretary to keep minutes of all committee action and a record of attendance which shall be filed for a period of three years.

6.09 Public Hearing.
The committee may hold public hearings in addition to or instead of regular committee meetings. A hearing may be held on the subject matter involved in one or several bills. The chairman shall give notice of the hearing to affected sponsors and to the public in accordance with the Utah Open and Public Meetings Act. The chair-

man, subject to the approval of the committee, may adopt procedures for the orderly conduct of the hearing, including limitations on the time available for the entire hearing and for individual speakers and the order in which speakers shall address the committee. The committee may at any time by motion close the public hearing and begin a regular committee meeting.

It shall be the responsibility of the committee in the conduct of hearings to request presentation of testimony by any person who, in the opinion of the committee, is qualified to present testimony of importance in the determination of the issues. The testimony shall be directed to the committee. Upon majority vote of the committee the testimony may be taken under oath.

6.10 Notice of Meeting to Author of Bill.
The chairman or secretary of each committee of the Senate shall notify the author of any bill pending before the committee of the hour and place of hearing or meeting in which the bill will be considered.

6.11 Dissenting Members to be Reported.
Members dissenting from a report of a committee shall be so reported when they request it.

6.14 Bill Reporting by Committee.
All business referred to a committee shall be considered within eight days unless further time is granted by the Senate. A committee making a request for an extension of time shall name the day on which the bill will be reported to the Senate. When a bill has been acted upon by a committee, the committee report, stating the committee's action on the bill, shall be returned to the Senate forthwith with the bill. If a committee has tabled a bill, the committee shall so notify the Senate, but this notification shall not be read as a committee report on the bill.

6.15 Consideration of Bills in Committee of the Whole.
The Senate may resolve itself into a committee of the whole for the consideration of any bill, upon majority vote of the Senate.

6.16 Procedure in Committee of Whole.
In forming a committee of the whole, the President, unless otherwise ordered by the Senate, shall act as chairman to preside. He shall exercise the powers of the President necessary to the conduct of the business of the committee. The rules of the Senate shall govern as far as practicable, except that a Senator may speak more than twice on the same subject, a call for the yeas and nays cannot be made, and an appeal from the decision of the chair may not be taken.

6.17 Motion to Dissolve Always in Order in Committee of the Whole.
A motion that the committee of the whole be dissolved shall always be in order, and shall be decided without debate.

6.18 Chairman to Preserve Order; Appeal.
The chairman shall preserve order and decorum in committee meetings and hearings. He shall decide points of order subject to an appeal by any member of the committee. The appeal shall be stated as a motion and shall be adopted upon a majority vote of the committee members present. The motion and the action shall be entered in the minutes of the committee.

6.19 Disorderly Conduct.
The chairman may order the committee room cleared of visitors in the event of disorderly conduct.

6.20 Obtaining the Floor.
The chairman shall recognize any member wishing to speak to a matter of business before the committee.

Upon being recognized, the member shall confine his remarks to the subject under discussion.

6.21 Visitors.
Visitors to a committee meeting or hearings shall sit in chairs designated for the purpose and together with the members of the committee and staff, shall not exceed the number posted by the Fire Marshall as the limit of occupancy for the room in which the meeting is held. The chairman shall indicate when that limit is reached and shall prevent the entry of additional persons into the room.

Visitors shall not speak during committee meetings unless specifically invited by the chairman. In meetings which have been designated as public hearings, however, visitors may address the committee subject to any restrictions on time and order announced by the chairman.

6.22 Order of Business.
Unless otherwise determined by the chairman or a majority vote of the committee, the order of business in a committee meeting shall be:

1. Call of committee to order by the chairman.
2. Approval of minute of previous meeting.
3. Announcement of the order of consideration of agenda items.
4. Announcement of time restrictions, if any.
5. Communications.
6. Consideration of agenda business.

6.23 Motions.
Rules of the Senate governing motions shall be in force in committee meetings and hearings, except that the following motions shall not be entertained:

1. Motion to strike the enacting clause;
2. Motion to circle (a committee may hold a bill in committee within the time limits imposed by Rule 6.14).

6.24 Motion to End Debate.
A motion having the effect of ending debate on a question in committee shall be adopted only by the vote of two-thirds of the committee members present.

6.25 Members to Vote; Recording of Votes.
Each member of a committee present shall vote yea or nay on each question put to vote by the chairman. The vote of each member shall be recorded in the minutes of the committee.

6.26 Reconsideration in Committee.
A committee, by majority vote, may reconsider its action on a bill at any time until the committee report on the bill has been transmitted to the Senate.

7. THE CALENDAR AND PASSAGE OF BILLS

7.01 Bills Placed on Calendar.
All bills reported to the Senate by committees shall be placed at the foot of the second reading calendar in the order in which the reports are made; and after passing their second reading, they shall be placed at the foot of the third reading calendar in the order that they were passed from the second reading calendar.

7.02 Precedence in Consideration of Bills; Printed Calendar.
Precedence shall be given in consideration of bills on the calendar in the following order: Third reading calendar and second reading calendar, unless otherwise ordered. The bills on the third reading shall be considered in the order in which they appear on the calendar unless otherwise ordered by majority consent. If a bill is passed over on the calendar for any reason other than the absence of the sponsor by leave of the Senate, it shall be placed at the foot of the calendar, unless otherwise ordered. The Secretary shall during each daily session cause the calendar to be written and main-

tained upon the blackboard showing bills properly listed as provided by the Senate Rules.

7.03 Special Order.
Any Senator with majority approval may make a bill a special order; and when the time fixed for its consideration arrives, the President shall lay it before the Senate.

7.04 Second Reading of Bill.
When a bill has reached the second reading calendar, it shall be read by formal title, unless two-thirds of the Senate vote otherwise, after which the report of the committee shall be read and acted upon. A motion to adopt a favorable or without recommendation committee report shall have the effect of receiving the bill with any amendments or substitutes provided by the committee. If the motion to adopt a favorable or without recommendation committee report is not approved by a constitutional majority, the bill will then be considered on the second reading calendar in its original form without the committee changes. A motion approved by a constitutional majority to adopt an unfavorable committee report shall be deemed a defeat of the bill on the second reading calendar. If the motion to adopt an unfavorable report is not approved, the bill will then be considered on the second reading calendar in its original form without the committee changes. The final question of the second reading shall be, *"Shall the bill (resolution) be read a third time?"* and shall be decided by a yea or nay vote. A constitutional majority is required to pass the bill to the third reading calendar. A resolution proposing a constitutional amendment needs only a constitutional majority to pass a second reading. If the question is decided in the negative, it shall be deemed a rejection of the bill or resolution.

7.05 Bill Placed on Third Reading Calendar.
Each bill ordered read a third time shall be placed at the foot of the third reading calendar. No bill shall be read the third time until the day following its second reading.

7.06 Reprinting Bill.
Any bill that has been materially amended on its second reading may be ordered reprinted or retyped.

7.07 Third Reading of Bill; Final Questions.
When a bill has reached the third reading calendar, it shall be read by formal title unless the majority of the Senate vote to read it in full as it passed its second reading; or unless two-thirds of all Senators vote to read the bill by short title. The bill shall then be open for discussion or further amendment. The final question shall be, *"This bill (resolution) having been read three times, the question is: Shall the bill (resolution) pass or shall the bill (resolution) be concurred in?"* as the case may be.

7.08 Third Reading of Money Bills.
The third reading of all bills appropriating money shall be in full, if requested by the majority of the Senate.

7.09 Amendments Inserted in Bill Before Transmitted to House.
Any bill or resolution which has passed the Senate with amendments shall be retyped or reprinted on paper which is goldenrod in color and the Senate amendments shall be designated by light italic type before being transmitted to the House of Representatives.

7.10 Recommitment Before Passage.
Any bill or resolution may be recommited at any time previous to its passage.

7.11 Action on House Bill.
When a House bill has been received by the Senate, with a message announcing that it has passed the House, the bill shall be read the first

time and referred by the President to the Rules Committee and its course shall thereafter be the same as that of a Senate bill provided, however, that when a House bill is received, the text of which is stated by a Senator to be identical with that of a Senate measure which has already been considered and reported by a standing committee of the Senate, the House bill shall be referred to the Committee on Rules for comparison. The Committee on Rules shall report without delay whether or not the measure is identical with the Senate bill. If reported to be identical, the House version shall be substituted for the Senate bill or resolution and shall take its place on the second reading calendar, provided that the fact that the bills are identical shall be entered in the journal.

7.12 No Senate Bills Shall Be Passed After the 57th Day.
No Senate bill shall be passed on second reading after the fifty-seventh day of the general session of the Legislature.

7.13 Consent Calendar.
Each standing committee may report a bill out with the recommendation that it be placed on the consent calendar, providing: (a) it has been requested by the sponsor to be placed on the consent calendar, and (b) it receives a unanimous recommendation of the committee when a quorum is present. The Secretary of the Senate shall provide each committee chairman with appropriate forms for reporting the committee's recommendation. Upon adoption of the committee report by the Senate, the bill shall be read by formal title the second time, unless the reading is suspended by a two-thirds vote of the Senate, and the bill shall be placed on the consent calendar.

Each day the President shall call the attention of the members of the Senate to the consent calendar and inquire if there are any objections to any of the bills. Objections registered by three or more members of the Senate shall result in a bill being struck from the consent calendar, and the bill shall then be placed in its regular position on the second reading calendar.

If after three days, three or more members have not registered objections to the bill with the Secretary, it shall be acted upon in the following manner; the formal title shall be read the third time, unless the reading is suspended by a two-thirds vote of the Senate, and the bill shall be considered for final passage. The vote upon final passage shall be by yeas and nays as prescribed by rule 12.11 and duly entered in the journal.

9. MOTIONS

9.01 Motions to Be Stated Before Debate.
When a motion is made it shall be stated by the President or if in writing, shall be handed to the Secretary and read aloud before debate.

9.02 Withdrawing a Motion.
After a motion is stated by the President or read by the Secretary, it shall be deemed in the possession of the Senate, but may be withdrawn at any time by vote of a majority of the Senators present before it is divided or amended.

9.03 No Second Required to Motions.
No second shall be required to any motion in the Senate or its committees.

9.04 Motion in Order During Debate.
When a question is under debate, no motion shall be received except:

1. To fix the time to which to adjourn.
2. To adjourn.
3. To call the Senate.
4. To commit.
5. To lay on the table.
6. To postpone to a time certain.
7. To postpone indefinitely.
8. To amend.

These several motions shall have precedence in the order in which they stand in this rule.

During roll call no motion or other business shall be in order until after the announcement of the result of the vote.

9.05 Motion to Adjourn Always in Order; Exceptions.
A motion to adjourn shall always be in order except when the Senate is voting, when a previous motion to adjourn has been defeated and there has been no intervening business, and when another Senator has the floor.

9.06 Motion to Lay on Table Temporary Only.
A motion to lay on the table shall only have the effect of disposing of the matter temporarily, and it may be taken from the table at any time by order of the Senate.

9.07 A Motion to Circle.
A motion may be made to circle any bill and the motion will have the effect of temporarily holding the item in its place on the calendar. If subsequent action is not taken to remove the circle from the bill before the completion of business on the same day, it will automaticaliy be placed on the table.

9.08 Motion to Postpone.
No motion to postpone to a day certain or indefinitely, or to commit, being decided in the negative, shall again be allowed on the same day and at the same stage of a bill or resolution.

9.09 Motion to Strike Enacting Clause.
A motion to strike the enacting clause of a bill or resolution shall have precedence over a motion to amend, and if carried shall be deemed a rejection of the bill or resolution and can be offered only in open session.

9.10 Filling Blanks.
When a blank is to be filled, and different sums or times are proposed, the question shall be first put on the least sum and the shortest time.

9.11 Motion Must Be Germane.
A substitute motion or amendment must be germane to the subject of the original motion, bill or resolution.

9.12 Motions to Commit or Postpone Preclude Amendments.
A motion to commit, until it is decided, shall preclude all amendments and debate on the main question, and a motion to postpone indefinitely or to a day certain, until it is decided, shall preclude all amendments on the main question.

9.13 What Questions to Be Decided Without Debate.
A motion to adjourn, to recess, to lay on the table or to take from the table shall be decided without debate; and all incidental questions of order arising after a motion is made for any of the questions named in this rule, and pending such motion, shall be decided whether on appeal or otherwise without debate.

9.14 Division of a Question.
If a question in debate contains several points, any Senator may have the question divided. The motion to divide must clearly state how the question is to be divided. It shall not be in order to move for a division of the question on a motion to strike out and insert, but the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition.

9.15 Substitute Motions.
A substitute motion, if adopted by a majority of the members present, has the effect of disposing of the original motion.

9.16 Constitutional Motion.
At the beginning of each session of the Legislature prior to the first reading of any Bill or Resolution, the Chairman of the Senate Rules Committee shall make the following motion: "*Mr. President, as provided by the Utah Constitution, I move that we suspend the reading of the full title of all Bills*

and Resolutions on the Senate calendar as they are read for the first time and introduced and as Bills and Resolutions are considered on second reading, third and Consent Calendar. Further that this motion apply to all Bills and Resolutions, introduced and read for the remainder of this Legislative Session, except as any individual Senator may request the reading of the full title of any House or Senate Bill and Resolution." The Minute Clerk will record at the beginning of each Daily Journal the page on which the motion to suspend reading of title of Bills and Resolutions is made.

10 DEBATES

10.01 Senators Not To Speak More Than Twice.
No Senator shall speak more than twice in any one debate on the same day and at the same stage of a bill without permission from the Senate. Senators who have spoken once shall not be entitled to the floor again, except for explanation, as long as any Senator who has not spoken desires to speak.

10.02 Interruptions and Questions.
No Senator shall interrupt or question another Senator in debate without the Senator's consent, and to obtain such consent, the Senator shall first address the President.

10.03 Author May Open and Close Debates.
The author of a bill, motion or resolution shall have the privilege of opening and closing the debate.

10.04 Previous Question.
The previous question shall not be entertained or be a rule of practice in the Senate.

11. AMENDMENTS

11.01 Motions in Writing.
All amendments to bills in excess of ten words shall be typewritten on buff paper and distributed to the Secretary and all members present before the amendment is proposed. All other motions except motions to adjourn, postpone or commit, shall be reduced to writing if the President or any Senator desires it.

11.03 Amendments to Measure Requiring Two-Thirds Vote.
A constitutional amendment, resolution, memorial or a bill requiring a vote of two-thirds of the members elected to the Senate for the final adoption or passage may be amended by a majority of those voting.

11.04 Tabling an Amendment Does Not Prejudice Bill.
An amendment may be laid on the table without prejudice to the bill. When an amendment proposed to any pending measure shall be laid on the table, it shall not carry with it or prejudice the measure.

11.05 Amendments in Order at Second and Third Reading.
Amendments shall be in order at the second and third readings of a bill.

11.06 Committee Amendments, How Reported; Speaking on Amendments.
Amendments made by a committee shall be made part of the bill upon adoption of the committee report by the Senate as provided in Rule 7.04. A copy of the printed bill with all amendments entered thereon shall accompany the committee report; and the committee chairman shall make an explanation of the amendments.

11.07 Amendments Referred to Committees to Be Reported.
Whenever any bill or resolution to which an amendment is pending is referred to a committee, the amendment shall be reported back to the Senate with the bill.

12. VOTING

12.01 Senators Required to Vote; How Excused.

All Senators within the Senate Chamber during a vote shall be required to vote unless excused for personal or pecuniary interest. A Senator desiring to be excused from voting may, when called upon, make a brief statement, not occupying more than five minutes, giving the reasons for making the request. The question of excusing the Senator shall then be decided by vote of a majority of the Senators present without debate. Any Senator desiring to explain a vote upon a bill or resolution may, when called upon, be allowed a like opportunity.

12.02 Not to Vote Unless Present.
No Senator shall be permitted to vote on any question unless he is within the Senate chamber before the vote is announced, except as provided for by the Senate rule on pairings. If the vote is by yeas and nays or by division, a member entering the chamber after the question is put and before it is decided, may have the question stated, record his vote and be counted.

12.03 Roll Call on Final Passage of Bills and Other Questions.
The vote upon the final pasage of all bills shall be by yeas and nays; the names of the Senators to be called alphabetically, except that the President shall be called last. The yeas and nays shall be ordered on other questions when demanded by five Senators present. In recording the votes taken by yeas and nays, the Secretary shall report those absent or not voting.

12.06 Voting or Changing Vote After Decision Announced.
When the yeas and nays are taken on any question, no Senator shall be permitted to vote or to change a vote after the decision is announced by the chair.

12.07 May Change Vote Before Decision Announced.
Any Senator may change his vote before the decision of the question has been announced by the Chairman.

12.09 Pairings.
Absent Senators whose votes, if they were present, would be cast on opposite sides of any question may pair by filing a signed statement with the Secretary, who shall read the statement to the Senate before the vote is taken. A blank form for pairings shall be provided by the Secretary.

12.10 Putting Question; Division.
The President shall put questions in this form, to wit: *"As many as are in favor (as the question may be) say yea"* and after the affirmative vote is expressed, *"as many as are opposed say nay."* If he doubts the results of the vote, or if a division is called for, those in the affirmative shall first rise from their seats and be counted, and afterward those in the negative.

12.11 Consent Calendar and Commendation and Memorial Resolutions.
The President shall put the question in this form on each consent calendar bill or commendation and memorial resolution.

"The President declares in accordance with the rules that a quorum is present."

"As many as favor the question say, yea."

"Does the Chair hear a single dissenting nay to the question?"

If the President hears no nays to the question, he will direct that a unanimous vote of the Senators present be cast and recorded in favor of the bill or resolution.

If the President hears nays to the question, he will direct that the roll be called on the bill or resolution.

Nothing in the above and foregoing precludes a Senator from challenging the ruling of the Chair or asking for a roll call vote on the bill or resolution.

13. CALL OF THE SENATE

13.01 Call of the Senate.
Any five Senators may demand a call

of the Senate and require absent Senators to be sent for.

13.02 Putting Question.
Upon a call of the Senate being moved the President shall say, *"It requiring five Senators to make a call of the Senate those in favor of the call will rise."*

13.03 Leaving the Chamber.
When a call of the Senate is ordered, no Senator shall leave the chamber.

13.04 Sergeant at Arms to Bring in Absentees.
The President shall furnish the sergeant at arms with a list of those who are absent without leave, and the sergeant at arms shall forthwith proceed to find and bring in the absentees.

13.05 Senate Under Call; Raising Call; Adjournment.
While the Senate is under call no business shall be transacted except to receive and act on the report of the sergeant at arms; and no motion shall be in order except a motion to adjourn and a motion to suspend further proceedings under the call. The motions shall be determined by the yeas and nays, and the motion to suspend further proceedings under the call shall not be adopted unless a majority of all the Senators present vote in favor thereof. A majority of those present may adjourn, but upon reconvening, the Senate shall not be considered to be under the call.

13.06 Sergeant at Arms May Report.
The sergeant at arms may make a report of the proceedings at any time. The report may be accepted, and further proceeding under the call thereby dispensed with; but the motion to accept the report shall be determined by yeas and nays, and it shall not be adopted unless a majority of all the Senators present vote in favor thereof. If such report is not accepted, the sergeant at arms shall proceed to a completion of duties as required by the rules.

13.07 Call Raised When Absentee Present.
When the sergeant at arms makes a report showing that all who are absent without leave (naming them) are present, the report shall be entered on the journal and the call is at an end; and thereupon the doors shall be opened and the Senate shall proceed with the business pending when the call was made.

14. RECONSIDERATION

14.02 Reconsideration Requires Majority of Senate.
A motion to reconsider a vote on a bill requires the vote of a majority of the Senators present for approval. Upon adoption of a motion to reconsider, the bill in question shall be returned to the head of the calendar on which it last appeared.

14.03 Motion to Reconsider.
When a question has been decided by the Senate, any Senator voting with the prevailing side may move a reconsideration thereof after intervening business, or give notice that the motion will be made within the time prescribed by the rules. No motion for the reconsideration of any vote shall be in order after a bill upon which the vote was taken has gone out of the possession of the Senate. No motion for reconsideration shall be in order unless made within the next legislative day of the session of the Senate and made by a Senator who has previously served notice. The notice shall take precedence over all other motions and questions, except the motion to adjourn.

14.04 Notice of Motion to Reconsider.
Upon notice being given by any Senator of the intention to move for reconsideration of any vote taken, the Secretary shall enter the notice in the journal and shall retain the bill or other papers with reference to which the vote was taken until the time for reconsideration has expired.

14.05 No Motion to Reconsider Within Three Days of Adjournment.
No notice of a motion to reconsider shall be received after the 57th day of the general session of the Legislature.

15. PRIVILEGE

15.01 Admittance to Floor.
No person except members of the Senate, its officers, employees, and former members, the House and its officers and employees and those invited by the members of the Senate shall be entitled to the floor of the Senate, its halls, lounge and committee rooms (and this only when seating is available). No privilege shall be extended to any person so entitled if the person uses the privilege either as a lobbyist or individually to influence a legislative decision.

No person, not in the company of an elected member of the Senate, shall be permitted on the floor, in the lounge or in the hallways without permission.

When the interview is ended, the guest must leave the floor, hallway or lounge. The member shall be responsible for his guest. This rule shall apply when the Senate and its committees are in session.

15.02 Senators' Seats Not To Be Occupied by Others.
At no time, when the Senate is in session shall any employee of the Senate or any person whatsoever, other than the President or a Senator, be permitted to occupy the chair or use the desk of the President or that of any Senator.

15.03 Lobbying.
Lobbying shall not be permitted on the floor of the Senate at any time.

15.04 Sergeant at Arms to Enforce Rules.
The sergeant at arms and the employees under his direction will be held to strict enforcement of this section.

15.05 Employees and Visitors Not to Lobby.
No employee of the Senate shall use his position to urge any Senator to vote or use influence for any matter before the Senate. Any person granted the privilege to be on the floor of the Senate who, while on the floor, solicits or invites a Senator to vote or use influence for a matter before the Senate shall forfeit the privilege.

15.06 Visiting Groups and Individuals Recognized.
Upon notification, visiting groups and individuals shall be recognized by the President or shall be introduced by any Senator requesting personal privilege for the purpose.

15.07 Media Representatives.
Media representatives having proper press credentials shall be entitled to the floor of the Senate, its halls and committee rooms. With the invitation of a Senator, media representatives may conduct and record an interview in the Senate lounge. The media representatives shall also be allowed to film and record interviews in the halls of the Capitol or in available committee rooms. Media representatives while exercising their privileges herein shall comply with the other provisions relating to the use of the other privileges provided in Rule 15.

16. RULES

16.01 Suspension or Alteration of Rules Requiring Majority Vote.
A standing rule of the Senate may be altered, amended, suspended or rescinded by a vote of a majority of the members elected to the Senate.

16.02 Robert's Rules of Order Newly Revised.
The rules contained in "Robert's Rules of Order Newly Revised" shall govern the Senate in all cases to which they are applicable and in which they are not inconsistent with the standing rules and order of the Senate.

17. EXECUTIVE SESSIONS

17.01 Executive Session.

When a motion is adopted to close the doors of the Senate on the discussion of any business that may, in the opinion of the Senate, require an executive session, the President shall require all persons, except the Senators, the President, Secretary, Minute Clerk and Sergeant at Arms, to withdraw, and during the discussion of the business the doors shall remain closed. Every Senator and officer present shall keep secret all matters discussed in executive sessions.

17.02 Executive Nomination Sessions.

When Executive nominations are sent by the Governor to the Senate for confirmation, they shall after being read by the Secretary, be referred without motion to a special committee of three appointed by the President, unless otherwise ordered by the Senate. In no event shall action be taken on any executive nomination before the third day following its receipt from the Governor. After having been reported by the special committee of three appointed by the President, the final question on every nomination shall be: *"Will the Senate advise and consent to this nomination?"* The question shall not be put on the day the nomination or nominations are reported from the committee, unless by unanimous consent. While any nomination remains with the Senate it shall be in order to reconsider any vote taken thereon.

JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES

20. ORGANIZATION

20.01 Committee on Ethics.
The Legislature in Utah consists of people who work part-time and must necessarily earn their living in other jobs and professions. It is necessary to reconcile the maintenance of high ethical standards and public confidence with constitutional doctrines relating to separation of powers, and avoidance of controls which might be so stringent and strict as to discourage capable and honorable persons from entering service. It is recognized that public confidence in the Legislature should be promoted and that competent members should serve in the Legislature even though most of them have private interests of various types. It is also recognized that a citizen legislator is in a different position in doing business with the State and its political subdivisions than a public servant whose chief source of livelihood is derived from public funds.

There is established a committee on ethics for the Senate and a committee on ethics for the House. The Senate committee shall consist of the members of the Rules Committee of the Senate. The House committee shall consist of the members of the Rules Committee of the House. The presiding officer shall designate the chairman from the committee members. The purpose of the Ethics Committee for each house is to enforce the constitutional, statutory and rule provisions covering legislative ethics and possible conflict of interest.

When constituted by the presiding officer the Ethics Committee shall enforce the rules of ethical conduct and whenever a member is found guilty of violating any rule or the intent thereof, the committee shall report to the respective house its finding and recommendation for action against such member. The member's house shall determine whether the member should be exonerated, reprimanded, censured or expelled from membership in the Legislature.

The Ethics Committee shall be governed by but not limited to the following objectives and guidelines:

1. Action which destroys independence of judgment as a legislator;
2. The exercise of undue influence upon any governmental agency and entity; or
3. The abuse of official position or a violation of trust.

A citizen legislator may engage in any business relationship or activity which does not require him to disclose confidential information obtained by reason of his official position. The legislator may engage in any business or professional activity in competition with others but shall not use any information by reason of official position to gain any advantage over any competition for activities with the State or a political subdivision of the State.

A legislator has a personal interest which is in conflict with the proper discharge of his duties if he has reason to believe or expect that he will derive monetary gain or suffer a direct monetary loss by reason of the official activity.

However, a legislator does not have a personal interest which is in conflict with the proper discharge of his duties if no benefit or detriment accrues to him as a member of a business, profession, occupation or group.

A citizen legislator may not use his official position to secure special privileges for himself or others. The legislator shall not engage in employ-

ment or other activities which would impair his judgment in the performance of his public duties. A legislator may accept small gifts or awards or contribution if such favors do not influence him in the discharge of his official duties. While in session a legislator shall disclose any personal or pecuniary interest in legislation but when the Legislature is not in session he may engage in business or professional activities with the State or any political subdivision thereof if such activities are entered into under the same conditions and in the same manner as applicable to any private citizen or company engaged in similar activities.

During a legislative session a legislator shall declare any interest in a bill affecting a business entity in which he is an officer, director, agent or employee or in which he holds a substantial interest. He may enter into transactions by contract after public notice and competitive bidding.

20.02 Notification of Organization of Each House.
Immediately after the organization of the Senate and House of Representatives, at the commencement of every session of the Legislature, each house shall appoint a committee of three to notify the other house that it is organized and ready for the transaction of business.

20.03 Committee on Joint Rules.
Thereupon a Committee on Joint Rules shall be appointed to consist of three Senators and three Representatives, whose duty it shall be to formulate a set of joint rules of the Senate and House of Representatives.

20.04 Adoption of Rules Completes the Organization of the Legislature.
Upon the adoption by both houses of the joint rules as well as of their own rules, respectively, the Legislature shall be deemed fully organized.

20.05 Joint Committee to Notify Governor.
Thereupon a joint committee consisting of three Senators and three Representatives shall be appointed to inform the Governor personally of the organization of the two hosues, and of their readiness to receive his communciations.

21. JOINT CONVENTIONS

21.01 Where Held; Who Presides.
Joint conventions of the two houses shall be called by mutual consent of the President of the Senate and the Speaker of the House, setting forth the purpose for which convention is called. These joint conventions shall be held in the chambers of the House of Representatives, and the President shall preside.

21.02 Secretaries; Journal.
The Secretary of the Senate and the Chief Clerk of the House of Representatives shall be secretaries of the joint convention and shall enter the proceedings of the convention at length upon the journal of at least one house.

21.03 Rules of the House to Govern.
The rules of the House of Representatives so far as they may be applicable, shall goven the proceedings in joint convention.

21.04 May Compel Attendance of Absent Members.
Joint conventions shall have the power to compel the attendance of absent members in the manner and under the penalties prescribed by the rules of the house to which such members respectively belong. For that purpose the Sergeant at Arms of each house shall attend.

21.05 Adjournment Duty of Each House.
Joint conventions may adjourn from time to time as may be found necessary. It shall be the duty of the House

of Representatives to prepare to receive the Senate and of the Senate to proceed to the hall of the House of Representatives at the time fixed by resolution or to when the joint convention may have adjourned.

21.06 No Business to Be Transacted Except That Specified in the Call.

A joint convention, or either house or the members thereof while meeting in joint convention, shall not engage in the transaction of any business other than that for which they were assembled.

22. JOINT MEETINGS OF COMMITTEES

22.01 Standing Committees May Meet Jointly.

The chairmen of like committees in each house may, at their discretion, have joint committee meetings and hearings on legislative subjects of common interest.

22.02 Joint Appropriations Committee.

1. The Joint Appropriations Committee of the Legislature shall consist of all members of the Legislature.

2. The members of the Joint Appropriations Committee shall be divided into the following subcommittees:

a. Business, Labor and Agriculture
b. Development Services
c. Government Operations
d. Higher Education
e. Executive and Judicial
f. Natural Resources
g. Public Education
h. Social Services
i. Transportation and Public Safety

The President of the Senate and Speaker of the House shall appoint their respective members to each subcommittee.

3. In all decisions of the subcommittees, a majority vote will prevail and must include at least 50 percent of the members of each house.

4. There shall be an Appropriations Executive Committee of sixteen members composed of the majority leadership of the Senate (three members) and the House (four members), and the minority leadership of the Senate (two members) and the House (three members), chairmen of each house Appropriations Committee, and one member from the minority party of each house as appointed by the minority leader of each house. In all decisions of the Executive Committee, a majority vote will prevail. When a division is requested, that vote must include at least fifty percent of the members of each house.

5. With the approval of the Appropriations Executive Committee, time schedules for subcommittee meetings will be determined so that no conflict will exist with general sessions or standing committee meetings of the Legislature. No appropriations subcommittees shall meet while the Senate or House is in session without special leave from the Speaker of the House and the President of the Senate.

6. It shall be the duty of the Appropriations Chairman of each house to receive the reports of the subcommittees and to forward the reports to the Executive Committee. The Executive Committee shall combine the reports into a total appropriations bill.

After receiving and reviewing subcommittee reports, the Executive Committee shall refer the report back to an appropriations subcommittee with further guidelines or directives as the Executive Committee deems necessary to assist the subcommittee in making adjustments necessary to produce a balanced budget. The subcommittee will meet as soon as possible and review the new guidelines and report the adjustments to the appropriations chairman as soon as possible.

After receiving the reports, the appropriations chairmen will report

them to the Executive Committee which shall make any futher adjustments necessary to balance the budget and complete the final appropriations bill.

23. BILLS AND RESOLUTIONS

23.01 Defining "Bill."
Whenever the word "bill" is used in these Rules, it includes bills and, unless "resolution" is also used, joint resolutions proposing amendments to the Utah Constitution, other joint resolutions, concurrent resolutions and simple resolutions.

23.02 Defining "Resolution."
Whenever the word "resolution" is used in these Rules, it includes joint resolutions proposing amendments to the Utah Constitution, other joint resolutions, concurrent resolutions and simple resolutions.

23.03 Types of Resolutions.
Joint resolutions are those relating to matters to be treated by both houses of the Legislature; concurrent resolutions are those relating to matters to be treated by both houses of the Legislature but requiring concurrence by the Governor; and simple resolutions are those relating to matters treated solely by one house of the Legislature.

23.04 Size of Bills to be Filed.
All bills shall be typewritten or printed on paper eight and one-half by fourteen inches, shall not be folded, and shall have the arrangement and wording prescribed.

23.05 Form of Bills.
Every bill shall have:
1. A short title;
2. A designation;
3. A formal title;
4. A legal description;
5. An enacting clause;
6. Subject matter set forth in one or more sections;
7. An emergency clause, if necessary.

23.06 Form of Resolutions.
Every resolution shall have:
1. A short title;
2. A designation;
3. A formal title;
4. A legal description;
5. A resolving clause;
6. Subject matter set forth in one or more sections, or one or more preamble and directive clauses, as may be appropriate.

23.07 Designation.
The designation shall be a heading preceding the formal title comprising:

S.B. (or H.B.) No. By_____

S.J.R. (or H.J.R.) No. By_____

S.C.R. (or H.C.R.) No. By_____

S.R. (or H.R.) No. By_____

23.08 Short Title and Formal Title.
Every bill and resolution shall have: (1) a short title at the top of the first page, which shall be a short, common description of it; and (2) below its designation a formal title which shall contain a general description of its subject matter and which shall be clearly expressed in the fewest words possible.

23.09 Appropriations Bills, Referred to.
Every bill introduced in either house having provisions appropriating funds shall include in the title the sum proposed to be appropriated.

23.10 Title of Bill to be Printed Once.
The formal title of a bill or resolution shall be printed in the journal only upon introduction or upon first receipt of a measure from the other house,

subsequently it may be designated by number and the short title.

23.11 Legal Description.
The legal description of a bill shall follow the formal title and shall cite the sections of statutes proposed to be amended, enacted, repealed, and repealed and reenacted.

23.12 Enacting Clause.
The legal description of a bill shall be immediately followed by the enacting clause, the form of which is as follows: *"Be it enacted by the Legislature of the State of Utah."*

23.13 Resolving Clauses.
The legal description of a resolution shall be immediately followed by a resolving clause, the forms of which are as follows:

1. Joint resolution proposing amendment to the Utah Constitution: *"Be it resolved by the Legislature of the State of Utah, two-thirds of all members elected to each of the two houses voting in favor thereof:"*;
2. Joint Resolution: *"Be it resolved by the Legislature of the State of Utah:"*;
3. Concurrent Resolution: *"Be it resolved by the Legislature of the State of Utah, the Governor concurring therein:"*;
4. Simple Resolution: *"Be it resolved by the House of Representatives (Senate) of the State of Utah:"*.

23.14 Amendments in Bill.
In the preparation of a bill where statutory sections are amended, all language to be omitted must appear between brackets [ ] and be otherwise differentiated from non-bracketed language; and all new language added must be underlined. The new language underlined in the bill also includes that contained in sections enacted and repealed and reenacted; but if all the language in the bill is new language, none need be underlined.

23.15 Emergency Clause.
An emergency clause is not required in a bill unless it is designed to take effect prior to the end of sixty days after adjournment of the session, and is to be in substantially the following form: "This act shall take effect upon approval." or "This act shall take effect on (Date prior to end of sixty days)." The emergency clause of a bill shall be effective only if the bill is passed by a vote of two-thirds of all members elected to each house; but if the bill receives a majority vote but less than two-thirds vote of either house, it nevertheless shall be deemed passed and the emergency clause omitted from the bill as finally enrolled or engrossed.

23.16 Copies and Distribution of Bills.
A member desiring to introduce a bill shall file with the Chief Clerk of the House or the Secretary of the Senate or their designees, three typewritten or printed copies of the bill which must be signed by at least the chief sponsor. A bill may have two types of sponsors: (1) A chief sponsor who will be knowledgeable about and responsible to provide pertinent information as the bill is processed; and (2) Supporting sponsors wishing to express their support for the bill.

When a member files a bill, the Chief Clerk of the House or the Secretary of the the Senate or designee shall immediately furnish one copy of the numbered bill to Legislative General Counsel. General Counsel shall reproduce copies which shall be distributed as follows: three to the Legislative Fiscal Analyst; three copies to the Legislative Research Director; and four copies to the Governor.

Legislative General Counsel shall review the bill and, with the approval of the sponsor, shall make changes necessary:

1. to insure that it is in proper legal form;

2. to remove any ambiguities; and
3. to avoid constitutional or statutory conflicts. General Counsel or his designee shall indicate on the first page of the bill his approval of the bill.

The Legislative Fiscal Analyst shall review every bill and shall affix to each bill a statement indicating whether the bill would result in changes in revenues or expenditures and shall include estimates of the following as appropriate:

1. Increased or decreased revenues;
2. Increased or decreased appropriations;
3. New or expanded services;
4. The effect of the bill on space and building needs;
5. The effect of the bill upon any fund or funds.

The Legislative Research Director shall affix a note to any bill recommended by an interim study committee stating that the bill is the product of the interim committee. The Research Director shall also affix a note to any bill proposing changes in any retirement system or benefits to which the state contributes. The note shall state whether or not the bill has been reviewed by an interim study committee and by the Retirement Board and shall state the findings, if any, of the committeee and the board.

The review of the bill shall be completed and the bill shall be stamped as approved, or the note affixed and returned to the Chairman of the Rules Committee of the originating house within three legislative days unless General Counsel, the Fiscal Analyst or the Research Director requests an extension of time and states the reasons for the delay.

The reports of the Fiscal Analyst and the Research Director shall be attached to the original copy of the bill. Each report shall be printed with the bill but shall not be considered an official part of the bill.

23.17 Bill Backs.
The Secretary of the Senate or the Chief Clerk of the House, or their designees, shall attach a substantial back to one copy of each bill introduced and signed by its sponsors.

23.18 Reading of Titles of Bills.
Upon introduction and again upon second and third reading, each bill shall be read by formal title, unless this requisite is suspended by a two-thirds vote of the house, in which case the bill may be read by its short title and number. The house may, at the beginning of a daily session, vote to suspend the reading of the formal titles of all bills which are on the calendar at the time the vote is taken.

23.19 Prefiling of Bills.
Commencing on November 15th prior to the convening of any General or Budget Session of the Legislature, any member of the Legislature for that particular session may prefile bills for introduction into that session by depositing with either the Secrtary of the Senate or Chief Clerk of the House, or their designees, the number of copies of the bill in the form as required for introduction during the session. The bill so filed shall be given a number which it shall retain throughout the session, and copies of it shall be distributed in the same manner as required during the session.

23.20 References to Committee on Rules.
Following its introduction and first reading a bill shall be referred to the Rules Committee which shall examine it and, with the consent of the sponsor, shall correct any errors in spelling, the enacting clause, section numbering and references, grammar, punctuation, phraseology and form. The Rules Committee shall ensure that the provisions of the joint rules concerning the differentiation of new and deleted matter are observed.

23.21 Bills Ordered Printed.
The Rules Committee will order the

bill to be reduced in size and printed in the number of copies it deems necessary. Copies of prefiled bills may be printed as necessary without reduction before introduction with the approval of the sponsor. The Rules Committee may order a bill to be printed prior to receiving the reports called for in section 23.16 if the committee concludes that prompt consideration of the bill is necessary.

23.22 Printing of Identical Bills.
When a bill has been printed in one house, an identical bill shall not be printed in the other house without the approval of the Rules Committee. The Secretary of the Senate and the Chief Clerk of the House or their designees shall confer at the close of each day's business regarding the printing of bills to avoid duplication.

23.23 Report of Committee on Rules and Reference to Standing Committee.
The Rules Committee report shall carry a statement of the findings of the committee concerning any point or matters which, in the opinion of the committee, should be called to the attention of the sponsor of the bill. When the report of the Rules Committee has been read, the presiding officer shall refer the bill to a standing committee.

23.24 Secretary and Chief Clerk to Deliver Bills to Standing Committees.
The Chief Clerk and the Secretary of the Senate or their designees shall deliver all bills reported out of the Rules Committee to the chairman of the appropriate standing committee or his designee.

23.25 Bill Referred to Committee.
Neither house shall give consideration to a bill, except by majority vote of the members of the house, unless the bill has been referred to the appropriate committee of the house of origin, examined by the committee, revised if necessary and reported back.

23.26 Bill Transmitted to Other House.
Each bill which passes third reading shall be certified by the Secretary of the Senate or Chief Clerk and transmitted to the other house. The date and time of transmission shall be entered on the records of the Secretary of the Senate or Chief Clerk. Any bill which has passed one house with amendments shall be retyped or reprinted in such type and on colored paper as determined by each house before being transmitted to the other house.

23.27 Preference Given to Bills of Other House.
During the third and fourth days of each week the House shall give preference to the consideration of Senate bills appearing upon the House Calendar, and likewise, the Senate shall give preference to House bills appearing on the Senate Calendar.

23.28 No Bill to Be Introduced After the Thirtieth Day.
No bill shall be introduced in either house after the thirtieth day of the session without the vote of two-thirds of the members of the House of Representatives present if the bill is to be introduced in the House, or a majority of the members of the Senate if the bill is to be introduced in the Senate.

24. RECORD OF BILLS

24.01 Secretary of the Senate and Chief Clerk to Keep Register.
The Secretary of the Senate and the Chief Clerk of the House of Representatives or their designees shall keep a register in which shall be recorded every action taken by the Senate and House of Representatives on every bill.

The journals of each house shall be continuous during the legislative session, with pages numbered in consecutive order.

24.02 Endorsement of Bills.
The Secretary of the Senate and the Chief Clerk of the House or their designees shall endorse on every bill a statement of every action taken by the Senate and House of Representatives.

Senate amendments shall be inserted in the bill in buff and House amendments in cherry.

25. MESSAGES

25.01 Message to Accompany Bill.
While bills are being transmitted between the two houses they shall be accompanied by a message signed by the Secretary of the Senate or the Chief Clerk of the House of Representatives, as the case may be.

25.02 Notice to Other House of Rejection.
When a bill which has passed in one house is rejected in the other, notice thereof shall be given immediately to the house in which the bill has passed.

25.03 By Whom Sent.
Bills and messages shall be sent to the other house by an officer or employee to be designated by the Secretary of the Senate, if it is a Senate message, or by the Chief Clerk, if it is a House message, and all such messages shall be in writing, signed by the Secretary of the Senate or by the Chief Clerk of the House of Representatives, respectively.

26. CONFERENCE COMMITTEES

26.01 Concurrence in Amendments.
In case the Senate amends and passes a House bill, or the House amends and passes a Senate bill, the Senate (if it is a Senate bill), or the House (if it is a House bill), must either "concur" or "refuse to concur" in the amendments. If the Senate concurs (if it is a Senate bill), or if the House concurs (if it is a House bill), the bill shall be voted on for final passage and the Secretary of the Senate or Chief Clerk shall notify the house making the amendments and the bill shall be ordered to enrollment.

26.02 Disagreement, Conference Committee.
If the Senate refuses to concur (if it is a Senate bill), or the House refuses to concur (if it is a House bill), the Secretary of the Senate or the Chief Clerk shall notify the house making the amendments of the refusal, and ask that it recede from its amendments. If it refuses to recede, the presiding officer shall appoint a committee of three on conference, and the Secretary of the Senate or the Chief Clerk shall immediately notify the other house of the action taken, and request the appointment of a like committee which committee shall thereupon be appointed by the presiding officer of the other house. The first senator named on the conference committee shall act as chairman of the committee from the Senate, and the first representative named on such committee shall act as chairman of the committee from the House, and the chairman thus selected shall arrange the time and place of all meetings and prepare or direct the preparation of reports. The chairman from the house of origin of the bill shall chair meetings of the committee. The committees shall report in writing and shall be authorized to report any modifications or amendments as they think advisable. No committee of conference shall consider or report on any matter except those directly at issue between the two houses. The papers shall be left with the conferees of the house having possession of the bill, and they shall present the report of the committee to their house. When the house has acted thereon, it shall transmit the bill, and the papers relating thereto, to the other, with a message, certifying its action thereon. Every report of a committee of conference shall be read

through, in each house, before a vote is taken on the same.

26.03 Either House May Recede.
Either house may recede, at any time by a majority vote of its membership, from its position on any difference existing between the two houses.

26.04 Failure of Conferees to Agree.
In case of a failure of the conferees to agree a report of the failure may be made. A further conference may be had either by the same or new committees appointed for such purpose. Before a bill which has been given to a conference committee is declared lost not to be reviewed again by either house during the remainder of the session, each house shall have voted to refuse further conference by the same committee or a new committee.

27. ACTION OF BILLS AFTER PASSAGE

27.01 Certification.
When a bill or resolution has passed both houses, the house of its origin shall be certified by the endorsement of the Secretary or the Chief Clerk, which endorsement shall also show the dates and times at which it passed the Senate and House, respectively, and the number of votes cast for and against it in each house, and the number of absentees.

27.02 Presiding Officers to Sign Bills.
Every bill or resolution which has passed both houses and which has been certified and endorsed as provided in the joint rules shall be signed first by the presiding officer of the house in which it was last voted upon, and then by the presiding officer of the other house within one legislative day of final passage or in the case of passage on the final day of the legislative session, within five days following the adjournment of the session. The fact of the signing, except after the adjournment of the session, shall be noted in the journal.

27.03 Enrollment.
After a bill or resolution which has passed both houses has been signed as provided in the joint rules, it shall be enrolled and examined and any errors corrected. The engrossed bill shall then be certified by the Secretary or the Chief Clerk.

After a bill or resolution has passed both houses and has been certified, endorsed, enrolled and engrossed as herein provided, three copies or more of the engrossed bill shall be made, one of which shall be filed with the Secretary or the Chief Clerk, one given to the author of the bill and one given to the Secretary of State. The Secretary of the Senate or Chief Clerk may distribute copies of the bills or resolutions.

Any bill or resolution which has passed both houses and which has not been enrolled or examined by the time the Legislature adjourns, shall be enrolled after adjournment and shall be examined by the Secretary or Chief Clerk of the house where it originated. The Secretary or Chief Clerk, with the approval of the presiding officer, shall correct any errors and cerify the engrossed bill to the Secretary of State.

27.04 Transmitted to Governor.
After a bill has been signed by the respective presiding officers of the two houses it shall be enrolled without delay. The enrolled copy as certified by the Secretary or Chief Clerk, together with a written message, shall be transmitted without delay by the Secretary or Chief Clerk of the house in which it originated to the Governor for his approval.

27.05 Governor's Action on Bill Reported to Other House.
When the Governor has informed either house that he has signed a bill, or taken any other action affecting both houses, the house to which his action is reported shall inform the other house of the Governor's report.

28. ADJOURNMENT

28.01 No Adjournment for More Than Three Days Without Consent of Other House.
Neither house shall, without the consent of the other, adjourn for more than three days.

28.02 Adjournment Sine Die.
In the event the legislature shall be meeting until midnight on the last day of any session, it shall be the duty of the Secretary of the Senate and the Chief Clerk of the House at midnight to proclaim the time to the members of their respective houses. Ajdournment sine die shall be made after a committee from each house has notified the opposite house that they have completed their work, and after a joint committee has notified the Governor of their respective reports and the Governor has informed the joint committee that he has nothing further to bring before the Legislature. Both houses shall adjourn simultaneously.

29. LEGISLATIVE EXPENSE

29.01 How Paid.
Each house shall have full control of its own expenses. All bills, claims or payments shall be certified by the President and the Secretary of the Senate or the Speaker and Clerk of the House, as the case may be, to the State Department of Finance for payment by State warrant, drawn against the fund appropriated for the expenses of the Legislature. In case of the absence of one of the two officers of either house authorized to certify payments, the Chairman of the Committee on Rules of that house may sign authorization in his place.

29.02 Mailing Lists.
Both houses shall cooperate in establishing a joint mailing list. All persons, firms or corporations, regularly receiving copies of the bills and journals of the Legislature or who wish to be put on the mailing list therefore, shall pay a sum determined by the President of the Senate and the Speaker of the House for such services for each legislative session. This rule shall not apply to members and officers of the Legislature, nor to any school, public library, political subdivision, state agency, news dispensing agencies such as newspapers, radio stations and television stations which request such service. All sums received for this service shall be promptly deposited with the State Treasurer.

30. BUDGET SESSION

30.01 Non-Budgetary Bills.
Legislation not directly related to the state budget may be considered by the Legislature during budget sessions only if permitted by joint resolution passed by two-thirds of the members elected to each house. (Constitution, Article VI, Sec. 11.)

The presiding officer shall refer all bills introduced in his house to the Rules Committee which shall without delay classify each bill as budgetary or non-budgetary.

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

Following adoption of the Rules Committee report, bills classified as budgetary shall be processed under the existing rules of the respective house.

The sponsor of a bill classified as non-budgetary by the Rules Committee shall introduce an enabling resolution quoting the short title of the bill and providing for the consideration of the bill by the Legislature.

The Rules Committee shall attach to the enabling resolution a copy of the proposed bill.

31. JOURNAL

31.01 Journal.
Each house shall keep a Journal of its

proceedings which shall be published daily with a certification from the Rules Committee of that house that it has read the same and found it to be correct. The Journal shall be based upon the record of the proceedings taken by the Minute Clerk and the electronic recording of these proceedings, which shall be prepared in final form at the end of each day during a session and submitted to the Rules Committee of the house for its consideration and certification. The consideration and certification by the Rules Committee shall be accomplished not later than the end of the next day of the session except for the Journal for the final day of each session, which shall be accomplished as soon as practicable after the end of the session but not later than 10 days after its adjournment. The vote on final passage of all bills shall be by yeas and nays and entered upon the Journal, and the yeas and nays on any other question shall be similarly entered at the request of five members of the house.

VETO SESSIONS

32.01 Poll to Convene a Veto Session.
If the Legislature is prevented by adjournment from reconsidering any vetoed bill or item of appropriation vetoed by the Governor, the presiding officers of the two houses shall poll their respective members by mail or other means to determine if the Legislature shall convene to reconsider vetoed legislation. Each member shall respond to the poll in writing and the response shall be filed with the Lieutenant Governor. If two-thirds of the members of each house are in favor of convening, the Legislature shall be convened in a session not to exceed five calendar days, at a time agreed upon by the presiding officers of the two houses.

32.02 Call of a Veto Session.
The presiding officers shall issue the Call of the Veto Session of the Legislature to their members. The Call shall contain a list of all bills or appropriation items vetoed by the Governor and the date and time for convening the session, and shall be sent by registered [mail] letter with return receipt requested.

32.03 Calendaring a Vetoed Bill.
When a vetoed bill is returned by the Governor to the House or Senate, it shall be placed on the Third Reading Calendar and shall be debated and reconsidered without further amendment.

32.04 Veto Override.
A bill passed by the Legislature and vetoed by the Governor shall be reconsidered first by the bill's house of origin. If two-thirds of the total membership vote to pass the bill, it shall be sent, together with the Governor's objections, to the other house. If approved by two-thirds of the total membership of the other house, it shall become law.

32.05 Only Vetoed Bills to Be Considered.
No bill which has not been vetoed by the Governor following the session of the Legislature immediately preceding the veto session, shall be considered during any veto session.

32.06 Session Rules Applicable.
Except as otherwise provided in these rules, rules adopted by each house of the Legislature during the immediately preceding General or Budget Session shall apply to the conduct of that house during a veto session.

RULES OF INTERIM STUDY COMMITTEES

1. ORGANIZATION AND OFFICERS

1.01 Interim Study Committees.
The interim study committees shall be organized as provided in the rules of the Senate and the House of Representatives.

The chairman and vice chairman of each house on a joint interim study shall constitute an executive committee which shall have the responsibility to determine the agenda for committee meetings, to assist and give direction to staff in the conduct of the committee's business, and to undertake such other duties as the committee may assign.

1.02 Organization of Subcommittees.
Subcommittees may be established on motion or by resolution designating the object of the subcommittee. The members of the study committee to serve on the subcommittee shall be appointed by the chairman.

A legally constituted subcommittee of an interim study committee shall be comprised of at least four legislators, and the chairman and vice chairman must be legislators. No study committee shall have more than two subcommittees activity engaged in study at any time without the approval of the Legislative Management Committee.

2. MEETINGS, ATTENDANCE, ORDER OF BUSINESS

2.01 Meetings of Interim Study Committees.
The corresponding interim study committees of the two houses shall meet jointly, unless otherwise determined by the chairman of each study committee.

Each committee shall meet at the time and in the room assigned by the Legislative Management Committee, except that the committee may meet at additional times or in other locations as determined by the chairman, upon issuance of reasonable notice as required by the Utah Open and Public Meetings Act.

Each committee chairman shall have posted in places designated by the Legislative Management Committee the time, location and agenda of the committee meetings.

2.02 Committee Quorum.
A majority of any committee or subcommittee shall constitute a quorum for the transaction of business. If a member of the committee fails, without giving notice of the reason therefore, to attend three consecutive meetings of the committee or subcommittee of which he is a member, his membership in the committee or subcommittee shall not be counted for the purpose of determining a quorum.

2.03 Majority.
For the purpose of determining a committee or subcommittee quorum, a majority is at least 50 percent in one house and more than 50 percent in the other. For the purpose of voting in a meeting, a majority is at least 50 percent in one house and more than 50 percent in the other.

2.04 Rights of Members to Attend Meetings.
Any member of the Legislature may attend any meeting of a study committee or its subcommittees, and may present views on any subject under consideration, but no legislator has the right to vote on any decision of a committee or subcommittee of which he is

not a member. All meetings of these committees shall be open to the public except as otherwise provided in the Utah Open and Public Meetings Act.

2.05 Order of Business.
Unless otherwise determined by the chairman or by majority vote of a study committee, the order of business in a committee meeting shall be:

1. Call the Committee to order by the chairman;
2. Approval of minutes of previous meeting;
3. Announcement of the order of consideration of agenda items;
4. Announcement of time restrictions, if any;
5. Communications;
6. Consideration of agenda business.

2.06 Public Hearing.
An interim study committee may hold public hearings in addition to or instead of regular committee meetings. The chairman shall give notice of a hearing to persons affected by the subject matter under discussion and to the public, in accordance with the Utah Open and Public Meetings Act. The chairman, subject to the approval of the committee, may adopt procedures for the orderly conduct of the hearing, including limitation of the time available for the entire hearing and for all individual speakers, and the order in which the speakers shall address the committee. The committee may, at any time, close the public hearing and begin a regular committee meeting. It shall be the responsibility of the committee in the conduct of a hearing to request presentation of testimony by any person who, in the opinion of the committee, is qualified to present testimony of importance in the determination of the issues. The testimony shall be directed to the committee. Upon majority vote of the committee, the testimony may be taken under oath.

2.07 Order and Decorum.
The chairman shall preserve order and decorum in committee meetings and hearings. He shall decide points of order subject to an appeal by any member of the committee. The appeal shall be stated as a motion and shall be adopted by a majority vote of the committee members present. The chairman may order the committee room cleared of visitors in the event of disorderly conduct.

2.08 Obtaining the Floor.
The chairman shall recognize any member wishing to speak to a matter of business before the committee. Upon being recognized, the member shall confine his remarks to the subject under discussion.

2.09 Visitors.
Visitors to a committee meeting or hearing shall sit in chairs designated for the purpose and together with the members and the staff shall not exceed the number posted by the Fire Marshal as the limit of occupancy for the room in which the meeting is held. The chairman shall indicate when that limit is reached and shall prevent the entry of additional persons into the room. Visitors shall not speak during committee meetings, unless specifically invited by the chairman. In meetings which have been designated as public hearings, however, visitors may address the committee subject to any restrictions on time and order announced by the chairman.

3. COMMITTEE RESPONSIBILITIES

3.01 Committee Responsibilities.
The joint interim study committees shall:

1. Receive study assignments from the Joint Legislative Management Committee.
2. Place matters on their study agendas upon notification to the Joint Legislative Management Committee. If a study request has not been dis-

approved by the Management Committee at a meeting held within 30 days of receipt of the request, the study committee may proceed with the requested study.

3. Request research reports from professional legislative staff pertaining to the committee's agenda of study.

4. Investigate and study possibilities for improvement in government services within its subject area.

5. Accept reports from professional legislative staff and make recommendations for legislative action with respect to the reports.

6. Prepare and recommend to the Legislature a legislative program in response to the committee study agenda.

3.02 Minutes.
Each study committee and its subcommittees shall keep minutes of its meetings as required by the Utah Open and Public Meetings Act.

Meetings of interim study committees and subcommittees may be electronically recorded to assist the secretary or analyst in preparing accurate minutes of the meeting. Once the minutes are approved by motion of the committee, they shall be the official record of the proceedings of the committee. The electronic record, if any, may then be erased unless otherwise directed by vote of the committee.

3.03 Proposals for Studies.
Proposals for studies may be presented to the Management Committee by any study committee, upon majority vote of the committee. Such proposals shall be in writing and shall have a descriptive title, bearing the name of the sponsor, and the sponsor may attach thereto any supplementary matter which will be of help to the committee.

4. MOTIONS AND VOTING

4.01 Motions to be Stated before Debate.
When a motion is made, it shall be stated by the chairman before debate.

4.02 Seconding of Motions.
In any meeting of an interim study committee or its subcommittees, motions shall require a second.

4.03 Motions in Order during Debate.
When a question is under debate, no motion shall be received except:

1. To fix the time to which to adjourn;
2. To adjourn;
3. To lay on the table;
4. To postpone to a time certain;
5. To postpone indefinitely;
6. To amend or substitute.

4.04 Withdrawing a Motion.
When a motion is stated by the chairman, it shall be deemed in possession of the committee, but may be withdrawn at any time by the sponsor or by a vote of the majority of the committee present, before it is divided or amended.

4.05 Motion to Adjourn.
A motion to adjourn shall always be in order except when the committee is voting, when a previous motion to adjourn has been defeated and there has been no intervening business, and when another member of the committee has the floor.

4.06 Motions to be Decided without Debate.
A motion to adjourn, to recess, to lay on the table or to take from the table shall be decided without debate and all incidental questions of order arising after a motion is made for any of the question in this rule and pending such motion shall be decided, whether on appeal or otherwise, without debate.

4.07 Substitute Motions.
A substitute motion, if adopted by a majority of the members present, has the effect of disposing the original motion. A substitute motion of the second

degree (a substitute of a substitute) shall not be substituted for.

4.08 Motion to Lay on the Table.
A motion to lay on the table shall only have the effect of disposing of the matter temporarily and may be taken from the table at any time, upon the motion of a member.

4.09 Motion to Postpone.
No motion to postpone, after being decided in the negative, shall again be allowed on the same day.

4.10 Motion to End Debate.
A motion having the effect of ending debate on a question in committee shall be adopted only by vote of two-thirds of the committee members present.

4.11 Members to Vote — Recording of Votes.
Each member of the committee present shall vote yea or nay on each question put to vote by the chairman.

In accordance with the Utah Open and Public Meetings Act, the vote of each member on any question shall be recorded in the minutes of the meeting; except questions approved by unanimous vote or by a substantial majority of those present may be recorded as approved with only the names of those opposed and those absent listed in the minutes.

4.12 Voting in Committees.
A majority vote of the corresponding study committees of the two houses meeting jointly or of their subcommittees shall include a majority of the members present from each house.

5. RULES

5.01 Robert's Rules of Order.
The proceedings of the interim study committees and their subcommittees shall be conducted in accordance with Robert's Rules of Order, Newly Revised, except as otherwise specified in these rules.

5.02 Suspension of Rules.
Any rule may be suspended by a majority vote of a committee or subcommittee.

pg 70

STATE OF UTAH
SENATE JOURNAL

GENERAL SESSION

of the

FORTY-FOURTH LEGISLATURE

FIRST DAY

Senate Chamber
State Capitol
Salt Lake City, Utah

MORNING SESSION

Pursuant to the provision of the Constitution of the State of Utah the senators-elect of the Forty-Fourth Legislature of the State of Utah convened in general session in the Senate Chamber on Monday, January 12, 1981, at ten o'clock a.m.

The Honorable Richard C. Howe, Justice of the Utah Supreme Court called the Senate to order.

Prayer — Elder Gordon B. Hinckley, member of the Council of Twelve Apostles, Church of Jesus Christ of Latter-day Saints.

Our Father in Heaven, our Father and our God, on this sacred and solemn occasion we approach thee in prayer and express unto thee the gratitude of our hearts for thy marvelous and generous blessings upon us. We thank thee, Father, for the land in which we live, and for the Constitution under which we are governed, for the freedoms which you have given us. As we look about the world, our love for this nation grows stronger and we marvel that we are blessed above all people. Help us to live worthy of these wonderful blessings, we humbly ask thee. And now Father, as this Senate of the State of Utah convenes and begins the burdens of this session, we express unto thee the gratitude of our hearts for these good men and women who have been elected to represent the people of this state and enact laws for the blessing and benefit of all. We know them and thank thee for their integrity. They are our friends and associates and we place confidence in them and pray that Thou will bless them with a sense of the great and sacred trust which rests upon them. Father, they will be faced with many serious and vexatious problems. There will be many pressures brought to bear upon them. We pray that thou will bless them with wisdom and understanding, with discernment and perception. Bless them with the strength to withstand the efforts of those who might lead them in the wrong path that the good for the citizenry as a whole may prevail; that these who represent the people may be blessed in their judgment and their deliberations in that which they

bring to pass. We place our confidence in them, our Father, and pray that Thou will magnify them to perform well the great duties which rest upon them. Bless them with judgment and in all they do that may they work together for the accomplishment of great purposes. There will be differences of opinion. We pray that those differences will be limited to issues and not to personalities and that this will be a great brotherhood and sisterhood of great, dedicated people. Bless them in their absence from their families, and their homes and watch over their interests while they are doing public business, we humbly ask. Now we commend them too. Father, and pray that Thy spirit may be over them for their guidance and blessing for the great good that they will achieve for this state and its citizenry. All of this we humbly ask in the name of thy Son, Jesus Christ, Amen.

Posting of Colors and Pledge of Allegiance. Under the direction of the Brigham Young University Air Force R.O.T.C. Color Guard, the colors were posted. The Honor Guard consisted of David L. Kimball, Color Guard Commander, and Jeff J. Godfrey, Darren K. Wilson and John F. Wandelt. Senators, staff and visitors joined the BYU-AFROTC Color Guard in the Pledge of Allegiance.

Certification of the membership of the 1981 General Session of the Utah State Senate was ready by the Secretary of the Senate, Sophia C. Buckmiller.

CERTIFICATE OF MEMBERSHIP OF THE 1981 GENERAL SESSION OF THE UTAH STATE SENATE

I, DAVID S. MONSON, Lt. 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 7, 1978, the following named persons were chosen by the electors as members of the Legislature of the State of Utah, to serve in the Senate, each for the term of four years, beginning January 1, 1979, to-wit:

THIRD DISTRICT:	County of Salt Lake	**Richard J. Carling**
FOURTH DISTRICT:	County of Salt Lake	**Wayne L. Sandberg**
NINTH DISTRICT:	County of Salt Lake	**Warren E. Pugh**
TENTH DISTRICT:	County of Salt Lake	**Arnold Christensen**
ELEVENTH DISTRICT:	County of Salt Lake	**E. Verl Asay**
TWELFTH DISTRICT:	County of Salt Lake	**William T. Barton**
THIRTEENTH DISTRICT:	County of Salt Lake	**Karl G. Swan**
FOURTEENTH DISTRICT:	County of Utah	**William N. Jones**
FIFTEENTH DISTRICT:	County of Utah	**A. Dean Jeffs**
EIGHTEENTH DISTRICT:	County of Weber	**Ronald T. Halverson**
TWENTY-FIRST DISTRICT:	Counties of Davis, Weber	**Sherman A. Wayment**
TWENTY-SECOND DISTRICT:	County of Davis	**Haven J. Barlow**

TWENTY-FOURTH DISTRICT:	Counties of Box Elder, Cache	**Miles 'Cap' Ferry**
TWENTY-SIXTH DISTRICT:	Counties of Morgan, Summit, Wasatch, Daggett, Duchesne, Uintah	**Glade M. Sowards**

I FURTHER CERTIFY that by virtue of a General Election held on Tuesday, November 4, 1980, the following named persons were chosen by the electors as members of the Legislature of the State of Utah, to serve in the Senate, each for the term of four years, beginning January 1, 1981, to-wit:

FIRST DISTRICT:	County of Salt Lake	**Frances Farley**
SECOND DISTRICT:	County of Salt Lake	**Wilford R. Black**
FIFTH DISTRICT:	County of Salt Lake	**Arthur L. Kimball**
SIXTH DISTRICT:	County of Salt Lake	**Charles E. Bennett, Sr.**
SEVENTH DISTRICT:	County of Salt Lake	**K.S. Cornaby**
EIGHTH DISTRICT:	County of Salt Lake	**Fred W. Finlinson**
SIXTEENTH DISTRICT:	County of Utah	**Karl N. Snow, Jr.**
SEVENTEENTH DISTRICT:	County of Utah	**Eldon A. Money**
NINETEENTH DISTRICT:	County of Weber	**Bryce C. Flamm**
TWENTIETH DISTRICT:	County of Weber	**Lowell S. Peterson**
TWENTY-THIRD DISTRICT:	County of Davis	**Jack M. Bangerter**
TWENTY-FIFTH DISTRICT:	Counties of Cache, Rich	**Charles W. Bullen**
TWENTY-SEVENTH DISTRICT:	Counties of Carbon, Emery, Grand, and San Juan	**Omar B. Bunnell**
TWENTY-EIGHTH DISTRICT:	Counties of Juab, Millard, Sanpete, Sevier, Piute and Wayne	**Cary G. Peterson**
TWENTY-NINTH DISTRICT:	Counties of Beaver Iron, Wahington, Garfield and Kane	**Ivan M. Matheson**

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 Seventh Day of January, 1981.

David S. Monson
Lieutenant Governor

Justice Richard C. Howe administered the oath of office to the newly-elected senators.

Roll Call — All senators present except Senator Jones.

President of the Senate (Nomination and Election) — On motion of Senator Barlow the Senate voted to proceed with its organization and nominate and elect its president.

Justice Richard C. Howe declared nominations for the office of president were in order. On motion of Senator Matheson, and with a second by Senator Black, Senator Miles 'Cap' Ferry was nominated for President of the Utah State Senate. The nominations were closed and Senator Ferry was elected President of the Senate by acclamation. Senators Sowards, Money and Wayment escorted President Miles 'Cap' Ferry to the podium.

Justice Howe administered the oath of office to President of the Senate, Miles 'Cap' Ferry.

President Miles 'Cap' Ferry

I would like to extend a thank you to Brother Hinckley for his sincere prayer in our behalf. The members of the Senate, and particularly its President, need help beyond our natural ability in order to take care of the many problems we are going to face in this session of the legislature. We need help that is only available from our Father in Heaven — help we must seek each day.

It is very humbling for me to again have the opportunity to serve as your President. I thank you for this confidence and trust. I hope that I won't let you down. I again pledge to you my full commitment to the task before us, and I ask the same of all of you and of our employees. If we do this, we will not fail.

As your presiding officer, I will continue to be fair to both sides of the aisle and do my best to allow everyone to be heard. As I feel that an issue has been discussed, I am going to ask you to please refrain from further discussion so that we can close debate and move on to other important business. We must be well organized this session and have realistic goals if we are going to complete our work in the designated sixty days.

This session we are very fortunate that Senator Verl Asay has been our Patronage Chairman. He has given us an exceptional staff to help us. We appreciate his hard work. Also this session we are fortunate to have again as our secretary, Sophia Buckmiller. She does a superb job, in fact she could even make a poor president look good. I want you to know how much I appreciate the people here on the circle, Sophia Buckmiller, Joan Thomas, Shauna Hoffman and our Sergeant at Arms, Jim Carrico. We just couldn't operate without them.

Senator Ronald Halverson, our Rules Committee Chairman, has assured me that the bills will be printed and before us in good order, and we will be able to consider them in an efficient and orderly manner. We appreciate that help. The Speaker of the House, Norm Bangerter, has guaranteed to me that the House is going to cooperate in every way to make sure this will be one of the most productive legislative sessions Utah has ever experienced. I want you to know that I have pledged to him our cooperation so all the bills that pass one house will have the opportunity to be heard in the other house.

In years past we have had a variety of problems facing us, such things as

drought, inflation, reapportionment, revenue shortages, unemployment, high interest rates, federal encroachment and a distrust of those who serve in government. To my knowledge we have had these problems at different times; we have never had them all at the same time during the same legislative session. I think any problem facing us can only be solved if we have united help from both houses and from the citizens of the State of Utah. In our republic we can only have good government if everyone participates and I think then and only then can we truly have government by the voice of the people. As Plato once cautioned us, "unless you actively participate in government, expect to be governed by people worse than yourselves." I don't think we want that. If we will work together and take time to sincerely listen to each other and to those who elected us, we will have a very successful legislative session.

Our President-elect Reagan has pledged that he will return to the states responsibilities that rightfully belong to them. I think we must be prepared to accept these responsibilities and to fulfill our obligation in this federal system so that we are equal partners with the government in Washington. If, for example, the Sagebrush Rebellion is successful and we get some of the BLM land back, we need to be prepared to administer these lands in a manner that will benefit all citizens of the State of Utah.

We in the State of Utah also have a responsibility to look at our programs to see if some of them rightfully belong to the cities and counties. One program we might look at is the state property reappraisal program. The counties say they can do it cheaper and more efficiently because they are closer to the people. Usually the government that is best is that government which is close to people. In this case, they may be right.

We are going to have a very difficult session. Let's remember to always be courteous to each other, to our employees, and particularly to the members of the House of Representatives. Above all, let's remember to keep our sense of humor so we can enjoy this session. I think we need to always remember how fortunate we are to live in a free land, a land that is choice, choice above all others. The legislative branch of government is probably the strongest part of our system. We must always safeguard our God given rights of life, liberty and property. The torch of freedom and independence was born in the legislative halls of the thirteen colonies where such men as George Washington, Patrick Henry, Richard Henry Lee and others fought for these freedoms, even at the peril of their lives. They fought so that people in the small hamlets, towns, and villages might have freedom to choose for themselves the laws that would solve their problems. When it comes to defending these freedoms, I think we should follow the advice of Winston Churchill in his last major address in the House of Commons — many will say his greatest address, when he said: "Never, never, never give up!"

Last but not least, I stand before you as a God-fearing man who knows that this country is great because of the God who governs this universe. He has given us this country and our Constitution. It was our forefathers God-given responsibility to win our freedom in the War for Independence. It is our responsibility to preserve that

freedom for ourselves and our posterity. I know that with your help, and with the help of Divine Providence, we can not fail. I am looking forward to a very productive session. I appreciate your support. I'll do my best to govern as you would want me to, and I thank you for this opportunity.

President Ferry and Senators Bullen, Bennett and Wayment introduced members of their families and friends. Senator Snow acknowledged the presence of Attorney General, David L. Wilkinson and Supreme Court Justice, Dallin Oaks.

Presentation of Gavel — A gavel made by students at Utah Technical College in Provo was presented to President Miles 'Cap' Ferry by Senator Karl N. Snow, Jr.

Senator Karl N. Snow, Jr., Majority Leader

As the majority leader, I would like to take this opportunity to personally express my appreciation for the privilege of serving as your floor leader for this, the 44th General Session of the Utah State Legislature. I pledge to work to do my best in guiding the floor action of this body and to act judiciously and fairly; keeping uppermost in mind, of course, the goal of serving the public interest. Someone has said that the public interest "is what men would choose if they saw clearly, thought rationally and acted disinterestly and benevolently." I would seek to do such. Now speaking for the majority and to our minority friends we look forward to working with you in a cooperative spirit. We see you as friends and colleagues in a cooperative venture. It is ever evident that we, as Republicans, are a majority. We like to think of ourselves as being unusual in any situation, but in this situation, we are the "unusual majority." At the same time we pledge, as a majority, to give ear and to hear the concerns of the minority and to act in the public interest. Noting of course, that this is not a government of the majority, but rather a government of the people and that we seek to serve the people of this great state. I hope that our minority friends will understand that we do want to give ear and concern to their interests.

Senator Karl G. Swan, Minority Whip

I think that it would be appropriate at this time to speak for the minority and to excuse Senator Black who has had a death of a close friend and has been asked to speak at the funeral.

As the minority whip of the Utah State Senate, I would like to express concern that we have an opportunity to be involved. I think that there is a perception that over the past few years there has been a little greater emphasis on party positions and caucus' working out their responsibilities. I'm sure that has always been necessary, but we will appreciate whatever opportunity we can have to be involved in the great decisions that will come before us. As members of our caucus have talked, we could not be more happy with the kind of selection that the Republican majority has made for its leadership. Mr. President, we wish to again affirm that we

have been treated exceptionally fine by you, and fairly, and in a gentlemanly way. We feel that particularly in light of some of the surveys and individual polls that have gone on over the years that you could not have selected a more capable majority leader than Senator Karl Snow. I'm sure that we can work very well with Senator Snow and with Senator Bangerter. Senator Bangerter has treated us in a most considerate manner. We have seen his growth as a Legislator and we look to him for some excellent leadership. With these thoughts in mind we look forward to a cooperative session. We are a little more humble than we have been before, but please don't pick on our humility.

On motion of Senator Karl N. Snow, Jr., the Senate expressed appreciation to Justice Richard C. Howe for taking time from his busy schedule to administer the oath of office to the newly elected senators and to President Ferry.

On motion of Senator Bangerter, the Senate expressed appreciation to Elder Gordon B. Hinckley for delivering the beautiful and inspiring prayer at the opening of the 44th Legislature.

Senate Rules — President Miles 'Cap' Ferry appointed a committee comprised of Senators Halverson, Snow, Bangerter, Cornaby, Wayment, Bunnell and Money to formulate the Senate Rules.

Joint Rules — President Miles 'Cap' Ferry appointed a committee comprised of Senators Halverson, Snow and Bunnell to formulate the Joint Rules.

Patronage and Employee Committee — President Miles 'Cap' Ferry appointed Senator E. Verl Asay as a committee to serve patronage and employees.

Read and Revise the Daily Senate Journals — President Miles 'Cap' Ferry appointed Senators L. Peterson, Flamm and Bennett as a committee to read and revise the Daily Senate Journal.

Leadership — President Ferry directed that the following be recorded in the Senate Journal. The Majority (Republican) Leader will be Senator Karl N. Snow, Jr. the Majority (Republican) Whip will be Senator Jack M. Bangerter. The Minority (Democrat) Leader will be Senator Wilford R. Black, Jr. and the Minority (Democrat) Whip will be Senator Karl G. Swan.

House of Representatives notified — President Ferry appointed Senators C. Peterson, L. Peterson and Money to notify the House of Representatives that the Senate is organized and ready to do business.

Governor notified — President Ferry appointed a committee comprised of Senators Sandberg, Bunnell and Barton to notify Governor Scott M. Matheson that the 44th Legislature is organized and ready to do business, and to ascertain the time the Governor will deliver his message.

Senator C. Peterson, chairman of the committee to notify the House, reported that the House had been notified that the Senate is organized and ready to do business.

Senate Rules — On motion of Senator Halverson, the Senate voted to follow the rules of the 43rd Legislature until other rules are adopted.

Joint Rules — On motion of Senator Halverson, the Senate voted that the Joint Rules of the 43rd Legislature be followed until other rules are adopted.

President Ferry recognized a committee from the House of Representatives comprised of Representatives Strong, Harrison, Schmutz and Nielsen. Representative Strong advised that the House is duly organized and ready to do business.

Senator Sandberg, chairman of the committee to notify the Governor, reported that His Excellency, Governor Scott M. Matheson, had been notified and that he will be ready to deliver his message in Joint Convention of the Legislature in the Chamber of the House of Representatives at 11:00 a.m.

On motion of Senator Snow, the Senate recessed with the understanding that all senators meet in front of the House of Representatives immediately in order to enter the House chamber together to hear the Governor's message in Joint Convention. In further compliance with the Snow motion the Senate is to reassemble at 1:30 p.m.

JOINT CONVENTION

President Miles 'Cap' Ferry called the Joint Convention to order at 11:00 a.m. in the chamber of the House of Representatives.

Senate Roll Call — All senators present except Senator Jones.

House Roll Call — All representatives present.

Governor Notified — President Ferry appointed a Joint Committee comprised of Senators Bullen, Finlinson and Farley and Representatives Gardner, Whitesides, Richards, Arrington and Brandt, to notify the Governor that the 44th Legislature is in Joint Convention and ready to hear his message.

Guests — President Ferry acknowledged the presence of Mrs. Norma Matheson, Mrs. Suzanne Ferry, Mrs. Colleen Bangerter, David S. Monson, Lieutenant Governor, David L. Wilkinson, Attorney General, W. Val Oveson, State Auditor, Edward T. Alter, State Treasurer and Elder Mark E. Peterson, Council of Twelve, Church of Jesus Christ of Latter-day Saints.

The Joint Committee returned escorting His Excellency, Governor Scott M. Matheson. President Ferry introduced the Governor to the Joint Convention.

State of State Message
Governor Scott M. Matheson

On motion of Representative Rawson and with a second by Representative Garff, the Joint Convention voted to have the complete text of the Governor's State of State message printed in the House Journal.

On motion of Representatives McAllister and with a second by Representative Rawson, the Joint Convention was dissolved.

AFTERNOON SESSION

The Senate reassembled at 1:45 p.m. President Miles 'Cap' Ferry presiding.

STANDING COMMITTEES

Agriculture — Ivan M. Matheson, Chairman. Miles 'Cap' Ferry, Cary Peterson and Eldon A. Money, Committee Members. Bill Asplund and Betsy Jackson, Research Analysts.

Business, Labor and Economic Development — Arnold Christensen, Chairman. Richard J. Carling, K.S. Cornaby, Sherman A. Wayment, Wayne L. Sandberg and Omar B. Bunnell, Committee Members. Mark W. Paterson and Ruth Ann Brown, Research Analysts.

Energy and Natural Resources — Fred W. Finlinson, Chairman. Glade Sowards, Ivan M. Matheson, Jack M. Bangerter, Miles 'Cap' Ferry and Karl G. Swan, Committee Members. Vee J. Sharp, Research Analyst.

Higher Education — Lowell Peterson, Chairman. K.S. Cornaby, Charles W. Bullen, Arnold Christensen, Ronald T. Halverson and Karl G. Swan, Committee Members. J. Wayne Lewis, Research Analyst.

State and Local Affairs — Bryce Flamm, Chairman. Fred W. Finlinson, Karl N. Snow, Jr., Haven J. Barlow, William T. "Bill" Barton and Arthur L. Kimball, Committee Members. Marthe F. Dyner, Research Analyst.

Judiciary — A. Dean Jeffs, Chairman. Richard J. Carling, Haven J. Barlow, E. Verl Asay and Wilford R. Black, Jr., Committee Members. Roger O. Tew, Research Analyst.

Public Education — William T. "Bill" Barton, Chairman. William N. Jones, Sherman A. Wayment, Wayne L. Sandberg, Omar B. Bunnell and Charles E. Bennett, Sr., Committee Members. Lowell L. Crandall, Research Analyst.

Revenue and Taxation — Charles W. Bullen, Chairman. Karl N. Snow, Jr., Warren E. Pugh, Lowell S. Peterson, Cary G. Peterson, Frances Farley and Charles E. Bennett, Committee Members. Bill Asplund, Research Analyst.

Social Services — Ronald T. Halverson, Chairman. William N. Jones, A. Dean Jeffs, Bryce Flamm, Arthur L. Kimball and Frances Farley, Committee Members. Stewart E. Smith and Betsy Jackson, Research Analysts.

Senate Rules (Sifting) — Ronald T. Halverson, Chairman. Karl N. Snow, Jack M. Bangerter, K.S. Cornaby, Sherman A. Wayment, Omar B. Bunnell and Eldon A. Money, Committee Members.

Transportation and Public Safety — E. Verl Asay, Chairman. Glade M. Sowards,

Warren E. Pugh, Jack M. Bangerter, Wilford R. Black, Jr. and Eldon A. Money, Committee Members. Richard V. Strong, Research Analyst.

Reapportionment — Fred W. Finlinson, Chairman. Karl N. Snow, Jr., Ronald T. Halverson, Ivan M. Matheson, Omar B. Bunnell and Wilford R. Black, Jr., Committee Members. Jon M. Memmott, Richard V. Strong and Betsy Jackson, Research Analysts.

JOINT APPROPRIATIONS COMMITTEE AND SUBCOMMITTEE ASSIGNMENTS

Appropriations Chairman — Senator Warren E. Pugh.

Business, Labor and Agriculture — Sherman A. Wayment, Chairman. Lowell A. Peterson and Eldon A. Money, Committee Members. Fred E. Jayne, Fiscal Analyst.

Development Services — Wayne L. Sandberg, Chairman. E. Verl Asay, Committee Member. Osamu Hoshino, Fiscal Analyst.

Government Operations — Cary G. Peterson, Chairman. Karl N. Snow, Jr. and Charles E. Bennett, Committee Members. Patrick W. Hayes, Fiscal Analyst.

Higher Education — Richard J. Carling, Chairman. Fred W. Finlinson, Ronald T. Halverson, Miles 'Cap' Ferry, Charles W. Bullen, Ivan M. Matheson and Frances Farley, Committee Members. Heber T. Hunt and Laurie Chivers, Fiscal Analysts.

Judicial and Executive — K.S. Cornaby, Chairman. Joseph T. Neville, Fiscal Analyst.

Natural Resources — Glade M. Sowards, Chairman. Miles 'Cap' Ferry and Karl G. Swan, Committee Members. R. Michael Kjar, Fiscal Analyst.

Public Education — Haven J. Barlow, Chairman. Warren E. Pugh, William T. "Bill" Barton and Omar B. Bunnell, Committee Members. George F. Copeland, Fiscal Analyst.

Social Services — William N. Jones, Chairman. A. Dean Jeffs, Bryce C. Flamm and Arthur L. Kimball, Committee Members. Marion S. Wittwer, J. Winslow, Fiscal Analysts.

Transportation and Public Safety — Arnold Christensen, Chairman. Jack M. Bangerter and Wilford R. Black, Committee Members. Boyd A. Garriott, Fiscal Analyst.

READING OF BILLS AND RESOLUTIONS

On motion of Senator Halverson and as provided by the Utah State Constitution, the Senate voted to suspend the reading of the full title of all bills and resolutions on the Senate Calendar as they are read for the first time and introduced, and as bills and resolutions are considered on Second Reading, Third Reading and on Consent Calendar. The motion is to apply to all bills and resolutions introduced and read for the remainder of this legislative session, except as any individual senator may request the reading of the full title of any House or Senate bill or

resolution. The motion passed with Senator Bennett voting against the motion and all others voting favorably. Senator Jones was absent.

INTRODUCTION OF BILLS

CONDOMINIUM CONVERSION APPROVALS

S.B. No. 1 K.S. Cornaby

AN ACT RELATING TO CONDOMINIUM CONVERSION; PROVIDING PROCEDURES FOR THE APPROVAL OF CONDOMINIUM CONVERSIONS. THIS ACT AMENDS SECTION 57-8-35, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 173, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

BUSINESS OPPORTUNITY DISCLOSURE DOCUMENTS

S.B. No. 2 K.S. Cornaby

AN ACT RELATING TO COMMERCE AND TRADE; PROVIDING THAT PERSONS SELLING "BUSINESS OPPORTUNITIES" FILE CERTAIN DISCLOSURE STATEMENTS WITH THE STATE TRADE COMMISSION; VESTING AUTHORITY IN THE COMMISSION TO ADMINISTER AND ENFORCE THE ACT; PROVIDING THAT SELLERS FURNISH A COPY OF THE INFORMATIN ON FILE WITH THE COMMISSION TO PROSPECTIVE PURCHASEES; PROVIDING FOR THE ISSUANCE OF CEASE AND DESIST ORDERS; AND PROVIDING AN EFFECTIVE DATE. THIS ACT ENACTS CHAPTER 15 OF TITLE 13, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

CONTRACEPTION OR ABORTION SERVICES OR DEVICES

S.B. No. 3 Karl N. Snow, Jr.

AN ACT RELATING TO CONTRACEPTION AND ABORTION; PROVIDING THAT NO STATE AGENCY SHALL PROVIDE CONTRACEPTIVE OR ABORTION SERVICES OR COUNSELING OR INFORMATION ON CONTRACEPTION OR ABORTION TO AN UNMARRIED MINOR WITHOUT PARENTAL OR CUSTODIAL CONSENT; PROVIDING THAT NO STATE AGENCY SHALL APPROVE ANY APPLICATION FOR PUBLIC FUNDS WHICH REQUIRES THE AVAILABILITY OF CONTRACEPTIVE OR ABORTION SERVICES OR THE DISSEMINATION OF INFORMATION ON CONTRACEPTION OR ABORTION TO UNMARRIED MINORS AS A CONDITION PRECEDENT TO RECEIPT OF SUCH FUNDS, was read the first time and referred to Rules Committee.

UNIFORM FIRE-PREVENTION-CODE PANEL

S.B. No. 4 Senators Asay, Barton
Bangerter, Bunnell

AN ACT RELATING TO THE UNIFORM FIRE PREVENTION CODE; ALTERING THE COMPOSITION OF THE PANEL FOR RESOLVING DIFFERENCES THAT ARISE IN THE DEVELOPMENT OF THE CODE. THIS ACT AMENDS SECTION 63-29-7, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 164, LAWS OF UTAH 1971, was read the first time and referred to Rules Committee.

BUILDING CODE WAIVERS

S.B. No. 5 Senators Asay, Pugh, Barton
Bangerter, Bunnell

AN ACT RELATING TO CONSTRUCTION AND ALTERATIONS OF SCHOOLS; PROVIDING THAT THE SUPERINTENDENT OF PUBLIC INSTRUCTION MAY WAIVE STATE AND LOCAL BUILDING RESTRICTIONS. THIS ACT AMENDS SECTION 53-11-2, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 90, LAWS OF UTAH 1963, was read the first time and referred to Rules Committee.

STUDDED TIRES TAX REMOVAL

S.B. No. 6 Senators Bullen, Asay, Bangerter

AN ACT RELATING TO FEES ASSESSED FOR THE USE OF STUDDED TIRES; ELIMINATING THE PROVISIONS FOR COLLECTION OF THE FEE. THIS ACT AMENDS SECTION 41-6-150, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 242, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

RADAR USE PROHIBITION

S.B. No. 7 K.S. Cornaby

AN ACT RELATING TO PEACE OFFICERS; PROHIBITING A PEACE OFFICER FROM USING RADAR IN THE APPREHENSION OF A PERSON SUSPECTED AS A TRAFFIC VIOLATOR; AND MAKING VIOLATION OF THE SECTION A CLASS B MISDEMEANOR, was read the first time and referred to Rules Committee.

UTAH FOREIGN JUDGMENT ACT

S.B. No. 8 Richard J. Carling

AN ACT RELATING TO THE JUDICIAL CODE; PROVIDING FOR A UNIFORM PROCEDURE FOR THE ENFORCEMENT OF FOREIGN JUDGMENTS IN THIS STATE; PROVID-

ING FOR FEES; AND PROVIDING AN EFFECTIVE DATE. THIS ACT ENACTS CHAPTER 22a OF TITLE 78, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

PROCEDURE FOR FILLING LOCAL VACATED ELECTIVE OFFICE

S.B. No. 9 Senators Matheson, Asay, Sandberg

AN ACT RELATING TO ELECTIONS; PROVIDING FOR A REVISED PROCEDURE FOR FILLING VACANCIES WHICH OCCUR IN AN OFFICE FOR WHICH NOMINEES FOR DIRECT PRIMARY ELECTIONS ARE ELECTED AT COUNTY CONVENTIONS. THIS ACT AMENDS SECTION 20-4-11.5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 27, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

HERITAGE TREES

S.B. No. 10 Richard J. Carling

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; PROVIDING AUTHORITY IN THE BOARD OF STATE LANDS AND FORESTRY TO ADMINISTER THE HERITAGE TREES PROGRAM OF THE STATE; PROVIDING FOR THE CREATION OF A HERITAGE TREES ADVISORY COMMITTEE, ITS COMPOSITION, DUTIES, AND RESPONSIBILITIES; PROVIDING PROCEDURES FOR THE DESIGNATION OF HERITAGE TREES; AND PROVIDING PENALTIES. THIS ACT AMENDS SECTIONS 63-11-58, 63-11-59, 63-11-60, AND 63-11-61, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 188, LAWS OF UTAH 1975, AND ENACTS SECTIONS 63-11-60.3, 63-11-60.4, 63-11-64, AND 63-11-65, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

OFF DUTY POLICE OFFICERS

S.B. No. 11 Richard J. Carling

AN ACT RELATING TO OFF DUTY PEACE OFFICERS; PROVIDING THAT THEY MAY WEAR THEIR REGULAR UNIFORMS WHILE PERFORMING DUTIES AS PRIVATE SECURITY OFFICERS WHEN OTHERWISE AUTHORIZED. THIS ACT AMENDS SECTIONS 58-45-23 AND 58-45-27, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 17, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

PROPOSED INCORPORATION OF CITY AMENDMENTS

S.B. No. 12 Senators Barton, Asay

AN ACT RELATING TO CITIES AND TOWNS; PROVIDING CHANGED SHOWING OF INTEREST REQUIREMENTS FOR A PETITION SEEKING INCORPORATION OF A CONTIGUOUS UNINCORPORATED AREA INTO A CITY; AND PROVIDING THAT THE

NOTICE AND ELECTION PROCEDURES INCIDENT TO APPROVAL OR DISAPPROVAL OF INCORPORATION APPLY TO ANY PROPOSED CITY REGARDLESS OF ITS DESIGNATED CLASS. THIS ACT AMENDS SECTIONS 10-2-101 AND 10-2-102, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 48, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

MUNICIPAL INCORPORATION AMENDMENTS

S.B. No. 13 Senators Barton, Asay

AN ACT RELATING TO MUNICIPAL GOVERNMENT; PROVIDING FOR FORMS FOR PETITIONS TO INCORPORATE OR DISINCORPORATE MUNICIPALITIES; PROVIDING LIMITATIONS UPON THE FILING OF MUNICIPAL INCORPORATION AND DISINCORPORATION PETITIONS; AND PROVIDING EXTENDED PERIODS FOR THE CONDUCT OF DISINCORPORATION ELECTIONS. THIS ACT AMENDS SECTION 10-2-702, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 48, LAWS OF UTAH 1977, ENACTS SECTIONS 10-2-106.5, 10-2-101.5, AND 10-2-701.5, UTAH CODE ANNOTATED 1953; AND REPEALS AND REENACTS SECTIONS 10-2-701 AND 10-2-710, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 48, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

TAXATION OF CERTAIN MOBILE HOMES

S.B. No. 14 Senators Barlow, Bunnell Matheson, Asay

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING FOR THE TAXATION OF MOBILE HOMES AS REAL PROPERTY WHILE LOCATED ON LAND OWNED BY THE PERSON TO WHOM THE MOBILE HOME IS TITLED AND REGISTERED; AND PROVIDING FOR THE PROOF OF PAYMENT OF REAL PROPERTY TAXES UPON THE SALE OF SUCH HOMES. THIS ACT AMENDS SECTION 59-3-1, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 176, LAWS OF UTAH 1975, AND SECTION 41-1-32, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 87, LAWS OF UTAH 1971, was read the first time and referred to Rules Committee.

HEALTH PLANNING AND RESOURCES DEVELOPMENT ACT AMENDMENTS

S.B. No. 15 K.S. Cornaby

AN ACT RELATING TO PUBLIC HEALTH; PROVIDING FOR THE CREATION OF A PUBLIC BENEFIT CORPORATION TO ACT, UNDER THE DIRECTION OF ITS GOVERNING BODY, AS THE HEALTH SYSTEMS AGENCY FOR THE STATE; PROVIDING FOR THE COMPOSITION, POWERS, AND RESPONSIBILITIES OF THE CORPORATION'S GOVERNING BODY; PROVIDING FOR REPEAL OF THIS ACT EFFECTIVE JULY 1, 1983; AND PROVIDING FOR AN EFFECTIVE DATE. THIS ACT AMENDS SECTIONS 26-34-7

AND 26-34-20, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 95, LAWS OF UTAH 1979, AND REPEALS SECTIONS 26-33-1, 26-33-2, 26-33-3, 26-33-5, 26-33-6, AND 26-33-7, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1976, AND SECTION 26-33-4, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 29, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

MOTOR FUELS TESTING AND LABELING

S.B. No. 16 Senators Money, Matheson, L. Peterson

AN ACT RELATING TO MOTOR FUELS TESTING AND LABELING; PROVIDING FOR TRANSFER OF THE PROVISIONS FOR THE ADMINISTRATION OF THE MOTOR FUELS INSPECTION PROGRAM BY THE DEPARTMENT OF AGRICULTURE FROM TITLE 41 TO TITLE 4 OF THE UTAH CODE ANNOTATED 1953; PROVIDING THAT THE DEPARTMENT MAY PROMULGATE RULES PROVIDING FOR TESTING, INSPECTION AND ANALYSIS OF MOTOR FUELS BEING TRANSPORTED OR OFFERED FOR SALE IN THE STATE; PROHIBITING THE SALE OF MOTOR FUELS NOT MEETING DEPARTMENT STANDARDS, REGULATING THE ADVERTISING AND SALE OF MOTOR FUELS; PROVIDING FOR SEALING OF DISPENSING DEVISES WHICH ARE IN VIOLATION OF THIS CHAPTER; PROVIDING THAT WARRANTS MAY BE OBTAINED; EXEMPTING MOTOR FUELS IN INTERSTATE COMMERCE; AND PROVIDING A PENALTY FOR VIOLATIONS. THIS ACT REPEALS CHAPTER 11 OF TITLE 41, UTAH CODE ANNOTATED 1953 AND REPLACES IT BY ENACTING CHAPTER 33 OF TITLE 4, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

BIG GAME DAMAGE PAYMENTS

S.B. No. 17 Senators Barlow, Black

AN ACT RELATING TO WILDLIFE RESOURCES; PROVIDING FOR REDUCTION IN THE MAXIMUM AMOUNT ALLOWABLE CLAIMANTS FOR CROP DAMAGES OCCASIONED ON ACCOUNT OF BIG GAME ANIMALS; AND PROVIDING THAT PAYMENTS ARE MADE FROM GENERAL FUND REVENUES. THIS ACT AMENDS SECTION 23-16-4, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 101, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

PLACEMENT OF NUCLEAR WASTE

S.B. No. 18 Senators Farley, Cornaby, Matheson
Swan, Barlow, Bunnell
Kimball, Money

AN ACT RELATING TO THE PROHIBITION OF PLACEMENT OF NUCLEAR WASTE IN UTAH; PROHIBITING THE PLACEMENT OF NUCLEAR WASTE, OR STATE AGENCY

ASSISTANCE TO ANY FEDERAL AGENCY OR INSTRUMENTALITY IN THE PLACEMENT OF NUCLEAR WASTE, IN UTAH, UNLESS THE UTAH LEGISLATURE AUTHORIZES SUCH PLACEMENT, was read the first time and referred to Rules Committee.

SMALL TRUCKS LADEN WEIGHT

S.B. No. 19 Senators Bullen, Sowards

AN ACT RELATING TO REGISTRATION FEES FOR MOTOR VEHICLES BASED ON GROSS LADEN WEIGHT; PROVIDING THAT VEHICLES WITH A LADEN WEIGHT OF 6,000 POUNDS OR LESS SHALL NOT BE REQUIRED TO DISPLAY THE REGISTERED GROSS LADEN WEIGHT ON THE VEHICLE. THIS ACT AMENDS SECTION 41-1-127, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 45, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

PAYMENTS OF WITHHOLDING TAXES

S.B. No. 20 Charles W. Bullen

AN ACT RELATING TO WITHHOLDING OF UTAH INDIVIDUAL INCOME TAXES; INCREASING THE MINIMUM AMOUNT OF TAXES ESTIMATED TO BE WITHHELD BEFORE ADVANCE PAYMENTS ARE REQUIRED; MAKING CHANGES IN PROCEDURES IN CORRESOND TO EXISTING PRACTICES; MAKING MORE DEFINITE THE APPLICATION OF PENALTIES; PROVIDING CERTAIN CHANGES IN FORM; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 59-14A-45, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 147, LAWS OF UTAH 1973, was read the first time and referred to Rules Committee.

INTEREST RATES INCREASE

S.B. No. 21 Richard J. Carling

AN ACT RELATING TO INTEREST RATES; PROVIDING FOR AN INCREASE IN THE LEGAL RATE OF INTEREST TO 8%; AND PROVIDING FOR AN INCREASE IN THE RATE OF INTEREST ON JUDGMENTS TO 12%. THIS ACT AMENDS SECTIONS 15-1-1 AND 15-1-4, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

UNKNOWN VOTER IDENTIFICATION

S.B. No. 22 Fred W. Finlinson

AN ACT RELATING TO ELECTIONS; PROVIDING A MEANS OF IDENTIFYING UNKNOWN VOTERS. THIS ACT AMENDS SECTIONS 20-3-21 AND 20-7-17, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 58, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

CEMETERY AND FIRE COMMISSIONER APPOINTMENTS

S.B. No. 23 Senators Finlinson, Barlow

AN ACT RELATING TO SPECIAL DISTRICTS, PROVIDING FOR APPOINTMENT OF CEMETERY AND FIRE PROTECTION DISTRICT COMMISSIONERS; AND MAKING CERTAIN PROCEDURAL CHANGES AND CLARIFICATIONS. THIS ACT AMENDS SECTIONS 8-1-5, 17-9-6, 17-9-7, AND 17-9-22, UTAH CODE ANNOTATED 1953, SECTIONS 8-1-6 AND 8-1-7, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 12, LAWS OF UTAH 1957; REPEALS AND REENACTS SECTION 8-1-8, UTAH CODE ANNOTATED 1953, AND SECTION 17-9-9, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 71, LAWS OF UTAH 1977; AND REPEALS SECTION 8-1-9, UTAH CODE ANNOTATED 1953, SECTION 8-1-10, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 8, LAWS OF UTAH 1963, AND SECTION 17-9-12, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 71, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

REGISTRATION AGENTS AND ELECTION JUDGES

S.B. No. 24 Senators Finlinson, Barlow

AN ACT RELATING TO BALLOTS AND VOTING; PROVIDING FOR THE APPOINTMENT OF TEMPORARY VOTING REGISTRATION AGENTS; PROVIDING WORKING HOURS AND COMPENSATION FOR VOTING AND COUNTING JUDGES; AND PROVIDING AN INCREASE IN MILEAGE AND OTHER FEES TO PERSONS CARRYING ELECTION RETURNS. THIS ACT AMENDS SECTIONS 20-2-2 AND 20-7-37, UTAH CODE ANNOTATED 1953, AND SECTION 20-7-10, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 83, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

ATHLETIC EVENTS AMENDMENTS

S.B. No. 25 Karl G. Swan

AN ACT RELATING TO THE UTAH ATHLETIC COMMISSION; INCREASING FROM $2,000 TO $5,000 THE AMOUNT OF THE BOND REQUIRED IN CONNECTION WITH A LICENSE TO HOLD BOXING CONTESTS; INCREASING THE LICENSE FEE FOR BOXERS FROM FIVE TO TEN DOLLARS; ELUCIDATING PROCEDURE FOR DEALING WITH AN ASSESSMENT OF VIOLATION BY A CONTESTANT; PROVIDING FOR A TAX ON ADMISSION FEES OF FIVE PERCENT OF THE TOTAL GROSS RECEIPTS OF A MATCH OR PERFORMANCE; ESTABLISHING A UTAH STATE ATHLETIC COMMISSION FUND; ALTERING THE PROVISIONS GOVERNING EXPENSES OF THE COMMISSION; MAKING VIOLATION OF THE CHAPTER A CLASS B MISDEMEANOR; AND PROVIDING VARIOUS OTHER GUIDE LINES. THIS ACT AMENDS SECTIONS 63-24-6, 63-24-7, 63-24-12, 63-24-15, 63-24-16, AND 63-24-17, UTAH CODE ANNOTATED 1953, AS ENACTED BY

CHAPTER 10, LAWS OF UTAH 1959, AND ENACTING SECTION 63-24-14.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

MASSAGE PRACTICE ACT

S.B. No. 26 Senators Halverson, Christensen

AN ACT RELATING TO MASSAGE PRACTICE; PROVIDING FOR A BOARD OF MASSAGE; PROVIDING FOR LICENSURE AND THE SETTING, IMPLEMENTATION AND ENFORCEMENT OF STANDARDS FOR MASSAGE TECHNICIANS AND MASSAGE ESTABLISHMENTS; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 58-1-5, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 5, LAWS OF UTAH 1980, AND ENACTS NEW SECTIONS, was read the first time and referred to Rules Committee.

VOTED LEEWAY TERMINATION

S.B. No. 27 Lowell S. Peterson

AN ACT RELATING TO PUBLIC SCHOOLS; PROVIDING THAT THE DURATION OF A SCHOOL DISTRICT VOTED LEEWAY PROGRAM SHALL NOT EXCEED FIVE YEARS UNLESS EXTENDED FOR AN ADDITIONAL FIVE YEAR PERIOD BY A MAJORITY OF THE ELECTORS OF THE DISTRICT; PROVIDING THAT EACH EXISTING DISTRICT VOTED LEEWAY PROGRAM THAT HAS BEEN IN EXISTENCE FOR FIVE OR MORE YEARS BE REAPPROVED; AND PROVIDING THAT, IF NOT REAPPROVED, THE STATE CONTRIBUTION TO THE DEFEATED PROGRAM BE TERMINATED OVER A THREE YEAR PERIOD. THIS ACT AMENDS SECTION 53-7-24, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 51, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

REGULATION OF CONTRACTORS, PLUMBERS, AND ELECTRICIANS

S.B. No. 28 Senators Christensen, Halverson

AN ACT RELATING TO REGULATION OF CONTRACTORS, PLUMBERS, AND ELECTRICIANS; PROVIDING FOR A DIVISION OF CONTRACTORS; PROVIDING THAT PLUMBERS AND ELECTRICIANS SHALL BE ACCOUNTABLE THROUGH THE DIVISION OF CONTRACTORS RATHER THAN, AS FORMERLY, THROUGH THE DIRECTOR OF REGISTRATION; PROVIDING GENERALLY FOR THE REGULATION OF CONTRACTORS, PLUMBERS, AND ELECTRICIANS; AND REPEALING THE CHAPTERS THAT FORMERLY GOVERNED REGULATION OF THOSE PERSONS. THIS ACT ENACTS TITLE 58A, UTAH CODE ANNOTATED 1953, AND REPEALS CHAPTERS 18, 23, AND 36 OF TITLE 58, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

STATE BUILDING BOARD POWERS

S.B. No. 29 Ronald T. Halverson

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; PROVIDING AUTHORITY IN INSTITUTIONS AND AGENCIES OF THE STATE TO MAKE ALTERATIONS AND REPAIRS TO EXISTING BUILDINGS AND IMPROVEMENTS WITHOUT APPROVAL OF THE STATE BUILDING BOARD UNDER CERTAIN SPECIFIED CONDITIONS; AND PROVIDING AUTHORITY IN THE STATE BUILDING BOARD TO PERIODICALLY ADJUST CONSTRUCTION AND BID LIMITS APPLICABLE TO INSTITUTIONS AND AGENCIES. THIS ACT AMENDS SECTION 63-10-7, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 75, LAWS OF UTAH 1980, AND ENACTS SECTION 63-10-7.8, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

CONTINUING EDUCATION FOR PHARMACISTS

S.B. No. 30 Glade M. Sowards

AN ACT RELATING TO PHARMACISTS; ESTABLISHING THE MAXIMUM AMOUNT FOR THE REGISTRATION RENEWAL FEE FOR PHARMACISTS; AND PROVIDING THAT CERTAIN CONTINUING EDUCATION REQUIREMENTS BE MET AS A CONDITION TO RENEWAL OF A PHARMACIST'S LICENSE. THIS ACT AMENDS SECTION 58-17-2, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 6, LAWS OF UTAH 1980, AND ENACTS SECTION 58-17-2.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

PORTS OF ENTRY FINES

S.B. No. 31 Jack M. Bangerter

AN ACT RELATING TO HIGHWAYS; PROVIDING THAT REVENUE FROM FINES LEVIED ON ACCOUNT OF OVERSIZE VEHICLES OR LOADS SHALL BE PAID OVER TO THE DEPARTMENT OF TRANSPORTATION. THIS ACT AMENDS SECTION 27-12-153, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 39, LAWS OF UTAH 1963, was read the first time and referred to Rules Committee.

CASUAL MEETINGS OF PUBLIC BODIES

S.B. No. 32 Lowell S. Peterson

AN ACT RELATING TO MEETINGS OF PUBLIC BODIES; EXCLUDING FROM THE OPEN AND PUBLIC MEETINGS LAW CASUAL MEETINGS AT WHICH NO ACTION IS TAKEN REGARDING MATTERS WITHIN JURISDICTION OF THESE PUBLIC BODIES; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 52-4-2, UTAH CODE ANNOTATED 1953, AS REPEALED AND REENACTED BY CHAPTER 180, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

OIL REREFINING AMENDMENTS

S.B. No. 33 Wilford R. Black

AN ACT RELATING TO THE "UTAH OIL REREFINEMENT ACT"; CHANGING LEGISLATIVE FINDINGS, STATEMENT OF LEGISLATIVE PURPOSES, DEFINITIONS, AND THE SCOPE OF AUTHORITY OF THE BOARD AND OF THE DIVISION OF OIL, GAS AND MINING; EXTENDING PERMIT REQUIREMENTS TO RECLAIMERS AND COLLECTORS OF USED OIL; CHANGING "DEALER" TO "COLLECTOR"; AND CHANGING SANCTIONS FOR VIOLATION OF THE ACT. THIS ACT AMENDS SECTIONS 40-9-3, 40-9-4, AND 40-9-5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 55, LAWS OF UTAH 1977; ENACTS SECTIONS 49-9-2.5 AND 40-9-3.5, UTAH CODE ANNOTATED 1953; AND REPEALS AND REENACTS SECTIONS 40-9-2 AND 40-9-6, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 55, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

RESIDENTIAL FACILITY ZONING LIMITATION

S.B. No. 34 Eldon A. Money

AN ACT RELATING TO ZONING, BUILDING AND PLANNING; PROVIDING AN EXEMPTION FOR SINGLE FAMILY DWELLINGS OCCUPIED BY HANDICAPPED PERSONS FROM THE STRUCTURES OF CITY AND COUNTY LAND USE ZONING ORDINANCES WHICH RESTRICT LAND USE TO SINGLE FAMILY DWELLINGS; AND PROVIDING THE CONDITIONS FOR RECEIPT OF THE EXEMPTION. THIS ACT AMENDS SECTIONS 10-9-2.5 AND 17-27-11.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

WRITE-IN CANDIDATES

S.B. No. 35 Senators Finlinson, Barlow

AN ACT RELATING TO ELECTIONS; PROVIDING THAT WRITE-IN CANDIDATES MUST FILE A DECLARATION OF CANDIDACY; AND PROVIDING THAT VOTES CAST FOR ALL OTHER WRITE-IN CANDIDATES SHALL NOT BE TALLIED OR RECORDED. THIS ACT AMENDS SECTION 20-7-20, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 87, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

JUSTICE OF PEACE PRECINCTS

S.B. No. 36 Senators Finlinson, Barlow

AN ACT RELATING TO ELECTIONS OF JUSTICES OF THE PEACE IN PRECINCTS CONTAINING ANY CITIES WHICH HAVE A MUNICIPAL DEPARTMENT OF THE CIR-

CUIT COURT, PROVIDING THAT CITIZENS OF SUCH A CITY MAY PARTICIPATE IN ELECTIONS FOR JUSTICE OF THE PEACE FOR THE PRECINCT THE CITY LIES IN. THIS ACT AMENDS SECTION 17-16-5, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 78, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

INITIATIVE AND REFERENDUM PETITIONS

S.B. No. 37 Senators Finlinson, Barlow

AN ACT RELATING TO DIRECT LEGISLATION ELECTIONS; PROVIDING TECHNICAL CHANGES IN THE FORM OF PETITIONS SEEKING AN INITIATIVE OR REFERENDUM ELECTION. THIS ACT AMENDS SECTION 20-11-8, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 84, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

ELECTION REGISTRATION AMENDMENTS

S.B. No. 38 Senators Finlinson, Barlow

AN ACT RELATING TO ELECTION REGISTRATION; PROVIDING A 20-DAY PERIOD BETWEEN THE LAST DAY OF REGISTRATION AND AN ELECTION; PROVIDING FOR THE APPOINTMENT OF REGISTRATION ASSISTANTS IN JUNE; PROVIDING FOR REGISTRATION BOOTHS IN HIGH SCHOOLS; AND PROVIDING FOR REGISTRATION DAYS PRIOR TO PRIMARY AND NOVEMBER ELECTIONS. THIS ACT AMENDS SECTION 20-2-6, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 34, LAWS OF UTAH 1971, SECTIONS 20-2-7 AND 20-2-25, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 58, LAWS OF UTAH 1975, AND SECTION 20-2-7.1, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 58, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

STATE LANDS AMENDMENTS

S.B. No. 39 Senators Finlinson, Sowards, Christensen

AN ACT RELATING TO LANDS AND MINERALS OWNED BY THE STATE OF UTAH AND THEIR ADMINISTRATION; ENLARGING THE BOARD OF STATE LANDS BY ADDING ANOTHER MEMBER AND CONTINUING THE INCUMBENT MEMBERS IN OFFICE UNTIL THE END OF THEIR RESPECTIVE TERMS OF OFFICE; PROVIDING FOR A CHANGE OF REPRESENTATION FOR BOARD MEMBERS; PROVIDING FOR APPOINTMENT OF MEMBERS TO THE BOARD AND FOR THEIR QUALIFICATIONS, TERMS OF OFFICE, AND COMPENSATION AND FOR ORGANIZATION OF THIS BOARD; MAKING MORE DEFINITE POWERS OF THE BOARD AND DIVISION OF STATE LANDS TO EXCHANGE STATE LANDS AND MINERALS IN THEM; PROVIDING FOR CHANGES IN PROVISIONS

REQUIRED IN STATE MINERAL LEASES; ALLOWING FOR CONTRACTS TO BE NEGOTIATED WITH APPRAISERS OBTAINED TO APPRAISE STATE LANDS; INCREASING THE MINIMUM LEVEL OF STATE TIMBER SALES REQUIRING ADVERTISING; AND PROVIDING THE BOARD WITH POWER TO DESIGNATE STATE FORESTS AND STATE WILDLANDS AND REMOVING CONFLICTING PROVISIONS REGARDING PAYMENT OF PROCEEDS FROM STATE MINERAL LEASES. THIS ACT AMENDS SECTION 65-1-1.1, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 176, LAWS OF UTAH 1967, SECTION 65-1-15, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTERS 131 AND 132, LAWS OF UTAH 1959, SECTION 65-1-18, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 183, LAWS OF UTAH 1967, SECTION 65-1-26, UTAH CODE ANNOTATED 1953, SECTION 65-1-34, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 176, LAWS OF UTAH 1971, SECTION 65-1-35, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 131, LAWS OF UTAH 1959, AND SECTION 65-1-45, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 178, LAWS OF UTAH 1973; ENACTS SECTION 65-1-116, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 128, LAWS OF UTAH 1955, was read the first time and referred to Rules Committee.

DIVISION OF FAMILY SERVICES FEES

S.B. No. 40 K.S. Cornaby

AN ACT RELATING TO THE DIVISION OF FAMILY SERVICES; PROVIDING THAT THE DIVISION CHARGE A REASONABLE FEE FOR SERVICES RENDERED RELATIVE TO CHILD PLACEMENT INVESTIGATIONS AND REPORTS ON PETITIONS FOR ADOPTION. THIS ACT AMENDS SECTION 78-30-14, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 93, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

UTAH SCHOOL IMMUNIZATION ACT

S.B. No. 41 Frances Farley

AN ACT RELATING TO THE IMMUNIZATION OF CHILDREN; DELETING THE REQUIREMENT THAT ONLY CHILDREN ENTERING SCHOOL BE IMMUNIZED; AND ADDING A REQUIREMENT THAT ALL SCHOOL AGE CHILDREN BE IMMUNIZED. THIS ACT ENACTS SECTIONS 26-6-23 THROUGH 26-6-28, UTAH CODE ANNOTATED 1953, AND REPEALS CHAPTER 22A OF TITLE 53, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 68, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

WATER CONSERVANCY ACT AMENDMENTS

S.B. No. 42 Senators Finlinson, Barlow

AN ACT RELATING TO WATER CONSERVANCY DISTRICTS AND SUBDISTRICTS; PROVIDING THAT TAXES AND ASSESSMENTS NEED NOT BE LEVIED TO PAY PRINCIPAL AND INTEREST ON BONDS OF THESE DISTRICTS AND SUBDISTRICTS THAT ARE PAYABLE SOLELY FROM REVENUES DERIVED FROM OPERATION OF THEIR WORKS; PROVIDING THAT THESE BONDS MAY BE ISSUED WITHOUT THIS BEING SUBMITTED TO THE ELECTORS FOR APPROVAL; MAKING CERTAIN CHANGES IN FORM IN THE WATER CONSERVANCY ACT; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 73-9-14, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 230, LAWS OF UTAH 1969, SECTIONS 73-9-31 AND 73-9-32, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 282, LAWS OF UTAH 1977, SECTION 73-9-20, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 132, LAWS OF UTAH 1953, AND SECTION 73-9-27, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

GEOTHERMAL RESOURCE CONSERVATION ACT

S.B. No. 43 Senators Finlinson, Sowards

AN ACT RELATING TO THE DEVELOPMENT OF GEOTHERMAL RESOURCES IN THE STATE; DECLARING THE PUBLIC INTEREST IN THIS DEVELOPMENT AND ASSIGNING REGULATORY AUTHORITY REGARDING THIS TO THE DIVISION OF WATER RIGHTS; DEFINING THE RESOURCE AND ITS RELATIONSHIP TO WATER; PROVIDING FOR THE PROTECTION OF CORRELATIVE RIGHTS AND THE PREVENTION OF WASTE; AUTHORIZING AND ESTABLISHING PROCEDURES FOR UNITIZING OF GEOTHERMAL AREAS; AND PROVIDING FOR PROCEDURES TO GOVERN REGULATION BY THIS DIVISION. THIS ACT ENACTS THE UTAH GEOTHERMAL RESOURCE CONSERVATION ACT BY ENACTING SECTIONS 73-21-1 THROUGH 73-21-10, UTAH CODE ANNOTATED 1953; AND REPEALS SECTION 73-1-20, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 189, LAWS OF UTAH 1973, was read the first time and referred to Rules Committee.

AUTOMOBILE INSURANCE AMENDMENTS

S.B. No. 44 K.S. Cornaby

AN ACT RELATING TO INSURANCE ON AUTOMOBILES; ADDING REQUISITES TO THE INDICATION OF HAVING A SECURITY IN EFFECT UNDER THE UTAH NO-FAULT INSURANCE ACT; PROVIDING FOR REINSTATEMENT FEES WHERE OPERATOR'S OR CHAUFFEUR'S LICENSES AND MOTOR VEHICLE REGISTRATIONS HAVE BEEN REVOKED FOR VIOLATION OF THIS ACT; MAKING CERTAIN AFFIDAVITS ADMISSIBLE IN COURT OR ADMINISTRATIVE PROCEEDINGS CONCERNING VIOLATIONS OF THIS ACT; PROVIDING FOR PROCEDURES UNDER WHICH THE INSURANCE DEPARTMENT MAY IMPOSE CERTAIN SANCTIONS FOR NON-COMPLIANCE WITH THIS ACT; CHANGING THE METHOD OF PROOF OF FINANCIAL RESPONSIBILITY BY INSUR-

ANCE UNDER THE SAFETY RESPONSIBILITY ACT; AND MAKING CERTAIN MINOR LANGUAGE CHANGES IN THIS LATTER ACT. THIS ACT AMENDS SECTION 31-41-13, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 77, LAWS OF UTAH 1977, SECTION 41-2-19, UTAH CODE ANNOTATED 1953, AS REPEALED AND REENACTED BY CHAPTER 9, LAWS OF UTAH 1978, SECOND SPECIAL SESSION, AND SECTION 41-12-19, UTAH CODE ANNOTATED 1953 AND ENACTS SECTION 31-41-13.2, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

SHORT TERM YOUTH COMMITMENT

S.B. No. 45 K.S. Cornaby

AN ACT RELATING TO COMMITMENT POWERS OF THE JUVENILE COURTS; PROVIDING THAT THE JUVENILE COURT MAY ORDER SHORT TERM COMMITMENT FOR OBSERVATION AND EVALUATION BY THE YOUTH CORRECTION AGENCY OF THE DIVISION OF FAMILY SERVICES. THIS ACT AMENDS SECTION 78-3A-39, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 55, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

RIGHTS OF OVERSEAS VOTERS

S.B. No. 46 Fred W. Finlinson

AN ACT RELATING TO VOTING IN ELECTIONS; PROVIDING VOTING RIGHTS FOR CITIZENS WHO ARE OVERSEAS; PROVIDING THE PROCEDURES AND FORMS UNDER WHICH THIS VOTING MAY OCCUR; AND PROVIDING FOR PENALTIES CONCERNING SUCH VOTING. THIS ACT ENACTS SECTIONS 20-19-1 THROUGH 20-19-9, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

RESIDENCY AND AGE REQUIREMENTS

S.B. No. 47 Senators Finlinson, Christensen

AN ACT RELATING TO AGE REQUIREMENT FOR VOTING; PROVIDING FOR CONFORMITY BETWEEN CONSTITUTIONAL AND STATUTORY AGE REQUIREMENT; PROVIDING FOR CERTAIN ADMINISTRATIVE CHANGES; AND PLACE OF RESIDENCE FOR INVOLUNTARILY CONFINED PERSONS IN ANY PUBLIC PRISON OR JAIL. THIS ACT AMENDS SECTIONS 20-1-17 AND 20-2-14, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 58, LAWS OF UTAH 1975, SECTIONS 20-2-5 AND 20-2-9, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 2, LAWS OF UTAH 1971, FIRST SPECIAL SESSION, AND SECTION 20-2-11, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 58, LAWS OF UTAH 1975, AND REPEALS AND REENACTS SECTION 20-2-11.1, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 2, LAWS OF UTAH 1971, FIRST SPECIAL SESSION, was read the first time and referred to Rules Committee.

ELECTION MODIFICATIONS

S.B. No. 48 Fred W. Finlinson

AN ACT RELATING TO ELECTIONS; PROVIDING RESIDENCY REQUIREMENTS FOR COUNTY, DISTRICT, AND PRECINCT CANDIDATES; PROVIDING TIME LIMITS FOR APPOINTMENT OF CANDIDATES BY STATE AND COUNTY CENTRAL COMMITTEES; PROVIDING CHANGES IN ABSENTEE BALLOT PROCEDURES; AND PROVIDING TECHNICAL CHANGES. THIS ACT AMENDS SECTION 20-4-11, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 43, LAWS OF UTAH 1957, SECTION 20-4-11.5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 27, LAWS OF UTAH 1979, SECTION 20-6-3, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 34, LAWS OF UTAH 1971, SECTION 20-6-6, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 2, LAWS OF UTAH 1971, FIRST SPECIAL SESSION, SECTIONS 20-7-1 AND 53-6-2, UTAH CODE ANNOTATED 1953, AND SECTION 53-2-5, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 58, LAWS OF UTAH 1975, AND REPEALS AND REENACTS SECTION 17-16-1, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 35, LAWS OF UTAH 1957, AND SECTION 20-6-9, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 2, LAWS OF UTAH 1971, FIRST SPECIAL SESSION, was read the first time and referred to Rules Committee.

MILITARY VOTING PROCEDURES

S.B. No. 49 Senators Finlinson, Christensen

AN ACT RELATING TO VOTING BY PERSONS IN THE MILITARY SERVICE; UPDATING THE PROCEDURES UNDER WHICH SUCH PARTIES MAY REGISTER AND VOTE IN GENERAL ELECTIONS IN UTAH; PROVIDING FOR CHANGES IN APPLICATIONS AND OTHER FORMS USED IN THIS CONNECTION; AND MAKING CERTAIN CHANGES IN FORM. THIS ACT AMENDS SECTIONS 20-17-1 THROUGH 20-17-18, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

COUNTY VEHICLE INSPECTION AND MAINTENANCE

S.B. No. 50 Fred W. Finlinson

AN ACT RELATING TO MOTOR VEHICLE EMISSION CONTROL; PROVIDING THAT COUNTY ASSESSORS MAY BE REQUIRED TO DEMAND PROOF OF INSPECTION, was read the first time and referred to Rules Committee.

UTAH DRUG PARAPHERNALIA ACT

S.B. No. 51 Senators Finlinson, Jeffs, Pugh Christensen, Jones

AN ACT RELATING TO CONTROLLED SUBSTANCES; PROVIDING THAT IT IS UNLAWFUL TO USE, POSSESS WITH INTENT TO USE, OR DELIVER ANY DRUG PARAPHERNALIA; PROVIDING GUIDELINES FOR DETERMINING WHETHER A PARTICULAR OBJECT IS DRUG PARAPHERNALIA; PROVIDING FOR CIVIL AND CRIMINAL PENALTIES; AND PROVIDING AN EFFECTIVE DATE, was read the first time and referred to Rules Committee.

CHECK GUARANTEE CARDS

S.B. No. 52 E. Verl Asay

AN ACT RELATING TO CHECK GUARANTEE CARDS; REQUIRING A CHECK GUARANTEE CARD TO BE ISSUED FOR EVERY ACCOUNT, was read the first time and referred to Rules Committee.

SALES TAX EXEMPTION FOR OXYGEN

S.B. No. 53 Senators Swan, Carling

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING AN EXEMPTION FROM THE PAYMENT OF SALES AND USE TAX ON OXYGEN OR STOMA SUPPLIES USED IN MEDICAL TREATMENT. THIS ACT AMENDS SECTION 59-15-6, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 195, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

MEDICAL RESPONSIBILITIES

S.B. No. 54 K.S. Cornaby

AN ACT AMENDING SECTION 55-15d-3, UTAH CODE ANNOTATED 1953, AS ENACTED BY LAWS OF UTAH 1979, CHAPTER 193, SECTION 3, AND SECTION 55-15d-9, UTAH CODE ANNOTATED 1953, AS ENACTED BY LAWS OF UTAH 1979, CHAPTER 193, SECTION 9, AND SECTION 55-15d-16, UTAH CODE ANNOTATED 1953, AS ENACTED BY LAWS OF UTAH 1979, CHAPTER 193, SECTION 16; RELATING TO DEFINING "PROVIDER"; RELATING TO EXTENSION OF TIME LIMITATIONS IN FILING INSURANCE CLAIMS; RELATING TO RECOVERING ATTORNEY FEES AND COSTS OF COURT ACTION, was read the first time and referred to Rules Committee.

SUPPORT, MAINTENANCE, AND DIVORCE AMENDMENTS

S.B. No. 55 K.S. Cornaby

AN ACT RELATING TO SUPPORT, MAINTENANCE AND DIVORCE; PROVIDING FOR THE INCLUSION OF MEDICAL AND DENTAL EXPENSES FOR CHILDREN AS PART OF MAINTENANCE REQUIREMENTS; PROVIDING FOR RESERVING MEDICAL AND DE-

NTAL EXPENSES WHEN THE COURT IS SILENT ON THE MATTER; AND PROVIDING FOR FINAL JUDGMENT OF UNPAID ACCRUED SUPPORT DEBTS. THIS ACT AMENDS SECTION 30-3-5, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 110, LAWS OF UTAH 1979, AND SECTION 30-3-7, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 72, LAWS OF UTAH 1969, was read the first time and referred to Rules Committee.

DESIGNATION AS PEACE OFFICERS AMENDMENTS

S.B. No. 56 K.S. Cornaby

AN ACT AMENDING SECTION 55-15c-3, UTAH CODE ANNOTATED 1953, AS ENACTED BY LAWS OF UTAH 1979, CHAPTER 192, SECTION 4; AND SECTION 77-1-3(b), UTAH CODE ANNOTATED 1953, AS ENACTED BY LAWS OF UTAH 1980, CHAPTER 15, SECTION 2, AND SECTION 77-10-6, UTAH CODE ANNOTATED 1953, AS ENACTED BY LAWS OF UTAH 1977, CHAPTER 51, SECTION 1, AND SECTION 77-62-33, UTAH CODE ANNOTATED 1953, AS ENACTED BY LAWS OF UTAH 1967, CHAPTER 174, SECTION 108; RELATING TO THE DIVISION OF RECOVERY SERVICES, DEPARTMENT OF SOCIAL SERVICES; PROVIDING DEFINITIONS; PROVIDING FOR CATEGORY II PEACE OFFICER STATUS FOR DESIGNATED POSITIONS, was read the first time and referred to Rules Committee.

UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT AMENDMENTS

S.B. No. 57 K.S. Cornaby

AN ACT RELATING TO THE UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT; AND ENLARGING THE DEFINITION OF "STATE". THIS ACT AMENDS SECTION 77-31-2, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

ACCRUAL OF INCIDENCES OF FRAUD

S.B. No. 58 K.S. Cornaby

AN ACT RELATING TO THE FRAUDULENT OBTAINING OF PUBLIC ASSISTANCE; PROVIDING THAT INSTANCES OF FRAUD WITH SIMILAR CIRCUMSTANCES BE CONSIDERED AS A SINGLE INCIDENT WITH CORRESPONDING PUNISHMENT. THIS ACT AMENDS SECTION 55-15a-31, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 190, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

REVENUE AND APPROPRIATION LIMITATION AMENDMENTS

S.B. No. 59 William T. Barton

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING FOR CLARIFICATIONS IN STATE AND LOCAL EXPENDITURE AND REVENUE LIMITS; AND PROVIDING AN EXEMPTION FROM EXPENDITURE AND REVENUE LIMITS FOR LOCAL UNITS OF GOVERNMENT WITH POPULATION UNDER 10,000 AND FOR ALL SCHOOL DISTRICTS UNLESS OTHERWISE PROVIDED BY LOCAL INITIATIVE. THIS ACT AMENDS SECTIONS 59-27-1, 59-27-2, 59-27-3, 59-27-4, 59-27-6, 59-27-7, 59-27-8, 59-27-9, 59-27-10, AND 59-27-11, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 197, LAWS OF UTAH 1979, ENACTS SECTION 59-27-4.5, UTAH CODE ANNOTATED 1953, AND REPEALS AND REENACTS SECTION 59-27-5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 197, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

BRUCELLOSIS VACCINATION REQUIRMENT

S.B. No. 60 Ivan M. Matheson

AN ACT RELATING TO BRUCELLOSIS VACCINATION; ELIMINATING THE EXCEPTIONS TO THE VACCINATION REQUIRMENT FOR DAIRY AND BEEF BREED FEMALE CATTLE WHICH PASS NEGATIVE TESTS WITHIN 30 DAYS PRIOR TO SALE; AND PROVIDING THAT PERSONS WHO MAKE SALES IN VIOLATION OF THE VACCINATION REQUIREMENTS ARE GUILTY OF CLASS B MISDEMEANORS. THIS ACT AMENDS SECTION 4-28-8, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 1, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

PUBLIC OFFICIALS' SALARY INCREASES

S.B. No. 61 William T. "Bill" Barton

AN ACT RELATING TO COMPENSATION OF MUNICIPAL AND COUNTY OFFICIALS; PROVIDING THAT NO ELECTED MUNICIPAL OR COUNTY OFFICIAL SHALL HAVE HIS SALARY OR EMOLUMENTS INCREASED UNTIL AFTER THE NEXT ELECTION FOR THAT POLITICAL SUBDIVISION; PROVIDING EXCEPTIONS FOR PART-TIME OFFICIALS BEING MADE FULL-TIME; PROVIDING PROCEDURES FOR COUNTY HEARINGS ON SALARY INCREASES AND WHAT MAY BE DONE AFTER THESE HEARINGS; AND PROVIDING THAT NO PUBLIC HEARING SHALL BE HELD ON SALARY INCREASES WITHIN 30 DAYS OF ELECTION. THIS ACT AMENDS SECTION 10-3-818, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 48, LAWS OF UTAH 1977, AND SECTION 17-16-14, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 41, LAWS OF UTAH 1969, was read the first time and referred to Rules Committee.

SPOUSE ABUSE ACT AMENDMENTS

S.B. No. 62 K.S. Cornaby

AN ACT RELATING TO SPOUSE ABUSE; PROVIDING FOR IMPECUNIOUS FILING

WITH A MANDATORY FEE; AND EXCLUDING PARTIES TO DIVORCE OR ANNULMENT PROCEEDINGS AND NON-RELATING PERSONS WITHOUT A PROPERTY INTEREST IN THE SHARED PREMISES TO FILE FOR RELIEF UNDER THIS ACT. THIS ACT AMENDS SECTION 30-6-4, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 111, LAWS OF UTAH 1979, ENACTS SECTION 30-6-10, UTAH CODE ANNOTATED 1953, AND REPEALS SECTION 30-6-7, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 111, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

HEALTH INSURANCE COMPETITION AND DISCRIMINATION

S.B. No. 63 K.S. Cornaby

AN ACT RELATING TO HEALTH INSURANCE; PROMOTING COMPETITION AND THE DEVELOPMENT OF MARKET FORCES IN THE HEALTH CARE SYSTEM; AND PROHIBITING UNFAIR DISCRIMINATION BY INSURERS BETWEEN PROFESSIONAL GROUPS. THIS ACT AMENDS SECTION 31-27-24, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 125, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

ADDITIONAL OPTIONAL FORM FOR COUNTY GOVERNMENT

S.B. No. 64 K.S. Cornaby

AN ACT RELATING TO COUNTIES; PROVIDING FOR AN OPTIONAL FORM OF COUNTY GOVERNMENT IN ADDITION TO THOSE NOW ALLOWED; AND PROVIDING FOR ITS STRUCTURE, POWERS, AND MANNER OF ADOPTION. THIS ACT AMENDS SECTION 17-35a-16, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

INTEREST LIMITATION INCREASE

S.B. 65 Richard J. Carling

AN ACT RELATING TO REVOLVING CHARGE ACCOUNTS; INCREASING THE MAXIMUM ALLOWABLE INTEREST RATE ON REVOLVING CHARGE ACCOUNTS FROM 18 PER CENT TO 24 CENT PER YEAR. THIS ACT AMENDS SECTION 70B-2-207, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 210, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

SHOPLIFTING AMENDMENTS

S.B. No. 66 Richard J. Carling

AN ACT RELATING TO SHOPLIFTING; PROVIDING AUTHORITY IN MERCHANTS TO BRING A CIVIL ACTION FOR DAMAGES FOR THE RETAIL PRICE OF MERCHANDISE

OBTAINED WITHOUT AUTHORIZATION OF THE MERCHANT; PROVIDING, IN THE CASE OF ADULT SHOPLIFTERS, FOR AN AWARD IN SUCH CIVIL ACTION OF EXEMPLARY DAMAGES OF NOT LESS THAN $100 NOR MORE THAN $250; AND PROVIDING THAT A CRIMINAL CONVICTION FOR THE SHOPLIFTING IS PREREQUISITE TO BRINGING A CIVIL ACTION FOR DAMAGES. THIS ACT AMENDS SECTIONS 78-11-14, 78-11-16, AND 78-11-18, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 136, LAWS OF UTAH 1975, AND REPEALS AND REENACTS SECTIONS 78-11-15 AND 78-11-19, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 136, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

CORRUPT PRACTICES AMENDMENTS

S.B. No. 67 Fred W. Finlinson

AN ACT RELATING TO ELECTIONS; PROVIDING FOR AN EXPANDED DEFINITION OF "CANDIDATE" UNDER THE SO-CALLED CORRUPT PRACTICES IN ELECTIONS ACT; PROVIDING FOR A REVISED SCHEDULE OF REPORTING CAMPAIGN CONTRIBUTIONS AND EXPENDITURES; PROVIDING FOR ADDITIONAL INFORMATION TO BE INCLUDED WITHIN CAMPAIGN FINANCIAL STATEMENTS; AND PROVIDING FOR TECHNICAL CHANGES. THIS ACT AMENDS SECTIONS 20-14-1, 20-14-3, 20-14-5, 20-14-8, 20-14-9, 20-14-10, 20-14-11, 20-14-12, 20-14-13, AND 20-14-14, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 31, LAWS OF UTAH 1973, SECTIONS 20-14-27, 20-14-45, AND 20-14-47, UTAH CODE ANNOTATED 1953, REPEALS AND REENACTS SECTION 20-14-7, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 31, LAWS OF UTAH 1973, AND SECTIONS 20-14-24 AND 20-14-26, UTAH CODE ANNOTATED 1953, AND REPEALS SECTIONS 20-14-2, 20-14-4, 20-14-6, AND 20-14-16, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 31, LAWS OF UTAH 1973, SECTIONS 20-14-15, 20-14-25, 20-14-28, 20-14-29, 20-14-30, 20-14-31, 20-14-33, 20-14-34, 20-14-35, 20-14-37, 20-14-40, 20-14-41, 20-14-42, 20-14-44, AND 20-14-46, UTAH CODE ANNOTATED 1953, SECTION 20-14-19, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 31, LAWS OF UTAH 1973, AND SECTION 20-14-43, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 43, LAWS OF UTAH 1961, was read the first time and referred to Rules Committee.

SALES TAX—PUBLIC TRANSIT ALLOCATION

S.B. No. 68 Fred W Finlinson

AN ACT RELATING TO TAXES; INCREASING TO ½ OF 1% THE SALES AND USE TAXES THAT MAY BE IMPOSED TO FUND PUBLIC TRANSPORTATION. THIS ACT AMENDS SECTIONS 11-9-4 AND 11-9-6, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 50, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

DISASTER RESPONSE AND RECOVERY ACT

S.B. No. 69 Wilford Rex Black, Jr.

AN ACT PROVIDING FOR SPECIAL DISASTER EMERGENCY AUTHORITY TO THE GOVERNOR AND POLITICAL SUBDIVISIONS OF THE STATE TO EFFECTIVELY RESPOND TO DISASTERS BY ENACTING THE UTAH DISASTER RESPONSE AND RECOVERY ACT; PROVIDING FOR EMERGENCY DISASTER RESPONSE AND RECOVERY FUNDING; AND PROVIDING A SEVERABILITY CLAUSE, was read the first time and referred to Rules Committee.

EMERGENCY MANAGEMENT ACT

S.B. No. 70 Senators Black, Money, Bangerter

AN ACT RELATING TO DISASTER MITIGATION, PREPAREDNESS, RESPONSE AND RECOVERY; ESTABLISHING A COMPREHENSIVE EMERGENCY MANAGEMENT ORGANIZATION; SETTING FORTH EMERGENCY MANAGEMENT FUNCTIONS AND RESPONSIBILITIES; AND CREATING AN EMERGENCY ADVISORY COUNCIL. THIS ACT REPEALS AND REENACTS CHAPTER 5, TITLE 63, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

HIGHWAY DAMAGE ASSESSMENTS

S.B. No. 71 Jack M. Bangerter

AN ACT RELATING TO HIGHWAYS; EXTENDING LIABILITY FOR CERTAIN OVERWEIGHT VIOLATIONS TO LOADING SUPERVISORS; AND PROVIDING A MEANS TO PREVENT AND CONTROL OVERWEIGHT VIOLATIONS. THIS ACT AMENDS SECTION 27-12-147, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 39, LAWS OF UTAH 1963, was read the first time and referred to Rules Committee.

WEIGHING OF MOTOR VEHICLES

S.B. No. 72 Warren E. Pugh

AN ACT RELATING TO HIGHWAYS; ALLOWING PEACE OFFICERS TO REQUIRE VEHICLE TO BE DRIVEN TO NEAREST WEIGHT SCALE. THIS ACT AMENDS SECTION 27-12-153, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 39, LAWS OF UTAH 1963, was read the first time and referred to Rules Committee.

PUBLIC EMPLOYEES POLITICAL ACTIVITIES

S.B. No. 73 Wilford R. Black

AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES; PROVIDING FOR THE REMOVAL OF PUBLIC EMPLOYEE POLITICAL RESTRICTIONS. THIS ACT AMENDS SECTION 67-19-19, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 139, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

HEALTH CODE REVISION

S.B. No. 74 Karl N. Snow, Jr.

AN ACT RELATING TO HEALTH; PROVIDING FOR THE REVISION AND CONSOLIDATION OF LAWS OF THE STATE RELATING TO HEALTH; PROVIDING FOR THE CREATION AND ORGANIZATION OF THE DEPARTMENT OF HEALTH WITHIN THE STATE GOVERNMENT; PROVIDING FOR THE TRANSFER OF JURISDICTION OVER HEALTH RELATED MATTERS FROM THE DEPARTMENT OF SOCIAL SERVICES TO THE DEPARTMENT OF HEALTH; PROVIDING FOR THE GENERAL FUNCTIONS, DUTIES, AND RESPONSIBILITIES OF THE DEPARTMENT OF HEALTH INCLUDING THE COLLECTION OF VITAL AND HEALTH STATISTICS, THE ESTABLISHMENT AND OPERATION OF THE OFFICE OF STATE MEDICAL EXAMINER, THE CONTROL OF CHRONIC AND COMMUNICABLE DISEASES, THE PROMOTION OF HEALTH AND REDUCTION OF HEALTH RISKS, THE OPERATION OF EMERGENCY MEDICAL SERVICES, THE PROTECTION OF RURAL HEALTH, THE PROVISION OF FAMILY HEALTH SERVICES, THE REGULATION OF WATER POLLUTION, THE PROVISION OF SAFE DRINKING WATER, THE REGULATION OF AIR POLLUTION, THE REGULATION OF SOLID AND HAZARDOUS WASTE, REGULATION OF GENERAL SANITATION, REGULATION AND ADMINISTRATION OF MEDICAL ASSISTANCE AND MEDICAL BENEFITS RECOVERY PROGRAMS, GOVERNANCE OF FALSE CLAIMS, LICENSING OF MEDICAL FACILITIES, ADMINISTRATION OF CERTIFICATES OF NEED PROVISIONS, ENFORCEMENT OF THE PROVISIONS OF THE ACT, REGULATIONS OF LOCAL HEALTH DEPARTMENTS, DISCLOSURE OF CONFIDENTIAL INFORMATION, THE EXPERIMENTAL ANIMALS, GOVERNANCE OF MOSQUITO ABATEMENT DISTRICTS, REGULATING ANATOMICAL GIFTS, AND ARCHITECTURAL BARRIERS, PROHIBITING DISCRIMINATION AGAINST BLIND AND DISABLED PERSONS, REGULATING THE USE OF HUMAN BLOOD AND GOVERNING SOLID WASTE MANAGEMENT; ESTABLISHING ADVISORY AND REGULATORY COMMITTEES AND SETTING FORTH THEIR POWERS AND DUTIES. THIS ACT ENACTS CHAPTER 1 THROUGH 14 AND 17 THROUGH 32, OF TITLE 26, UTAH CODE ANNOTATED 1953; REPEALS SECTIONS 17-5-70 THROUGH 17-5-72, UTAH CODE ANNOTATED 1953, ALL OF TITLE 26, UTAH CODE ANNOTATED 1953, SECTION 30-1-18 THROUGH 30-1-25, UTAH CODE ANNOTATED 1953, CHAPTER 15d OF TITLE 55, UTAH CODE ANNOTATED 1953, AND CHAPTER 14, OF TITLE 73, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

JUVENILE COURT FINES AND FEES

S.B. No. 75 A. Dean Jeffs

AN ACT RELATING TO FINES AND FEES IMPOSED AND COLLECTED BY THE JUVENILE COURT; PROVIDING THAT 50% OF THE FEES BE PAID TO THE STATE TREASURER AND 50% TO THE COUNTY TREASURER. THIS ACT AMENDS SECTION 78-3a-54, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 135, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

ANIMAL DISEASE INVESTIGATIONS

S.B. No. 76 Lowell S. Peterson

AN ACT RELATING TO CONTAGIOUS OR INFECTIOUS DISEASES IN ANIMALS; PROVIDING FOR THE DEPARTMENT OF AGRICULTURE TO INVESTIGATE ANIMALS WHICH MAY JEOPARDIZE THE HEALTH OF ANIMALS WITHIN THIS STATE. THIS ACT AMENDS SECTION 4-31-16, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

HEALTH MAINTENANCE ORGANIZATIONS AMENDMENTS

S.B. No. 77 K.S. Cornaby

AN ACT RELATING TO INSURANCE; PROVIDING AUTHORIZATION FOR THE OFFERING OF LIMITED PREPAID HEALTH PLANS BY INSURERS; PROVIDING AUTHORITY IN THE COMMISSIONER OF INSURANCE TO FIX REQUIREMENTS FOR CAPITALIZATION, RESERVES, ACCOUNTING, AND REPORTING BY HEALTH MAINTENANCE ORGANIZATIONS; AND PROVIDING FOR THE REGULATION OF HEALTH MAINTENANCE ORGANIZATIONS. THIS ACT AMENDS SECTIONS 31-42-2, 31-42-3, 31-42-6, 31-42-15, 31-42-18, AND 31-42-28, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 57, LAWS OF UTAH 1973, AND SECTION 31-42-25, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 101, LAWS OF UTAH 1979, AND ENACTS SECTIONS 31-42-3.5, 31-42-10.3, AND 31-42-10.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

MOTION PICTURE FILMS AS INVENTORY

S.B. No. 78 Wilford R. Black

AN ACT RELATING TO AD VALOREM TAXATION OF TANGIBLE PERSONAL PROPERTY; AND INCLUDING MOTION PICTURE FILMS HELD FOR DISTRIBUTION ON SALE AMONG INVENTORIES EXEMPT FROM THIS TAX. THIS ACT AMENDS SECTION 59-2-25, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 178, LAWS OF UTAH 1969, was read the first time and referred to Rules Committee.

SALES TAXES—MOTION PICTURE FILMS

S.B. No. 79 Wilford R. Black

AN ACT RELATING TO SALES TAXES ON MOTION PICTURE FILMS; DEFINING MOTION PICTURE EXHIBITOR; AND PROVIDING FOR THE EXEMPTION OF MOTION PICTURE FILMS FROM THE SALES AND USE TAX. THIS ACT AMENDS SECTION 59-15-2, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 151, LAWS OF UTAH 1973, AND SECTION 59-15-6, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 195, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

UTAH COSMETOLOGIST AND BARBER LICENSING ACT

S.B. No. 80 Wilford R. Black

AN ACT RELATING TO COSMETOLOGISTS AND BARBERS; PROVIDING FOR A BOARD, LICENSING, AND REGULATION OF COSMETOLOGY/BARBERING. THIS ACT ENACTS CHAPTER 11 OF TITLE 58, UTAH CODE ANNOTATED 1953, AND REPEALS ALL OF CHAPTERS 4 AND 11 OF TITLE 58, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

SOCIAL WORK LICENSING AMENDMENTS

S.B. No. 81 Arnold Christensen

AN ACT RELATING TO SOCIAL WORK LICENSING; ALTERING DEFINITIONS AND FEES. THIS ACT AMENDS SECTION 58-35-2, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 32, LAWS OF UTAH 1977, AND REPEALS AND REENACTS SECTION 58-35-8, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 6, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

PSYCHOLOGISTS' LICENSING AMENDMENTS

S.B. No. 82 Richard J. Carling

AN ACT RELATING TO PSYCHOLOGISTS; ALTERING PROVISIONS REGARDING EXEMPTIONS FROM LICENSING REQUIREMENTS; AND PROVIDING FOR LICENSE AND LICENSE RENEWAL FEES. THIS ACT AMENDS SECTIONS 58-25-6 AND 58-25-10, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 18, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

MAIL ORDER SALES ACT

S.B. No. 83 Wilford R. Black

AN ACT RELATING TO DELIVERY OF GOODS SOLD BY MAIL OR TELEPHONE OR BY ANY OTHER MEANS, OTHER THAN FACE-TO-FACE CONTACT; VESTING AUTHORITY IN THE TRADE COMMISSION TO ADMINISTER AND ENFORCE THE ACT; PROVIDING

DEFINITIONS; AND PROVIDING A PENALTY. THIS ACT ENACTS CHAPTER 16 OF TITLE 13, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

OSTEOPATHIC MEDICINE LICENSING ACT

S.B. No. 84 Senators Black, Pugh, Finlinson

AN ACT RELATING TO THE LICENSING OF OSTEOPATHIC PHYSICIANS; ESTABLISHING A STATUTORY SCHEME FOR THE LICENSING OF OSTEOPATHS, AND REPEALING THE PROVISIONS THAT FORMERLY GOVERNED THEM. THIS ACT ENACTS SECTION 58-12-5, UTAH CODE ANNOTATED 1953, REPEALS AND REENACTS SECTIONS 58-12-1, 58-12-4, 58-12-6, AND 58-12-7, UTAH CODE ANNOTATED 1953, SECTION 58-12-2, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 6, LAWS OF UTAH 1980, AND SECTION 58-12-3, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 102, LAWS OF UTAH 1959, AND REPEALS SECTIONS 58-12-8, 58-12-11, 58-12-16, 58-12-18, 58-12-19, 58-12-21, AND 58-12-22, UTAH CODE ANNOTATED 1953, SECTIONS 58-12-9, 58-12-13, 58-12-14, AND 58-12-20, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 102, LAWS OF UTAH 1959, SECTION 58-12-19, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 129, LAWS OF UTAH 1973, SECTION 58-12-23, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 138, LAWS OF UTAH 1967, SECTION 58-12-24, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 116, LAWS OF UTAH 1965, AND SECTION 58-12-25, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 4, LAWS OF UTAH 1976, was read the first time and referred to Rules Committee.

UNAUTHORIZED USE OF MUNICIPAL PROPERTY

S.B. No. 85 William T. "Bill" Barton

AN ACT RELATING TO PUNISHMENT FOR VIOLATION OF MUNICIPAL ORDINANCES; PROVIDING FOR FINES NOT TO EXCEED $500; AND PROVIDING FOR A CHARGE FOR THE UNAUTHORIZED USE OF MUNICIPAL PROPERTY. THIS ACT AMENDS SECTION 10-3-703, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 48, LAWS OF UTAH 1977, AND SECTIONS 10-8-84 AND 10-13-23, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

INCREASED RETIREMENT INCOME DEDUCTION

S.B. No. 86 Charles Bullen

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING FOR AN INCREASE IN THE RETIREMENT INCOME DEDUCTION ALLOWED PERSONS OVER 65; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 59-14A-13, UTAH CODE

ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 201, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

COUNSEL FOR INDIGENT DEFENDANTS

S.B. No. 87 Senators Jeffs, Bunnell

AN ACT RELATING TO COUNSEL FOR INDIGENT DEFENDANTS; SPECIFYING THE EXTENT OF THE DUTY AND POWERS OF COUNSEL FOR INDIGENT DEFENDANTS IN MATTERS IN THE NATURE OF APPEAL. THIS ACT AMENDS SECTIONS 77-32-1, 77-32-3, AND 77-32-5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

MEDICAL EXAMINER JURISDICTION

S.B. No. 88 Senators Bangerter, Money

AN ACT RELATING TO THE STATE MEDICAL EXAMINER; LIMITING AUTOPSIES IN CASES OF UNATTENDED DEATH. THIS AMENDS SECTION 26-20-9, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 109, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

PRESENTATION OF RESOLUTION

ROYAL THOMAS HARWARD RESOLUTION

S.C.R. No. 1 All Members of the Senate

A CONCURRENT RESOLUTION OF THE GENERAL SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH, THE GOVERNOR CONCURRING THEREIN; EULOGIZING ROYAL THOMAS HARWARD AND EXPRESSING CONDOLENCES TO HIS FAMILY BY REASON OF HIS RECENT DEATH, was read the first time and referred to Rules Committee.

RULES COMMITTEE REPORTS

Mr. President: January 12, 1981

Your Rules Committee, to which was referred:

S.C.R. No. 1 ROYAL THOMAS HARWARD RESOLUTION

reports the same back and recommends that it be printed and under suspension of the rules be assigned directly to the Second Reading Calendar.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted. **S.C.R. No. 1** was placed on Second Reading Calendar.

* * *

Mr. President: January 12, 1981

Your Rules Committee, to which were referred:

S.B. No. 1	CONDOMINIUM CONVERSION APPROVALS (Business, Labor and Economic Development)
S.B. No. 2	BUSINESS OPPORTUNITY DISCLOSURE DOCUMENTS (Business, Labor and Economic Development)
S.B. No. 4	UNIFORM FIRE-PREVENTION-CODE PANEL (Public Education)
S.B. No. 5	BUILDING CODE WAIVERS (Public Education)
S.B. No. 6	STUDDED TIRES TAX REMOVAL (Revenue and Taxation)
S.B. No. 7	RADAR USE PROHIBITION (Business, Labor and Economic Development)
S.B. No. 8	UTAH FOREIGN JUDGMENT ACT (Judiciary)
S.B. No. 9	PROCEDURE FOR FILLING LOCAL VACATED ELECTIVE OFFICE (State and Local Affairs)
S.B. No. 10	HERITAGE TREES (Agriculture)
S.B. No. 11	OFF DUTY POLICE OFFICERS (Transportation and Public Safety)
S.B. No. 12	PROPOSED INCORPORATION OF CITY AMENDMENTS (State and Local Affairs)
S.B. No. 13	MUNICIPAL INCORPORATION AMENDMENTS (State and Local Affairs)
S.B. No. 14	TAXATION OF CERTAIN MOBILE HOMES (Agriculture)
S.B. No. 15	HEALTH PLANNING AND RESOURCES DEVELOPMENT ACT AMENDMENTS (Social Services)
S.B. No. 16	MOTOR FUELS TESTING AND LABELING (Agriculture)
S.B. No. 17	BIG GAME DAMAGE PAYMENTS (Energy and Natural Resources)
S.B. No. 18	PLACEMENT OF NUCLEAR WASTE (Energy and Natural Resources)
S.B. No. 19	SMALL TRUCK LADEN WEIGHT (Revenue and Taxation)

S.B. No. 20	PAYMENTS OF WITHHOLDING TAXES (Revenue and Taxation)
S.B. No. 21	INTEREST RATES INCREASE (Judiciary)
S.B. No. 22	UNKNOWN VOTER IDENTIFICATION (State and Local Affairs)
S.B. No. 23	CEMETERY AND FIRE COMMISSIONER APPOINTMENTS (State and Local Affairs)
S.B. No. 24	REGISTRATION AGENTS AND ELECTION JUDGES (State and Local Affairs)
S.B. No. 25	ATHLETIC EVENTS AMENDMENTS (Business, Labor Economic Development)
S.B. No. 26	MASSAGE PRACTICE ACT (Business, Labor and Economic Development)
S.B. No. 27	VOTED LEEWAY TERMINATION (Public Education)
S.B. No. 28	REGULATION OF CONTRACTORS, PLUMBERS AND ELECTRICIANS (Business, Labor and Economic Development)
S.B. No. 29	STATE BUILDING BOARD POWERS (Higher Education)
S.B. No. 30	CONTINUING EDUCATION FOR PHARMACISTS (Business, Labor and Economic Development)
S.B. No. 31	PORTS OF ENTRY FINES (Transportation and Public Safety)
S.B. No. 32	CASUAL MEETINGS OF PUBLIC BODIES (Higher Education)
S.B. No. 33	OIL REREFINING AMENDMENTS (Energy and Natural Resources)
S.B. No. 34	RESIDENTIAL FACILITY ZONING LIMITATION (Social Services)
S.B. No. 35	WRITE-IN CANDIDATES (State and Local Affairs)
S.B. No. 36	JUSTICE OF PEACE PRECINCTS (State and Local Affairs)
S.B. No. 37	INITIATIVE AND REFERENDUM PETITIONS (State and Local Affairs)
S.B. No. 38	ELECTION REGISTRATION AMENDMENTS (State and Local Affairs)
S.B. No. 39	STATE LANDS AMENDMENTS (Energy and Natural Resources)
S.B. No. 40	DIVISION OF FAMILY SERVICES FEES (Social Services)

S.B. No. 41	UTAH SCHOOL IMMUNIZATION ACT (Public Education)
S.B. No. 42	WATER CONSERVANCY ACT AMENDMENTS (Energy and Natural Resources)
S.B. No. 43	GEOTHERMAL RESOURCE CONSERVATION ACT (Energy and Natural Resources)
S.B. No. 44	AUTOMOBILE INSURANCE AMENDMENTS (Business, Labor and Economic Development)
S.B. No. 45	SHORT TERM YOUTH COMMITMENT (Social Services)
S.B. No. 46	RIGHTS OF OVERSEAS VOTERS (State and Local Affairs)
S.B. No. 47	RESIDENCY AND AGE REQUIREMENTS (State and Local Affairs)
S.B. No. 48	ELECTION MODIFICATIONS (State and Local Affairs)
S.B. No. 49	MILITARY VOTING PROCEDURES (State and Local Affairs)
S.B. No. 50	COUNTY VEHICLE INSPECTION AND MAINTENANCE (Transportation and Public Safety)
S.B. No. 51	UTAH DRUG PARAPHERNALIA ACT (Judiciary)
S.B. No. 52	CHECK GUARANTEE CARDS (Business, Labor and Economic Development)
S.B. No. 53	SALES TAX EXEMPTION FOR OXYGEN (Revenue and Taxation)
S.B. No. 54	MEDICAL RESPONSIBILITIES (Business, Labor and Economic Development)
S.B. No. 55	SUPPORT, MAINTENANCE, AND DIVORCE AMENDMENTS (Social Services)
S.B. No. 56	DESIGNATION AS PEACE OFFICERS (Social Services)
S.B. No. 57	UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT (Social Services)
S.B. No. 58	ACCRUAL OF INCIDENCES OF FRAUD (Social Services)
S.B. No. 59	REVENUE AND APPROPRIATION LIMITATION AMENDMENTS (State and Local Affairs)
S.B. No. 60	BRUCELLOSIS VACCINATION REQUIREMENT (Agriculture)
S.B. No. 61	PUBLIC OFFICIALS' SALARY INCREASES (Higher Education)

S.B. No. 62 SPOUSE ABUSE ACT AMENDMENTS
(Social Services)

S.B. No. 63 HEALTH INSURANCE COMPETITION AND DISCRIMINATION
(Business, Labor and Economic Development)

S.B. No. 64 ADDITIONAL OPTIONAL FORM FOR COUNTY GOVERNMENT
(State and Local Affairs)

S.B. No. 65 INTEREST LIMITATION INCREASE
(Business, Labor and Economic Development)

S.B. No. 66 SHOPLIFTING AMENDMENTS
(Judiciary)

S.B. No. 67 CORRUPT PRACTICES AMENDMENTS
(State and Local Affairs)

S.B. No. 68 SALES TAX — PUBLIC TRANSIT ALLOCATION
(Revenue and Taxation)

S.B. No. 69 DISASTER RESPONSE AND RECOVERY ACT
(Transportation and Public Safety)

S.B. No. 70 EMERGENCY MANAGEMENT ACT
(Transportation and Public Safety)

S.B. No. 71 HIGHWAY DAMAGE ASSESSMENTS
(Transportation and Public Safety)

S.B. No. 72 WEIGHING OF MOTOR VEHICLES
(Transportation and Public Safety)

S.B. No. 73 PUBLIC EMPLOYEES POLITICAL ACTIVITIES
(State and Local Affairs)

S.B. No. 75 JUVENILE COURT FINES AND FEES
(Judiciary)

S.B. No. 76 ANIMAL DISEASE INVESTIGATIONS
(Agriculture)

S.B. No. 77 HEALTH MAINTENANCE ORGANIZATIONS AMENDMENTS
(Business, Labor and Economic Development)

S.B. No. 78 MOTION PICTURE FILMS AS INVENTORY
(Higher Education)

S.B. No. 79 SALES TAXES — MOTION PICTURE FILMS
(Higher Education)

S.B. No. 80 UTAH COSMETOLOGIST AND BARBER LICENSING ACT
(Business, Labor and Economic Development)

S.B. No. 81 SOCIAL WORK LICENSING AMENDMENTS
(Business, Labor and Economic Development)

S.B. No. 82 PSYCHOLOGISTS' LICENSING AMENDMENTS
(Business, Labor and Economic Development)

S.B. No. 83 MAIL ORDER SALES ACT
(Public Education)

S.B. No. 84	OSTEOPATHIC MEDICINE LICENSING ACT (Business, Labor and Economic Development)
S.B. No. 85	UNAUTHORIZED USE OF MUNICIPAL PROPERTY (Agriculture)
S.B. No. 86	INCREASED RETIREMENT INCOME DEDUCTION (Revenue and Taxation)
S.B. No. 87	COUNSEL FOR INDIGENT DEFENDANTS (Public Education)
S.B. No. 88	MEDICAL EXAMINER JURISDICTION (Judiciary)

reports the same back with a few minor changes assented to by the authors and recommends that they be printed and assigned to the committees indicated.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted.

* * *

Mr. President: January 12, 1981

Your Rules committee, to which was referred:

S.C.R. No. 1 ROYAL THOMAS HARWARD RESOLUTION

reports the same back and recommends that it be printed and under suspension of the rules be assigned directly to the Second Reading Calendar.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted. **S.C.R. No. 1** was placed on Second Reading Calendar.

On motion of Senator Snow and at 2:15 p.m., the Senate adjourned until 10:00 a.m., Tuesday, January 13, 1981.

SECOND DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. President Miles 'Cap' Ferry presiding.

Roll Call — All senators present except Senator Jones, excused.

Prayer — Kent Briggs, Administrative Assistant to the Governor.

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President January 13, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATION FROM THE HOUSE

Mr. President: January 12, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, as amended, **H.B. No. 28,** RECORDS OF LEGAL ACTIONS, by Representative Lorin N. Pace, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

Communication filed. **H.B. No. 28** was read the first time and referred to Rules Committee.

PRESENTATION OF RESOLUTION

TAX ARTICLE REVISION

S.J.R. No. 1 Senators Snow, Sowards

A JOINT RESOLUTION OF THE GENERAL SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH PROPOSING TO AMEND ARTICLE XIII OF THE CONSTITUTION OF THE STATE OF UTAH; RELATING TO REVENUE AND TAXATION; PROVIDING FOR EXEMPTION OF THE PROPERTY OF COUNTIES, CITIES, TOWNS, SPECIAL DISTRICTS, AND ALLOWING THE LEGISLATURE TO EXCLUDE CERTAIN PUBLICLY-OWNED PROPERTY LOCATED OUTSIDE ITS GEOGRAPHIC BOUNDARIES FROM EXEMPTION

FROM TAXATION; CLARIFYING THE EXEMPTION FROM TAXATION FOR CERTAIN WATER-RELATED RIGHTS AND PROPERTIES; PROVIDING FOR EXEMPTION FROM TAXATION OF CERTAIN PROPERTY USED FOR RELIGIOUS, CHARITABLE, EDUCATIONAL, OR EMPLOYEE REPRESENTATION PURPOSES; ELIMINATING THE LIMIT ON DISABLED VETERANS EXEMPTIONS; PROVIDING THAT THE LEGISLATURE MAY PROVIDE FOR THE EXEMPTION FROM TAXATION OF A PORTION OF THE VALUE OF HOMES, HOMESTEADS, AND TANGIBLE PERSONAL PROPERTY AND PROVIDING A PROCEDURE WHERE THE LEGISLATURE MAY PROVIDE A REIMBURSEMENT TO POLITICAL SUBDIVISIONS OF THE STATE FOR REDUCED PROPERTY TAX REVENUES; REMOVING CERTAIN INCOME TAX PROVISIONS FROM THE LEGISLATIVE ARTICLE AND PLACING IT IN THE REVENUE AND TAXATION ARTICLE; ELIMINATING OUTDATED LANGUAGE; REMOVING THE LIMIT ON STATE SUPPORT OF THE MINIMUM SCHOOL PROGRAM; MAKING CERTAIN CHANGES IN THE ORGANIZATION OF THIS ARTICLE; AND PROVIDING AN EFFECTIVE DATE. THIS RESOLUTION PROPOSES TO AMEND ARTICLE XIII, SECTIONS 2, 3, 4, 7, AND 12 OF THE CONSTITUTION OF THE STATE OF UTAH; AND REPEALS ARTICLE VI, SECTION 23, OF THE CONSTITUTION OF THE STATE OF UTAH, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

OMBUDSMAN FOR INSTITUTIONALIZED ELDERLY

S.B. No. 89 Richard J. Carling

AN ACT RELATING TO NURSING HOMES AND OTHER FACILITIES FOR THE INSTITUTIONALIZATION OF ELDERLY PERSONS; NOTING THE NECESSITY FOR A FUNCTION TO INVESTIGATE COMPLAINTS IN ORDER TO SAFEGUARD THE HEALTH, SAFETY AND WELFARE OF INSTITUTIONALIZED ELDERLY IN UTAH AND TO MAINTAIN FEDERAL FUNDS; ESTABLISHING SUCH A FUNCTION TO BE KNOWN AS THE FUNCTION OF THE OMBUDSMAN FOR THE INSTITUTIONALIZED ELDERLY; ESTABLISHING THE POWERS AND DUTIES OF THE FUNCTION; PROVIDING FOR CONFIDENTIALITY OF INFORMATION; PROHIBITING CERTAIN ACTS; AND PROVIDING CIVIL AND CRIMINAL PENALTIES, was read the first time and referred to Rules Committee.

PLACE OF JUVENILE DETENTION

S.B. No. 90 Senators Bunnell, Matheson

AN ACT RELATING TO PUBLIC WELFARE; PROVIDING THAT JUVENILES MAY BE DETAINED IN SUITABLE PREMISES WHICH NEED NOT BE ENTIRELY DISTINCT AND SEPARATE FROM FACILITIES USED TO HOUSE ADULT OFFENDERS. THIS ACT AMENDS SECTION 55-11a-1, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 213, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

COMMITTEE ON CONSUMER SERVICES CONTINUATION

S.B. No. 91 Karl G. Swan

AN ACT RELATING TO PUBLIC UTILITIES; EXTENDING TO APRIL 1, 1985 THE TERMINATION DATE FOR THE CHAPTER PROVIDING FOR THE COMMITTEE ON CONSUMER SERVICES. THIS ACT ENACTS SECTION 54-10-8, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

STATE LEVY FOR SCHOOL SUPPORT

S.B. No. 92 Karl G. Swan

AN ACT RELATING TO PUBLIC SCHOOLS; PROVIDING A DIFFERENT FORMULA AND PROCEDURE FOR DETERMINING THE STATE'S CONTRIBUTION TO THE MINIMUM SCHOOL FINANCE PROGRAM. THIS ACT REPEALS AND REENACTS SECTION 53-7-20, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 160, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

REPEAL OF PHARMACY PROVISIONS

S.B. No. 93 Richard J. Carling

AN ACT RELATING TO THE BOARD OF PHARMACY; REPEALING THE PROVISIONS CREATING AND GOVERNING THE BOARD. THIS ACT REPEALS SECTIONS 58-12b-1, 58-12b-2, AND 58-12b-3, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 99, LAWS OF UTAH 1953, was read the first time and referred to Rules Committee.

NATUROPATHIC LICENSING AND REGULATION

S.B. No. 94 Richard J. Carling

AN ACT RELATING TO NATUROPATHIC PHYSICIANS; PROHIBITING ISSUANCE OF NEW LICENSES TO PRACTICE AS NATUROPATHS; ALLOWING RENEWAL OF LICENSES OF NATUROPATHS WHO MEET CERTAIN CRITERIA; AND PRESCRIBING THE TERM THAT MUST BE USED IN CONJUNCTION WITH THE PROFESSIONAL NAMES OF NATUROPATHS. THIS ACT REPEALS AND REENACTS SECTION 58-12-22, UTAH CODE ANNOTATED 1953, AND ENACTS SECTION 58-12-22.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

MEDICAL PRACTICES ACT REVISION

S.B. No. 95 Richard J. Carling

AN ACT RELATING TO THE MEDICAL PRACTICES ACT; DEFINING TERMS; ALTERING THE PROVISIONS GOVERNING THOSE PERSONS AND ACTIVITIES EXCEPTED FROM

LICENSURE REQUIREMENTS; PROVIDING FOR LICENSING REQUIREMENTS AND FEES FOR THE PRACTICE OF MEDICINE; PRESCRIBING DUTIES OF THE PHYSICIANS' LICENSING BOARD; AND MAKING CERTAIN TECHNICAL CHANGES. THIS ACT AMENDS SECTIONS 58-12-28, 58-12-31, 58-12-32, 58-12-33, 58-12-34, 58-12-37, AND 58-12-38, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 167, LAWS OF UTAH 1969, SECTION 58-12-30, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 268, LAWS OF UTAH 1977, SECTION 58-12-32.5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1979, SECTION 58-12-36, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 29, LAWS OF UTAH 1977, AND SECTIONS 58-12-41, 58-12-42, AND 58-12-43, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 4, LAWS OF UTAH 1976, was read the first time and referred to Rules Committee.

NOTARY PUBLIC CHANGES

S.B. No. 96 K.S. Cornaby

AN ACT RELATING TO NOTARY PUBLICS; PROVIDING AN ALTERNATIVE OF AFFIRMATION WHEN A WRITTEN INSTRUMENT MUST BE EXECUTED OR ACKNOWLEDGED BEFORE A NOTARY. THIS ACT ENACTS SECTIONS 46-3-1 AND 46-3-2, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

ANATOMICAL GIFT ACT AMENDMENTS

S.B. No. 97 William T. "Bill" Barton

AN ACT RELATING TO ANATOMICAL GIFTS; PROVIDING FOR DONOR INFORMATION TO BE INCLUDED ON DRIVER'S LICENSE UPON REQUEST OF DONOR; AND PROVIDING AUTHORITY TO MEDICAL EXAMINER AND HIS DEPUTIES TO DISCLOSE INFORMATION CONCERNING AVAILABILITY OF ORGANS FOR TRANSPLANT PURPOSES OR SKIN TISSUE FOR GRAFTING TO A LEGALLY CREATED ORGAN BANK UPON REQUEST. THIS ACT AMENDS SECTION 41-2-13, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 82, LAWS OF UTAH 1967, AND SECTION 26-20-23, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 107, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

HIGHWAY REVENUE AMENDMENTS

S.B. No. 98 Glade M. Sowards

AN ACT RELATING TO HIGHWAYS AND MOTOR VEHICLES; PROVIDING FOR AN INCREASE IN TAX ON SALE OR USE OF MOTOR FUELS AND SPECIAL FUELS; PROVIDING FOR REVENUE APPROPRIATION TO CITIES, TOWNS AND COUNTIES; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 41-6-150, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 242, LAWS OF UTAH 1979,

SECTION 41-11-6, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 34 AND 44, LAWS OF UTAH 1980, SECTION 41-11-50, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 45, LAWS OF UTAH 1980, SECTION 27-12-127, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 117, LAWS OF UTAH 1977, SECTION 27-13-2, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 68, LAWS OF UTAH 1969, SECTION 27-13-7, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 34, LAWS OF UTAH 1980, AND REPEALS SECTION 27-12-128, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 34, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

LIFE INSURANCE POLICY LOAN INTEREST RATE BILL

S.B. No. 99 Senators Pugh, Kimball, Flamm

AN ACT RELATING TO THE REGULATION OF INTEREST RATES ON LIFE INSURANCE POLICY LOANS, PROVIDING FOR A SET MAXIMUM RATE OR A FLEXIBLE, INDEXED RATE. THIS ACT REPEALS AND REENACTS SECTION 31-22-7, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 45, LAWS OF UTAH 1963, AS AMENDED BY CHAPTER 131, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

MARRIAGE AND FAMILY THERAPIST LICENSING

S.B. No. 100 Richard J. Carling

AN ACT RELATING TO THE LICENSING OF MARRIAGE AND FAMILY THERAPISTS; DELETING COUNSELOR AND SUBSTITUTING THERAPIST THROUGHOUT THE APPROPRIATE ACT; DEFINING MARITAL AND FAMILY THERAPY; PROVIDING FOR TESTING REQUIREMENTS; PROVIDING FOR CONTINUING EDUCATION; GRANTING AUTHORITY TO ESTABLISH LICENSING RENEWAL REQUIREMENTS; AND REVISING THE LICENSING FEES. THIS ACT AMENDS SECTIONS 58-39-1 THROUGH 58-39-6, 58-39-8, 58-39-10, AND 58-39-11, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 124, LAWS OF UTAH 1973, SECTION 58-39-9, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 6, LAWS OF UTAH 1980, AND SECTION 58-1-5, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 5, LAWS OF UTAH 1980; ENACTS SECTION 58-39-7.5, UTAH CODE ANNOTATED 1953; AND REPEALS AND REENACTS SECTION 58-39-7, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 124, LAWS OF UTAH 1973, was read the first time and referred to Rules Committee.

INDUSTRIAL FACILITIES DEVELOPMENT ACT AMENDMENT

S.B. 101 Senators Finlinson, Pugh, Sowards

AN ACT RELATING TO THE UTAH INDUSTRIAL FACILITIES DEVELOPMENT ACT; PROVIDING A CHANGE IN THE DEFINITION OF PROJECT TO INCLUDE PROJECTS OF

ALL COMMON CARRIERS; MAKING CERTAIN CHANGES IN FORM; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 11-17-2, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 12, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

TENANTS' RENT DEPOSITS

S.B. No. 102 William T. "Bill" Barton

AN ACT RELATING TO LANDLORDS AND TENANTS; PROVIDING PROCEDURES FOR HANDLING DEPOSITS; PROVIDING FOR NOTICE; PROVIDING THAT CERTAIN EXPENSES MAY BE DEDUCTED FROM DEPOSITS; AND PROVIDING FOR DAMAGES, was read the first time and referred to Rules Committee.

MAINTENANCE OF LEASED PREMISES

S.B. No. 103 William T. "Bill" Barton

AN ACT RELATING TO RENTED OR LEASED RESIDENTIAL PREMISES; PROVIDING THAT TENANTS AND LANDLORDS MAINTAIN THE PREMISES IN A FIT CONDITION, was read the first time and referred to Rules Committee.

SALES TAX ON HEARING AIDS

S.B. No. 104 William T. "Bill" Barton

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING THAT THE SALE OF HEARING AIDS IS EXEMPT FROM THE IMPOSITION OF SALES TAX. THIS ACT AMENDS SECTION 59-15-6, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 195, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

BULK REINSURANCE

S.B. No. 105 Bryce G. Flamm

AN ACT RELATING TO INSURANCE; PROVIDING THAT THE REINSURANCE OF A DOMESTIC INSURER BY ANOTHER INSURER IS SUBJECT TO THE APPROVAL OF THE STATE INSURANCE COMMISSIONER BEFORE SUCH REINSURANCE ARRANGEMENT IS EFFECTIVE. THIS ACT AMENDS SECTION 31-39-2, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 67, LAWS OF UTAH 1971, was read the first time and referred to Rules Committee.

ROADSIDE SIGNS AMENDMENTS

S.B. No. 106 Senators Christensen, Black, Barton

AN ACT AMENDING SECTIONS 27-12-136.3, 27-12-136.4, 27-12-136.5, 27-12-136.6, 27-12-136.7, 27-12-136.8, 27-12-136.9, AND 27-12-136.11, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 51, LAWS OF UTAH 1967, AS AMENDED BY CHAPTER 61, LAWS OF UTAH 1971, AND SECTION 27-12-136.10, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 51, LAWS OF UTAH 1967, AND ENACTING SECTION 27-12-136.15, UTAH CODE ANNOTATED 1953; RELATING TO THE OUTDOOR ADVERTISING ACT; ALTERING AND ADDING DEFINITIONS; EXCEPTING A CERTAIN ADDITIONAL CATEGORY OF SIGNS FROM THOSE PROHIBITED; PROVIDING A MEANS FOR IDENTIFYING A DEFINED HARDSHIP AREA; CLARIFYING THE PERMISSIBILITY OF CERTAIN TYPES OF SIGNS, AND MAKING CERTAIN SCENIC AREA SIGNS PERMISSIBLE; LIMITING THE PERMISSIBLE LOCATION OF SIGNS IN CERTAIN CASES; REQUIRING SIGNS, was read the first time and referred to Rules Committee.

REAL ESTATE LICENSE AMENDMENTS

S.B. No. 107 Haven J. Barlow

AN ACT RELATING TO THE LICENSING OF REAL ESTATE BROKERS AND SALESMEN; INCREASING THE NUMBER OF REAL ESTATE COMMISSIONERS TO FIVE; PROVIDING FOR A MODIFICATION IN LICENSING FEES; PROVIDING ADDITIONAL GROUNDS FOR REVOCATION OR SUSPENSION OF A BROKER'S OR SALESMAN'S LICENSE; REQUIRING SPECIFICITY IN APPEALS FROM COMMISSION RULINGS; PROVIDING GROUNDS FOR DISMISSAL WITH PREJUDICE FOR NOT FOLLOWING PRESCRIBED APPELLATE PROCEDURES; GRANTING THE REAL ESTATE COMMISSION POWER TO DENY, SUSPEND, OR REVOKE THE LICENSE OF AN UNRESPONSIVE BROKER OR SALESMAN; AND MAKING OTHER TECHNICAL CHANGES. THIS ACT AMENDS SECTIONS 61-2-5 AND 61-2-9, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 6, LAWS OF UTAH 1980, SECTION 61-2-11, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 146, LAWS OF UTAH 1963, SECTION 61-2-12, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 194, LAWS OF UTAH 1979, AND SECTION 61-2-21, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 146, LAWS OF UTAH 1963, was read the first time and referred to Rules Committee.

WATER RESOURCE PROJECTS

S.B. No. 108 Senators Barlow, Black

AN ACT RELATING TO WATER AND IRRIGATION; PROVIDING THAT FREE PUBLIC ACCESS FOR RECREATIONAL PURPOSES BE AN INTEGRAL PART OF EACH WATER RETENTION FACILITY CONSTRUCTED WITH PUBLIC FUNDS; AND PROVIDING THAT

EACH SUCH FACILITY CONTAIN A CONSERVATION POOL TO ENSURE THE PERPETUATION OF FISH AND OTHER AQUATIC LIFE. THIS ACT AMENDS SECTION 73-10-26, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 83, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

PUBLIC CONSTRUCTION—SALES TAXES

S.B. No. 109 Lowell S. Peterson

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING AN EXEMPTION FROM SALES TAX ON BUILDING AND CONSTRUCTION MATERIALS PURCHASED AND USED IN THE CONSTRUCTION AND INSTALLATION OF IMPROVEMENTS TO LAND DEDICATED TO A LOCAL UNIT OF GOVERNMENT. THIS ACT AMENDS SECTION 59-15-6, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 195, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

NURSE PRACTITIONERS PILOT PROJECT EXTENSION

S.B. No. 110 Richard J. Carling

AN ACT RELATING TO NURSE PRACTITIONERS; AND PROVIDING THAT THE EXPIRATION DATE OF THE STATUTORY PROVISIONS PROVIDING FOR THE NURSE PRACTITIONERS PILOT PROJECT TO BE EXTENDED FOR ONE YEAR, was read the first time and referred to Rules Committee.

On motion of Senator Snow the Senate recessed at 10:10 a.m., with the understanding that all senators meet in front of the House of Representatives immediately in order to enter the House Chamber together to hear Governor Matheson's Budget Message in Joint Convention. In further compliance with the Snow motion, the Senate will reassemble in the Senate Chamber after the Joint Convention is dissolved.

JOINT CONVENTION

President Miles 'Cap' Ferry called the Joint Convention to order at 10:20 a.m. in the chamber of the House of Representatives.

Roll Call — The Secretary of the Senate and Chief Clerk of the House each advised the President of the Senate that a quorum of Senate and House members were present.

Governor Notified — President Ferry appointed a Joint Committee comprised of Senators Cornaby, Bennett and Jeffs and Representatives Mecham, S. Rees and Williams to notify the Governor that the Legislature is in Joint Convention and ready to hear his Budget Message.

Guests — President Ferry acknowledged the presence of David S. Monson, Lieutenant Governor, David L. Wilkinson, Attorney General and W. Val Oveson, State Auditor.

The Joint Committee returned escorting His Excellency, Governor Scott M. Matheson. President Ferry introduced the Governor to the Joint Convention.

BUDGET MESSAGE
Governor Scott M. Matheson

President Ferry, Speaker Bangerter, Senators and Representatives, Ladies and Gentlemen. . .

The budget I presented to the Legislature and the public on December 22, 1980 represents a total recommendation of $1 billion 684.3 million for fiscal year 1981-82. You have had an opportunity to examine the Budget Document in detail, and today, I would like to highlight certain aspects of the budget and my perception of the major fiscal issues facing our State.

This budget asks for no general tax increase and recommends an increased level of expenditures over last year's appropriations of about half the current rate of inflation. This is the third consecutive budget I have presented to you that falls below the inflation rate. In the three major funds, the General Fund, Transportation Fund and Uniform School Fund, my expenditure recommendation of $946.8 million is only $53 million above the total level you appropriated for the current fiscal year just 11 months ago, a total increase in available State general revenue of less than 6 percent. This sparse increase leaves us with very little new State money with which to fund State programs.

Even when we account for this year's estimated shortfall in the Transportation Fund of approximately $6.6 million and the 3.5 percent reduction in the General Fund and Uniform School Fund, adopted by the Special Session of the Legislature in December, 1980, the recommended expenditure level from all funding sources for fiscal year 1981-82 is only 8.6 percent above the expected level of expenditures this year.

Economic Uncertainty

There were tremendous constraints in putting together this budget for fiscal year 1981-82. The future economy of the nation and State remain uncertain. The Utah economy in 1980 was markedly different than the economy in the late 1970's. Contrasted with employment growth of 7.2 percent in 1978, growth in new jobs fell to less than 2 percent in 1980. Automobile sales and housing starts have sunk far below 1978 levels and below our estimates made just last year.

The once buoyant Utah consumer, besieged by inflation, lower credit availability and higher interest rates, is struggling to make ends meet. In two years, the price of gasoline has doubled, and the costs of utilities, housing payments and other goods and services, have risen dramatically, reducing consumer buying power.

Revenue Projections

This all translates into a slower than expected rate of growth in sales tax and income tax

revenue and reduced gasoline consumption which, in turn, has led to an actual decline in motor fuel revenue in the Transportation Fund.

We do expect the economy to brighten somewhat in 1981. However, continuing high interest rates, unstable world oil prices and a new national administration heighten the uncertainty. We question our ability to project revenue with any degree of accuracy. For the first time, however, the State Budget Office and the Tax Commission have developed joint revenue projections for the current fiscal year and fiscal year 1981-82. Basic assumptions which were used to project revenue are explicitly stated in the Budget Document. We will watch developments closely during the next few months to see if our assumptions hold up. If the national or local trends are discouraging, we will have to revise our assumptions and revenue projections. It would be a grievious mistake for us, again, to overestimate revenue and force still more mid-year budget cuts.

Special Session Action

The budget was a further challenge because of the revenue shortfall in the current 1980-81 fiscal year and my uncertainty over legislative actions in the Special Session in December. The budget was prepared on the assumption that the Legislature would eliminate, or at least postpone, the Tax Rebate Program for the current fiscal year and for fiscal year 1981-82. The Legislature opted for a one-year extension. I recognize the sensitivity of this issue but I must again ask you to terminate or postpone indefinitely the Rebate Program.

Inflation continues as a major force in driving agency budgets. Budget cuts taken by most State agencies over the last two years have eroded their ability to cope with cost increases. The Department of Transportation has suffered the most seriously. These cuts have diminished services of State agencies and institutions of education. Capital outlay was postponed; travel and current expenses cut back. Combined with the effects of inflation, the cuts were real and painful. This budget attempts to provide realistic increases of 8 percent (still below the rate of inflation) for most travel, current expenses and capital outlay.

Future Needs

Despite these constraints, we would be derelict in our duty if this budget becomes a status quo document, bereft of any imagination or foresight for the State's needs or coming problems. This General Session gives us a little more time, allows us to reflect on existing programs and to examine these programs in light of the future needs of our State.

We need to be bold; to look at the future; to plot a firm course ahead. One of the critical areas not adequately addressed in my budget is the State's capital needs. We cannot continue to finance the State's building needs out of surplus or through a haphazard bonding program. That is why, for the first time, there is a separate Capital Budget section in my Budget Document. The $200 million spent yearly on capital expenditures justifies, in my judgment, a separate legislative appropriation sub-committee and more consistent scrutiny in fiscal planning by both the Executive and Legislative branches.

Four Budget Goals

I hope you will consider four major goals in the adoption of an Appropriation Act for fiscal year 1981-82.

First, we need to provide reasonable pay increases for public sector employees, State workers, public school teachers, and faculty and staff at institutions of Higher Education. These people, as most Utahns, are wracked by inflation and deserve help in easing that pressure.

Second, we must begin to handle the mounting workload pressures of State agencies and Higher Education. Though we may not adequately address all pressures, there is enough flexibility in my proposed budget to provide help in the most critical areas.

Third, I ask you to begin with me a systematic re-evaluation of State programs. During the 1980's, we must begin discarding those programs that provide marginal benefit in order that we might adequately fund those programs most important to our State's well-being.

Fourth, and most important, we must begin to plan for the future of our State and its capital needs. The Agenda for the Eighties Commission made a good start and this session should reinforce its efforts.

State Salary Compensation

I would like to discuss the four major challenges of this budget in more detail. First, I ask you to provide adequate salary compensation for public sector employees to allow them to partially keep pace with the current rate of inflation. My proposals do not provide parity with the increase in inflation, but they do provide reasonable compensation, given our resource limitations.

At the heart of my recommendation is a proposal to pick up 3.95 percent that State employees, teachers and Higher Education employees now pay into the Retirement System. The rationale is ample and compelling. It provides a gain in take-home pay to employees of the full 3.95 percent. And, while the effect to employees is the same as providing them approximately a 5 percent cost-of-living increase in salaries, the cost to the State is only about 3 percent of total salaries *and* benefits because the State is not burdened with extra benefit costs normally associated with a cost-of-living increase.

Other private sector companies cover the full cost of retirement. And, in fact, our own salary survey indicates that State employees are somewhat behind the private sector employee benefits. The rest of the salary recommendation varies somewhat with each public sector employee group. Details are included in the Budget Document.

For State employees, I am recommending we pick up the full cost of employee health insurance. This would bring State employees into parity with Public and Higher Education employees and many private companies. Public employees currently pay 20 percent and the State 80 percent for employee health insurance. Also recommended in the

standard budget are the funds to provide for the continuing cost of promotions made during the current year, and for productivity and career-ladder advancements for fiscal year 1981-82.

The Office of Personnel Management is also asking for authority to move to a new State pay plan which provides long-run savings to the State. However, rather than provide funds for the one-time cost of moving to the new pay structure, I am recommending a gradual implementation through the fiscal year and asking agencies to absorb that cost within their standard budgets.

For Public Education employees, I am recommending that 4 percent of the recommended 4.2 percent increase in the value of the weighted pupil unit cover a 2 percent cost-of-living for all teachers, and 2 percent to cover the increments for half of the teachers eligible for longevity increases.

For Higher Education, I am recommending the Regents' request of 2.8 percent for merit increases and promotions and the Regents' equity recommendation, which provides greater equality with State workers and comparable institutions. This adds about 1.9 percent of total salaries to the Higher Education budget.

When all my salary proposals are considered and totaled, the cost to the State is less than 8 percent of total salaries and benefits, with individual salary increases for public sector employees varying from 4 percent to 10 percent, depending on productivity advancements and other factors.

Workload Pressures

Increases in salaries for public sector employees are important because we have not had significant money to relieve increasing workload pressures in State agencies and institutions of Higher Education. In general, the State worker, public school teacher and Higher Education employee have done an outstanding job in accommodating increased workloads without sacrificing the quality of service.

In my 1981-82 budget, I do accommodate the most critical workload pressure. In Public Education, the weighted pupil unit formula and the Minimum School Program automatically accommodate for increased student population. This year, we have 10,300 additional students in Kindergarten through Grade 12; 1,500 more than expected. Next year, we anticipate nearly 14,000 additional students.

Higher Education institutions have also experienced much heavier enrollment pressure than anticipated — in 1979, an increase of 1,600 students over the previous year, and in 1980, a further increase of 2,750 new students. Institutions have accommodated this additional enrollment by increasing students in classrooms and restricting many classes. We need new faculty members in our institutions of Higher Education and, therefore, I have supported a high percentage of priority recommendations of the Board of Regents.

The continuing recession has placed additional pressures on the Departments of Social Services and Health. The caseload in Public Assistance is up 22 percent. I am recommending an additional 31 workers to partially accommodate this increase. Additional Parks personnel are also recommended in the Division of Parks and Recreation to accommodate increasing pressures on our parks, and the opening of five new facilities which become operational this year. In addition, many regulatory agencies have workload needs resulting from increases in population and employment and additional responsiblities placed on them by the Legislature. These workload increases are paid largely through fees assessed to the regulated companies.

Even while accommodating these workload increases, overall State employment shows virtually no net increase over the current year.

Program Re-Evaluation

As I developed this budget, it became apparent that we could not provide reasonable salary increases and handle critical workload needs without re-evaluating our existing services to determine where we could reduce or eliminate programs. I have made recommendations which eliminate a number of programs and forego increases in many worthwhile areas.

Some of the recommendations are controversial; for example, in Public Education, I have recommended the elimination of a number of special purpose programs that have considerable support from many groups. However, my suggested cuts do not go to the heart of the Kindergarten through Grade 12 program, which I feel we must fund with adequate dollars, including adequate salary increases for teachers. Programs recommended for total elimination include Elementary Music, Elementary School Guidance and Extended Year, Day and Summer programs in Public Education. School districts can continue to carry on these programs with local resources.

In Higher Education, I have recommended the elimination of the General Fund subsidy for Continuing Education and propose increasing tuitions to completely cover costs. There are many critical needs in our Higher Education system that I believe are more important.

I have recommended limiting many programs that support local government. I do this, not out of choice, but because of resource limitations. Many local programs, such as Low-Income Housing, Law Enforcement, Water and Sewer Funds, and others, deserve stronger State support.

I have also proposed eliminating the Department of Systems Planning, as proposed by the Madsen Executive Reorganization Committee, at a savings of $100,000. All of my program reductions are explained in more detail in the Budget Document.

Planning for the Future

Even though this budget is constrained, we must plan for the future of our State, with its increasing population and employment growth. We do not have a plan to finance the $4 billion

worth of capital needs estimated for this State during the 1980's. There are, however, some options to strengthen the capital portion of the budget, and I would like to suggest them for your consideration.

The Transportation Department budget is austere to the point of not addressing critical highway needs. This is true, even though I suggest freeing $4 million of Transportation funding from the Highway Patrol and substituting General Fund money. The current rate of highway taxes will not support an adequate State construction and rehabilitation program. Cities and counties are experiencing similar funding problems for their road systems.

I support the Department of Transportation's proposals to increase the gasoline tax from 9 cents to 12 cents; increase car registration fees from $5 to $10; and double the current $5 drivers license fee. This will provide $8.1 million for local road needs and $19.6 million for State construction and maintenance, and the restoration of the Safe Sidewalk program. These increases are the number one priority of local government.

Severance Tax

Now is the time for across-the-board increases in the State Severance Tax. We are an energy-rich State, whose resources will play an integral role in national energy policy throughout the 1980's. We want to encourage energy development, yet insure that the State receives its fair share from the extraction of its mineral resources.

I recommend consideration of increasing the Mine Occupation Tax on oil and gas from 2 percent to 4 percent; the doubling of the Mine Occupation Tax on metals from 1 percent to 2 percent and the inclusion of non-metals, such as coal, salt, stone, oil shale and sand and gravel. I believe achieving a 4 percent rate for our oil and gas and 2 percent for other minerals is fair and competitive with surrounding states. The *Budget-in-Brief*, which you will receive by the end of the week, suggests allocations for this additional revenue.

I propose that the State set aside one-fifth of all Severance Tax proceeds to a Capital Construction Account which would cover additional debt service for a needed bond issue or help fund critical capital needs on an on-going basis. A Capital Construction Account would provide on-going and increasing funds for the State's capital needs.

I propose that all new revenue generated from the Coal Severance Tax go into the Community Impact Account to help local governments cope with the costs associated with coal and mineral development. Severance Tax revenue could also restore some of the cuts that were necessary to balance the budget, including increased funding to the Cities Water Loan Fund, the Water Construction Fund, the Rangeland Fund, and to Low-Income Housing. I hope that the Legislature uses the new monies realized from severance taxes to help satisfy the State's capital needs and assist communities impacted by resource development.

Revenue Stabilization Fund

Two other important items for long-range planning are the need to establish a reserve Revenue Stabilization Fund to meet revenue shortfalls and the necessity to re-evaluate our policy towards local school building needs.

For the last two years, I have suggested the need to establish a reserve fund. After two years of revenue shortfalls and in the face of continuing economic uncertainty, the establishment of such a fund is essential. I suggest that any surplus revenue at the end of a fiscal year (up to one percent of the General Fund and Uniform School Fund) be placed into a Revenue Stabilization Fund for use *only* if there is a revenue shortfall below the expectation of the Legislative Appropriation Act.

I have set aside $17.7 million for the State's contribution to local school building needs; the same appropriation level as last year. However, I suggest re-evaluation of the current formula to require greater utilization of existing school buildings, including year-round schools. I also commend the suggestion of Senator Warren Pugh for a pilot program to increase productivity in the schools. We cannot afford the projected $2 billion worth of new construction needs; we simply must explore alternatives in the Public School System to utilize our schools more effectively.

Private education can help meet growing elementary and secondary school needs. I suggest we examine an incentive to parents to use private education by allowing them a credit on their income taxes. The credit could equal 50 percent of the value of the weighted pupil unit as set by the Legislature beginning in 1982. This would not affect the State's budget until fiscal year 1982-83 and would allow proper time for planning. A doubling of students in private education would result in no net cost to the State, and any increase above that would result in savings to the State.

Local Property Tax

My budget is again comprehensive, since it includes the local property tax contribution to the State Minimum School Program. While it is called a local tax, it is mandated by the State in the School Finance Act and supports the State's school program.

The decision of the State Tax Commission to index all property assessments to 20 percent of the 1978 value was necessary to provide equality among counties. We have conducted our current local property revaluation program since 1969 but have not succeeded in achieving equity. The Tax Commission's decision is necessary because of its constitutional and statutory responsibility and because of federal legislation requiring equalization between local and State assessed properties. Indexing accomplishes this purpose, but it does cause an increase in property taxes for homeowners in many counties and a partial shift in taxation from State to locally-assessed property.

While the rationale for indexing is rooted in equity, the actions produce $34 million that helps balance the State's Budget. A similar revenue increase occurred the year Salt Lake

County was revalued. The Legislature can take a number of actions to ease the burden on homeowners and still provide the necessary equity.

First, the Legislature can restrict the tax gain to localities by limiting the total 1981 property tax revenue to a certain percent above 1980. Second, the Legislature can equalize the local school levy across all counties. Currently, counties undergoing revaluation would have a lower tax rate than counties that were indexed. This would reduce the school mill levy by about four-fifths of one mill. Third, the Legislature could further reduce the school mill levy by increasing the Corporate Franchise Tax which is below the national average. An increase from 4 percent to 5.5 percent in Corporate Taxes would provide $15 million to allow a further 2 mill reduction. The reduced property taxes on business from the indexing and mill reduction would largely offset the increase in Corporate Franchise Tax. These actions would reduce the local school levy to about 21 mills and actually reduce property taxes for a majority of homeowners in the State.

Finally, the State can gradually shift away from the property tax to the Income Tax and Corporate Franchise Tax as a source of education funding. Two years ago, I proposed a constitutional change to allow the State to pick-up more than 75 percent of the operations and maintenance of the public schools. Even though the comprehensive Tax Article Revision was defeated, I believe this proposal would pass if placed separately on the ballot in 1982 and I recommend it for your consideration.

I believe we must continue to re-evaluate how we handle our property assessment program. The current State program of local assessment began in 1969. We need to eventually turn the revaluation responsibility back to the localities, but I believe we need to finish cycle 2 of revaluation, computerize the data and give local government adequate tools before we return the program. Passage of a Real Estate Transfer Act would quicken State reappraisal and provide better on-going data to local government when the State has completed its program. The importance of the State Tax Commission's revaluation program is demonstrated by the fact that the local school property tax levy provides about 11 cents out of the State Budget dollar.

Supplementals

Because of the actions I took last year in reducing expenditures 4 percent, $18 million was saved, and the State ended with a small surplus over legislative expectations. All of this surplus is necessary to handle critical supplemental needs, the largest in public assistance. Details are included in the *Budget-in-Brief.*

Tax Rebate Program

I do not believe we can formulate a legitimate budget and address the needs of the State without terminating or indefinitely postponing the Property Tax Rebate Program scheduled to go into effect for the 1981 calendar year. Two years ago, I stood before the Legislature and

presented a plan of tax relief for Utah's citizens. The Legislature adopted a different program. But that is not the critical distinction.

The tax relief program adopted in 1978 was possible because of several years' experience with revenue surpluses and the prospect of continued dynamic growth. No shadows were on the horizon. That is not true today. Our surpluses have vanished. Even had the Legislature adopted my program of tax relief, my message would be the same: We cannot afford it now. We cannot afford it for fiscal year 1981-82.

Today we can only artificially create a surplus, through across-the-board cuts or by denying State employees and teachers a fair salary increase. The only legitimate method to provide a surplus is through a re-examination and elimination of $40 million worth of programs, because $40 million is the estimated cost of the Property Tax Rebate Program for fiscal year 1981-82.

I ask you not to artificially create a one-time surplus through incremental cuts which whittle away at the muscle, fiber and marrow of all State programs. If, in your judgment, a Tax Rebate Program is more critical than $40 million worth of programs, then I am willing to work with you to re-examine State programs and eliminate those you consider less essential. In doing so, let us be upfront and honest in what we are doing; we are reducing State services in order to provide tax relief.

State government is not bloated. Fifty-four cents of every budget dollar goes to finance Public and Higher Education, and another 13 cents of each dollar finances medical and public assistance for the needy. We have a strong historical basis for these programs and they must be funded at an adequate level.

I believe the 1980's will find us continually re-evaluating programs we have grown to accept as part of the status quo. I may not always agree with your choice of program reductions, but at least I recognize this as an appropriate approach to solving State Budget problems. There are no easy solutions. We are not likely to see a change in our State's attitude towards large families. Thus, we face a growing school-age population and critical needs in State and local government. These needs will occur before the growth helps generate additional revenue. We may only be able to provide for these needs at the expense of programs less critical to the State.

Conclusion

1981 starts as a challenging year for the Executive branch and for the Legislative branch. The 1981-82 budget is a challenging budget. On the one hand, we have limited resources, yet we have a responsibility to State workers, to the growing number of new school-age children, and to ourselves and our posterity in planning for future growth of the State.

In this Budget Message I have presented some concepts and alternatives for you to consider. I am sure the Legislature will respond, revise and begin to shape the policies that will guide the State in the 1980's. I hope you will accept the challenge and I want to work with you. We may disagree on details, but let us begin the dialogue. We cannot afford to wait. Thank you.

On motion of Senator Snow, the Joint Convention voted to have the full text of the Governor's Budget Message printed in the Senate Journal. The motion was seconded by Senator Sowards and approved without dissent.

On motion of Representative McAllister, the Joint Convention was dissolved.

* * *

The Senate reassembled in the Senate Chamber at 11:20 a.m. President Miles 'Cap' Ferry presiding.

PATRONAGE AND EMPLOYEE COMMITTEE

Mr. President and members of the Senate: Jan. 12, 1981

As chairman of your committee on Patronage and Employees, I beg leave to report that I have carefully considered the names of the applicants for the following offices in the Senate, and have selected the following persons for the Senate staff for the 44th Legislature 1980-81.

Sophia C. Buckmiller	Secretary of Senate
Joan B. Thomas	Minute Clerk
James W. Carrico	Sergeant at Arms
Stanley D. Burgess	Asst. Sergeant at Arms
Shauna Hoffman	Docket Clerk
Barbara Miller	Leadership Secretary
Kelly Corbridge	Receptionist/Secretary
Robyn Barkdull	Secretarial Supervisor
Denise Wiser	Senatorial Page Supervisor
Maxine R. Conk	Bill Status & Calendar Clerk
Dwight Packard	Public Address Operator
Charlotte Packard	Telephone Operator
Charliene Reed	Telephone Operator
Allyson Snow	Educational Tour Guide
Bart Fitzgerald	General Aide
Lila (Frankie) Charles	General Aide
Lynette Erickson	Committee Secretary & Clerk
Lorie Poor	Committee Secretary & Clerk
Karen Hardle	Committee Secretary & Clerk
Jeanne A. Martin	Committee Secretary & Clerk
Lorraine Copeland	Committee Secretary & Clerk
Jane Hatch	Committee Secretary & Clerk
Mark Thomas	Mailroom Aide
Lynne Turner	Minority Secretary
Lee Erickson	Minority Page
Olive Esplin	Rules Committee Secretary
William N. Woodbury	Doorman
Ralph E. Painter	Doorman

Phil L. Peterson	Doorman
Stephen R. Warburton	Doorman
Bryan Gould	Doorman
Larry Fidler	Doorman
Willard Vee Call	Doorman
Mary C. Frandsen	Senatorial Page
Patricia A. Harmer	Senatorial Page
Melissa Snow	Senatorial Page
Marla McAllister	Senatorial Page
Caroline Evans	Senatorial Page
Nancy Lovell	Senatorial Page
Sylvia McMillan	Senatorial Page
Eileen A. Peterson	Senatorial Page
Caroline Peck	Hostess & Aide to Third House
Elaine W. Ashworth	Printing & Production Aide
Sarah D. Snow	Printing & Production Aide
Robert B. Knell	Custodian

E. Verl Asay, Committee Chairman

Committee report read and adopted. Senator Asay introduced the Senate Employees and the oath of office was administered by President Miles 'Cap' Ferry.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

S.B. No. 4	UNIFORM FIRE PREVENTION CODE PANEL (Public Education)
S.B. No. 5	SCHOOL BUILDINGS AND CODE WAIVERS (Public Education)
S.B. No. 69	DISASTER RESPONSE AND RECOVERY ACT (Transportation and Public Safety)
S.B. No. 70	EMERGENCY MANAGEMENT ACT (Transportation and Public Safety)

S.B. Nos. 4, 5, 69 and 70 were placed on Second Reading Calendar.

On motion of Senator Snow and at 12:00, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. President Miles 'Cap' Ferry presiding.

RULES COMMITTEE REPORT

Mr. President: January 13, 1981

Your Rules Committee, to which were referred:

S.B. No. 91	COMMITTEE ON CONSUMER SERVICES CONTINUATION (Business, Labor and Economic Development)
S.B. No. 94	NATUROPATHIC LICENSING AND REGULATION (Business, Labor and Economic Development)
H.B. No. 28	RECORDS OF LEGAL ACTION (Judiciary)

reports the same back and recommends that they be printed and assigned to the Standing Committee indicated.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted.

COMMITTEE OF THE WHOLE

On motion of Senator Snow, the Senate resolved itself into a Committee of the Whole. Appearing before the Committee of the Whole was:

T.H. Bell, Secretary of Education designate
Washington, D.C.

Senators Barlow, Farley, Finlinson and Bennett commented. On motion of Senator Snow, the Committee of the Whole was dissolved.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 13, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 53,** SMALL CLAIMS COURT HOURS, by Representative Pace, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 53, was read the first time and referred to Rules Committee.

* * *

Mr. President: January 13, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 108,** COUNTY INDEBTEDNESS AMENDMENTS, by Representative Garff, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 108 was read the first time and referred to Rules Committee. On motion of Senator Bangerter, and under suspension of the rules, **H.B. No. 108** was lifted from Rules Committee, read the second and third times and up for final passage.

H.B. No. 108 passed second and third reading on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Asay	Bullen	Halverson	Pugh
Bangerter	Bunnell	Kimball	Sandberg
Barlow	Carling	Matheson	Snow
Barton	Christensen	Money	Swan
Bennett	Farley	Peterson, C.	Wayment
Black	Flamm	Peterson, L.	Mr. President (Ferry)

Voting in the negative was: Senator
Jeffs

Absent and not voting were: Senators

Cornaby	Finlinson	Jones	Sowards

H.B. No. 108 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

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Mr. President: January 13, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of rules, **H.B. No. 109, INTEREST ON REAL PROPERTY TAXES**, by Representative Harmer, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 109 was read the first time and referred to Rules Committee. On motion of Senator Bangerter and under suspension of the rules, **H.B. No. 109** was lifted from Rules Committee, read the second and third times and up for final passage.

H.B. No. 109 passed second and third reading on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Pugh
Bangerter	Carling	Kimball	Sandberg
Barlow	Christensen	Matheson	Snow
Barton	Farley	Money	Swan
Bennett	Finlinson	Peterson, C.	Wayment
Black	Flamm	Peterson, L.	Mr. President (Ferry)
Bullen			

Voting in the negative was: Senator
Jeffs

Absent and not voting were: Senators
Cornaby Jones Sowards

H.B. No. 109 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

* * *

INTRODUCTION OF BILLS

LICENSURE OF HEARING AID SPECIALISTS

S.B. No. 111 Senators Barlow, Barton

AN ACT RELATING TO HEARING AID SPECIALISTS; ESTABLISHING A COMMITTEE FOR HEARING AID SPECIALISTS AS A LICENSED OCCUPATION; AND PROVIDING FOR LICENSURE AND REGULATION OF HEARING AID SPECIALISTS. THIS ACT REPEALS ALL OF CHAPTER 46 OF TITLE 58, AND ENACTS SECTIONS 58-46-1 THROUGH 58-46-14, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

FOOD DONATIONS—GOOD SAMARITAN

S.B. No. 112 Senators Bullen, Bennett, Farley, Cornaby

AN ACT RELATING TO THE DONATION OF AGRICULTURE PRODUCTS TO NONPROFIT CHARITABLE ORGANIZATIONS; PROVIDING FOR FOODSTUFF DONATIONS; ALLOWING COUNTIES TO ESTABLISH A COLLECTION AND DISTRIBUTION SYSTEM; PROVIDING MONEY FOR INSPECTION OF DONATED PRODUCTS; PROVIDING A STANDARD OF LIABILITY FOR INJURIES; AND PROVIDING A PENALTY FOR VIOLATIONS, was read the first time and referred to Rules Committee.

USE OF CORPORATION NAMES

S.B. No. 113 K.S. Cornaby

AN ACT RELATING TO CORPORATION NAMES; REQUIRING THE USE OF A TERM IN A CORPORATION'S NAME TO INDICATE THAT IT IS A CORPORATION; AND PROHIBITING THE USE OF A TERM BY A NON-CORPORATION THAT INDICATES THAT THE NON-CORPORATION IS A CORPORATION. THIS ACT AMENDS SECTION 16-10-7, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 59, LAWS OF UTAH 1977, AND ENACTS SECTION 42-2-5.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

AUDITS OF POLITICAL SUBDIVISIONS

S.B. No. 114 Senators Bullen, Bunnell, Snow

AN ACT RELATING TO THE AUDITING OF POLITICAL SUBDIVISIONS, INTERLOCAL ORGANIZATIONS, AND OTHER LOCAL ENTITIES; PROVIDING FOR ANNUAL AUDITS OF ALL THESE GOVERNMENTAL ENTITIES; AND PROVIDING FOR AN EXEMPTION OF GOVERNMENTAL ENTITIES WHOSE ANNUAL BUDGETS ARE BELOW $150,000. THIS ACT AMENDS SECTIONS 51-2-1 AND 51-2-8, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 176, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

LEGISLATORS' RETIREMENT

S.B. No. 115 Senators Bullen, Money, Pugh

AN ACT RELATING TO THE UTAH STATE RETIREMENT ACT; PROVIDING THAT RETIREMENT BENEFITS SHALL EXTEND TO QUALIFYING FORMER LEGISLATORS WITHOUT REGARD TO WHEN THEIR SERVICE WAS RENDERED; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 49-10-36, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 146, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

SECOND READING CALENDAR

S.C.R. No. 1, ROYAL THOMAS HARWARD RESOLUTION, was read the second time. On motion of Senator Bullen the Senate voted to have all members of the senate included as sponsors of the bill.

On motion of Senator Barlow **S.C.R. No. 1** was amended as follows:

Page 2, Line 7:
after *"Representatives"* add *"and the Utah State Senate"*

On motion of Senator Barlow and under suspension of the rules **S.C.R. No. 1** was read the third time and up for final passage.

S.C.R. No. 1 passed second and third reading on a unanimous voice vote of all senators present. Senator Jones and Sowards were absent. **S.C.R. No. 1** was transmitted to the House.

On motion of Senator Snow and at 2:45 p.m. the Senate adjourned until 10:00 a.m., Wednesday, January 14, 1981.

THIRD DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present.

Prayer — Senator Sherman A. Wayment (Davis, Weber, Dist. 21).

COMMITTEE ON REVISION OF JOURNAL

Mr. President: January 14, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 13, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 11,** BUSINESS LICENSE FEES, by Representative Harmer, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 11 was read the first time and referred to Rules Committee.

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Mr. President: January 13, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 24,** RETURN OF ATTORNEY'S FEES AMOUNT, by Representative Selleneit, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 24 was read the first time and referred to Rules Committee.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

S.B. No. 26	MASSAGE PRACTICE ACT (Bussiness, Labor and Economic Development)
S.B. No. 2	BUSINESS OPPORTUNITY DISCLOSURE DOCUMENTS (Business, Labor and Economic Development)
S.B. No. 61	PUBLIC OFFICIALS' SALARY INCREASES (Higher Education)
S.B. No. 40	DIVISION OF FAMILY SERVICES FEES (Social Services)
S.B. No. 57	UNIFORM RECIPROCAL ENFORCEMENT ACT AMENDMENTS (Social Services)
S.B. No. 58	ACCRUAL OF INCIDENCES OF FRAUD (Social Services)
S.B. No. 17	BIG GAME DAMAGE PAYMENTS (Energy and Natural Resources)
S.B. No. 33	OIL REREFINING AMENDMENTS (Energy and Natural Resources)
S.B. No. 43	GEOTHERMAL RESOURCE CONSERVATION ACT (Energy and Natural Resources)
S.B. No. 6	STUDDED TIRES TAX REMOVAL (Revenue and Taxation)
S.B. No. 19	SMALL TRUCKS LADEN WEIGHT (Revenue and Taxation)
S.B. No. 20	PAYMENTS OF WITHHOLDING TAXES (Revenue and Taxation)
S.B. No. 53	SALES TAX EXEMPTION FOR OXYGEN (Revenue and Taxation)
S.B. No. 8	UTAH FOREIGN JUDGMENT ACT (Judiciary)
S.B. No. 21	INTEREST RATES INCREASE (Judiciary)
S.B. No. 66	SHOPLIFTING AMENDMENTS (Judiciary)
S.B. No. 88	MEDICAL EXAMINER JURISDICTION (Judiciary)
S.B. No. 75	JUVENILE COURT FINES AND FEES (Judiciary)

S.B. Nos. 26, 2, 61, 40, 57, 58, 17, 33, 43, 6, 19, 20, 53, 8, 21, 66, 88 and **75** were placed on Second Reading Calendar.

INTRODUCTION OF BILLS

BRAND INSPECTION FEES

S.B. No. 116 Lowell S. Peterson

AN ACT RELATING TO BRAND INSPECTION FEES; PROVIDING A MAXIMUM FEE OF 50 CENTS PER HEAD OF LIVESTOCK INSPECTED; PROVIDING A MINIMUM FEE OF $2.50 PER CERTIFICATE; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 4-24-21, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

WATER CONDITIONER INSTALLERS REPEAL

S.B. No. 117 Ivan M. Matheson

AN ACT RELATING TO WATER CONDITIONER INSTALLERS; REPEALING AND ELIMINATING THE PROVISIONS GOVERNING CERTIFICATION OF WATER CONDITIONER INSTALLERS. THIS ACT AMENDS SECTION 63-55-7, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 226, LAWS OF UTAH 1979, AND REPEALS ALL OF CHAPTER 43 OF TITLE 58, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

INSURANCE INFORMATION AND PRIVACY PROTECTION ACT

S.B. No. 118 Senators Snow, Bangerter

AN ACT RELATING TO INSURANCE; PROVIDING STANDARDS FOR THE COLLECTION, USE, AND DISCLOSURE OF INFORMATION ABOUT INDIVIDUALS GATHERED IN CONNECTION WITH INSURANCE TRANSACTIONS; PROVIDING FOR THE RIGHTS AND OBLIGATIONS OF INDIVIDUALS AND INSURANCE INSTITUTIONS, AGENTS AND INSURANCE-SUPPORT ORGANIZATIONS RELATIVE TO THE DISCLOSURE OF PERSONAL INFORMATION AND ADVERSE UNDERWRITING DECISIONS; PROVIDING FOR PENALTIES; AND PROVIDING FOR AN EFFECTIVE DATE. THIS ACT ENACTS CHAPTER 5a OF TITLE 31, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

EDUCATION IMPASSE PROCEDURES

S.B. No. 119 Senators Halverson; Carling, Christensen

AN ACT RELATING TO PUBLIC SCHOOLS; PROVIDING A NON-BINDING ARBITRATION PROCEDURE FOR THE RESOLUTION OF IMPASSE DISPUTES REACHED DURING COLLECTIVE BARGAINING NEGOTIATIONS BETWEEN A LOCAL SCHOOL DISTRICT BOARD OF EDUCATION AND A LOCAL EDUCATION ASSOCIATION, was read the first time and referred to Rules Committee.

TRANSFER OF PERSONALIZED LICENSE PLATES

S.B. No. 120 K.S. Cornaby

AN ACT RELATING TO MOTOR VEHICLES; REQUIRING THE DEPARTMENT TO ISSUE A NEW MONTHLY TAG SHOWING THE MONTH OF TRANSFER FOR USE ON PERSONALIZED LICENSE PLATES TRANSFERRED TO A SUBSEQUENTLY ACQUIRED PASSENGER MOTOR VEHICLE. THIS ACT AMENDS SECTION 41-1-49.18, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 125, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

EDUCATION OF YOUTH IN CUSTODY

S.B. No. 121 Senators Halverson, Flamm, Bennett

AN ACT RE-ENACTING AND AMENDING SECTION 53-2-12.3, UTAH CODE ANNOTATED AS ENACTED BY CHAPTER 235, SECTION 1, LAWS OF UTAH 1979; RELATING TO EDUCATION OF YOUTH IN CUSTODY; DESIGNATING RESPONSIBILITY FOR EDUCATION OF SUCH YOUTH; AND ESTABLISHING INTERAGENCY PLANNING AND COORDINATING COUNCILS AT STATE AND LOCAL LEVELS, was read the first time and referred to Rules Committee.

SECOND READING CALENDAR

S.B. No. 4, UNIFORM FIRE-PREVENTION-CODE PANEL, was read the second time.

Mr. President: January 12, 1981

The Public Education Committee, to which was referred **S.B. No. 4,** UNIFORM FIRE-PREVENTION-CODE PANEL, by Senator E. Verl Asay et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

William 'Bill' Barton, Committee Chairman

Committee report read and adopted. Senators Asay, Finlinson, Snow, Sandberg, Bunnell and Swan commented. Senator Sandberg's motion to table failed.

On motion of Senator Black **S.B. No. 4** was amended as follows:

Page 2, Line 15:
after "*governor*" delete "*with approval of the senate*"

S.B. No. 4 was placed on Third Reading Calendar on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Pugh
Bangerter	Carling	Jones	Sandberg

Barlow	Christensen	Kimball	Snow
Barton	Cornaby	Matheson	Swan
Bennett	Farley	Money	Mr. President (Ferry)
Black	Finlinson	Peterson, C.	
Bullen	Flamm	Peterson, L.	

Absent and not voting were: Senators

Halverson	Sowards	Wayment

* * *

S.B. No. 5, SCHOOL BUILDINGS AND CODE WAIVERS, was read the second time.

Mr. President: January 12, 1981

The Public Education Committee, to which was referred **S.B. No. 5,** SCHOOL BUILDINGS AND CODE WAIVERS, by Senator E. Verl Asay et al, has considered the bill and reports it out of committee favorably with the following amendments:

Page 2, Line 17:
After the word *"unnecessary"* insert "."

Page 2, Delete lines 18 and 19

William 'Bill' Barton, Committee Chairman

Committee report, as amended, read and adopted. On motion of Senator Asay **S.B. No. 5** was circled.

* * *

S.B. No. 69, DISASTER RESPONSE AND RECOVERY ACT, was read the second time.

Mr. President: January 12, 1981

The Transportation and Public Safety Committee, to which was referred **S.B. No. 69,** DISASTER RESPONSE AND RECOVERY ACT, by Senator Wilford Rex Black, Jr., has carefully considered the bill and reports it out favorably and with the following amendment:

Page 7, Line 15:
Delete *"/secretary of state,"*

E. Verl Asay, Committee Chairman

Committee report, as amended, read and adopted. Senators Black and Jeffs commented. At the direction of President Ferry the following minor amendments are to be made.

Page 3, Line 16:
delete *"throught"* and insert in lieu thereof *"through"*

Page 4, Line 22:
delete *"Unpon"* and insert in lieu thereof *"Upon"*

Page 4, Line 26:
delete *"is"* and insert in lieu thereof *"its"*

COMMITTEE OF THE WHOLE

On motion of Senator Black, the Senate resolved itself into a Committee of the Whole. Appearing before the Committee of the Whole were:

Gerald H. Kaffer, Disaster Preparedness Planner
LoRayne Tempest, Director, Comprehensive Emergency Mgt.

Senators Black, Jeffs and Cornaby commented. On motion of Senator Black, the Committee of the Whole was dissolved.

On motion of Senator Jeffs **S.B. No. 69** was amended as follows:

Page 9, Line 5:
after *"herein"* add a period and delete remainder of line.

Page 9, Lines 6, 7, 8, 9 and 10:
delete entirely.

S.B. No. 69 was placed on Third Reading Calendar on the following roll call:

Yeas, 25; Nays, 4; Absent, 0

Voting in the affirmative were: Senators

Asay	Bunnell	Kimball	Snow
Bangerter	Cornaby	Matheson	Sowards
Barlow	Farley	Money	Swan
Barton	Finlinson	Peterson, C.	Mr. President (Ferry)
Bennett	Flamm	Peterson, L.	
Black	Jeffs	Pugh	
Bullen	Jones	Sandberg	

Voting in the negative were: Senators

Carling	Christensen	Halverson	Wayment

* * *

On motion of Senator Asay the circle was removed from **S.B. No. 5,** SCHOOL BUILDING AND CODE WAIVERS, and it was again before the Senate.

COMMITTEE OF THE WHOLE

On motion of Senator Asay, the Senate resolved itself into a Committee of the Whole. Appearing before the Committee of the Whole was:

Walter D. Talbot
State Superintendent of Public Instruction

Senators Finlinson, Jeffs, Jones, Sandberg, Christensen and Barlow commented. On motion of Senator Asay, the Committee of the Whole was dissolved.

Senators Swan, Christensen, Matheson and Finlinson commented. Senators Christensen and Matheson proposed amendments.

On motion of Senator Finlinson, **S.B. No. 5** was tabled on Second Reading Calendar.

* * *

S.B. No. 70, EMERGENCY MANAGEMENT ACT, was read the second time.

Mr. President: January 12, 1981

The Transportation and Public Safety Committee, to which was referred **S.B. No. 70,** EMERGENCY MANAGEMENT ACT, by Senator Wilford Rex Black, Jr., has carefully considered the bill and reports it out favorably and with the following amendment:

Page 3, Line 30:
Delete *"/secretary of state"*

E. Verl Asay, Committee Chairman

Committee report, as amended, read and adopted. Senator Black explained the bill. Senator Matheson commented.

S.B. No. 70 was placed on Third Reading Calendar on the following roll call:

Yeas, 23; Nays, 5; Absent, 1

Voting in the affirmative were: Senators

Bangerter	Bunnell	Jeffs	Sandberg
Barlow	Carling	Jones	Snow
Barton	Christensen	Kimball	Sowards
Bennett	Farley	Matheson	Swan
Black	Finlinson	Money	Mr. President (Ferry)
Bullen	Flamm	Pugh	

Voting in the negative were: Senators

Cornaby	Peterson, C.	Peterson, L.	Wayment
Halverson			

Absent and not voting was: Senator
Asay

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

S.B. No. 13	MUNICIPAL INCORPORATION AMENDMENTS (State and Local Affairs)
S.B. No. 64	ADDITIONAL OPTIONAL FORM FOR COUNTY GOVERNMENT (State and Local Affairs)
S.B. No. 29	STATE BUILDING BOARD POWERS (Higher Education)
S.B. No. 14	TAXATION OF CERTAIN MOBILE HOMES (Agriculture)
S.B. No. 16	MOTOR FUELS TESTING AND LABELING (Agriculture)
S.B. No. 85	UNAUTHORIZED USE OF MUNICIPAL PROPERTY (Agriculture)

S.B. Nos. 13, 64, 29, 14, 16 and 85 were placed on Second Reading Calendar.

On motion of Senator Snow and at 12:00 noon, the Senate adjourned until 10:00 a.m., Thursday, January 15, 1981.

FOURTH DAY

MORNING SESSION

The Senate was called to order at 10:05 a.m. At the invitation of the President Miles 'Cap' Ferry, Senator Haven J. Barlow is presiding.

Roll Call — All senators present except President Ferry and Senator Christensen (excused).

Prayer — Senator Glade M. Sowards (Morgan, Wasatch, Duchesne, Summit, Daggett, Uintah, Dist. 26).

COMMITTEE ON REVISION OF JOURNAL

Mr. President: January 15, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 14, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 17,** ALTERNATIVE MORTGAGE INSTRUMENTS, by Sherman S. Harmer, Jr., and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 17 was read the first time and referred to Rules Committee.

* * *

Mr. President: January 14, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, as amended, **H.B. No. 36,** INSTRUMENT RECORDATION REQUISITE, by Representative E. Reed Palmer, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 36 was read the first time and referred to Rules Committee.

* * *

Mr. President: January 14, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 47**, RIGHTS OF DEAF AND BLIND PERSONS, by Representative John E. Smith, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 47 was read the first time and referred to Rules Committee.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

S.B. No. 31	PORTS OF ENTRY FINES (Transportation and Public Safety)
S.B. No. 71	HIGHWAY DAMAGE ASSESSMENTS (Transportation and Public Safety)
S.B. No. 72	WEIGHING OF MOTOR VEHICLES (Transportation and Public Safety)

S.B. Nos. 31, 71 and **72** were placed on Second Reading Calendar.

* * *

On motion of Senator Halverson, Rules Committee Chairman, **S.B. No. 78**, MOTION PICTURE FILMS AS INVENTORY, and **S.B. No. 79**, SALES TAX — MOTION PICTURE FILMS, were lifted from Higher Eduction Committee and transferred to Revenue and Taxation Committee.

PRESENTATION OF RESOLUTIONS

FAIR COMPETITION IN STEEL INDUSTRY

S.C.R. No. 2 Senators Jeffs, Jones
Snow, Money

A CONCURRENT RESOLUTION OF THE GENERAL SESSION OF THE 44TH LEGISLATURE, THE GOVERNOR CONCURRING THEREIN; MEMORIALIZING CONGRESS AND THE PRESIDENT OF THE UNITED STATES TO STRENGTHEN AND ENFORCE THE FEDERAL LAWS TO ENSURE FAIR COMPETITION IN THE INTERNATIONAL MARKETING OF STEEL AND TO PREVENT UNFAIR TRADE PRACTICES BY FOREIGN STEEL PRODUCERS IN THE WESTERN MARKET; AND DIRECTING THE SECRETARY OF STATE TO FORWARD COPIES OF THE RESOLUTION, was read the first time and referred to Rules Committee.

SCHOOL PROGRAM SUPPORT LIMITATION

S.J.R. No. 2 Senators Bunnell, Bullen, Carling

A JOINT RESOLUTION OF THE GENERAL SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH PROPOSING TO AMEND ARTICLE XIII OF THE CONSTITUTION OF THE STATE OF UTAH; RELATING TO REVENUE AND TAXATION AND THEIR USES; REMOVING THE LIMITATIONS ON SUPPORT BY THE STATE OF THE COSTS OF THE MINIMUM SCHOOL PROGRAM; AND PROVIDING AN EFFECTIVE DATE. THIS RESOLUTION PROPOSES TO AMEND ARTICLE XIII, SECTION 7 OF THE CONSTITUTION OF UTAH, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

WATER CONSERVANCY DISTRICT OFFICERS

S.B. No. 122 Senators Farley, Wayment

AN ACT RELATING TO WATER CONSERVANCY DISTRICT OFFICERS; LIMITING MEMBERS OF DISTRICT BOARDS OF DIRECTORS TO TWO CONSECUTIVE TERMS; AND PROHIBITING REAPPOINTMENT FOR A THREE-YEAR PERIOD OF A DIRECTOR WHOSE TERM HAS EXPIRED. THIS ACT AMENDS SECTION 73-9-9, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 168, LAWS OF UTAH 1961, was read the first time and referred to Rules Committee.

MX IMPACT PLANNING ACT

S.B. No. 123 Senators Farley, Money Wayment, Finlinson

AN ACT RELATING TO MX MISSILE FACILITIES IN UTAH; REQUIRING ALL FEDERAL AGENCIES INVOLVED IN DEVELOPMENT OF THE MX MISSILE OR MX BASING FACILITIES TO FULFILL FEDERAL OBLIGATIONS TO CONSULT AND COORDINATE WITH STATE OFFICIALS REGARDING ANY IMPACTS OF THAT DEVELOPMENT UPON THE STATE OF UTAH; REQUIRING THEIR SUBMISSION OF, AND OPPORTUNITY FOR STATE OFFICIALS TO RESPOND TO, STATEMENTS DESCRIBING THE IMPACT OF MX DEVELOPMENT UPON STATE PLANS FOR USE, DEVELOPMENT OR CONSERVATION OF STATE LANDS AND WATERS; REQUIRING THEIR SUBMISSION OF PROPOSALS FOR MINIMIZING CONFLICT BETWEEN STATE PLANS AND MX DEVELOPMENT; AND CONDITIONING AVAILABILITY OF ANY STATE PERMITS UPON FEDERAL AGENCIES' PERFORMANCE OF THESE OBLIGATIONS. THIS ACT ENACTS CHAPTER 57, TITLE 63, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

WINTER RECREATIONAL PARKING

S.B. No. 124 Senators Farley, Carling

AN ACT RELATING TO WINTER RECREATIONAL PARKING; PROVIDING FOR THE ASSESSMENT OF ANNUAL FEES FOR THE USE OF AREAS DESIGNATED AS WINTER RECREATIONAL PARKING LOTS TO HELP FUND THE ESTABLISHMENT AND MAINTENANCE OF SUCH LOTS, AND PROVIDING PENALTIES FOR FAILURE TO PAY SUCH FEES, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

S.B. No. 4, UNIFORM FIRE-PREVENTION-CODE Panel, was read the third time and before the Senate.

On motion of Senator Asay, **S.B. No. 4** was amended as follows:

Page 2, Line 13 (goldenrod):
After *"instruction,"* add *"a member of the state building board"*
Page 2, Line 14 (goldenrod):
Delete *"three"* and insert in lieu thereof *"two"*

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

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Peterson, L.
Bangerter	Carling	Jones	Sandberg
Barlow	Cornaby	Kimball	Snow
Barton	Farley	Matheson	Sowards
Bennett	Finlinson	Money	Swan
Black	Flamm	Peterson, C.	Wayment

Absent and not voting were: Senators

Bunnell	Halverson	Pugh	Mr. President (Ferry)
Christensen			

* * *

S.B. No. 70, EMERGENCY MANAGEMENT ACT, was read the third time and before the Senate. Senator Black explained the bill.

S.B. No. 70 then passed third reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Snow
Bangerter	Carling	Kimball	Sowards
Barlow	Cornaby	Matheson	Swan
Barton	Farley	Money	Wayment
Bennett	Finlinson	Peterson, C.	
Black	Flamm	Peterson, L.	
Bullen	Jeffs	Sandberg	

Absent and not voting were: Senators

Christensen	Halverson	Pugh	Mr. President (Ferry)

S.B. No. 70 was transmitted to the House.

* * *

S.B. No. 69, DISASTER RESPONSE AND RECOVERY ACT, was read the third time and before the Senate.

On motion of Senator Finlinson, **S.B. No. 69** was amended as follows:

Page 7, delete Lines 32 through 34 and insert in lieu thereof the following: "*(3) The owner of property taken or used pursuant to this section shall be compensated in accordance with the applicable procedures established in Title 78, Chapter 34, and paid out of the general fund as provided in Section 10 of this act or such other special funds as may be authorized by the legislature.*"

On motion of Senator Black, **S.B. No. 69** was amended as follows:

Page 5, Line 17:
Delete "*Violation of this section shall be a misdemeanor.*"

Page 3, Line 18:
Delete "*do*" and insert in lieu thereof "*as*"

S.B. No. 69 then passed third reading on the following roll call:

Yeas, 21; Nays, 6; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Kimball	Snow
Bangerter	Cornaby	Matheson	Sowards
Barlow	Farley	Money	Swan
Bennett	Finlinson	Peterson, C.	
Black	Flamm	Pugh	
Bullen	Jones	Sandberg	

Voting in the negative were: Senators

Barton	Halverson	Peterson L.	Wayment
Carling	Jeffs		

Absent and not voting were: Senators
Christensen Mr. President (Ferry)

S.B. No. 69 was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator Finlinson, **S.B. No. 5,** SCHOOL BUILDINGS AND CODE WAIVERS, was lifted from the Second Reading Table and before the Senate. Senators Finlinson, Halverson, Pugh, Matheson, Jones, Swan, Asay and Barton commented. Senator Finlinson proposed an amendment.

Senator Pugh's substitute amendment's were approved on a 13 yea, 10 nay voice vote.

Page 2, Line 3:
After *"building"* delete the comma, add the word *"and"*, and delete *"fire,"*

Page 2, Line 14:
Delete *"health,"* and after *"seismological"* delete *", and zoning"*

Page 2, Line 17:
After *"determines"* add *"with concurrence of the local school board"*

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

Yeas, 17; Nays, 9; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Peterson, L.	Swan
Bangerter	Flamm	Pugh	Wayment
Barlow	Halverson	Sandberg	
Barton	Jones	Snow	
Bullen	Money	Sowards	

Voting in the negative were: Senators

Bennett	Cornaby	Finlinson	Kimball
Black	Farley	Jeffs	Matheson
Carling			

Absent and not voting were: Senators

Christensen	Peterson, C.	Mr. President (Ferry)

* * *

Senator Asay, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action on **S.B. No. 4,** UNIFORM FIRE-PREVENTION-CODE, tomorrow.

* * *

S.B. No. 26, MASSAGE PRACTICE ACT, was read the second time and before the Senate.

Mr. President: January 13, 1918

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 26,** MASSAGE PRACTICE ACT, by Senator Ronald T. Halverson, et al, had carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 13, following Line 5:
Add the following new section. *"Section 24. This act shall expire on July 1, 1987, in accordance with the provisions of Chapter 55, of Title 63."*

Page 13, Line 6:
After *"Section"* delete *"24"* and insert in lieu thereof *"25."*

Arnold Christensen, Committee Chairman

Committee report, as amended, read and adopted. Senators Halverson explained the bill. Senators Kimball, Swan, Snow, Farley, Jeffs and Black commented.

On motion of Senator Halverson, **S.B. No. 26** was amended as follows:

Page 4, Line 3:
After *"licensed"* delete the comma and insert a period, delete remainder of the line.

Page 4, Lines 4, 5, 6 and 7:
Delete entirely.

On motion of Senator Kimball, **S.B. No. 26** was amended as follows:

Page 6, Line 31:
After *"duty of the"* add *"local"* and after *"board"* add *"of health"*

Page 6, Line 34:
After *"The"* add *"local"* and after *"board"* add *"of health"*

Page 13, Line 4:
Delete *"five"* and insert in lieu thereof *"four"*

Page 13, Line 5:
After *"technician"* delete the period and add *"and one lay member."*

On motion of Senator Swan, **S.B. No. 26** was amended as follows:

Page 3, Line 19:
after *"study"* add the words *"as determined by the board"* and also delete *"of not less than"* and insert in lieu thereof *"of up to"*

On motion of Senator Farley, **S.B. No. 26** was amended as follows:

Page 7, Line 3:

After *"business."* add the sentence *"The local board of health shall report infractions to the local law enforcement agency."*

S.B. No. 26 then passed second reading on the following roll call:

Yeas, 21; Nays, 4; Absent, 4

Voting in the affirmative were: Senators

Asay	Bullen	Jones	Snow
Bangerter	Carling	Kimball	Swan
Barlow	Finlinson	Peterson, C.	Wayment
Barton	Flamm	Peterson, L.	
Bennett	Halverson	Pugh	
Black	Jeffs	Sandberg	

Voting in the negative were: Senators

Bunnell	Farley	Matheson	Money

Absent and not voting were: Senators

Christensen	Cornaby	Sowards	Mr. President (Ferry)

On motion of Senator Snow and at 12:00 noon the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with Senator Haven J. Barlow presiding.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

S.B. No. 45	SHORT TERM YOUTH COMMITMENT (Social Services)
S.B. No. 42	WATER CONSERVANCY ACT AMENDMENTS (Energy and Natural Resources Committee)
S.B. No. 39	STATE LANDS AMENDMENTS (Energy and Natural Resources Committee)

S.B. Nos. 45, 42 and **39** were placed on Second Reading Calendar.

RULES COMMITTEE REPORT

Mr. President: January 15, 1981

Your Rules Committee, to which were referred:

S.B. No. 90	PLACE OF JUVENILE DETENTION (Social Services)

S.B. No. 93	REPEAL OF PHARMACY PROVISIONS (Social Services)
S.B. No. 96	NOTARY PUBLIC CHANGES (State and Local Affairs)
S.B. No. 113	USE OF CORPORATION NAMES (Business, Labor and Economic Development)
H.B. No. 11	BUSINESS LICENSE FEES (Business, Labor and Economic Development)
H.B. No. 17	ALTERNATIVE MORTGAGE INSTRUMENTS (Revenue and Taxation)
H.B. No. 24	RETURN OF ATTORNEY'S FEES AMOUNT (State and Local Affairs)
H.B. No. 36	INSTRUMENT RECORDATION REQUISITE (State and Local Affairs)
H.B. No. 47	RIGHTS OF DEAF AND BLIND PERSONS (Public Education)
H.B. No. 53	SMALL CLAIMS COURT HOURS (Judiciary)

reports the same back and recommends that they be printed and assigned to the Standing Committee indicated.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted.

SECOND READING CALENDAR

S.B. No. 2, BUSINESS OPPORTUNITY DISCLOSURE DOCUMENTS, was read the second time. Senator Cornaby explained the bill.

Mr. President: January 13, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 2,** BUSINESS OPPORTUNITY DISCLOSURE DOCUMENTS, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted.

On motion of Senator Cornaby, **S.B. No. 2** was amended as follows:

Page 1: Delete Lines 26 through 30 and insert the following:
"(1) "Assisted market plan" means the sale or lease of any products, equipment, supplies, or services which are sold to the purchaser for the purpose of enabling the purchaser to start a business, and in which the seller represents:

(a) That the seller will provide locations or assist the purchaser in finding locations for the use or operation of vending machines, racks, display cases or other similar devices, or currency operated amusement machines or devices, on premises neither owned nor leased by the purchaser or seller or;

(b) That the seller will purchase any or all products made, produced, fabricated, grown, or modified by the purchaser, using in whole or in part the supplies, services, or chattels sold to the purchaser or;

(c) That the seller guarantees the purchaser income from the "assisted marketing plan" which exceeds the price paid for the "assisted marketing plan", or repurchase any of the products, equipment, supplies or chattels supplied by the seller if, the purchaser is dissatisfied with the "assisted marketing plan"; or

(d) That upon payment by the purchaser of a fee or sum of money which exceeds $500.00 to the seller, the seller will provide a sales program or marketing program which will enable the purchaser to derive income from the "assisted" marketing plan which exceeds the price paid for the marketing plan, provided that the subsection shall not apply to the sale of a sales or marketing program made in conjunction with the licensing of a registered trademark or service mark.

(e) An "assisted marketing plan" does not mean nor include the sale of an ongoing business when the owner of that business sells and intends to sell only that one "assisted marketing plan"; nor does it include the not-for-profit sale of sales demonstration equipment, materials, or samples for a total price of $100.00 or less."

Page 4, Line 20:
After *"(10)"* delete *"An audited"* and insert *"A "*

Page 4, Line 25:
After the word *"than"* delete 12 and insert *"13"*

Page 5, Line 8:
After the word *"purchaser"* delete the period and insert the following:
at least ten business days prior to the earlier of (1) the execution by prospective purchaser of any agreement imposing a binding legal obligation on such prospective purchaser by which the seller knows or should know, in connection with the sale or proposed sale of the "assisted marketing plan", or (2) the payment by a prospective purchaser, by which the seller knows or should know of any consideration in connection with the sale or proposed sale of the "assisted market plan".

Page 5, Line 32:
After the word *"law."* insert the following:
The seller, in lieu of the information requested by section 13-3-4, may file with the commission and provide to prospective purchasers certified disclosure documents authorized for use by the Federal Trade Commission pursuant to Title 16. Chapter I, Subchapter D, Trade Regulation Rules, Part 436, "Disclosure Requirements and Prohibitions Concerning Franchising and Business Opportunity Ventures."

On motion of Senator Jeffs, **S.B. No. 2** was amended as follows:

Page 6, Line 9:
After *"court"* delete the period and add *"in an action to enforce the right of recission."*

S.B. No. 2 was placed on Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 2; Absent, 7

Voting in the affirmative were: Senators

Asay	Cornaby	Matheson	Swan
Barton	Farley	Money	Wayment
Bennett	Finlinson	Peterson, C.	
Black	Flamm	Sandberg	
Bullen	Jeffs	Snow	
Bunnell	Jones	Sowards	

Voting in the negative were: Senators

Bangerter	Barlow

Absent and not voting were: Senators

Carling	Halverson	Peterson, L.	Mr. President (Ferry)
Christensen	Jones	Pugh	

* * *

S.B. No. 61, PUBLIC OFFICIALS' SALARY INCREASES, was read the second time.

Mr. President: January 12, 1981

The Higher Education Committee, to which was referred **S.B. No. 61,** PUBLIC OFFICIALS' SALARY INCREASES, by Senator William T. Barton, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lowell Peterson, Committee Chairman

Committee report read and adopted. Senators Matheson, Barton, Flamm and Bunnell commented. **S.B. No. 61** failed second reading on the following roll call:

Yeas, 10; Nays, 13; Absent, 6

Voting in the affirmative were: Senators

Asay	Bennett	Flamm	Sandberg
Barlow	Bullen	Peterson, C.	
Barton	Cornaby	Peterson, L.	

Voting in the negative were: Senators

Bangerter	Finlinson	Money	Swan
Black	Jeffs	Pugh	
Bunnell	Kimball	Snow	
Farley	Matheson	Sowards	

Absent and not voting were: Senators

Carling	Halverson	Wayment	Mr. President (Ferry)
Christensen	Jones		

On motion of Senator Snow and at 2:35 p.m., the Senate adjourned until 10:00 a.m., Friday, January 16, 1981.

Pg. 155

FIFTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. Senator Haven J. Barlow presiding at the invitation of the President of the Senate.

Roll Call — All senators present except President Ferry (excused).

Prayer — Senator Eldon A. Money (Utah, Dist. 17).

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: January 16, 1981

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

Lowell S. Peterson, Committee Member

Committee report read and adopted.

READING OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 15, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.J.R. No. 13,** LEGISLATIVE EMPLOYEE'S SALARIES, by Representative Harmer, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.J.R. No. 13 was read the first time. On motion of Senator Bangerter, and under suspension of the rules, **H.J.R. No. 13** was read the second and third times and up for final passage.

LEGISLATIVE EMPLOYEE'S SALARIES

Chief Clerk	$6.95 hour
Reading Clerk	5.60
Minute Clerk	5.60
Docket Clerk	5.60
Assistant Docket Clerk	5.25
Bill Status-Calendar Clerk	4.60

Computer Bill Status Clerk 4.60
Public Address System Operator 4.60
Secretary to Speaker and Majority Leadership 5.60
Supervisor of Stenographers 5.60
Minority Secretary 5.60
Sergeant-at-Arms 5.60
Assistant Sergeant-at-Arms 4.90
Committee Clerk Secretaries 5.00
Rules Committee Secretary 5.25
Supervisor of Messengers 5.25
Messengers 4.50
Public Information Officer (Supervisor) 4.75
Public Information Officer (Assistant) 4.50
Education Tour Guide 4.50
Security Personnel 4.50
Mail Room Supervisor 4.50
Mail Room Clerks 4.25
Telephone Operator Supervisor 4.35
Telephone Operators 4.25
Custodian (Leader) 4.25
Custodians 4.15
Hostess Aides to Third House 4.15
Assistant Hostess Aide 4.10
Supply Clerks and Xerox Operator 4.00
Proofreaders 4.00
Printing and Production Aide 4.00

The effective date for the above schedule of compensation is January 1, 1981.

H.J.R. No. 13 passed second and third reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Peterson, L.
Bangerter	Christensen	Jeffs	Pugh
Barlow	Cornaby	Jones	Snow
Bennett	Farley	Matheson	Sowards
Black	Finlinson	Money	Swan
Bullen	Flamm	Peterson, C.	Wayment

Absent and not voting were: Senators

Barton	Kimball	Sandberg	Mr. President (Ferry)
Carling			

H.J.R. No. 13 was signed by the President on January 19, 1981 and returned to the House for further action.

Mr. President: January 15, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 10,** BANK EXAMINATION, by Representative Harmer, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, as amended, **H.B. No. 56,** STATE HIGHWAYS DESIGNATIONS, by Representative Strong, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, as amended, **H.B. No. 55,** COLLECTOR ROADS SYSTEM DESIGNATIONS, by Representative Strong, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, as amended, **H.B. No. 69,** SALE OF ESTRAYS, by Representative Olsen, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, as amended, **H.B. No. 66,** COAL MINING AND RECLAMATION ACT AMENDMENTS, by Representative Garr, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

Committee reports read and adopted. **H.B. Nos. 10, 56, 55, 69** and **66** were read the first time and referred to Rules Committee.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

S.B. No. 78	MOTION PICTURE FILMS AS INVENTORY (Revenue and Taxation)
S.B. No. 79	SALES TAXES — MOTION PICTURE FILMS (Revenue and Taxation)
S.B. No. 28	REGULATION OF CONTRACTORS, PLUMBERS AND ELECTRICIANS (Business, Labor and Economic Development)
S.B. No. 30	CONTINUING EDUCATION FOR PHARMACISTS (Business, Labor and Economic Development)

S.B. Nos. 78, 79, 28 and **30** were placed on Second Reading Calendar.

INTRODUCTION OF BILLS

MEDICAL PROBLEM REFLECTION

S.B. No. 125 William T. Barton

AN ACT RELATING TO DRIVERS' LICENSES; PROVIDING FOR SPECIAL MEDICAL PROBLEM OR DRUG ALLERGY INFORMATION TO BE INCLUDED ON DRIVER'S LICENSES UPON REQUEST OF LICENSEE. THIS ACT AMENDS SECTION 41-2-13, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 82, LAWS OF UTAH 1967, was read the first time and referred to Rules Committee.

MUNICIPAL OFFICERS ETHICS

S.B. No. 126 Senators Bunnell, Sowards

AN ACT RELATING TO ETHICS; REQUIRING MUNICIPAL OFFICERS AND EMPLOYEES TO DISCLOSE CONFLICTS OF INTEREST. THIS ACT AMENDS SECTION 67-16-3, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 128, LAWS OF UTAH 1969; AND ENACTS SECTIONS 10-3-1301 THROUGH 10-3-1313, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

KINDERGARTEN ENTRANCE DATE

S.B. No. 127 Richard J. Carling

AN ACT ESTABLISHING A UNIFORM KINDERGARTEN ENTRANCE DATE AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 53-19-1, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 32, LAWS OF UTAH 1953, FIRST SPECIAL SESSION, was read the first time and referred to Rules Committee.

OWNER-TENANT REMEDIES

S.B. No. 128 Haven J. Barlow

AN ACT RELATING TO OWNER-TENANT UNLAWFUL DETAINER REMEDIES; PROVIDING ADDITIONAL MEANS FOR SERVICE OF NOTICE TO QUIT; PROVIDING FOR FILING OF POSSESSION BONDS; PROVIDING RIGHTS AND PROCEDURES FOR LITIGANTS IN UNLAWFUL DETAINER ACTIONS; ESTABLISHING OWNER-TENANT RIGHTS AND PROCEDURES IN RENTAL DELINQUENCY AND TENANT ABANDONMENT MATTERS; AND MAKING CERTAIN TECHNICAL CHANGES. THIS ACT AMENDS SECTIONS 78-36-3, 78-36-4, 78-36-6, AND 78-36-.10, UTAH CODE ANNOTATED 1953; AND ENACTS SECTIONS 78-36-8.5, 78-36-12, 78-36-12.3, AND 78-36-12.6, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

IN LIEU PAYMENTS TO LOCAL SUBDIVISIONS

S.B. No. 129 Senators Matheson, C. Peterson

AN ACT RELATING TO STATE LANDS; PROVIDING FOR IN LIEU REAL PROPERTY TAX PAYMENTS TO COUNTIES BY THE STATE IN THE EVENT PUBLIC LANDS LYING WITHIN SUCH COUNTIES AND CLAIMED BY THE FEDERAL GOVERNMENT ARE EXTINGUISHED THROUGH ACT OF CONGRESS OR JUDICIAL DETERMINATION BY THE UNITED STATES SUPREME COURT. THIS ACT ENACTS SECTION 65-11-4.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

S.B. No. 5, SCHOOL BUILDING AND CODE WAIVERS, was read the third time and before the Senate. Senators Pugh, Jones, Jeffs, Matheson, Finlinson, Swan, Farley, L. Peterson, Bangerter and Bennett commented.

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

Page 2: Delete Lines 13 through 19 and insert in lieu thereof the following:

"(2) In the event that the state superintendent of public instruction determines that state and local building, fire, health, seismological and zoning codes ordinances and regulations would unnecessarily increase the cost of local school building and compliance with such codes, ordinances and regulations, because of local conditions, are unnecessary for the health and safety of school children or other occupants of such buildings, he may convene a special board of review for the purpose of examining the particular codes, ordinances or regulations questioned and authority is hereby vested in the board to waive such restrictions upon their agreement with the superintendent's findings.

The board of review shall be known as the "Special School Construction Review Board" and is hereby created to consist of the following persons:

1. The state superintendent of public instruction.

2. A member of the state agency whose code requirement is being reviewed or a member of the local board or commission whose ordinance or rule is being reviewed.

3. An architect licensed to do business in Utah familiar with school construction appointed by the governor.

4. A contractor licensed to do business in Utah familiar with school construction appointed by the governor.

5. A lay member recommended by the state P.T.A. board, to be appointed by the governor.

Prior to granting a waiver the Special School Construction Review Board shall conduct a public hearing on the question in the school district in which the

contruction is to occur. Notice of the hearing will be in accordance with Utah Open Meeting Law Section 52-4-6, Utah Code Annotated 1953."

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

Page 2: Between Lines 23 and 24 insert the following:

"(4) In the event that the commissioner of higher education determines that state and local building, fire, health, seismological and zoning codes ordinances and regulations would unnecessarily increase the cost of buildings in the system of higher education and compliance with such codes, ordinances and regulations because of local conditions are unnecessary for the health and safety of students or other occupants of such buildings he may convene a special board of review for the purpose of examining the particular codes, ordinances or regulations questioned and authority is hereby vested in the board to waive such restrictions upon their agreement with the commissioner's findings.

The board of review shall be known as the "Higher Education Construction Review Board" and is hereby created to consist of the following persons:

1. The commissioner of higher education.

2. A member of the state agency whose code requirement is being reviewed or a member of the local board or commission whose ordinance or rule is being reviewed.

3. An architect licensed to do business in Utah familiar with school construction appointed by the governor.

4. A contractor licensed to do business in Utah famliar with school construction appointed by the governor.

5. A lay member to be appointed by the governor.

Prior to granting a waiver the Higher Education Construction Review Board shall conduct a public hearing on the question in the county in which the construction is to occur. Notice of the hearing will be in accordance with Utah Open Meeting Law Section 52-4-6, Utah Code Annotated 1953."

On motion of Senator Matheson, **S.B. No. 5** was circled on Third Reading Calendar.

* * *

S.B. No. 26, MASSAGE PRACTICE ACT, was read the third time. Senators Halverson, Jeffs, Christensen, Kimball and Farley commented.

On motion of Senator Jeffs, **S.B. No. 26** was amended as follows:

Page 2, Line 29:
After *"secondary"* insert *"or post-secondary"*

Page 2, Line 31:
After *"education."* insert *"the board of regents."*

On motion of Senator Christensen, **S.B. No. 26** was amended as follows:

Page 3, Line 6:
After *"medicine"* insert *"R.N.'s, L.P.N.'s,"*

S.B. No. 26 passed third reading on the following roll call:

Yeas, 21; Nays, 3; Absent, 5

Voting in the affirmative were: Senators

Asay	Bullen	Flamm	Snow
Bangerter	Carling	Halverson	Swan
Barlow	Christensen	Jeffs	Wayment
Barton	Cornaby	Peterson, C.	
Bennett	Farley	Peterson, L.	
Black	Finlinson	Sandberg	

Voting in the negative were: Senators

Bunnell	Kimball	Money

Absent and not voting were: Senators

Jones	Pugh	Sowards	Mr. President (Ferry)
Matheson			

S.B. No. 26 was transmitted to the House.

* * *

S.B. No. 2, BUSINESS OPPORTUNITY DISCLOSURE DOCUMENTS, was read the third time. **S.B. No. 2** passed third reading on the following roll call:

Yeas, 22; Nays, 1; Absent, 6

Voting in the affirmative were: Senators

Barlow	Christensen	Kimball	Snow
Bennett	Cornaby	Matheson	Sowards
Black	Farley	Money	Swan
Bullen	Finlinson	Peterson, C.	Wayment
Bunnell	Flamm	Peterson, L.	
Carling	Jeffs	Sandberg	

Voting in the negative was: Senator
Bangerter

Absent and not voting were: Senators

Asay	Halverson	Pugh	Mr. President (Ferry)
Barton	Jones		

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

SECOND READING CALENDER

S.B. No. 40, DIVISION OF FAMILY SERVICES FEES, was read the second time.

Dear President: January 13, 1981

The Social Services Committee to which was referred **S.B. No. 40,** DIVISION OF FAMILY SERVICES FEES, by Senator K.S. Cornaby, has considered the bill and reports it out of committee favorably with the following amendment:

Page 2, Line 9:
After *"section."* insert *"Fees collected shall be deposited in the general fund of the state."*

Ronald T. Halverson, Committee Chairman

Committee report, as amended, read and adopted. Senator Cornaby explained the bill.

S.B. No. 40 was placed on Third Reading Calendar on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Pugh
Bangerter	Christensen	Kimball	Sandberg
Barlow	Cornaby	Matheson	Sowards
Barton	Farley	Money	Swan
Bennett	Finlinson	Peterson, C.	Wayment
Black	Flamm	Peterson, L.	

Absent and not voting were: Senators

Bullen	Halverson	Snow	Mr. President (Ferry)
Carling	Jones		

* * *

S.B. No. 57, UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT AMENDMENTS, was read the second time.

Mr. President: January 13, 1981

The Social Services Committee, to which was referred **S.B. No. 57,** UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT AMENDMENTS, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted. Senator Cornaby explained the bill.

S.B. No. 57 was placed on Third Reading Calendar on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Pugh
Bangerter	Bunnell	Kimball	Sandberg
Barlow	Christensen	Matheson	Snow
Barton	Cornaby	Money	Sowards
Bennett	Farley	Peterson, C.	Swan
Black	Flamm	Peterson, L.	Wayment

Absent and not voting were: Senators

Carling	Halverson	Jones	Mr. President (Ferry)
Finlinson			

* * *

S.B. No. 58, ACCRUAL OF INCIDENCES OF FRAUD, was read the second time.

Mr. President: January 13, 1981

The Social Services Committee, to which was referred **S.B. No. 58,** ACCRUAL OF INCIDENCES OF FRAUD, by K.S. Cornaby, has carefully considered the bill and reports it out favorably and with the following amendments:

Page 2, Line 20:
after *"The"* delete *"punishment for"*

Page 2, Line 22:
before *"is"* insert *"by the assistance recipient"*

Ronald T. Halverson, Committee Chairman

Committee report, as amended, read and adopted. Senator Cornaby explained the bill. Senator Bullen is presiding.

S.B. No. 58 was placed on Third Reading Calendar on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Kimball	Snow
Bangerter	Christensen	Matheson	Sowards
Barlow	Cornaby	Money	Swan
Barton	Farley	Peterson, C.	Wayment
Bennett	Flamm	Peterson, L.	
Black	Jeffs	Pugh	
Bullen	Jones	Sandberg	

Absent and not voting were: Senators

Carling	Finlinson	Halverson	Mr. President (Ferry)

* * *

On motion of Senator Bunnell and under suspension of the rules, the Senate voted to reconsider its action on **S.B. No. 61,** PUBLIC OFFICIAL'S SALARY INCREASES, and place it at the top of Second Reading Calendar. On motion of Senator Barton, **S.B. No. 61** was circled.

* * *

S.B. No. 17, BIG GAME DAMAGE PAYMENTS, was read the second time.

Mr. President: January 13, 1981

The Energy and Natural Resources Committee, to which was referred **S.B. No. 17,** BIG GAME DAMAGE PAYMENTS, by Senator Haven J. Barlow et al, has carefully considered the bills and reports it out of committee favorably and with the following amendment:

Page 1, Line 24:
Delete *"$200"* and insert in lieu thereof *"$2,000"*

Fred W. Finlinson, Committee Chairman

Committee report, as amended, read and adopted. Senator Barlow explained the bill. Senators Barton, Swan, Christensen, Black, Sowards, Flamm, Matheson and C. Peterson commented.

Senator Swan moved that the amount not exceed *"$500."* for actual damage suffered. The motion failed. Senator Pugh, Jones and Jeffs commented. **S.B. No. 17** failed second reading on the following roll call:

Yeas, 8; Nays, 17; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Barton	Carling	Finlinson
Barlow	Black	Farley	Swan

Voting in the negative were: Senators

Bennett	Jeffs	Peterson, C.	Sowards
Bullen	Jones	Peterson, L.	Wayment
Bunnell	Kimball	Pugh	
Christensen	Matheson	Sandberg	
Flamm	Money	Snow	

Absent and not voting were: Senators

Asay	Cornaby	Halverson	Mr. President (Ferry)

S.B. No. 17 was filed.

* * *

On motion of Senator Bangerter and at 12:00 noon, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate was called to order at 2:00 p.m. Senator Glade M. Sowards presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 16, 1981

I have been directed to inform your Honorable Body that on January 14, 1981 the Governor did sign into law **H.B. No. 109,** INTEREST ON REAL PROPERTY TAXES, and it was forwarded to the Lt. Governor's Office for filing.

Allan M. Acomb, Chief Clerk

* * *

Mr. President: January 16, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, as amended, **H.B. No. 42,** COUNTY REFERENDUM AND INITIATIVE, by Representative Schmutz, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 45,** MILK AND CREAM ASSESSMENT, by Representative Brown, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. Nos. 42 and **45** were read the first time and referred to Rules Committee.

JUDICIARY COMMITTEE

Mr. President: January 15, 1981

The Judiciary Committee, to which was referred **H.B. No. 28,** RECORDS OF LEGAL ACTIONS, by Representative Lorin N. Pace, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

A. Dean Jeffs, Committee Chairman

On motion of Senator Jeffs the Senate voted to place **H.B. No. 28** on Consent Calendar. **H.B. No. 28** was read the second time.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

S.B. No. 51	UTAH DRUG PARAPHERNALIA ACT (Judiciary)
S.B. No. 11	OFF DUTY POLICE OFFICERS (Transportation and Public Safety)
S.B. No. 41	UTAH SCHOOL IMMUNIZATION ACT (Public Education Committee)
S.B. No. 76	ANIMAL DISEASE INVESTIGATIONS (Agriculture)

S.B. Nos. 51, 11 41 and **76** were placed on Second Reading Calendar.

RULES COMMITTEE

House/Senate Joint Rules

On motion of Senator Halverson, Rules Committee Chairman, the Senate voted to adopt the following changes to the Senate-House Joint Rules:

23.16 Copies and Distribution of Bills

A member desiring to introduce a bill shall file with the Chief Clerk of the House or the Secretary of the Senate or their designees, [~~twenty typewritten or printed copies of the bill, three of which must be signed by at least the chief sponsor.~~] *three typewritten or printed copies of the bill which must be signed by at least the chief sponsor.* A bill may have two types of sponsors: (1) A chief sponsor who will be knowledgeable about and responsible to provide pertinent information as the bill is processed; and (2) Supporting sponsors wishing to express their support for the bill.

When a member files a bill, the Chief Clerk of the House or the Secretary of the Senate, *or designee* shall immediately furnish [four copies of the bill] *one copy of the numbered bill* to the Legislative General Counsel. [~~three copies to the Legislative Fiscal Analyst and two copies to the Legislative Research Director.~~] *General Counsel shall reproduce copies which shall be distributed as follows: three to the Legislative Fiscal Analyst; three copies to the Legislative Research Director, and four copies to the Governor.*

Legislative General Counsel shall review the bill and, with the approval of the sponsor, shall make changes necessary (a) to insure that it is in proper legal form; (b) to remove any ambiguities; and (c) to avoid constitutional or statutory conflicts. General Counsel shall indicate on the first page of the bill his or his designee's approval of the bill.

The Legislative Fiscal Analyst shall review every bill and shall affix to each bill a statement indicating whether the bill would result in changes in revenues or expenditures and shall include estimates of the following as appropriate:

(a) Increased or decreased revenues;
(b) Increased or decreased appropriations;
(c) New or expanded services;
(d) The effect of the bill on space and building needs;

(e) The effect of the bill upon any fund or funds.

The Legislative Research Director shall affix a note to any bill recommended by an interim study committee stating that the bill is the product of the interim committee. The Research Director shall also affix a note to any bill proposing changes in any retirement system or benefits to which the state contributes. The note shall state whether or not the bill has been reviewed by an interim study committee and by the Retirement Board and shall state the findings, if any, of the committee and the board.

The review of the bill shall be completed and the bill shall be stamped as approved, or the note affixed and returned to the Chairman of the Rules Committee of the originating house within three legislative days unless General Counsel, the Fiscal Analyst or the Research Director requests an extension of time and states the reasons for the delay.

The reports of the Fiscal Analyst and the Research Director shall be attached to the original copy of the bill. Each report shall be printed with the bill but shall not be considered an official part of the bill.

Change the numbering of Section 23.21 to *23.23,*
Change the numbering of Section 23.22 to *23.21,*
Change the numbering of Section 23.23 to *23.22*

[~~23.23~~] 23.22 Bills Ordered Printed and Referred to Standing Committee

When the report of the Rules Committee has been read, the presiding officer shall refer the bill to a standing committee. [~~and copies of the bill shall be printed in the number ordered by the Rules Committee.~~] *The Rules Committee will then order the bill to be reduced in size and printed in the number of copies it deems necessary.* Copies of prefiled bills may be printed as necessary *without reduction* before the session begins with the approval of the sponsor. The Rules Committee may order a bill to be printed prior to receiving the reports called for in section 23.16 if the committee concludes that prompt consideration of the bill is necessary.

Senate Rules

On motion of Senator Halverson, Rules Committee Chairman, the Senate voted to adopt the following changes to the Senate Rules.

1.04 Temporary Presiding Officer in Absence of President

[~~In the absence of the President one of the Senators shall be elected~~] *When the President vacates the chair temporarily, he shall appoint a senator* to preside until the return of the President. In case the President or the Senator appointed by the President to perform the duties of the chair is absent at the hour to which the Senate stands ajourned, the oldest senior Senator present shall call the Senate to order and shall preside. [~~until a president pro tempore is elected. The election of a President pro tempor shall be the first business in order.~~]

6.14 Bill Reporting by Committee

All business referred to a committee shall be [~~taken up~~] *considered* within eight days unless

further time is granted by the Senate. A committee making a request for an extension of time shall name the day on which the bill will be reported to the Senate. When a bill has been acted upon by a committee, the committee report, stating the committee's action on the bill, shall be returned by the Senate forthwith with the bill. [~~If a bill has been tabled by the committee, notification of such action shall be given to the Senate within eight days of the action unless the bill has been subsequently removed from the table and acted upon.~~] *If a committee has tabled a bill, the committee shall so notify the Senate, but this notification shall not be read as a committee report on the bill.*

6.23 Motions.

Rules of the Senate governing motions shall be in force in committee meetings and hearings [.], *except that the following motions shall not be entertained:*

1. *Motion to strike the enacting clause*
2. *Motion to circle (a committee may hold a bill in committee within the time limits imposed by Rule 6.14).*

6.26 Reconsideration in Committee (New)

A committee, by majority vote, may reconsider its action on a bill at any time until the committee report on the bill has been transmitted to the Senate.

9.16 Constitutional Motion (New)

At the beginning of each session of the Legislature, prior to the first reading of any Bill or Resolution, the Chairman of the Senate Rules Committee shall make the following motion:

Mr. President, as provided by the Utah constitution, I move that we suspend the reading of the full title of all Bills, and Resolutions on the Senate calendar as they are read for the first time and introduced, and as Bills and Resolutions are considered on second reading, third and Consent Calendar. Further that this motion apply to all Bills, and Resolutions, introduced and read for the remainder of this Legislative Session, except as any individual Senator may request the reading of the full title of any House or Senate Bill and Resolution.

The Minute Clerk will record at the beginning of each Daily Journal the page on which the motion to suspend reading of title of Bills and Resolution is made.

On motion of Senator Halverson, the Senate voted to adopt the House/Senate Joint Rules and the Senate Rules, as amended.

* * *

On motion of Senator Bunnell, the rules were suspended and the circle was removed from **S.B. No. 61,** PUBLIC OFFICIALS' SALARY INCREASES, on Second Reading Calendar, and from **S.B. No. 5,** SCHOOL BUILDING AND CODE WAIVERS, on Third Reading Calendar.

* * *

Senator Asay, having served notice that he might ask the Senate to reconsider its action on **S.B. No. 4,** UNIFORM FIRE-PREVENTION-CODE PANEL, did not ask that it be reconsidered. **S.B. No. 4** was transmitted to the House.

On motion of Senator Snow and at 3:00 p.m., the Senate adjourned until 10:00 a.m., Monday, January 19, 1981.

Pg. 170

EIGHTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. President Miles 'Cap' Ferry presiding.

Roll Call — All senators present except Senators L. Peterson and Carling (excused).

Prayer — Senator William N. Jones (Utah, Dist. 14).

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: January 19, 1981

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

Charles E. Bennett, Committee Member

Committee report read and adopted.

READING OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 16, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, as amended, **H.B. No. 6,** INDUSTRIAL AND AGRICULTURAL ACTIVITIES — NUISANCES, by Representative Schmutz, et al, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, as amended, **H.B. No. 19,** UTILITY FRANCHISE TAX LIMITATIONS, by Representative Harrison, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. Nos. 6 and **19** were read the first time and referred to Rules Committee.

* * *

Senators Snow noted that today is the 443rd day of captivity for the hostages in Iran. He expressed gratitude at reports indicating that a resolution of the crisis is near, and that the 52 Americans will soon be coming home.

PRESENTATION OF RESOLUTION

ACORD RESOLUTION

S.J.R. No. 3 William T. "Bill" Barton

A JOINT RESOLUTION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH EXPRESSING CONDOLENCES TO THE FAMILY OF O. THAYNE AND LORRAINE ACORD AND EXTENDING APPRECIATION FOR THEIR OUTSTANDING SERVICE TO THEIR COMMUNITY AND THE STATE OF UTAH, was read the first time and referred to Rules Committee. (Became **S.C.R. No. 4** on Day 16.)

INTRODUCTION OF BILLS

BOARD OF REGENTS INCREASE

S.B. No. 130 Senators C. Peterson, Snow Bullen

AN ACT RELATING TO PUBLIC SCHOOLS AND THE STATE BOARD OF REGENTS; PROVIDING THAT THE LIEUTENANT GOVERNOR BE A MEMBER OF THE STATE BOARD OF REGENTS; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 53-48-5, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 110, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

CHIROPRACTIC PRACTICE

S.B. No. 131 K.S. Cornaby

AN ACT RELATING TO THE UTAH CHIROPRACTIC IMPROVEMENTS ACT; CLARIFYING THE ACCEPTABLE SCOPE OF PRACTICE OF CHIROPRACTORS. THIS ACT ENACTS SECTION 58-12-51.6, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

CRITICAL SCHOOL BUILDING PROJECTS

S.B. No. 132 Cary G. Peterson

AN ACT RELATING TO PUBLIC SCHOOLS; PROVIDING THAT SCHOOL DISTRICTS, WHICH BECAUSE OF LOW ASSESSED VALUATION ARE UNABLE TO QUALIFY FOR SUFFICIENT AID UNDER THE STATE-SUPPORTED SCHOOL BUILDING PROGRAM TO COMPLETE A PROJECT BUT OTHERWISE QUALIFY FOR STATE ASSISTANCE, ARE ENTITLED TO ENOUGH FUNDS TO COMPLETE THE PROJECT IN ONE PHASE; AND

PROVIDING A DOLLAR LIMITATION ON SUCH STATE AID. THIS ACT AMENDS SECTION 53-11-30, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 52, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

COVERAGE OF PROFESSIONAL CORPORATION ACT

S.B. No. 133 Richard J. Carling

AN ACT RELATING TO THE PROFESSIONAL CORPORATION ACT; PROVIDING THAT LICENSED REAL ESTATE BROKERS AND REAL ESTATE AGENTS BE INCLUDED IN DEFINITION OF PERSONAL SERVICE. THIS ACT AMENDS SECTION 16-11-2, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 56, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

S.B. No. 5, SCHOOL BUILDING AND CODE WAVIERS, was before the Senate. Senators Matheson, Asay, Flamm, Bunnell, Finlinson, Kimball, Jeffs and Pugh commented. On motion of Senator Matheson, **S.B. No. 5** was amended as follows:

Page 1, Line 16: After *"53-11-4,"* insert the following: *"10-8-5.1 and 17-5-45.1."*

Page 2B — between Lines 9 and 10 (goldenrod), insert the following:

"In the event that the local governing body determines that state and local building, fire, health, seismological and zoning codes ordinances and regulations would unnecessarily increase the cost of local public building and compliance with such codes, ordinances and regulations are unnecessary because of local conditions for the health and safety of occupants of such buildings the governing body may convene a special board of review for the purpose of examining the particular codes, ordinances or regulations quesioned and authority is hereby vested in the board to waive such restrictions upon agreement with the local government's findings.

The board of review shall be known as the "Local Government Construction Review Board" and is hereby created to consist of the following persons:

1. A member of the state agency whose code requirement is being reviewed or a member of the local board or commission whose ordinance or rule is being reviewed.

2. An architect licensed to do business in Utah familiar with public building construction appointed by the governor.

3. A contractor licensed to do business in Utah familiar with public building construction appointed by the governor.

4. A lay member to be appointed by the governor.

Prior to granting a waiver the Local Government Construction Review Board shall conduct a public hearing on the question in the local government in which

the construction is to occur. Notice of the hearing will be in accordance with Utah Open Meeting Law Section 52-4-6, Utah Code Annotated 1953."

To conform with the amendments the title of **S.B. No. 5** is to be amended as follows:

Page 1, Line 11:
after *"INSTRUCTION"* add a comma and insert *"THE COMMISSIONER OF HIGHER EDUCATION AND LOCAL GOVERNING BODIES,"*

Page 1, Line 13:
delete *"PUBLIC SCHOOLS"*

Page 1, Line 15:
after *"SUPERINTENDENT"* delete the period, add a comma and insert *"COMMISSIONER OR LOCAL GOVERNING BODIES."*

On motion of Senator Pugh, **S.B. No. 5** was circled on Third Reading Calendar.

* * *

S.B. No. 40, DIVISION OF FAMILY SERVICES FEES, was read the third time. Senator Cornaby, Wayment and Matheson commented. **S.B. No. 40** passed third reading on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Christensen	Kimball	Snow
Bangerter	Cornaby	Matheson	Sowards
Barlow	Farley	Money	Wayment
Bennett	Finlinson	Peterson, C.	Mr. President (Ferry)
Bullen	Flamm	Pugh	
Carling	Jones	Sandberg	

Absent and not voting were: Senators

Barton	Bunnell	Jeffs	Swan
Black	Halverson	Peterson, C.	

S.B. No. 40 was transmitted to the House.

* * *

S.B. No. 57, RECIPROCAL ENFORCEMENT OF SUPPORT ACT AMENDMENTS, was read the third time. Senator Cornaby explained the bill. **S.B. No. 57** passed third reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	Jones	Snow

Bangerter	Christensen	Kimball	Sowards
Barlow	Cornaby	Matheson	Wayment
Barton	Farley	Mr. President (Ferry)	
Bennett	Finlinson	Money	
Black	Flamm	Peterson, C.	
Bullen	Jeffs	Pugh	

Absent and not voting were: Senators

Bunnell	Halverson	Peterson, L.	Swan

S.B. No. 57 was transmitted to the House.

* * *

S.B. No. 58, ACCRUAL OF INCIDENCES OF FRAUD, was read the third time. Senator Cornaby explained the bill. S.B. No. 58 passed third reading on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Asay	Bullen	Finlinson	Peterson, C.
Bangerter	Bunnell	Flamm	Pugh
Barlow	Carling	Jeffs	Sandberg
Barton	Christensen	Kimball	Sowards
Bennett	Cornaby	Matheson	Wayment
Black	Farley	Money	Mr. President (Ferry)

Voting in the negative was: Senator
Snow

Absent and not voting were: Senators

Halverson	Jones	Peterson, L.	Swan

S.B. No. 58 was transmitted to the House.

SECOND READING CALENDAR

S.B. No. 61, PUBLIC OFFICIAL'S SALARY INCREASES, was before the Senate. Senators Barton, Bunnell, Matheson, Swan, Snow, Sandberg and Black commented.

On motion of Senator Barton, S.B. No. 61 was amended as follows:

Page 3, Line 15:
after *"week"* delete the period and insert *"nor shall it affect increases in cost of insurance benefits."*

Page 3, Line 9:
after *"of a"* add *"first or second class"*

Page 4, Line 7:
after *"county"* add *"with a population of over 100,000"*

Senator Sandberg proposed an amendment which failed.

On motion of Senator Bunnell, **S.B. No. 61** was amended as follows:

Page 3, Line 15:
after *"nor shall it affect increases in cost of insurance benefits,"* add *"nor shall any salary increase be made retroactive."*

Page 4, Line 9:
after *"election"* insert *"nor shall any salary increase be made retroactive"*

S.B. No. 61 passed second reading on reconsideration and on the following roll call:

Yeas, 17; Nays, 10; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Sowards
Barlow	Christensen	Jones	Mr. President (Ferry)
Barton	Cornaby	Matheson	
Bennett	Finlinson	Peterson, C.	
Bullen	Flamm	Sandberg	

Voting in the negative were: Senators

Bangerter	Farley	Money	Wayment
Black	Jeffs	Snow	
Carling	Kimball	Swan	

Absent and not voting were: Senators

Peterson, L.	Pugh

* * *

S.B. No. 33, OIL REREFINING AMENDMENTS, was read the second time. Senator Black explained the bill.

Mr. President: January 13, 1981

The Energy and Natural Resources Committee, to which was referred **S.B. No. 33,** OIL REREFINING AMENDMENTS, by Senator Wilford R. Black, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 5, delete Lines 15 through 27 and insert in lieu thereof:
"(2) No person may act as a used oil collector without having filed an application with and having obtained a permit from the division. The division shall require as part of the application, to the extent available to the applicant, information pertaining to the methods utilized or to be utilized for collecting and storing used oil, the quantities and types of all used oil collected, or to be collected

the quantities and types of used oil delivered or to be delivered to rerefiners or reclaimers or both or otherwise disposed of, including the place of disposal, the methods of transferring, the identity of persons from whom used oil was or is to be received or purchased or to whom it was or is to be transferred or sold and such other information as the division deems necessary."

Page 5, Line 30:
After *"No"* delete *"person"* and insert in lieu thereof *"establishment"*

Fred W. Finlinson, Committee Chairman

Committee report, as amended, read adopted. On motion of Senator Black, the Senate voted to replace **S.B. No. 33** with **Substitute S.B. No. 33**.

On motion of Senator Black, **Substitute S.B. No. 33** was amended as follows:

Page 3, Line 16:
After *"Encourage"* delete the comma and insert *"and inform the public"*

Page 2, Lines 21, 22, 23 and 24:
delete entirely

Page 2, Line 25:
delete *"(4)"* and insert in lieu thereof *"(2)"*

On motion of Senator Pugh, **Substitute S.B. No. 33** was amended as follows:

Page 4, Line 25:
After *"oil"* add a period and delete *"and samples of"*

Page 4, Line 26:
delete entirely.

COMMITTEE OF THE WHOLE

On motion of Senator Black, the Senate resolved itself into a Committee of the Whole. Appearing before the Committee of the Whole was:

Edward T. Beck

Senators Black, Finlinson, Pugh, Swan, Jeffs, Ferry, Bullen, Bangerter, Wayment and Sowards commented. On motion of Senator Snow, the Committee of the Whole was dissolved.

On motion of Senator Bangerter, **Substitute S.B. No. 33** was circled.

Sub. S.B. No. 33, OIL REREFINING AMENDMENTS, having been circled on Second Reading Calendar as the Senate adjourned, was placed on Second Reading Table.

* * *

S.B. No. 5, SCHOOL BUILDING AND CODE WAIVERS, having been circled on Third Reading Calendar as the Senate adjourned, was placed on Third Reading Table.

* * *

On motion of Senator Snow and at 12:00, the Senate adjourned until 10:00 a.m., Tuesday, January 20, 1981.

Pg. 178

NINTH DAY

MORNING SESSION

Inauguration of President Ronald Reagan

Ronald Reagan was inaugurated 40th president of the United States this morning. Convening of the morning session was delayed to allow the Senators and Employees to view Chief Justice Warren Burger administer the oath of office to Ronald Reagan.

In his inaugural address President Reagan said: *"With all the creative energy at our command, let us begin an era of national renewal. Let us renew our determination, our courage and our strength. Let us renew our faith and our hope. We have every right to dream heroic dreams."* Reagan said Americans are entitled for they are themselves heroes, *"you, the citizens of this blessed land.*

"Your dreams, your hopes, your goals are going to be the dreams, the hopes and goals of this administration, so help me God."

The Senate was called to order at 10:30 a.m. President Miles 'Cap' Ferry presiding.

Roll Call — All senators present except Senator L. Peterson (excused).

Prayer — Senator E. Verl Asay (Salt Lake, Dist. 11)

At the direction of President Ferry, Senator Verl Asay's opening prayer is to be recorded in the Senate Journal.

"Our Heavenly and Eternal Father, our hearts are filled with gratitude at this particular time in recognition of how truly blessed we are to live in the land of America. We are grateful to have been privileged to witness the inaugural of the 40th President of these United States, Ronald Reagan. Our Heavenly Father, it is our prayer to thee that we may be more united now than ever before and we humbly pray thee to bless President Reagan in the momentuous task that is before him to not only unite us in peace, but to unite the world. We pray that we here in Utah, and particularly in the State Senate, may be united upon those issues of vital importance to America. We give thanks, our Father, for this elective process where we the people can choose those in great and responsible positions to direct the affairs of state. We pray thee to bless President Reagan and those who will work with him, that we may feel their unity and sustain and support them in the things they do for Thy cause. We invoke thy blessings now Father, upon President Jimmy Carter that he may know that he has been a public servant in behalf of us, the people, and will thou protect and watch over him and his family.

We are mindful, Heavenly Father, of the coming home of the Americans who have been held captive these many months, and we humbly pray that they may arrive safely and have a glorious reunion with their loved ones.

We give thanks unto thee for the bounteous blessings we enjoy and pray thee to be with us throughout this day that we may feel the true significance of what is happening in our nation's capital this day and that we may be mindful of the returning home of those that have concerned us for so long, all of which we give thanks unto thee, and we ask it humbly and in the name of Jesus Christ, Amen."

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: January 20, 1981

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

Charles Bennett, Committee Member

Committee report read and adopted.

READING OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President January 19, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 22,** IMPROVEMENT DISTRICT BOARD OF EQUALIZATION, by Representative Harrison, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 35,** DISABILITY BENEFITS INCREASE, by Representative Reese, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed Substitute House Bill **No. 59,** CHAUFFEUR'S LICENSE AMENDMENTS, by Representative McMullin, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 85,** RESISTING LAWFUL ARREST, by Representative Harrison, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 87,**UTAH CHILD ABUSE ACT, by Representative Harrison, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 99,** POLITICAL CONVENTION AMENDMENTS, by Representative White, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. Nos. 22, 35, Sub. 59, 85, 87 and 99 were read the first time and referred to Rules Committee.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

S.B. No. 9	PROCEDURE FOR FILLING LOCAL VACATED ELECTIVE OFFICE (State and Local Affairs)
S.B. No. 12	PROPOSED INCORPORATION OF CITY AMENDMENTS (State and Local Affairs)
S.B. No. 36	JUSTICE OF PEACE PRECINCTS (State and Local Affairs)
S.B. No. 73	PUBLIC EMPLOYEES POLITICAL ACTIVITIES (State and Local Affairs)
S.B. No. 50	COUNTY VEHICLE INSPECTION AND MAINTENANCE (Transportation and Public Safety)
S.B. No. 87	COUNSEL FOR INDIGENT DEFENDANTS (Public Education)

S.B. Nos. 9, 12, 36, 73, 50 and 87 were placed on Second Reading Calendar.

RULES COMMITTEE REPORTS

Mr. President: January 19, 1981

Your Rules Committee, to which were referred:

S.B. No. 89	OMBUDSMAN FOR INSTITUTIONALIZED ELDERLY (Social Services)
S.B. No. 95	MEDICAL PRACTICES ACT REVISION (Business, Labor and Economic Development)
S.B. No. 98	HIGHWAY REVENUE AMENDMENTS (Transportation and Public Safety)
S.B. No. 99	LIFE INSURANCE POLICY LOAN INTEREST RATE BILL (Business, Labor and Economic Development)
S.B. No. 100	MARRIAGE AND FAMILY THERAPIST LICENSING (Business, Labor and Economic Development)
S.B. No. 101	INDUSTRIAL FACILITIES DEVELOPMENT ACT AMENDMENTS (State and Local Affairs)
S.B. No. 102	TENANTS' RENT DEPOSITS (Business, Labor and Economic Development)
S.B. No. 103	MAINTENANCE OF LEASED PREMISES (Business, Labor and Economic Development)

S.B. No. 105	BULK REINSURANCE (Business, Labor and Economic Development)
S.B. No. 107	REAL ESTATE LICENSE AMENDMENTS (Business, Labor and Economic Development)
S.B. No. 110	NURSE PRACTITIONERS PILOT PROJECT EXTENSION (Social Services)
S.B. No. 111	LICENSURE OF HEARING AID SPECIALISTS (Business, Labor and Economic Development)
S.B. No. 112	FOOD DONATIONS — GOOD SAMARITAN (Judiciary)
S.B. No. 114	AUDITS OF POLITICAL SUBDIVISIONS (State and Local Affairs)
S.B. No. 116	BRAND INSPECTION FEES (Agriculture)
S.B. No. 117	WATER CONDITIONER INSTALLERS REPEAL (Business, Labor and Economic Development)
S.B. No. 118	INSURANCE INFORMATION AND PRIVACY PROTECTION ACT (Business, Labor and Economic Development)
S.B. No. 122	WATER CONSERVANCY DISTRICT OFFICERS (State and Local Affairs)
S.B. No. 128	OWNER-TENANT REMEDIES (Judiciary)
S.J.R. No. 1	TAX ARTICLE REVISION (Revenue and Taxation)
S.J.R. No. 2	SCHOOL PROGRAM SUPPORT LIMITATION (Revenue and Taxation)

reports the same back with a few minor changes assented to by the authors and recommends that they be printed and assigned to the committees indicated.

Your Rules Committee, to which was referred:

S.C.R. No. 2	FAIR COMPETITION IN STEEL INDUSTRY

reports the same back and recommends that it be printed and under suspension of the rules be assigned directly to the Second Reading Calendar.

Your Rules Committee, to which were referred:

H.B. No. 6	INDUSTRIAL AND AGRICULTURAL ACTIVITIES (Agriculture)
H.B. No. 10	BANK EXAMINATION (Business, Labor and Economic Development)
H.B. No. 19	UTILITY FRANCHISE TAX LIMITATIONS (State and Local Affairs)

H.B. No. 42	COUNTY REFERENDUM AND INITIATIVE (State and Local Affairs)
H.B. No. 45	MILK AND CREAM ASSESSMENT (Agriculture)
H.B. No. 56	STATE HIGHWAYS DESIGNATIONS (Transportation and Public Safety)
H.B. No. 55	COLLECTOR ROADS SYSTEM DESIGNATIONS (Transportation and Public Safety)
H.B. No. 66	COAL MINING AND RECLAMATION ACT AMENDMENTS (Energy and Natural Resource)
H.B. No. 69	SALE OF ESTRAYS (Agriculture)

reports the same back and recommends that they be assigned to the committees indicated.

Ronald T. Halverson, Committee Chairman

Committee reports read and adopted.

INTRODUCTION OF BILLS

FINANCIAL INSTITUTIONS ACT OF 1981

S.B. No. 134 K.S. Cornaby

AN ACT RELATING TO FINANCIAL INSTITUTIONS; CLARIFYING SUPERVISORY POWERS OF THE DEPARTMENT OF FINANCIAL INSTITUTIONS; SUBJECTING PREVIOUSLY UNREGULATED FINANCIAL SERVICES TO SUPERVISION AND REGULATION BY THE DEPARTMENT; LIMITING THE JURISDICTION OF THE DEPARTMENT TO PREVENT OVERLAPPING AND DUPLICATING REGULATION; GRANTING STATE CHARTERED FINANCIAL INSTITUTIONS THE SAME OPERATING POWERS AS CONGRESS HAS GRANTED FEDERALLY CHARTERED INSTITUTIONS; AND PROVIDING FOR RECIPROCITY WITH REGARD TO THE ENTRY OF FOREIGN FINANCIAL INSTITUTIONS, SUBJECT TO A SHOWING OF PUBLIC NEED, was read the first time and referred to Rules Committee.

COMPLIANCE WITH COUNTY PLANS

S.B. No. 135 Glade M. Sowards

AN ACT RELATING TO COUNTY PLANNING AND ZONING POWERS; PROVIDING FOR OVERRULING OF PLANNING COMMISSION DISAPPROVALS; PROVIDING FOR EXCEPTIONS TO COUNTY MASTER PLANS REGARDING EXTENSIONS, BETTERMENTS OR ADDITIONS; AND MAKING CERTAIN TECHNICAL CHANGES. THIS ACT AMENDS

SECTIONS 17-27-8 AND 17-27-26, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 27, LAWS OF UTAH 1953, was read the first time and referred to Rules Committee.

PUBLIC TRANSIT ACT AMENDMENTS

S.B. No. 136 Fred W. Finlinson

AN ACT RELATING TO PUBLIC TRANSIT; CHANGING THE DEFINITION OF "PUBLIC TRANSIT"; INCREASING THE NUMBER OF PERSONS TO BE REPRESENTED BY EACH ADDITIONAL DIRECTOR OF A PUBLIC TRANSIT DISTRICT; INCREASING THE FEE FOR ATTENDANCE AT BOARD OR COMMITTEE MEETINGS; AND CHANGING THE PROVISIONS THAT PROHIBIT CERTAIN PERSONS FROM SERVING AS DIRECTORS. THIS ACT AMENDS SECTION 11-20-4, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 18, LAWS OF UTAH 1971, AND SECTION 11-20-38, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 31, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

UTAH ANTITRUST ACT AMENDMENTS

S.B. No. 137 Senators Jeffs, Snow, Finlinson

AN ACT RELATING TO ANTITRUST VIOLATIONS; PROVIDING A STANDARD OF PROOF FOR ATTEMPTS TO MONOPOLIZE; INCORPORATING PROCEDURES TO COMPEL TESTIMONY; EXCEPTING THE ATTORNEY GENERAL FROM ALLEGING OR PROVING ACTUAL OR THREATENED DAMAGE TO THE STATE OR ITS SUBDIVISIONS; PROVIDING FOR CIVIL PENALTIES; PROVIDING PARENS PATRIAE AUTHORITY; PROVIDING CRIMINAL STANDARDS, EXCEPTIONS, AND PENALTIES; AND MAKING OTHER TECHNICAL CHANGES. THIS ACT AMENDS SECTIONS 76-10-913, 76-10-914, 76-10-917, 76-10-918, 76-10-919, AND 76-10-922, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 79, LAWS OF UTAH 1979; ENACTS SECTION 76-10-919.5, UTAH CODE ANNOTATED 1953; AND REPEALS AND REENACTS SECTION 76-10-920, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 79, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

S.B. No. 61, PUBLIC OFFICIALS' SALARY INCREASES, was read the third time and before the Senate.

On motion of Senator Barton, **S.B. No. 61** was amended as follows:

Page 4, Line 8 (goldenrod):
After *"100,000"* insert *"as of the last national census"*

S.B. No. 61 failed third reading on the following roll call:

Yeas, 10; Nays, 16; Absent, 3

Voting in the affirmative were: Senators

Asay	Cornaby	Halverson	Mr. President (Ferry)
Barton	Finlinson	Sandberg	
Christensen	Flamm	Sowards	

Voting in the negative were: Senators

Bangerter	Bullen	Jones	Peterson, C.
Barlow	Carling	Kimball	Snow
Bennett	Farley	Matheson	Swan
Black	Jeffs	Money	Wayment

Absent and not voting were: Senators

Bunnell	Peterson, L.	Pugh

S.B. No. 61 was filed.

SECOND READING CALENDAR

Senator Black's motion to lift **Sub. S.B. No. 33,** OIL REREFINING AMENDMENTS, from Second Reading Calendar failed.

* * *

S.B. No. 43, GEOTHERMAL RESOURCE CONSERVATION ACT, was read the second time.

Mr. President: January 13, 1981

The Energy and Natural Resources Committee, to which was referred **S.B. No. 43,** GEOTHERMAL RESOURCE CONSERVATION ACT, by Senator Fred W. Finlinson et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Fred W. Finlinson, Committee Chairman

Committee report read and adopted. Senator Finlinson explained the bill. Senator Matheson, Swan, Jones, Sowards, Kimball, Wayment, C. Peterson, Jeffs and Pugh commented.

COMMITTEE OF THE WHOLE

On motion of Senator Finlinson, the Senate resolved itself into a Committee of the Whole. Appearing before the Committee of the Whole was:

Dee C. Hansen, State Engineer

On motion of Senator Finlinson, the Committee of the Whole was dissolved. **S.B. No. 43** passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Snow
Bangerter	Carling	Jones	Sowards
Barlow	Christensen	Matheson	Swan
Barton	Farley	Money	Wayment
Bennett	Finlinson	Peterson, C.	Mr. President (Ferry)
Black	Flamm	Pugh	
Bullen	Halverson	Sandberg	

Absent and not voting were: Senators

Cornaby	Kimball	Peterson, L.

* * *

S.B. No. 6, STUDDED TIRES TAX REMOVAL, was read the second time.

Mr. President: January 13, 1981

The Revenue and Taxation Committee, to which was referred **S.B. No. 6,** STUDDED TIRES TAX REMOVAL, by Senator Charles W. Bullen et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Charles W. Bullen, Committee Chairman

Committee report read and adopted. Senator Bullen explained the bill. **S.B. No. 6** passed second reading on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Sowards
Bangerter	Christensen	Kimball	Swan
Barlow	Cornaby	Money	Wayment
Barton	Farley	Peterson, C.	Mr. President (Ferry)
Bennett	Finlinson	Pugh	
Bullen	Flamm	Sandberg	
Bunnell	Halverson	Snow	

Voting in the negative was: Senator

Black

Absent and not voting were: Senators

Jones	Matheson	Peterson, L.

* * *

S.B. No. 19, SMALL TRUCK LADEN WEIGHT, was read the second time.

Mr. President: January 13, 1981

The Revenue and Taxation Committee, to which was referred **S.B. No. 19,** SMALL TRUCK

LADEN WEIGHT, by Senator Charles W. Bullen et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Charles W. Bullen, Committee Chairman

Committee report read and adopted. Senator Bullen explained the bill and proposed amendments which failed. Senators Halverson, Bunnell, Black, Christensen, Matheson and Flamm commented. **S.B. No. 19** passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Snow
Bangerter	Carling	Jones	Sowards
Barlow	Christensen	Kimball	Swan
Barton	Cornaby	Matheson	Wayment
Bennett	Farley	Money	Mr. President (Ferry)
Black	Flamm	Peterson, C.	
Bullen	Halverson	Sandberg	

Absent and not voting were: Senators

Finlinson	Peterson, L.	Pugh

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

S.B. No. 25	ATHLETIC EVENTS AMENDMENTS (Business, Labor and Economic Development)
S.B. No. 15	HEALTH PLANNING RESOURCE DEVELOPMENT ACT AMENDMENTS (Social Services)
S.B. No. 55	SUPPORT, MAINTENANCE AND DIVORCE AMENDMENTS (Social Services)
S.B. No. 18	PLACEMENT OF NUCLEAR WASTE (Energy and Natural Resource)

S.B. Nos. 25, 15, 55 and **18** were placed on Second Reading Calendar.

On motion of Senator Snow and at 12:10 p.m., the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Miles 'Cap' Ferry presiding.

PRESENTATION OF RESOLUTION

PRESIDENT RONALD W. REAGAN RESOLUTION

S.C.R. No. 3 All members of the Senate

A CONCURRENT RESOLUTION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH, THE GOVERNOR CONCURRING THEREIN: EXPRESSING APPRECIATION AND SUPPORT FOR THE CONTRIBUTIONS AND ACCOMPLISHMENTS OF RONALD W. REAGAN ON THE OCCASION OF MR. REAGAN'S INAUGURATION AS THE FORTIETH PRESIDENT OF THE UNITED STATES OF AMERICA was read the first time.

Be it resolved by the Legislature of the State of Utah, the Governor concurring therein:

WHEREAS, Ronald Reagan while Governor of the State of California showed interest and concern for the wishes and needs of the citizens of California;

WHEREAS, Mr. Reagan has shown marked qualities of leadership, integrity, and dedication to principles, and the courage of his convictions by speaking out forcefully on issues;

WHEREAS, Ronald Reagan demonstrated a sense of fairness and honesty in both the primary and general election campaigns;

WHEREAS, Mr. Reagan through his pre-inaugural actions in cabinet selections and in the performance of other functions has rekindled the spark of enthusiasm and the confidence of the people of this nation;

WHEREAS, Ronald Reagan has displayed an understanding of and appreciation for the needs and concerns of the people of the western states;

WHEREAS, Ronald Reagan has, and will continue to, garner the strong support of the people of the State of Utah; and

WHEREAS, Mr. Reagan has been elected President of the United States by a significant plurality of the American electorate.

NOW, THEREFORE, BE IT RESOLVED, that the General Session of the 44th Legislature with the concurrence of the Governor join with the people of this state in expressing their pledge of support to President Reagan as he takes the reins of office.

BE IT FURTHER RESOLVED, that the people of Utah wish the new President well as he works to strengthen the image of our nation abroad, protect our people from international conflicts, and improve our defense posture in order that friendly nations will honor our commitment, and our enemies will know that we proceed from a position of strength.

BE IT FURTHER RESOLVED that we call for national support of President Reagan's program to conquer inflation, control interest rates, and to stir a tide of new hope and confidence in the economy of these United States.

BE IT FURTHER RESOLVED, that the Legislature and the Governor work creatively, constructively, and cooperatively with President Reagan to implement the philosophy of his policies in Utah.

BE IT FUTHER RESOLVED, that the Lieutenant Governor of Utah cause a copy of this Resolution to be forwarded to President Reagan and to each member of the Utah delegation in Congress.

On motion of Senator Snow and under suspension of the rules **S.C.R. No. 3** was read the second and third times and passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Asay	Bullen	Jones	Snow
Bangerter	Farley	Matheson	Sowards
Barlow	Flamm	Money	Wayment
Barton	Halverson	Pugh	Mr. President (Ferry)
Bennett	Jeffs	Sandberg	

Absent and not voting were: Senators

Black	Christensen	Kimball	Swan
Bunnell	Cornaby	Peterson, C.	
Carling	Finlinson	Peterson, L.	

S.C.R. No. 3 was transmitted to the House.

INTRODUCTION OF BILL

SIGNAL LIGHTS—VOLUNTEER FIREMEN

S.B. No. 138 Senators Bangerter, Sowards Jones, Bennett

AN ACT ENACTING SECTION 41-6-1.5, UTAH CODE ANNOTATED 1953; RELATING TO EMERGENCY VEHICLES; ALLOWING PRIVATELY OWNED VEHICLES USED PART-TIME FOR EMERGENCIES TO BE DESIGNATED AS AUTHORIZED EMERGENCY VEHICLES; ALLOWING MEMBERS OF VOLUNTEER FIRE DEPARTMENTS TO UTILIZE SPECIAL LIGHTS ON THEIR VEHICLES WHILE RESPONDING TO FIRES OR RELATED EMERGENCIES; AND PRESCRIBING STANDARDS FOR USAGE OF THE LIGHTS. THIS ACT ENACTS SECTION 41-6-1.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

CONSENT CALENDAR

H.B. No. 28, RECORDS OF LEGAL ACTIONS, was read the third time. **H.B. No. 28** passed second and third reading on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Cornaby	Matheson	Sowards
Bangerter	Farley	Money	Wayment
Barlow	Flamm	Peterson, C.	Mr. President (Ferry)
Barton	Halverson	Pugh	
Bullen	Jeffs	Sandberg	
Christensen	Jones	Snow	

Absent and not voting were: Senators

Bennett	Bunnell	Finlinson	Peterson, L.
Black	Carling	Kimball	Swan

H.B. No. 28 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

SECOND READING CALENDAR

S.B. No. 20, PAYMENTS OF WITHHOLDING TAXES, was read the second time.

Mr. President: January 13, 1981

The Revenue and Taxation Committee, to which was referred **S.B. No. 20,** PAYMENTS OF WITHHOLDING TAXES, by Senator Charles W. Bullen, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Charles W. Bullen, Committee Chairman

Committee report read and adopted. Senator Bullen explained the bill. **S.B. No. 20** passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jones	Snow
Bangerter	Christensen	Kimball	Sowards
Barlow	Cornaby	Matheson	Swan
Barton	Farley	Money	Wayment
Bennett	Flamm	Peterson, C.	Mr. President (Ferry)
Black	Halverson	Pugh	
Bullen	Jeffs	Sandberg	

Absent and not voting were: Senators

Bunnell	Finlinson	Peterson, L.

* * *

S.B. No. 53, SALES TAX EXEMPTION FOR OXYGEN, was read the second time. Senators Swan, Barton, Black and Pugh commented.

Mr. President: January 13, 1981

The Revenue and Taxation Committee, to which was referred **S.B. No. 53,** SALES TAX EXEMPTION FOR OXYGEN, by Senator Karl G. Swan et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Charles W. Bullen, Committee Chairman

Committee report read and adopted. Senator Swan explained the bill. **S.B. No. 53** passed second reading on the following roll call:

Yeas, 23; Nays, 2; Absent, 4

Voting in the affirmative were: Senators

Asay	Bullen	Kimball	Snow
Bangerter	Carling	Matheson	Sowards
Barlow	Cornaby	Money	Swan
Barton	Farley	Peterson, C.	Wayment
Bennett	Flamm	Pugh	Mr. President (Ferry)
Black	Jeffs	Sandberg	

Voting in the negative were: Senators

Christensen	Halverson

Absent and not voting were: Senators

Bunnell	Finlinson	Jones	Peterson, L.

* * *

S.B. No. 8, UTAH FOREIGN JUDGEMENT ACT, was read the second time.

Mr. President: January 13, 1981

The Judiciary Committee, to which was referred **S.B. No. 8,** UTAH FOREIGN JUDGMENT ACT, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee with a favorable recommendation.

A. Dean Jeffs, Committee Chairman

Committee report read and adopted. On motion of Senator Carling, **S.B. No. 8** was tabled on Second Reading Calendar.

* * *

S.B. No. 21, INTEREST RATES INCREASE, was read the second time.

Mr. President: January 13, 1981

The Judiciary Committee, to which was referred **S.B. No. 21,** INTEREST RATES INCREASE, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee with a favorable recommendation.

A. Dean Jeffs, Committee Chairman

Committee report read and adopted. Senator Carling explained the bill. Senators Sowards, Bullen, Jeffs, Kimball, Farley, Christensen and Flamm commented. Senator Wayment is presiding.

On motion of Senator Bullen, **S.B. No. 21** was amended as follows on a 16 yea voice vote.

Page 1, Line 11 (title):
delete "8%" and insert in lieu thereof "12%"

Page 1, Line 20:
delete "8%" and insert in lieu thereof "12%"

S.B. No. 21 passed second reading on the following roll call:

Yeas, 21; Nays, 5; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Christensen	Jones	Swan
Barlow	Cornaby	Matheson	Wayment
Barton	Finlinson	Peterson, C.	Mr. President (Ferry)
Bullen	Flamm	Pugh	
Bunnell	Halverson	Sandberg	
Carling	Jeffs	Sowards	

Voting in the negative were: Senators

Bennett	Kimball	Money	Snow
Farley			

Absent and not voting were: Senators

Asay	Black	Peterson, L.

* * *

S.B. No. 66, SHOPLIFTING AMENDMENTS, was read the second time.

Mr. President: January 13, 1981

The Judiciary Committee, to which was referred **S.B. No. 66,** SHOPLIFTING AMENDMENTS, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee with a favorable recommendation.

A. Dean Jeffs, Committee Chairman

Committee report read and adopted. On motion of Senator Jeffs, **S.B. No. 66** was amended as follows on an 11 yea and 10 nay voice vote.

Page 4, Line 21:
delete the period at the end of the line and insert *"if the merchandise is not returned to the merchant. If it is returned to the merchant the liability shall be limited to the reduction in value, if any, of the merchandise."*

Senators Carling, Jeffs, Cornaby, Halverson, Pugh, Kimball, Farley and Swan commented.

On motion of Senator Pugh, **S.B. No. 66** was amended as follows:

Page 4, Line 18:
delete *"The parent or guardian of a minor who"* and insert in lieu thereof *"If a minor"*

Page 4, Line 19:
After *"shoplifting"* insert *"the parent or guardian of such minor"*

President Ferry is presiding. **S.B. No. 66** passed second reading on the following roll call:

Yeas, 24; Nays, 3; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Halverson	Peterson, C.
Bangerter	Christensen	Jeffs	Pugh
Barlow	Cornaby	Jones	Sandberg
Barton	Farley	Kimball	Snow
Bullen	Finlinson	Matheson	Wayment
Bunnell	Flamm	Money	Mr. President (Ferry)

Voting in the negative were: Senators

Bennett	Black	Swan

Absent and not voting were: Senators

Peterson, L.	Sowards

COMMUNICATION FROM THE HOUSE

Mr. President: January 20, 1981

I am directed to inform the Senate that the House of Representatives has this day passed under suspension of the rules **H.C.R. No. 2,** HOSTAGE RETURN RESOLUTION, by All Members of the House, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.C.R. No. 2 was read the first time. On motion of Senator Bangerter and under suspension of the rules, **H.C.R. No. 2** was read the second and third times and before the Senate. **H.C.R. No. 2** passed second and third reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bullen	Flamm	Pugh
Bangerter	Bunnell	Jeffs	Sandberg
Barlow	Christensen	Jones	Snow
Barton	Cornaby	Kimball	Swan
Bennett	Farley	Matheson	Wayment
Black	Finlinson	Money	Mr. President (Ferry)

Absent and not voting were: Senators

Carling	Peterson, C.	Peterson, L.	Sowards
Halverson			

H.C.R. No. 2 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

* * *

S.B. No. 88, MEDICAL EXAMINER JURISDICTION, was read the second time.

Mr. President: January 13, 1981

The Judiciary Committee, to which was referred **S.B. No. 88**, MEDICAL EXAMINER JURISDICTION, by Senator Jack M. Bangerter, has carefully considered the bill and reports it out of committee with a favorable recommendation.

A. Dean Jeffs, Committee Chairman

Committee report read and adopted. Senator Bangerter explained the bill. Senators Barton, Snow, Jeffs, Swan and Black commented. **S.B. No. 88** passed second reading on the following roll call:

Yeas, 22; Nays, 0; Abent 7

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Snow
Bangerter	Bunnell	Kimball	Swan
Barlow	Carling	Matheson	Wayment
Barton	Farley	Peterson, C.	Mr. President (Ferry)
Bennett	Finlinson	Pugh	
Black	Flamm	Sandberg	

Absent and not voting were: Senators

Christensen	Halverson	Money	Sowards
Cornaby	Jones	Peterson, L.	

* * *

On motion of Senator Snow and at 3:25 p.m., the Senate adjourned until 10:00 a.m. Wednesday, January 21, 1981.

Pg. 194

TENTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. President Miles 'Cap' Ferry Presiding.

Roll Call — All senators present.

Prayer — Senator Wilford R. Black, Jr. (Salt Lake, Dist. 2).

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: January 21, 1981

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

Charles E. Bennett, Sr.,Committee Member

Committee report read and adopted.

READING OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

* * *

At the request of Senators Bennett, Farley and Black, and as provided by Dr. Boyer Jarvis, President of the United Nations Association of Utah, the flag of the nation of Algeria was displayed in the Senate Chamber. The flag was displayed in recognition of the Algerians assistance in getting the 52 Americans released from Iran.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 20, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 146,** UTAH MUNICIPAL BOND ACT AMENDMENTS, by Representative Garff, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 73,** NOTICE OF TAX SALE, by Representative Walker, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. Nos. 146 and **73** were read the first time and referred to Rules Committee.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bill:

S.B. No. 63 HEALTH INSURANCE COMPETITION AND DISCRIMINATION
(Business, Labor and Economic Development)

S.B. No. 63 was placed on Second Reading Calendar.

PRESENTATION OF RESOLUTION

EARTHQUAKE PREPAREDNESS RESOLUTION

S.J.R. No. 4 Eldon A. Money

A JOINT RESOLUTION OF THE GENERAL SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH MEMORIALIZING THE GOVERNOR, THROUGH EXECUTIVE ORDER, TO DECLARE THE MONTH OF MAY, 1981 AS EARTHQUAKE PREPAREDNESS MONTH, was read the first time and referred to Rules Committee.

INTRODUCTON OF BILLS

REORGANIZATION OF NATURAL RESOURCE AND ENERGY FUNCTIONS

S.B. No. 139 Glade M. Sowards

AN ACT COMBINING THE DEPARTMENT OF NATURAL RESOURCES AND THE UTAH ENERGY OFFICE; DESIGNATING THE NAME OF THE DEPARTMENT TO BE THE DEPARTMENT OF NATURAL RESOURCES AND ENERGY; SETTING FORTH GOALS AND PURPOSES FOR REORGANIZATION OF THE DEPARTMENT OF NATURAL RESOURCES AND ENERGY; PROVIDING A TWO-YEAR PERIOD FOR STUDY AND IMPLEMENTATION OF SAID REORGANIZATION; PROVIDING MONITORING AND EVALUATION BY THE COMMITTEE ON EXECUTIVE REORGANIZATION; AND PROVIDING AN EXPIRATION DATE, was read the first time and referred to Rules Committee.

WASTEWATER TREATMENT FACILITIES FUND

S.B. No. 140 Fred W. Finlinson

AN ACT RELATING TO WASTEWATER TREATMENT; CREATING A WASTEWATER TREATMENT FACILITIES FUND; PROVIDING FOR THE ADMINISTRATION OF THE FUND BY THE WATER POLLUTION CONTROL COMMITTEE AND ESTABLISHING CRITERIA; AND APPROPRIATING $2,000,000. THIS ACT ENACTS SECTIONS 73-14-14 THROUGH 73-14-16, was read the first time and referred to Rules Committee.

CONSUMER RELATED LOAN AMENDMENTS

S.B. No. 141 Senators Barlow, Pugh

AN ACT RELATING TO CONSUMER RELATED LOANS; ELIMINATING SPECIFIC REFERENCE TO CONSUMER RELATED LOANS IN THE UTAH UNIFORM CONSUMER CREDIT CODE. THIS ACT AMENDS SECTIONS 70B-1-108, 70B-1-303, 70B-3-102, 70B-3-103, 70B-3-605, AND 70B-6-102, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 18, LAWS OF UTAH 1969, AND SECTION 70B-3-105, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 210, LAWS OF UTAH 1975; AND REPEALS SECTION 70B-3-602, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 210, LAWS OF UTAH 1975, AND SECTIONS 70B-3-603 AND 70B-3-604, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 18, LAWS OF UTAH 1969, was read the first time and referred to Rules Committee.

PARKING AND IMPROVEMENT DISTRICT AMENDMENTS

S.B. No. 142 Arthur L. Kimball

AN ACT AUTHORIZING COUNTIES AND MUNICIPALITIES TO CREATE PARKING AND BUSINESS IMPROVEMENT DISTRICTS, was read the first time and referred to Rules Committee.

* * *

COMMITTEE OF THE WHOLE

On motion of Senator Snow, the Senate resolved itself into a Committee of the Whole. Appearing before the Committee of the Whole was:

Mont G. Kenney
Legislative Auditor General

Mr. Kenney discussed the Annual Report of the Auditor General's Office. On motion of Senator Snow, the Committee of the Whole was dissolved. Senators Jones, Snow and Matheson commented.

* * *

At the direction of President Ferry **S.B. No. 102,** TENANTS' RENT DEPOSITS, and **S.B. No. 103,** MAINTENANCE OF LEASED PREMISES, were transferred from Business, Labor and Economic Development Committee to Judiciary Committee.

* * *

THIRD READING CALENDAR

S.B. No. 43, GEOTHERMAL RESOURCE CONSERVATION ACT, was read the third time. On motion of Senator Finlinson, **S.B. No. 43** was amended as follows:

Page 8, Line 6:
After *"division finds"* insert *"that a developable resource exists and"*

Page 12, Lines 14, 15, 16, 17 and 18:
delete entirely

S.B. No. 43 passed third reading on the following roll call:

Yeas, 22; Nays, 1; Absent, 6

Voting in the affirmative were: Senators

Asay	Farley	Matheson	Snow
Barlow	Finlinson	Money	Sowards
Barton	Flamm	Peterson, C.	Swan
Black	Halverson	Peterson, L.	Mr. President (Ferry)
Bullen	Jeffs	Pugh	
Cornaby	Jones	Sandberg	

Voting in the negative was: Senator
Wayment

Absent and not voting were: Senators

Bangerter	Bunnell	Christensen	Kimball
Bennett	Carling		

S.B. No. 43 was transmitted to the House.

* * *

S.B. No. 6, STUDDED TIRES TAX REMOVAL, was read the third time. **S.B. No. 6** passed third reading on the following roll call:

Yeas, 23; Nays, 2; Absent, 4

Voting in the affirmative were: Senators

Asay	Cornaby	Jones	Sandberg
Barlow	Farley	Matheson	Sowards
Barton	Finlinson	Money	Swan
Bullen	Flamm	Peterson, C.	Wayment
Carling	Halverson	Peterson, L.	Mr. President (Ferry)
Christensen	Jeffs	Pugh	

Voting in the negative were: Senators

Black	Snow

Absent and not voting were: Senators

Bangerter	Bennett	Bunnell	Kimball

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

* * *

S.B. No. 19, SMALL TRUCK LADEN WEIGHT, was read the third time. Senator Black's motion to add the words *"except mobile homes"* on Page 5, Line 12 failed. **S.B. No. 19** passed third reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Jones	Sandberg
Barlow	Christensen	Kimball	Snow
Barton	Cornaby	Matheson	Sowards
Bennett	Farley	Money	Swan
Black	Flamm	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)
Bunnell	Jeffs	Pugh	

Absent and not voting were: Senators

Bangerter	Finlinson

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

* * *

S.B. No. 20, PAYMENTS OF WITHHOLDING TAXES, was read the third time and passed third reading on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Pugh
Bangerter	Carling	Jones	Sandberg
Barlow	Christensen	Kimball	Snow
Barton	Cornaby	Matheson	Sowards
Bennett	Farley	Money	Swan
Black	Flamm	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)

Absent and not voting was: Senator

Finlinson

S.B. No. 20 was transmitted to the House.

* * *

S.B. No. 53, SALES TAX EXEMPTION FOR OXYGEN, was read the third time and

passed third reading on the following roll call:

Yeas, 24; Nays, 2; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jones	Sandberg
Bangerter	Cornaby	Kimball	Snow
Barlow	Farley	Matheson	Sowards
Barton	Flamm	Money	Swan
Black	Halverson	Peterson, C.	Wayment
Bullen	Jeffs	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Bennett	Christensen

Absent and not voting were: Senators

Bunnell	Finlinson	Pugh

S.B. No. 53 was transmitted to the House.

* * *

S.B. No. 21, INTEREST RATES INCREASE, was read the third time. Senator Snow proposed that on Page 1, Line 11 and Page 1, Line 20 the *"12%"* be changed to *"10%"*.

The substitute motion of Senator Wayment to delete all amendments and again consider the original bill with the percentage at 8% carried.

Senators Carling, Snow, Wayment, Swan, Sandberg, Jeffs, Pugh, Black, Bangerter, Bullen, Flamm and Farley commented. On motion of Senator Bullen **S.B. No. 21** was amended as follows:

Page 1, Line 11:
delete *"8%"* and insert in lieu thereof *"10%"*

Page 1, Line 20:
delete *"8%"* and insert in lieu thereof *"10%"*

S.B. No. 21 passed third reading on the following roll call:

Yeas, 21; Nays, 4; Absent, 4

Voting in the affirmative were: Senators

Asay	Cornaby	Peterson, C.	Swan
Bangerter	Flamm	Peterson, L.	Wayment
Barlow	Jeffs	Pugh	Mr. President (Ferry)
Bullen	Jones	Sandberg	
Carling	Matheson	Snow	
Christensen	Money	Sowards	

Voting in the negative were: Senators

Bennett	Black	Farley	Kimball

Absent and not voting were: Senators

Barton	Bunnell	Finlinson	Halverson

S.B. No. 21 was transmitted to the House.

* * *

S.B. No. 66, SHOPLIFTING AMENDMENTS, was read the third time and on motion of Senator Carling placed on Third Reading Table.

* * *

S.B. No. 88, MEDICAL EXAMINER JURISDICTION, was read the third time and passed third reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Kimball	Snow
Bangerter	Christensen	Matheson	Sowards
Barlow	Cornaby	Money	Swan
Barton	Farley	Peterson, C.	Wayment
Bennett	Flamm	Peterson, L.	Mr. President (Ferry)
Black	Jeffs	Pugh	
Bullen	Jones	Sandberg	

Absent and not voting were: Senators

Bunnell	Finlinson	Halverson

S.B. No. 88 was transmitted to the House.

* * *

The Senate recessed for a Rules Committee Meeting at 11:15 a.m. The Senate reassembled at 11:30 a.m.

SECOND READING CALENDAR

S.B. No. 75, JUVENILE COURT FINES AND FEES, was read the second time.

Mr. President: January 13, 1981

The Judiciary Committee, to which was referred S.B. No. 75, JUVENILE COURT FINES AND FEES, by Senator A. Dean Jeffs, has carefully considered the bill and reports it out of committee with a favorable recommendation.

A. Dean Jeffs, Committee Chairman

Committee report read and adopted. Senator Jeffs explained the bill. Senators Matheson, Bunnell and Kimball commented. **S.B. No. 75** failed second reading on the following roll call:

Yeas, 12; Nays, 14; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Black	Jeffs	Sandberg
Barlow	Christensen	Jones	Wayment
Barton	Halverson	Kimball	Mr. President (Ferry)

Voting in the negative were: Senators

Asay	Carling	Matheson	Sowards
Bennett	Cornaby	Money	Swan
Bullen	Farley	Peterson, C.	
Bunnell	Flamm	Peterson, L.	

Absent and not voting were: Senators

Finlinson	Pugh	Snow

S.B. No. 75 was filed.

RULES COMMITTEE REPORTS

Mr. President: January 21, 1981

Your Rules Committee, to which was referred:

H.B. No. 146	UTAH MUNICIPAL BOND ACT AMENDMENTS (Business, Labor and Economic Development)

reports the same back and recommends that it be assigned to the committee indicated,

Your Rules Committee, to which were referred:

H.B. No. 22	IMPROVEMENT DISTRICT BOARD OF EQUALIZATION (State and Local Affairs)
H.B. No. 35	DISABILITY BENEFITS INCREASE (Judiciary)
H.B. No. 59	(Sub) CHAUFFEUR'S LICENSE AMENDMENTS (Transportation and Public Safety)
H.B. No. 85	RESISTING LAWFUL ARREST (Judiciary)
H.B. No. 87	UTAH CHILD ABUSE ACT (Social Services)
H.B. No. 99	POLITICAL CONVENTION AMENDMENTS (State and Local Affairs)
H.B. No. 73	NOTICE OF TAX SALE (Revenue and Taxation)

reports the same back and recommends that they be assigned to the committees indicated,

The Rules Committee moves that the Senate join with the House and ask the Governor to return **H.B. No. 108**, COUNTY INDEBTEDNESS AMENDMENTS, for technical correction.

We further move that **H.B. No. 146**, UTAH MUNICIPAL BOND ACT AMENDMENTS, under suspension of the rules, be placed at the head of the Second Reading Calendar,

Your Rules Committee, to which were referred:

S.B. No. 3	CONTRACEPTION OR ABORTION SERVICES (Social Services)
S.B. No. 108	WATER RESOURCE PROJECTS (Energy and Natural Resources)
S.B. No. 124	WINTER RECREATIONAL PARKING (Energy and Natural Resources)
S.B. No. 126	MUNICIPAL OFFICERS ETHICS (State and Local Affairs)

reports the same back with a few minor changes assented to by the authors and recommends that they be printed and assigned to the committees indicated.

Ronald T. Halverson, Committee Chairman

Committee reports read and adopted.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

S.B. No. 101	INDUSTRIAL FACILITIES DEVELOPMENT ACT AMENDMENT (State and Local Affairs)
S.B. No. 116	BRAND INSPECTION FEES (Agriculture)
S.B. No. 68	SALES TAX — PUBLIC TRANSIT ALLOCATION (Revenue and Taxation)
H.B. No. 47	RIGHTS OF DEAF AND BLIND PERSONS (Public Education)
H.B. No. 6	AGRICULTURAL ACTIVITIES (Agriculture)
H.B. No. 45	MILK AND CREAM ASSESSMENT (Agriculture)
H.B. No. 69	SALE OF ESTRAYS (Agriculture)
H.B. No. 55	COLLECTOR ROADS SYSTEM DESIGNATIONS (Transportation and Public Safety)

H.B. No. 56 STATE HIGHWAYS DESIGNATIONS
(Transportation and Public Safety)

S.B. Nos. 101, 116 and **68, H.B. No. 47, 61, 45, 69, 55** and **56** were placed on Second Reading Calendar.

SECOND READING CALENDAR

On motion of Senator Snow, **H.B. No. 146,** UTAH MUNICIPAL BOND ACT AMENDMENTS, was circled.

* * *

S.B. No. 13, MUNICIPAL INCORPORATION AMENDMENT, was read the second time.

Mr. President: January 14, 1981

The State and Local Affairs Committee, to which was referred **S.B. No. 13,** MUNICIPAL INCORPORATION AMENDMENTS, by Senator William T. Barton et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted.

* * *

On motion of Senator Snow, the circle was removed from **H.B. No. 146,** UTAH MUNICIPAL BOND ACT AMENDMENTS.

On motion of Senator Snow and at 12:00, the Senate adjourned until 10:00 a.m., Thursday, January 22, 1981.

pg. 204

ELEVENTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. President Miles 'Cap' Ferry presiding.

Roll Call — All senators present except Senator Sandberg (excused).

Prayer — Senator Bryce C. Flamm (Weber, Dist. 19).

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: January 22, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 21, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate, **S.C.R. No. 1,** ROYAL THOMAS HARWARD RESOLUTION, by Senator Barlow, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.C.R. No. 3,** PRESIDENT RONALD REAGAN RESOLUTION, by All Members of the Senate, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.C.R. Nos. 1 and **3** were signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

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Mr. President: January 21, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 2,** WITHDRAWAL OF CONSENT TO FEDERAL JURISDICTION OVER STATE LANDS, by Representative Redd, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 3,** STATE MINERAL LANDS RENTALS AND ROYALTIES, by Representative Redd, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 4,** REPEAL OF STATE CONSENT, by Representative Redd, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, as amended, **H.B. No. 23,** MUNICIPAL GOVERNMENT AMENDMENTS, by Representative Harrison, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. Nos. 2, 3, 4 and **23** were read the first time and referred to Rules Committee.

STATE AND LOCAL AFFAIRS COMMITTEE

Mr. President: January 21, 1981

The State and Local Affairs Committee, to which was referred **H.B. No. 24,** RETURN OF ATTORNEY'S FEES AMOUNT, by Representative P. Lloyd Selleneit, has carefully considered the bill and reports it out of committee favorably with the following amendments and asks that it be placed on the Consent Calendar:

Line 14: After the word *"Any"* delete *"state funded"*
Line 14: After the word *"organization"* insert *"receiving state funds"*
Line 16: After the word *"fees"* insert *"and costs"*, and

The State and Local Affairs Committee, to which was referred **S.B. No. 96,** NOTARY PUBLIC CHANGES, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee favorably with the following amendment and asks that it be placed on the Consent Calendar:

Page 1, Line 18:
After the word *"instances"*, insert *", except conveyances affecting real property,"*

Bryce C. Flamm, Committee Chairman

Committee reports, as amended, read and adopted. **H.B. No. 24** and **S.B. No. 96** were read the second time and placed on Consent Calendar.

JUDICIARY COMMITTEE

Mr. President: January 20, 1981

The Judiciary Committee, to which was referred **S.B. No. 112,** FOOD DONATIONS — GOOD SAMARITAN, by Senator Charles W. Bullen, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

The Judiciary Committee, to which was referred **H.B. No. 53,** SMALL CLAIMS COURT HOURS, by Representative Lorin N. Pace, has carefully considered the bill and reports it out of committee favorably with the following amendments and asks that it be placed on the Consent Calendar:

Line 21: After the word *"judge(s)"*, insert *"pro tempore"*
Line 23: After the word *"judge(s)"*, insert *"pro tempore"*

A. Dean Jeffs, Committee Chairman

Committee reports, read and adopted. **S.B. No. 112** and **H.B. No. 53** were read the second time and placed on Consent Calendar.

INTRODUCTION OF BILLS

JUVENILE COURT ACT AMENDMENTS

S.B. No. 143 K.S. Cornaby

AN ACT RELATING TO JUVENILE COURT DISTRICTS; PROVIDING FOR THE ISSUANCE OF CITATIONS FOR CERTAIN INFRACTIONS AND MISDEMEANORS; PROVIDING COUNSEL FOR INDIGENT OFFENDERS; AND RELATING TO THE ADJUDICATION OF CASES. THIS ACT AMENDS SECTION 78-3a-4, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 131, LAWS OF UTAH 1971, SECTION 78-3a-22, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 81, LAWS OF UTAH 1977, SECTION 78-3a-35, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 134, LAWS OF UTAH 1971, SECTION 78-3a-39, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 55, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

PUBLIC SAFETY RETIREMENT BENEFITS

S.B. No. 144 Senators Carling, Jeffs

AN ACT RELATING TO THE UTAH PUBLIC SAFETY RETIREMENT SYSTEM; CHANG-

ING THE DEFINITIONS OF "COMPENSATION," "SALARY," "WAGES," AND "FINAL AVERAGE SALARY"; INCREASING TO 100% THE AMOUNT THAT MAY BE RECEIVED BY A PERSON WHO CEASES, EXCEPT FOR CERTAIN CAUSES, TO BE EMPLOYED IN PUBLIC SAFETY SERVICES; REQUIRING PAYMENTS UPON DEATH IN CERTAIN CASES TO BE MADE TO THE SURVIVING PARENT RATHER THAN TO THE MOTHER ONLY, AND IN CASE OF THE DEATH OF BOTH PARENTS TO UNMARRIED CHILDREN UNDER THE AGE OF 18; ELIMINATING THE NECESSITY THAT A RETIRED MEMBER REACH THE AGE OF 65 BEFORE THE ANNUAL COST OF LIVING ADJUSTMENT MAY BE PAID TO THAT MEMBER; AND PROVIDING AN EFFECTIVE DATE, was read the first time and referred to Rules Committee.

UTAH COMMUNITY FINANCE ACT

S.B. No. 145 Omar B. Bunnell

AN ACT RELATING TO BORROWING BY GOVERNMENTAL UNITS IN THIS STATE; CREATING THE UTAH COMMUNITY FINANCE BANK; PROVIDING FOR THE POWERS, DUTIES, AND ADMINISTRATION OF THIS BANK; PROVIDING FOR THE ISSUANCE OF BONDS AND OTHER FINANCING INSTRUMENTS BY THE BANK AND FOR THE CHARACTERISTICS OF SAME; PROVIDING FOR PROCEDURES REGARDING ISSUANCE OF THESE INSTRUMENTS; PROVIDING FOR REPAYMENT OF THE INDEBTEDNESS SO CREATED; AND PROVIDING FOR RIGHTS AND REMEDIES CONCERNING THESE INSTRUMENTS. THIS ACT ENACTS CHAPTER 28, TITLE 11, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

On motion of Senator Asay, the Senate voted to lift **S.B. No. 5,** SCHOOL BUILDING AND CODE WAIVERS, from Third Reading Table and place it at the top of Third Reading Calendar. Senators Asay, Pugh, Finlinson, Farley, Bullen and Kimball commented. On motion of Senator Pugh **S.B. No. 5** was amended as follows:

> Page 1, Lines 26 and 27 (goldenrod):
> restore the words *"school district"* and *"in cities other than the first class"*
> Delete *"city school district"*

On motion of Senator Finlinson **S.B. No. 5** was amended as follows:

> Page 1, Line 19: After the *"1963"* delete the period and add the following:
> *", AND ENACTS SECTION 53-38-1.1."*
>
> Page 4, after Line 32: Insert the following:
> *"Section 4. Section 53-38-1.1, Utah Code Annotated 1953 is enacted to read:*
> *In the event that the commissioner of higher education determines that state and local building, fire, health, seismological and zoning codes ordinances and*

regulations would unnecessarily increase the cost of buildings in the system of higher education and compliance with such codes, ordinances and regulations because of local conditions are unnecessary for the health and safety of students or other occupants of such buildings he may convene a special board of review for the purpose of examining the particular codes, ordinances or regulations questioned and authority is hereby vested in the board to waive such restrictions upon their agreement with the commissioner's findings.

The board of review shall be known as the "Higher Education Construction Review Board" and is hereby created to consist of the following persons:

1. The commissioner of higher education.

2. A member of the state agency whose code requirement is being reviewed or a member of the local board or commission whose ordinance or rule is being reviewed.

3. An architect licensed to do business in Utah familiar with school construction appointed by the governor.

4. A contractor licensed to do business in Utah familiar with school construction appointed by the governor.

5. A lay member to be appointed by the governor.

Prior to granting a waiver the Higher Education and Review Board shall conduct a public hearing on the question in the community in which the construction is to occur. Notice of the hearing shall be in accordance with Utah Open Meeting Law Section 52-4-6, Utah Code Annotated 1953."

S.B. No. 5 failed third reading on the following roll call:

Yeas, 12; Nays, 16; Absent, 1

Voting in the affirmative were: Senators

Asay	Bullen	Jones	Pugh
Barlow	Christensen	Matheson	Sowards
Barton	Halverson	Peterson, C.	Mr. President (Ferry)

Voting in the negative were: Senators

Bangerter	Carling	Flamm	Peterson, L.
Bennett	Cornaby	Jeffs	Snow
Black	Farley	Kimball	Swan
Bunnell	Finlinson	Money	Wayment

Absent and not voting was: Senator
Sandberg

SECOND READING CALENDAR

On motion of Senator Black, the Senate voted to lift Substitute **S.B. No. 33, OIL REREFINING AMENDMENTS**, from Second Reading Table and place it at the top of Second Reading Calendar.

On motion of Senator Black, Substitute **S.B. No. 33** was amended as follows:

Page 1, Line 24:
delete *"49"* and insert in lieu thereof *"40"*

Page 2, Line 2:
After *"(3)"* delete *"used oil may contain toxic substances which could"*

Page 2, Line 3: delete entirely.

Page 2, Line 4:
delete *"reused or disposed of improperly; it"* and insert in lieu thereof *"It"*

Page 2, Line 26:
After *"stored"* delete the comma and insert *"and"* and following *"reused"* delete *"and disposed of"*

Page 4, Line 9:
delete *"sale or transfer"* and insert *"resale"*

Page 4, Line 23:
After *"is"* delete *"generated,"*

Page 4, Line 24:
delete *"stored,"*

Page 4, Line 28:
delete *"generation, storage,"*

Substitute **S.B. No. 33** passed second reading on the following roll call:

Yeas, 19; Nays, 8; Absent, 2

Voting in the affirmative were: Senators

Asay	Bullen	Farley	Money
Barlow	Bunnell	Finlinson	Pugh
Barton	Carling	Flamm	Swan
Bennett	Christensen	Halverson	Mr. President (Ferry)
Black	Cornaby	Kimball	

Voting in the negative were: Senators

Bangerter	Jones	Peterson, C.	Snow
Jeffs	Matheson	Peterson, L.	Wayment

Absent and not voting were: Senators

Sandberg	Sowards

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On motion of Senator Matheson, the Senate voted to lift **H.B. No. 69,** SALE OF ESTRAYS, from Second Reading Calendar, and place it on Consent Calendar.

Mr. President: January 21, 1981

The Agriculture Committee, to which was referred **H.B. No. 69,** SALE OF ESTRAYS, by Representative Evan L. Olsen, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted. **H.B. No. 69** was read the second time and placed on Consent Calendar.

COMMITTEE OF THE WHOLE

On motion of Senator Bangerter, the Senate resolved itself into a Committee of the Whole. Appearing before the Committee of the Whole was:

Janet Gill
Utah Right to Life

On motion of Senator Bangerter, the Committee of the Whole was dissolved.

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On motion of Senator Bangerter, **H.B. No. 146,** UTAH MUNICIPAL BOND ACT AMENDMENTS, was circled on Second Reading Calendar.

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On motion of Senator Barton, the Senate voted to place **S.B. No. 12,** PROPOSED INCORPORATION OF CITY AMENDMENTS, at the top of Second Reading Calendar, **S.B. No. 12** was read the second time. Senator Bullen is presiding.

Mr. President: January 19, 1981

The State and Local Affairs Committee, to which was referred **S.B. No. 12,** PROPOSED INCORPORATION OF CITY AMENDMENTS, by Senator William T. Barton et al, has carefully considered the bill and reports it out of committee favorably and with the following amendment:

Page 2, Line 25:
Delete *"municipal (county-wide) or November election"* and insert in lieu thereof *"county-wide election"*

Bryce C. Flamm, Committee Chairman

Committee report, as amended, read and adopted. Senator Barton explained the bill. **S.B. No. 12** passed second reading on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Christensen	Matheson	Swan

Barlow	Farley	Money	Wayment
Barton	Finlinson	Peterson, C.	Mr. President (Ferry)
Bennett	Flamm	Peterson, L.	
Bullen	Halverson	Pugh	
Bunnell	Kimball	Snow	

Absent and not voting were: Senators

Bangerter	Carling	Jeffs	Sandberg
Black	Cornaby	Jones	Sowards

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S.B. No. 13, MUNICIPAL INCORPORATION AMENDMENTS, was before the Senate. **S.B. No. 13** passed second reading on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Carling	Matheson	Swan
Barlow	Christensen	Money	Wayment
Barton	Farley	Peterson, C.	Mr. President (Ferry)
Bennett	Flamm	Peterson, L.	
Bullen	Jones	Pugh	
Bunnell	Kimball	Snow	

Absent and not voting were: Senators

Bangerter	Cornaby	Halverson	Sandberg
Black	Finlinson	Jeffs	Sowards

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S.B. No. 64, ADDITIONAL OPTIONAL FORM FOR COUNTY GOVERNMENT, was read the second time. President Ferry is presiding.

Mr. President: January 14, 1981

The State and Local Affairs Committee, to which was referred **S.B. No. 64,** ADDITIONAL OPTIONAL FORM FOR COUNTY GOVERNMENT, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted. Senator Cornaby explained the bill. Senators Swan, Pugh, Matheson and Halverson commented.

COMMITTEE OF THE WHOLE

On motion of Senator Snow, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate were:

(For) Allan J. Moll, attorney, Salt Lake County
(Against) Thomas O. Breitling, citizen
(Against) Laura Ferguson, Chairman, S.L. County Republican Party

On motion of Senator Snow, the Committee of the Whole was dissolved.

S.B. No. 64 passed second reading on the following roll call:

Yeas, 20; Nays, 6; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Bunnell	Finlinson	Kimball
Barlow	Carling	Flamm	Pugh
Bennett	Christensen	Halverson	Snow
Black	Cornaby	Jeffs	Swan
Bullen	Farley	Jones	Wayment

Voting in the negative were: Senators

Matheson	Peterson, C.	Sowards	Mr. President (Ferry)
Money	Peterson, L.		

Absent and not voting were: Senators

Asay	Barton	Sandberg

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S.B. No. 29, STATE BUILDING BOARD POWERS, was read the second time.

Mr. President: January 14, 1981

The Higher Education Standing Committee, to which was referred **S.B. No. 29,** STATE BUILDING BOARD POWERS, by Senator Ronald T. Halverson, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 12:
After the word *"TO"*, insert *"CONSTRUCT NEW BUILDINGS,"*.

Page 2, Line 28:
After *"alterations"* insert a comma and delete *"and"*. After *"repairs"* insert *"and new construction"*.

Page 7, Line 11:
After *"63-10-7.8."*, insert *"New construction,"*. Delete *"Alterations"* and insert in lieu thereof *"alterations"*

Lowell S. Peterson, Committee Chairman

Committee report, as amended, read and adopted. On motion of Senator Halverson, **S.B. No. 29** was placed on Second Reading Table.

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S.B. No. 14, TAXATION OF CERTAIN MOBILE HOMES, was read the second time.

Mr. President: January 14, 1981

The Agriculture Committee, to which was referred **S.B. No. 14,** TAXATION OF CERTAIN MOBILE HOMES, by Senator Haven J. Barlow et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted. Senator Barlow explained the bill. Senators Bullen, Pugh, Black, Bunnell, Matheson and Kimball commented. On motion of Senator Bunnell **S.B. No. 14** was amended as follows:

Page 4, Lines 5, 6 and 7:
delete entirely

Page 4, Line 8:
delete *"county recorder, the"* and insert in lieu thereof *"The"*

Page 4, Line 18:
delete *" "approved" "*

Page 4, Line 19:
delete *"The county recorder"*

Page 4, Lines 20 and 21:
delete entirely

Page 4, Line 32:
After *"property"* delete the period and insert *"for the purpose of ad valorem taxation."*

S.B. No. 14 passed second reading on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Bunnell	Jones	Snow
Barlow	Christensen	Kimball	Wayment
Barton	Farley	Matheson	Mr. President (Ferry)
Bennett	Finlinson	Money	
Black	Flamm	Peterson, L.	
Bullen	Jeffs	Pugh	

Absent and not voting were: Senators

Asay	Cornaby	Peterson, C.	Sowards
Carling	Halverson	Sandberg	Swan

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

H.B. No. 66	COAL MINING AND RECLAMATION ACT AMENDMENTS (Energy and Natural Resources)
S.B. No. 44	AUTOMOBILE INSURANCE AMENDMENTS (Business, Labor and Economic Development)
S.B. No. 54	MEDICAL RESPONSIBILITIES (Business, Labor and Economic Development)
S.B. No. 65	INTEREST LIMITATION INCREASE (Business, Labor and Economic Development)
S.B. No. 77	HEALTH MAINTENANCE ORGANIZATIONS AMENDMENTS (Business, Labor and Economic Development)
S.B. No. 81	SOCIAL WORK LICENSING AMENDMENTS (Business, Labor and Economic Development)

H.B. No. 66 and **S.B. Nos. 44, 54, 65, 77** and **81** were placed on Second Reading Calendar.

On motion of Senator Snow and at 12:00, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Miles 'Cap' Ferry presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 22, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 86**, AUTOMOBILE NEGLIGENCE — DEATH OR INJURY, by Representative Harrison, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 58**, LICENSING OF OUTFITTERS, by Representative McKeachnie, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. Nos. 86 and **58** were read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

MOTOR VEHICLE ACCIDENT REPORT

S.B. No. 146 Senators Black, Kimball
Snow, Matheson

AN ACT RELATING TO REPORTS ON MOTOR VEHICLE ACCIDENTS CORRECTING STATUTORY PROVISIONS AS TO WHEN THESE REPORTS ARE REQUIRED TO BE FILED WITH PROVISIONS PREVIOUSLY AMENDED; AND MAKING CERTAIN CHANGES IN FORM. THIS ACT AMENDS SECTION 41-12-5, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 91, LAWS OF UTAH 1973, was read the first time and referred to Rules Committee.

BOARD OF REGENTS' MEMBERS

S.B. No. 147 Senators Matheson, Bangerter

AN ACT RELATING TO THE BOARD OF REGENTS; PROVIDING THAT THE CHAIRMEN OF THE INSTITUTIONAL COUNCILS OR THEIR DESIGNEES SHALL CONSTITUTE THE MEMBERS OF THE BOARD; AND PROVIDING THAT A MAJORITY OF THE BOARD SHALL CONSTITUTE A QUORUM. THIS ACT AMENDS SECTION 53-48-5, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 110, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

CONDEMNED PROPERTY USES

S.B. No. 148 Senators Peterson, Matheson, Bullen

AN ACT RELATING TO EMINENT DOMAIN; PROVIDING THAT PLANNED PUBLIC USES BE COMMENCED AND COMPLETED WITHIN A REASONABLE TIME OF CONDEMNATION; AND PROVIDING THAT CONDEMNATIONS MAY BE SET ASIDE UPON FAILURE TO COMMENCE OR COMPLETE PUBLIC USES WITH SUCH REASONABLE TIME. THIS ACT AMENDS SECTIONS 78-34-4 AND 78-34-8, UTAH CODE ANNOTATED 1953, AND ENACTS SECTION 78-34-19, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

HUMANE TREATMENT OF ANIMALS

S.B. No. 149 Senators Bennett, Barton
Bangerter, Farley, Kimball

AN ACT RELATING TO THE HUMANE TREATMENT OF ANIMALS; DEFINING TERMS; PROVIDING FOR PERSONS TO DISCOVER VIOLATIONS; PROVIDING THE BASIS FOR A VIOLATION AND ESTABLISHING ITS ELEMENTS; AND MAKING CERTAIN TECHNIC-

AL CHANGES. THIS ACT AMENDS SECTION 76-9-302, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 32, LAWS OF UTAH 1974; ENACTS SECTIONS 76-9-303 AND 76-9-303.5, UTAH CODE ANNOTATED 1953; REPEALS AND REENACTS SECTION 76-9-301, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 87, LAWS OF UTAH 1977; AND REPEALS SECTION 76-9-301.5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 87, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

ONE LICENSE PLATE

S.B. No. 150 Senators Bangerter, Wayment Carling, Cornaby

AN ACT RELATING TO REGISTRATION PLATES; REQUIRING A MOTOR VEHICLE TO HAVE ONE REGISTRATION PLATE. THIS ACT AMENDS SECTION 41-1-43, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 150, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

DIVISION OF REGISTRATION AMENDMENTS

S.B. No. 151 Sherman A. Wayment

AN ACT RELATING TO THE DIVISION OF REGISTRATION; CHANGING THE TITLE "DEPARTMENT OF REGISTRATION" TO "DIVISION OF REGISTRATION;" PROVIDING A UNIFORM STRUCTURE FOR COMMITTEES WITHIN THE DIVISION OF REGISTRATION; ESTABLISHING DUTIES OF THE COMMITTEES; AND PERPETUATING IN NEW SECTIONS UNUSUAL FEATURES OF PARTICULAR COMMITTEES. THIS ACT AMENDS SECTION 58-1-1, UTAH CODE ANNOTATED 1953, AND SECTION 58-1-6, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 19, LAWS OF UTAH 1979, SECTION 58-9-3, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 5, LAWS OF UTAH 1980, SECTION 58-35-2, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 32, LAWS OF UTAH 1977, SECTION 58-40-3, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 16, LAWS OF UTAH 1975, SECTIONS 58-41-2 AND 58-46-2, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 20, LAWS OF UTAH 1975, SECTION 58-42-6, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 16, LAWS OF UTAH 1979; ENACTS SECTIONS 58-7-1.5, 58-9-3.5, 58-12-29.5, 58-35-2.5, AND 58-40-4.5, UTAH CODE ANNOTATED 1953; AND REPEALS AND REENACTS SECTION 58-1-5, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 5, LAWS OF UTAH 1980, AND SECTION 58-1-7, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 97, LAWS OF UTAH 1953, was read the first time and referred to Rules Committee.

SUNSET ACT AMENDMENTS

S.B. No. 152 Senators Carling, Christensen

AN ACT RELATING TO THE SUNSET ACT; ALTERING OR CREATING TERMINATION DATES OF PROVISIONS ESTABLISHING CERTAIN OCCUPATIONS. THIS ACT AMENDS SECTION 63-55-7, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 226, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

INDUSTRIAL COMMISSION MODIFICATIONS

S.B. No. 153 Sherman A. Wayment

AN ACT RELATING TO THE STATE INDUSTRIAL COMMISSION; PROVIDING FOR THE CREATION OF A PART-TIME INDUSTRIAL COMMISSION APPOINTED BY THE GOVERNOR; PROVIDING FOR APPOINTMENT OF AN EXECUTIVE DIRECTOR OF THE INDUSTRIAL COMMISSION TO ADMINISTER AND MANAGE THE AFFAIRS OF THE COMMISSION; PROVIDING FOR THE QUALIFICATIONS AND DUTIES OF THE EXECUTIVE DIRECTOR; PROVIDING FOR TECHNICAL CHANGES; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTIONS 35-1-9, 35-1-27, AND 35-1-30, UTAH CODE ANNOTATED 1953, AND SECTION 35-1-10, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 67, LAWS OF UTAH 1965, REPEALS AND REENACTS SECTIONS 35-1-1 AND 35-1-3, UTAH CODE ANNOTATED 1953, AND REPEALS SECTIONS 35-1-4, 35-1-6, AND 35-1-11, UTAH CODE ANNOTATED 1953, AND SECTION 35-1-5, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 76, LAWS OF UTAH 1971, was read the first time and referred to Rules Committee.

SECOND READING CALENDAR

On motion of Senator L. Peterson, **S.B. No. 116** was lifted to the top of Second Reading Calendar and read the second time.

Mr. President: January 21, 1981

The Agriculture Committee, to which was referred **S.B. No. 116,** BRAND INSPECTION FEES, by Senator Lowell S. Peterson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted. Senator Peterson explained the bill and it passed second reading on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Snow
Bangerter	Carling	Jones	Sowards

Barlow	Christensen	Matheson	Mr. President (Ferry)
Barton	Cornaby	Money	
Bennett	Finlinson	Peterson, L.	
Bullen	Flamm	Pugh	

Absent and not voting were: Senators

Black	Halverson	Peterson, C.	Swan
Farley	Kimball	Sandberg	Wayment

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S.B. No. 16, MOTOR FUELS TESTING AND LABELING, was read the second time.

Mr. President: January 14, 1981

The Agriculture Committee, to which was referred **S.B. No. 16,** MOTOR FUELS TESTING AND LABELING, by Senator Eldon Money et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted. Senator Money explained the bill. On motion of Senator Money **S.B. No. 16** was amended as follows:

Page 4, Line 16:
After *"24 hours after"* insert *"the department breaks the seal"* and delete *"advising the department of"*

Page 4, Line 17:
delete *"intent to remove it,"*

COMMITTEE OF THE WHOLE

On motion of Senator Sowards, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

Edison J. Stephens
Department of Agriculture — Supervisor, Weights and Measures

On motion of Senator Sowards, the Committee of the Whole was dissolved. Senator Finlinson proposed an amendment which failed. Senators Money, Finlinson, Sowards, Bangerter and Swan commented. On motion of Senator Finlinson, **S.B. No. 16** was amended as follows:

Page 3, Line 3:
delete *"with equal prominence"*

S.B. No. 16 passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Pugh
Bangerter	Carling	Jeffs	Snow
Barlow	Christensen	Jones	Sowards
Barton	Cornaby	Kimball	Swan
Bennett	Farley	Matheson	Wayment
Black	Finlinson	Money	Mr. President (Ferry)
Bullen	Flamm	Peterson, L.	

Absent and not voting were: Senators

Peterson, C. Sandberg

* * *

S.B. No. 85, UNAUTHORIZED USE OF MUNICIPAL PROPERTY, was read the second time.

Mr. President: January 14, 1981

The Agriculture Committee, to which was referred **S.B. No. 85,** UNAUTHORIZED USE OF MUNICIPAL PROPERTY, by Senator William T. Barton, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted. On motion of Senator Barton, **S.B. No. 85** is circled on Second Reading Calendar.

* * *

S.B. No. 31, PORTS OF ENTRY FINES, was read the second time.

Mr. President: January 14, 1981

The Transportation and Public Safety Committee, to which was referred **S.B. No. 31,** PORTS OF ENTRY FINES, by Senator Jack M. Bangerter, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 12:
Delete *"OVER TO THE DEPARTMENT OF TRANSPORTATION"* and insert *"INTO THE STATE TRANSPORTATION FUND"*

Page 2, Line 16:
After *"paid"* delete the remainder of line 16 and all of line 17 and insert *"into the state transportation fund."*

E. Verl Asay, Committee Chairman

Committee report read and adopted. Senators Pugh, Bangerter, Matheson and Bunnell commented. On motion of Senator Pugh, **S.B. No. 31** was amended as follows:

Page 2, Line 15:
delete *"All"* and insert in lieu thereof *"Fifty percent of the"*

S.B. No. 31 failed second reading on the following roll call:

Yeas, 14; Nays, 11; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Snow
Bangerter	Christensen	Jones	Sowards
Barlow	Finlinson	Money	
Barton	Flamm	Pugh	

Voting in the negative were: Senators

Bennett	Farley	Matheson	Swan
Bunnell	Halverson	Peterson, C.	Mr. President (Ferry)
Cornaby	Kimball	Peterson, L.	

Absent and not voting were: Senators

Black	Bullen	Sandberg	Wayment

THIRD READING CALENDAR

On motion of Senator Carling and under suspension of the rules, **S.B. No. 66**, SHOPLIFTING AMENDMENTS, was lifted from Third Reading Table and placed at the top of Third Reading Calendar. On motion of Senator Carling, Substitute **S.B. No. 66** replaced the bill.

Substitute **S.B. No. 66** passed third reading on the following roll call:

Yeas, 27; Nays, 1; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Peterson, L.
Bangerter	Carling	Jeffs	Pugh
Barlow	Christensen	Jones	Snow
Barton	Cornaby	Kimball	Sowards
Bennett	Farley	Matheson	Wayment
Black	Finlinson	Money	Mr. President (Ferry)
Bullen	Flamm	Peterson, C.	

Voting in the negative was: Senator
Swan

Absent and not voting was: Senator
Sandberg

Substitute **S.B. No. 66** was transmitted to the House.

SECOND READING CALENDAR

S.B. No. 71, HIGHWAY DAMAGE ASSESSMENTS, was read the second time.

Mr. President: January 14, 1981

The Transportation and Public Safety Committee, to which was referred **S.B. No. 71,** HIGHWAY DAMAGE ASSESSMENTS, by Senator Jack M. Bangerter, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 10:
After *"collected"* delete *"by"* and all of line 11 and insert in lieu thereof *"in accordance with rules to be established by the department and"*

Page 3, Line 10:
After *"may"* delete the remainder of line 10 and all of line 11 and insert *"issue a permit to allow the vehicle to proceed. Such permit will be issued and billed in accordance with procedures to be established by the department."*

E. Verl Asay, Committee Chairman

Committee report, as amended, read and adopted. On motion of Senator Bangerter, **S.B. No. 71** was circled.

* * *

S.B. No. 72, WEIGHING OF MOTOR VEHICLES, was read the second time.

Mr. President: January 14, 1981

The Transportation and Public Safety Committee, to which was referred **S.B. NO. 72,** WEIGHING OF MOTOR VEHICLES, by Senator Warren E. Pugh, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted. Senators Pugh and Bangerter commented. **S.B. No. 72** failed second reading on the following roll call:

Yeas, 11; Nays, 8; Absent, 10

Voting in the affirmative were: Senators

Barlow	Bunnell	Flamm	Pugh
Bennett	Farley	Kimball	Swan
Black	Finlinson	Peterson, C.	

Voting in the negative were: Senators

Bangerter	Cornaby	Peterson, L.	Wayment
Bullen	Money	Snow	Mr. President (Ferry)

Absent and not voting were: Senators

Asay	Christensen	Jones	Sowards

Barton	Halverson	Matheson
Carling	Jeffs	Sandberg

* * *

Senator Flamm having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action on **S.B. No. 5,** SCHOOL BUILDING AND CODE WAIVERS, tomorrow.

* * *

S.B. No. 45, SHORT TERM YOUTH COMMITMENT, was read the second time.

Mr. President: January 15, 1981

The Social Services Committee, to which was referred **S.B. No. 45,** SHORT TERM YOUTH COMMITMENT, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee favorably and with the following amendment:

Page 2, Line 19:
After *"commit"* insert *", subject to the court retaining continuing jurisdiction over,"*

Ronald T. Halverson, Committee Chairman

Committee report, as amended, read and adopted. Senator Cornaby explained the bill. **S.B. No. 45** passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Halverson	Pugh
Barlow	Christensen	Kimball	Snow
Barton	Cornaby	Matheson	Sowards
Bennet	Farley	Money	Swan
Black	Finlinson	Peterson, C.	Wayment
Bunnell	Flamm	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Bangerter	Jeffs	Jones	Sandberg
Bullen			

* * *

S.B. No. 42, WATER CONSERVANCY ACT AMENDMENTS, was read the second time.

Mr. President: January 14, 1981

The Energy and Natural Resources Committee, to which was referred **S.B. No. 42,** WATER CONSERVANCY ACT AMENDMENTS, by Senator Fred W. Finlinson et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Fred W. Finlinson, Committee Chairman

Committee report read and adopted. On motion of Senator Finlinson, **S.B. No. 42** was circled on Second Reading Calendar.

* * *

S.B. No. 39, STATE LAND AMENDMENTS, was read the second time.

Mr. President: January 15, 1981

The Energy and Natural Resource Committee, to which was referred **S.B. No. 39,** STATE LANDS AMENDMENTS, by Senator Fred W. Finlinson et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 15:
Delete *"six"* and insert in lieu thereof *"seven"*

Page 2, Line 16:
Delete *"three"* and insert in lieu thereof *"four"*

Page 6, Line 4:
Delete *"leased"* and insert in lieu thereof *"sold"*

Page 7, Line 25:
After *"shale"* insert *"and tar sands"*

Page 7, Line 26:
After *"for"* delete *"tar sands,"*

Page 8, after Line 9 insert the following subparagraph:
"(c) The board may extend existing leases in accordance with the provisions of subparagraph (b) above."

Page 8, Line 12:
After *"shale"* insert *"and tar sands"*

Page 8, line 21:
Delete *"select"* and insert in lieu thereof *"survey"*

Page 9, Line 34:
Delete *"division of state lands"* and insert in lieu thereof *"board"*

Page 10, Line 11:
Delete *"division"* and insert in lieu thereof *"board"*

Page 11, Line 28:
After *"aesthetic"* delete "," and insert in lieu there of *"or"*

Page 11, Line 29:
Delete *"or agricultural"*

Fred W. Finlinson, Committee Chairman

Committee report, as amended, read and adopted. Senators Finlinson and Swan commented. Senator C. Peterson proposed amendments. **S.B. No. 39** will remain as Unfinished Business.

* * *

On motion of Senator Finlinson, the circles were removed from **H.B. No. 146,** UTAH MUNICIPAL BOND ACT AMENDMENTS; **S.B. No. 85,** UNAUTHORIZED USE OF MUNICIPAL PROPERTY; **S.B. No. 71,** HIGHWAY DAMAGE SETTLEMENTS and **S.B. No. 42,** WATER CONSERVANCY AMENDMENTS.

* * *

Senator Snow having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action on **S.B. No. 72,** WEIGHING OF MOTOR VEHICLES, tomorrow.

On motion of Senator Snow and at 3:30 p.m., the Senate adjourned until 10:00 a.m., Friday, January 23, 1981.

TWELFTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present.

Prayer — Senator Lowell S. Peterson (Weber, Dist. 20).

* * *

The Daily Journal for Day Eleven was approved Monday, January 26, 1981.

READING OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

SECOND READING CALENDAR

On motion of Senator Bangerter and under suspension of the rules, **H.B. No. 146,** UTAH MUNICIPAL BOND ACT AMENDMENTS, was lifted to the top of Second Reading Calendar and read the second time. Senator Jeffs explained the bill. On motion of Senator Jeffs, **H.B. No. 146** was amended as follows:

Page 1, Line 13: After the word *"FORM;"* insert *"VALIDATING EXISTING TAX ANTICIPATION OBLIGATIONS;"*

Page 4, Line 17, after *"(1)"* delete the remainder of the line.

Page 4: Delete Lines 18, 19, and 20.

Page 4, Line 21, delete *"appropriate resolution issue tax anticipation notes."* and insert in lieu thereof the following:
"For the purpose of meeting the current expenses of the municipality and for any other purpose for which funds of the municipality may be expended, the governing body may borrow money not in excess of ninety percent of the taxes and other revenues of the municipality for the current year, issuing therefore negotiable notes or bonds of the municipality. In the event that such notes or bonds are issued prior to the annual tax levy for the year in which such indeptedness is contracted, the amount so issued shall not exceed seventy-five per cent of the tax revenues and other revenues of the preceding year, and the proceeds shall be applied only in payment of current and necessary expenses and other purposes for which funds of the municipality may be expended, and there shall be included in the annual levy a tax and there shall be provision made for the imposition and collection of sufficient revenues other than taxes sufficient to pay the same at maturity. In the

event that the taxes and other revenues in any one year are insufficient through delinquency or uncollectibility of taxes or other cause to pay when due all the lawful debts of the municipality which have been or may hereafter be contracted, the governing body of the municipality is authorized and directed to levy and collect in the next succeeding year a sufficient tax and to provide for the imposition and collection of sufficient revenues other than taxes to pay all of such lawfully contracted indebtedness, and may borrow as provided in this section in anticipation of such tax and other revenues to pay any such lawfully contracted indebtedness."

Page 5, Line 17: After *"Section"* insert *"5. Section"*

Page 5, Line 19: After *"All"* delete *"notes"* and insert *obligations*

Page 5, Line 23: After *"these"* delete *"notes"* and insert *obligations*

Page 5, Line 26: After *"these"* delete *"notes"* and insert *obligations*

Page 5, Line 28: After *"Section"* insert *"6. Section"*

On motion of Senator Jeffs and under suspension of the rules, **H.B. No. 146** was read the third time and passed second and third reading, as amended, on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Pugh
Bangerter	Carling	Jeffs	Sandberg
Barlow	Christensen	Jones	Snow
Barton	Cornaby	Matheson	Sowards
Bennett	Farley	Money	Swan
Black	Finlinson	Peterson, C.	Mr. President (Ferry)
Bullen	Flamm	Peterson, L.	

Absent and not voting were: Senators

Kimball	Wayment

H.B. No. 146, as amended, was transmitted to the House.

* * *

COMMITTEE OF THE WHOLE

On motion of Senator Snow, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

Frank Layden, General Manager
Utah Jazz Basketball

On motion of Senator Snow, the Committee of the Whole was dissolved.

COMMUNICATION FROM THE HOUSE

Mr. President: January 22, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, as amended, **H.B. No. 18,** UTILITIES RATE STRUCTURE, by Representative Harrison, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 18 was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

PRIVILEGE TAX AMENDMENTS

S.B. No. 154 Warren E. Pugh

AN ACT RELATING TO THE PRIVILEGE TAX; PROVIDING THAT ANY CONCESSION IN OR RELATIVE TO REAL OR PERSONAL PROPERTY WHICH IS AVAILABLE AS A MATTER OF RIGHT TO THE USE OF THE GENERAL PUBLIC ARE SUBJECT TO THIS TAX; REMOVING AMBIGUOUS LANGUAGE REGARDING EXCLUSIVE POSSESSION UNDER LEASES, PERMITS, AND SIMILAR RIGHTS; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 59-13-73, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 177, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

STANDARD STATE BUILDING CODES

S.B. No. 155 Senators Christensen, Wayment, Halverson

AN ACT RELATING TO BUILDING CONSTRUCTION; PROVIDING FOR ADOPTION OF UNIFORM STATE-WIDE BUILDING CODES; PROVIDING FOR DISPUTES TO BE SETTLED BY THE DIVISION OF CONTRACTORS; AND PROVIDING A SYSTEM FOR ENFORCEMENT OF THE CODES, was read the first time and referred to Rules Committee.

UNFINISHED BUSINESS

S.B. No. 39, STATE LAND AMENDMENTS, being Unfinished Business as the Senate adjourned yesterday, was before the Senate. Senator C. Peterson's proposed amendments are considered. Senator Asay is presiding. Senators C. Peterson, Finlinson, Jones, Bunnell, Flamm, Kimball, Swan, Pugh and Matheson commented.

COMMITTEE OF THE WHOLE

On motion of Senator Finlinson, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate were:

Oliver W. Gushee, Jr., attorney, Pruitt & Gushee
William K. Dinehart, Director, Division of State Lands, State of Utah

On motion of Senator Finlinson, the Committee of the Whole was dissolved.

Senator Finlinson, with the aid of five senators, requested a call of the Senate. On motion of Senator Finlinson, the call of the Senate was lifted.

On motion of Senator C. Peterson, **S.B. No. 39** was amended as follows:

Page 7, Line 20:
Delete *"more"* and insert in lieu thereof *"less"* and delete *"$1.50"*, and insert in lieu thereof *"$1.00"*

Page 7, Line 21:
Delete *"not to exceed 15% of"* and insert in lieu thereof *"on"*.

Page 7, Line 23:
Delete *"shall"* and insert in lieu thereof *"may"*.

S.B. No. 39 passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Pugh
Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Kimball	Snow
Barton	Farley	Matheson	Sowards
Bennett	Finlinson	Money	Swan
Black	Flamm	Peterson, C.	Mr. President (Ferry)
Bunnell	Halverson	Peterson, L.	

Absent and not voting were: Senators

Bullen	Wayment

* * *

Senator Halverson, having voted on the prevailing side, as **S.B. No. 31,** PORT OF ENTRY FINES, failed second reading yesterday, moved that it be placed at the top of Second Reading Calendar for reconsideration. The motion carried. President Ferry resumed presiding.

THIRD READING CALENDAR

Sub. S.B. No. 33, OIL REREFINING AMENDMENTS, was read the third time and passed third reading on the following roll call:

Yeas, 18; Nays, 7; Absent, 4

Voting in the affirmative were: Senators

Barton	Carling	Kimball	Sowards
Bennett	Cornaby	Money	Swan
Black	Farley	Pugh	Mr. President (Ferry)
Bullen	Finlinson	Sandberg	
Bunnell	Halverson	Snow	

Voting in the negative were: Senators

Asay	Flamm	Jones	Peterson, L.
Barlow	Jeffs	Matheson	

Absent and not voting were: Senators

Bangerter	Christensen	Peterson, C.	Wayment

Sub. S.B. No. 33 was transmitted to the House.

* * *

S.B. No. 12, PROPOSED INCORPORATION OF CITY AMENDMENTS, was read the third time, and passed third reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Cornaby	Kimball	Snow
Barlow	Farley	Matheson	Sowards
Barton	Finlinson	Money	Swan
Bennett	Flamm	Peterson, C.	Mr. President (Ferry)
Black	Halverson	Peterson, L.	
Bullen	Jeffs	Pugh	
Bunnell	Jones	Sandberg	

Absent and not voting were: Senators

Bangerter	Carling	Christensen	Wayment

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

* * *

S.B. No. 13, MUNICIPAL INCORPORATION AMENDMENTS, was read the third time and passed third reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Pugh
Barlow	Carling	Jones	Sandberg
Barton	Cornaby	Kimball	Snow
Bennett	Farley	Money	Sowards
Black	Flamm	Peterson, C.	Swan

Bullen	Halverson	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Bangerter	Finlinson	Matheson	Wayment
Christensen			

S.B. No. 13 was transmitted to the House.

* * *

S.B. No. 64, ADDITIONAL OPTIONAL FORM FOR COUNTY GOVERNMENT, was read the third time and passed third reading on the following roll call:

Yeas, 22; Nays, 5; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Jones	Sandberg
Bangerter	Christensen	Kimball	Snow
Barlow	Cornaby	Matheson	Sowards
Bennett	Farley	Peterson, C.	Swan
Black	Flamm	Peterson, L.	
Bullen	Halverson	Pugh	

Voting in the negative were: Senators

Barton	Jeffs	Money	Mr. President (Ferry)
Bunnell			

Absent and not voting were: Senators

Finlinson	Wayment

S.B. No. 64 is reconsidered.

* * *

S.B. No. 14, TAXATION OF CERTAIN MOBILE HOMES, was read the third time. On motion of Senator Bunnell, **S.B. No. 14** was amended as follows:

Page 4, Line 26: following line 26, insert a new subsection to read:

"(6) In case a mobile home owner decides to separate his mobile home from his real property, he may acquire a new title by submitting an affidavit that the mobile home has been removed from his real property, together with an application for a new title to the Division of Motor Vehicles."

S.B. No. 14 passed third reading on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Sandberg
Bangerter	Bunnell	Jones	Snow
Barlow	Farley	Matheson	Sowards

Barton	Finlinson	Money	Swan
Bennett	Flamm	Peterson, L.	Mr. President (Ferry)
Black	Halverson	Pugh	

Absent and not voting were: Senators

Carling	Cornaby	Peterson, C.	Wayment
Christensen	Kimball		

S.B. No. 14 was transmitted to the House.

* * *

S.B. No. 116, BRAND INSPECTION FEES, was read the third time and passed third reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Pugh
Bangerter	Cornaby	Kimball	Sandberg
Barlow	Farley	Matheson	Snow
Barton	Finlinson	Money	Sowards
Bennett	Flamm	Peterson, C.	Swan
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Black	Christensen	Jones	Wayment
Carling			

S.B. No. 116 was transmitted to the House.

* * *

Senator Flamm having served notice that he might ask the Senate to reconsider its action on **S.B. No. 5,** SCHOOL BUILDING AND CODE WAIVERS, on this day, now moved that it be reconsidered. The motion carried. On motion of Senator Barlow, **S.B. No. 5** was circled.

* * *

S.B. No. 16, MOTOR FUELS TESTING AND LABELING, was read the third time and passed third reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Sandberg
Bangerter	Carling	Jeffs	Snow
Barlow	Christensen	Kimball	Sowards
Barton	Cornaby	Matheson	Swan
Bennett	Farley	Money	Mr. President (Ferry)

Black	Finlinson	Peterson, C.
Bullen	Flamm	Pugh

Absent and not voting were: Senators

Jones	Peterson, L.	Wayment

S.B. No. 16 was transmitted to the House.

* * *

S.B. No. 45, SHORT TERM YOUTH COMMITMENT, was read the third time and passed third reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Carling	Jeffs	Snow
Barlow	Christensen	Kimball	Sowards
Barton	Cornaby	Matheson	Swan
Bennett	Farley	Money	Mr. President (Ferry)
Black	Finlinson	Peterson, C.	
Bullen	Flamm	Pugh	
Bunnell	Halverson	Sandberg	

Absent and not voting were: Senators

Asay	Jones	Peterson, L.	Wayment

S.B. No. 45 was transmitted to the House.

RULES COMMITTEE REPORTS

Mr. President: January 23, 1981

Your Rules Committee, to which were referred:

S.B. No. 104	SALES TAX ON HEARING AIDS (Revenue and Taxation)
S.B. No. 115	LEGISLATORS' RETIREMENT (State and Local Affairs)
S.B. No. 119	EDUCATION IMPASSE PROCEDURES (Public Education)
S.B. No. 120	TRANSFER OF PERSONALIZED LICENSE PLATES (Transportation and Public Safety)
S.B. No. 123	MX IMPACT PLANNING ACT (Energy and Natural Resources)
S.B. No. 130	BOARD OF REGENTS INCREASE (Higher Education)
S.B. No. 135	COMPLIANCE WITH COUNTY PLANS (State and Local Affairs)

S.B. No. 136	PUBLIC TRANSIT ACT AMENDMENTS (Transportation and Public Safety)
S.J.R. No. 4	EARTHQUAKE PREPAREDNESS RESOLUTION (Energy and Natural Resources)

reports the same back with a few minor changes assented to by the authors and recommends that they be printed and assigned to the committees indicated,

Your Rules Committee, to which were referred:

H.B. No. 2	WITHDRAW OF CONSENT TO FEDERAL JURISDICTION OVER STATE LANDS (Agriculture)
H.B. No. 3	STATE MINERAL LANDS RENTALS AND ROYALTIES (Energy and Natural Resources)
H.B. No. 4	REPEAL OF STATE CONSENT (Agriculture)
H.B. No. 23	MUNICIPAL GOVERNMENT AMENDMENTS (State and Local Affairs)
H.B. No. 58	LICENSING OF OUTFITTERS (Energy and Natural Resources)
H.B. No. 86	AUTOMOBILE NEGLIGENCE — DEATH OR INJURY (Judiciary)

reports the same back and recommends that they be assigned to the committees indicated.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted.

SECOND READING CALENDAR

Senator Snow, having served notice that he might ask the Senate to reconsider its action on **S.B. No. 72,** WEIGHING OF MOTOR VEHICLES, on this day, now moved that it be reconsidered. The motion carried and on motion of Senator Pugh **S.B. No. 72** was circled on Second Reading Calendar.

COMMUNICATION FROM THE HOUSE

Mr. President: January 23, 1981

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.B. No. 146,** UTAH MUNICIPAL BOND ACT AMENDMENTS, by Representative Garff, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

H.B. No. 146 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

SECOND READING CALENDAR

S.B. No. 31, PORT OF ENTRY FINES, was before the Senate on reconsideration. Senators Bangerter, Flamm, Bunnell, Matheson and Black commented. On motion of Senator Flamm, **S.B. No. 31** was amended as follows:

Page 2, Line 17:
After *"state transportation fund"* delete the period and insert *"for use exclusively in the B and C road fund effective January 1, 1982."*

S.B. No. 31 passed second reading on reconsideration and on the following roll call:

Yeas, 18; Nays, 7; Absent, 4

Voting in the affirmative were: Senators

Asay	Christensen	Halverson	Sandberg
Bangerter	Cornaby	Jeffs	Snow
Barlow	Farley	Kimball	Sowards
Barton	Finlinson	Money	
Black	Flamm	Pugh	

Voting in the negative were: Senators

Bennett	Matheson	Peterson, L.	Mr. President (Ferry)
Bunnell	Peterson, C.	Swan	

Absent and not voting were: Senators

Bullen	Carling	Jones	Wayment

* * *

On motion of Senator Pugh, **S.B. No. 72**, WEIGHING OF MOTOR VEHICLES, having been circled on Second Reading Calendar, was uncircled and before the Senate. Senators Pugh, Swan, Matheson and Cornaby commented. On motion of Senator Sowards, **S.B. No. 72** was amended as follows:

Page 1, Line 25:
delete *"seven"* and restore *"two"*

S.B. No. 72 passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Sandberg
Bangerter	Christensen	Kimball	Snow
Barlow	Cornaby	Matheson	Sowards
Barton	Farley	Money	Swan

Bennett	Finlinson	Peterson, C.	Wayment
Black	Flamm	Peterson, L.	Mr. President (Ferry)
Bullen	Halverson	Pugh	

Absent and not voting were: Senators

Carling	Jones

THIRD READING CALENDAR

Senator Halverson, having voted on the prevailing side, moved that under suspension of the rules, **S.B. No. 64,** ADDITIONAL FORMS OF COUNTY GOVERNMENT, be placed at the top of Third Reading Calendar for reconsideration. The motion carried. Senators Cornaby, Jones and Snow commented. On motion of Senator Halverson, **S.B. No. 64** was amended as follows:

Page 1, Line 24:
delete *"not"*

Page 1, Line 25:
delete *"expressly prohibited"* and insert in lieu thereof *"granted"*

S.B. No. 64 passed third reading on reconsideration and on the following roll call:

Yeas, 17; Nays, 7; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Farley	Peterson, L.	Swan
Barlow	Flamm	Pugh	Wayment
Barton	Halverson	Sandberg	
Christensen	Kimball	Snow	
Cornaby	Matheson	Sowards	

Voting in the negative were: Senators

Asay	Bullen	Money	Mr. President (Ferry)
Black	Jeffs	Peterson, C.	

Absent and not voting were: Senators

Bennett	Carling	Finlinson	Jones
Bunnell			

S.B. No. 64 was transmitted to the House.

* * *

On motion of Senator Asay the circle was removed from **S.B. No. 5,** SCHOOL BUILDING AND CODE WAIVERS.

* * *

On motion of Senator Snow and at 12:35 p.m., the Senate adjourned until Monday, January 26, 1981.

FIFTEENTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present except Senators Pugh and Snow (excused).

Prayer — Senator Charles E. Bennett, Sr. (Salt Lake, Dist. 6).

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: January 26, 1981

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

Lowell S. Peterson, Committee Member

Committee report read and adopted.

READING OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATION FROM THE HOUSE

Mr. President: January 23, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 82,** RECORDING OF ADMINISTRATIVE HEARINGS, by Representative Sykes, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 82 was read the first time and referred to Rules Committee.

STANDING COMMITTEE REPORTS

Mr. President: January 22, 1981

The Revenue and Taxation Committee, to which was referred **H.B. No. 17,** ALTERNATIVE MORTGAGE INSTRUMENTS, by Representative Sherman D. Harmer, Jr. has carefully considered the bill and respectfully requests that this bill be referred to Business, Labor and Economic Development for their further consideration.

Charles W. Bullen, Committee Chairman

H.B. No. 17 was referred to Business, Labor and Economic Development Committee.

* * *

Mr. President: January 22, 1981

The Judiciary Committee, to which was referred **H.B. No. 85,** RESISTING LAWFUL ARREST, by Representative Orval C. Harrison, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

A. Dean Jeffs, Committee Chairman

H.B. No. 85 was read the second time and placed on Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

S.B. No. 10	HERITAGE TREES (Agriculture)
S.B. No. 22	UNKNOWN VOTER IDENTIFICATION (State and Local Affairs)
S.B. No. 23	CEMETERY AND FIRE COMMISSIONER APPOINTMENTS (State and Local Affairs)
S.B. No. 36	JUSTICE OF PEACE PRECINCTS (State and Local Affairs)
S.B. No. 38	ELECTION REGISTRATION AMENDMENTS (State and Local Affairs)
H.B. No. 35	DISABILITY BENEFITS INCREASE (Judiciary)
S.J.R. No. 1	TAX ARTICLE REVISION (Revenue and Taxation)
S.J.R. No. 2	SCHOOL PROGRAM SUPPORT LIMITATION (Revenue and Taxation)
Sub. H.B. No. 59	CHAUFFEUR'S LICENSE AMENDMENTS (Transportation and Public Safety)

S.B. Nos. 10, 22, 23, 36, 38 and **H.B. No. 35** and **S.J.R. Nos. 1** and **2** and **Sub. H.B. 59** were placed on Second Reading Calendar.

INTRODUCTION OF BILLS

UTILITIES SERVICES—HOSTAGE SITUATION

S.B. No. 156 Senators Finlinson, Barton

AN ACT RELATING TO UTILITIES SERVICES; ALLOWING A SUPERVISING LAW ENFORCEMENT OFFICIAL TO ORDER SEVERANCE OF TELEPHONE COMMUNICATION IN HOSTAGE SITUATIONS; AND REQUIRING COOPERATION OF AFFECTED TELEPHONE COMPANIES AND THEIR EMPLOYEES, was read the first time and referred to Rules Committee.

SALES AND USE TAX JURISDICTION STANDARD

S.B. No. 157 Senators Bullen, Bunnell, Sowards Bennett, Jeffs

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING THAT AN OUT-OF-STATE VENDOR DOING BUSINESS WITHIN THIS STATE UNDER SPECIFIED CONDITIONS IS REQUIRED TO COLLECT AND REMIT SALES TAX TO THE STATE TAX COMMISSION. THIS ACT AMENDS SECTION 59-15-5, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 181, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

S.B. No. 31, PORT OF ENTRY FINES, was read the third time. Senators Bangerter, Black, Bunnell, Swan, Matheson, Soward, Wayment, Sandberg and Flamm commented. On motion of Senator Bangerter, **S.B. No. 31** was amended as follows:

Page 2, Line 10:
delete *"and"* and insert in lieu thereof *"or"*

S.B. No. 31 passed third reading on the following roll call:

Yeas, 17; Nays, 10; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Sowards
Bangerter	Cornaby	Jones	Wayment
Barlow	Farley	Money	
Barton	Flamm	Peterson, L.	
Black	Halverson	Sandberg	

Voting in the negative were: Senators

Bennett	Christensen	Matheson	Mr. President (Ferry)
Bullen	Finlinson	Peterson, C.	
Bunnell	Kimball	Swan	

Absent and not voting were: Senators

Pugh	Snow

S.B. No. 31 was transmitted to the House.

* * *

On motion of Senator Bangerter, **S.B. No. 72,** WEIGHING OF MOTOR VEHICLES, was read the third time and circled.

* * *

On motion of Senator Asay, **S.B. No. 5,** SCHOOL BUILDING AND CODE WAIVERS, was circled.

* * *

S.B. No. 39, STATE LANDS AMENDMENTS, was read the third time. Senators Finlinson, C. Peterson and Bunnell commented.

Senator Finlinson's motion to delete all previous amendments on Page 7, Lines 20, 21 and 23 and restore original language, was defeated on the following roll call:

Yeas, 10; Nays, 17; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Finlinson	Kimball	Wayment
Bullen	Jeffs	Sandberg	
Carling	Jones	Sowards	

Voting in the negative were: Senators

Asay	Bunnell	Halverson	Swan
Barlow	Christensen	Matheson	Mr. President (Ferry)
Barton	Cornaby	Money	
Bennett	Farley	Peterson, C.	
Black	Flamm	Peterson, L.	

Absent and not voting were: Senators

Pugh	Snow

S.B. No. 39 passed third reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Peterson, L.
Bangerter	Carling	Jeffs	Sandberg
Barlow	Christensen	Jones	Sowards
Barton	Cornaby	Kimball	Swan
Bennett	Farley	Matheson	Wayment
Black	Finlinson	Money	Mr. President (Ferry)
Bullen	Flamm	Peterson, C.	

Absent and not voting were: Senators

Pugh	Snow

S.B. No. 39 was transmitted to the House.

CONSENT CALENDAR

S.B. No. 96, NOTARY PUBLIC CHANGES, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Christensen	Jeffs	Peterson, L.
Barlow	Cornaby	Jones	Sandberg
Barton	Farley	Kimball	Sowards
Bennett	Finlinson	Matheson	Swan
Black	Flamm	Money	Wayment
Bullen	Halverson	Peterson, C.	Mr. President (Ferry)

Absent and not voting were: Senators

Asay	Carling	Pugh	Snow
Bunnell			

S.B. No. 96 was transmitted to the House.

* * *

S.B. No. 112, FOOD DONATIONS — GOOD SAMARITAN, was read the third time. Senator Bullen explained the bill and it passed third reading on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Sandberg
Bangerter	Carling	Jones	Sowards
Barlow	Christensen	Matheson	Swan
Barton	Cornaby	Money	Wayment
Bennett	Farley	Peterson, C.	Mr. President (Ferry)
Black	Flamm	Peterson, L.	

Absent and not voting were: Senators

Bunnell	Halverson	Pugh	Snow
Finlinson	Kimball		

S.B. No. 112 was transmitted to the House.

* * *

H.B. No. 24, RETURN OF ATTORNEY'S FEES AMOUNT, was read the third time and passed third reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sowards
Bangerter	Cornaby	Kimball	Swan
Barlow	Farley	Matheson	Wayment
Barton	Finlinson	Money	Mr. President (Ferry)
Bennett	Flamm	Peterson, C.	
Black	Halverson	Peterson, L.	
Carling	Jeffs	Sandberg	

Absent and not voting were: Senators

Bullen	Bunnell	Pugh	Snow

H.B. No. 24, as amended, was returned to the House.

* * *

H.B. No. 53, SMALL CLAIMS COURTS, was read the third time. Senators Black, L. Peterson, Asay, Matheson and Carling commented. **H.B. No. 53** passed third reading on the following roll call:

Yeas, 24; Nays, 2; Absent, 3

Voting in the affirmative were: Senators

Asay	Bullen	Finlinson	Peterson, C.
Bangerter	Bunnell	Flamm	Sandberg
Barlow	Carling	Halverson	Sowards
Barton	Christensen	Jeffs	Swan
Bennett	Cornaby	Kimball	Wayment
Black	Farley	Money	Mr. President (Ferry)

Voting in the negative were: Senators

Matheson	Peterson, L.

Absent and not voting were: Senators

Jones	Pugh	Snow

H.B. No. 53, as amended, was returned to the House.

* * *

H.B. No. 69, SALE OF ESTRAYS, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Sandberg
Bangerter	Christensen	Jones	Sowards

Barlow	Cornaby	Kimball	Swan
Barton	Farley	Matheson	Wayment
Bennett	Finlinson	Money	Mr. President (Ferry)
Black	Flamm	Peterson, C.	
Bunnell	Halverson	Peterson, L.	

Absent and not voting were: Senators

Bullen	Pugh	Snow

H.B. No. 69 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

SECOND READING CALENDAR

S.B. No. 85, UNAUTHORIZED USE OF MUNICIPAL PROPERTY, was before the Senate. Senators Matheson, Barton, Bennett, Kimball, Christensen and Jeffs commented. On motion of Senator Matheson, **S.B. No. 85** was amended as follows:

Page 1, Line 24:
delete *"not to exceed $500"* and restore *"up to $299"*

On motion of Senator Barton, **S.B. No. 85** was amended as follows:

Page 1, Line 11:
delete *"NOT TO EXCEED $500"* and insert in lieu thereof *"UP TO $299"*

Page 1, Line 28:
delete *"reasonable charge"* and insert in lieu thereof *"civil penalty"*

Page 2, Line 13:
delete *"$500"* and insert in lieu thereof *"$299"*

Page 2, Line 21:
delete *"$500"* and insert in lieu thereof *"$299"*

S.B. No. 85 passed second reading on the following roll call:

Yeas, 23; Nays, 3; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Peterson, L.
Bangerter	Carling	Jeffs	Sandberg
Barlow	Christensen	Jones	Sowards
Barton	Cornaby	Matheson	Swan
Black	Farley	Money	Mr. President (Ferry)
Bullen	Flamm	Peterson, C.	

Voting in the negative were: Senators

Bennett	Kimball	Wayment

Absent and not voting were: Senators

Finlinson	Pugh	Snow

* * *

S.B. No. 71, HIGHWAY DAMAGE SETTLEMENTS, was before the Senate. Senator Bangerter explained the bill and it passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Sandberg
Bangerter	Carling	Jones	Sowards
Barlow	Christensen	Kimball	Swan
Barton	Cornaby	Matheson	Wayment
Bennett	Farley	Money	Mr. President (Ferry)
Black	Flamm	Peterson, C.	
Bullen	Halverson	Peterson, L.	

Absent and not voting were: Senators

Finlinson	Pugh	Snow

* * *

On motion of Senator Bangerter, **S.B. No. 42,** WATER CONSERVANCY AMENDMENTS, was circled.

* * *

S.B. No. 78, MOTION PICTURE FILMS AS INVENTORY, was read the second time. Senator Black explained the bill. Senators Jones, Swan, Bullen, Bunnell, Kimball and Sandberg commented.

Mr. President: January 15, 1981

The Revenue and Taxation Committee, to which was referred **S.B. No. 78,** MOTION PICTURE FILMS AS INVENTORY, by Senator Wilford R. Black, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 27:
Delete *", but is not limited to,"*

Page 1, Line 27:
After *"films"* add *"and video tapes"*

Charles W. Bullen, Committee Chairman

Committee report, as amended, read adopted.

On motion of Senator Jones, **S.B. No. 78** was amended as follows:

Page 1, Line 27:
After *"held for"* insert *"rent,"*

S.B. No. 78 passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Sandberg
Bangerter	Carling	Jones	Sowards
Barlow	Christensen	Kimball	Swan
Barton	Cornaby	Matheson	Wayment
Bennett	Farley	Money	Mr. President (Ferry)
Black	Flamm	Peterson, C.	
Bullen	Halverson	Peterson, L.	

Absent and not voting were: Senators

Finlinson	Pugh	Snow

* * *

S.B. No. 79, SALES TAXES — MOTION PICTURE FILMS, was read the second time. Senators Black, Bunnell and Bullen commented.

Mr. President: January 15, 1981

The Revenue and Taxation Committee, to which was referred **S.B. No. 79,** SALES TAXES — MOTION PICTURE FILMS, by Senator Wilford R. Black, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 5, Line 22:
After *"commercials"* insert *","* before the final quotation mark and delete *"and"*

Page 5, Line 22:
After *"films"* " insert *"and "video tapes,""*

Page 5, Line 23:
Delete *"retailer or"*

Page 5, Line 24:
After *"exhibitor"* delete *";"* and insert *", distributor or commercial television broadcaster."*

Charles W. Bullen, Committee Chairman

Committee report, as amended, read and adopted. **S.B. No. 79** passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Sowards
Bangerter	Christensen	Jones	Swan
Barlow	Cornaby	Matheson	Wayment

Bennett	Farley	Money	Mr. President (Ferry)
Black	Finlinson	Peterson, C.	
Bullen	Flamm	Peterson, L.	
Bunnell	Halverson	Sandberg	

Absent and not voting were: Senators

Barton	Kimball	Pugh	Snow

* * *

On motion of Senator Finlinson, the circle was removed from **S.B. No. 42,** WATER CONSERVANCY AMENDMENTS, and it was made a Special Order of Business on Thursday, January 29, 1981 at 10:30 a.m.

* * *

S.B. No. 28, REGULATIONS OF CONTRACTORS, PLUMBERS AND ELECTRICIANS, was read the second time. Senators Christensen, Sowards, Halverson, Swan, Kimball and Farley commented.

Mr. President: January 15, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 28,** REGULATION OF CONTRACTORS, PLUMBERS, AND ELECTRICIANS, by Senator Arnold Christensen, has considered the bill and reports it out of committee favorably and with the following amendments:

Page 8: Delete Lines 2 through 9 and through the word *"terms."* on Line 10 and insert in lieu thereof the following:

"that the terms of office of the first member appointed shall be for the period of five years, the term of office of the second member appointed shall be for two years, and the term of office of the third member appointed shall be three years, the term of office of the fourth member apointed shall be four years and the term of office of the fifth member appointed, who shall be the lay member, shall be for five years. Their successors shall be appointed to terms of office of five years each and shall have the same qualifications as their predecessors. No member may serve more than two consecutive terms including any term or terms, full or partial, served before the effective date of this act and no member who ceases to serve on a committee may serve again on that committee until after the expiration of a five year period beginning from that cessation of service."

Page 8: Delete Lines 19 through 23 and insert in lieu thereof the following:

"(4) The term of office of each person serving, as of the effective date of this act, on the several committees referred to in section 58A-1-8, shall terminate on July 1, 1981, and the new members, who may be or include persons serving

immediately before the effective date of this act, so long as the other provisions of this chapter are complied with, shall be appointed, as herein provided for, immediately thereafter."

Arnold Christensen, Committee Chairman

Committee report, as amended, read and adopted. On motion of Senator Christensen, **S.B. No. 28** was amended as follows:

Page 20, Lines 9 and 10:
Delete *"three and one-half"* and insert *"four"*

Page 21, Lines 17 to 21:
Delete all of Section 30 and renumber subsequent sections.

Page 27, Line 22:
After *"department"* insert *"or is pursuing a four year practical experience program under the supervision of a journeyman electrician, residential journeyman electrician or master electrician"*

Page 33, Line 18:
After *"created"* insert *", consistent with chapter 1 of this title and subsection (2) of this section,"*

Page 33, Lines 31-34:
Delete subsection (3)

Page 34, Lines 2-6:
Delete entirely.

Page 34, Line 7:
Delete *"(4)"* and insert in lieu thereof *"(3)"*

Page 34, Line 13:
Delete *"(5)"* and insert in lieu thereof *"(4)"*

Page 7, Line 17:
Delete *"several"* and insert in lieu thereof *"three"*

Page 7, Line 21:
Delete *"director of the division of contractors"* and insert in lieu thereof *"governor"*

S.B. No. 28 passed second reading on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sowards
Bangerter	Cornaby	Kimball	Swan

Barlow	Farley	Matheson	Wayment
Barton	Finlinson	Money	Mr. President (Ferry)
Black	Flamm	Peterson, C.	
Bullen	Halverson	Peterson, L.	
Bunnell	Jeffs	Sandberg	

Voting in the negative was: Senator
Bennett

Absent and not voting were: Senators

Carling	Pugh	Snow

RULES COMMITTEE REPORTS

Mr. President: January 26, 1981

Your Rules Committee, to which were referred:

S.B. No. 74	HEALTH CODE REVISION (Social Services)
S.B. No. 97	ANATOMICAL GIFT ACT AMENDMENTS (Social Services)
S.B. No. 106	ROADSIDE SIGNS AMENDMENTS (Transportation and Public Safety)
S.B. No. 131	CHIROPRACTIC PRACTICE (Business, Labor and Economic Development)
S.B. No. 133	COVERAGE OF PROFESSIONAL CORPORATION ACT (Business, Labor and Economic Development)
S.B. No. 137	UTAH ANTITRUST ACT AMENDMENTS (Judiciary)
S.B. No. 138	SIGNAL LIGHTS — VOLUNTEER FIREMEN (Transportation and Public Safety)

reports the same back with a few minor changes assented to by the authors and recommends that they be printed and assigned to the committees indicated,

Your Rules committee, to which were referred:

H.B. No. 18	UTILITIES RATE STRUCTURE (Business, Labor and Economic Development)
H.B. No. 82	RECORDING OF ADMINISTRATIVE HEARINGS (Judiciary)

reports the same back and recommends that they be assigned to the committees indicated.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

H.B. No. 2	WITHDRAWAL OF CONSENT TO FEDERAL JURISDICTION OVER STATE LANDS (Agriculture)
H.B. No. 4	REPEAL OF STATE CONSENT (Agriculture)
H.B. No. 19	UTILITY FRANCHISE TAX LIMITATIONS (State and Local Affairs)
H.B. No. 42	COUNTY REFERENDUM AND INITIATIVE (State and Local Affairs)
S.B. No. 120	TRANSFER OF PERSONALIZED LICENSE PLATES (Transportation and Public Safety)
S.B. No. 136	PUBLIC TRANSIT ACT AMENDMENTS (Transportation and Public Safety)
S.B. No. 114	AUDITS OF POLITICAL SUBDIVISIONS (State and Local Affairs)

H.B. Nos. 2 and **4**; **S.B. Nos. 120** and **136**; **H.B. No. 19**; **S.B. No. 114** and **H.B. No. 42** were placed on Second Reading Calendar.

STATE AND LOCAL AFFAIRS COMMITTEE

Mr. President: January 26, 1981

The State and Local Affairs Committee, to which was referred **S.B. No. 114**, AUDITS OF POLITICAL SUBDIVISIONS, by Senator Charles W. Bullen et al, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar,

The State and Local Affairs Committee, to which was referred **H.B. No. 42**, COUNTY REFERENDUM AND INITIATIVE, by Representative Ray S. Schmutz, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Bryce C. Flamm, Committee Chairman

S.B. No. 114 and **H.B. No. 42** were read the second time and placed on Consent Calendar.

* * *

S.B. No. 72, WEIGHING OF MOTOR VEHICLES, and **S.B. No. 5**, SCHOOL BUILDING AND CODE WAIVERS, being circled as the Senate adjourned were placed on Third Reading Table.

* * *

On motion of Senator Bangerter and at 12:00 noon, the Senate adjourned until 10:00 a.m., Tuesday, January 27, 1981.

Pg. 250

SIXTEENTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present except Senator Pugh and Halverson (excused).

Prayer — Senator Haven J. Barlow (Davis, Dist. 22).

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President January 27, 1981

The Committee on Revision of the Journal respectfully reports that we have read the Daily Journals for the Twelfth and Fifteenth days and find them correct with minor amendments noted on the final copy.

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 26, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 7,** LABEL GUARANTEES PROVISIONS, by Representative Schmutz, et al, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 27,** BONDS OF NOTARY PUBLICS, by Representative Pace, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 43,** RESTITUTION BY CRIMINALS, by Representative Selleneit, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 68,** CATTLE TUBERCULOSIS CERTIFICATES, by Representative Brown, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed, as

amended, **H.B. No. 111**, BEEF PROMOTION AMOUNTS, by Representative Myrin, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. Nos. 7, 27, 43, 68 and **111** were read the first time and referred to Rules Committee.

* * *

Mr. President: January 26, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, upon Reconsideration, **H.C.R. No. 2**, HOSTAGE RETURN RESOLUTION, by All Members of the House, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.C.R. No. 2, having previously been passed by the Senate, signed by the President and returned to the House, was reconsidered and amended by the House. The Senate voted under suspension of the rules to approve the bill, as amended, on the following roll call:

Yeas, 24; Nays, 0, Absent, 5

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Peterson, L.
Bangerter	Carling	Jones	Sandberg
Barlow	Christensen	Kimball	Snow
Barton	Cornaby	Matheson	Swan
Bennett	Farley	Money	Wayment
Black	Flamm	Peterson, C.	Mr. President (Ferry)

Absent and not voting were: Senators

Bunnell	Halverson	Pugh	Sowards
Finlinson			

H.C.R. No. 2 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

* * *

S.C.R. No. 3, PRESIDENT RONALD REAGAN RESOLUTION, having been signed by the Speaker and President, was recalled from Legislative Legal Counsel and under suspension of the rules, placed on the calendar for reconsideration. Substitute **S.C.R. No. 3** replaced the original bill and it was approved by the Senate on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Carling	Jeffs	Sandberg

Barlow	Christensen	Jones	Snow
Barton	Cornaby	Kimball	Sowards
Bennett	Farley	Matheson	Swan
Black	Finlinson	Money	Wayment
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Asay	Halverson	Peterson, C.	Pugh
Bunnell			

Substitute S.C.R. No. 3 was transmitted to the House.

PRESENTATION OF RESOLUTION

ACORD RESOLUTION

S.C.R. No. 4 William T. "Bill" Barton

A JOINT RESOLUTION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH, EXPRESSING CONDOLENCES TO THE FAMILY OF O. THAYNE AND LORRAINE ACORD AND EXTENDING APPRECIATION FOR THEIR OUTSTANDING SERVICE TO THEIR COMMUNITY AND THE STATE OF UTAH, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

CIRCUIT BREAKER MODIFICATIONS

S.B. No. 158 Senators Barlow, Bunnell

AN ACT RELATING TO PROPERTY TAX CREDITS; INCREASING THE AMOUNT OF HOUSEHOLD INCOME OF CLAIMANTS AND STILL ALLOWING THEM TO QUALIFY FOR CREDITS UNDER THIS ACT; EXTENDING THE SCOPE OF CREDITS TO INCLUDE HANDICAPPED INDIVIDUALS; MAKING CERTAIN TECHNICAL CHANGES; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 59-25-2, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 210, LAWS OF UTAH 1979, AND SECTIONS 59-25-7 AND 59-25-7.5, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 49, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

COUNTY SURVEYOR—COUNTY ENGINEER

S.B. No. 159 A. Dean Jeffs

AN ACT RELATING TO COUNTY SURVEYORS AND ENGINEERS; PROVIDING FOR APPOINTMENTS IN COUNTIES LACKING ELECTED SURVEYORS OR ENGINEERS;

ESTABLISHING QUALIFICATIONS FOR APPOINTMENTS TO THE OFFICES OF COUNTY SURVEYOR AND ENGINEER; MODIFYING AND ESTABLISHING GUIDELINES IN THE DUTIES, RESPONSIBILITIES, AND FUNCTIONS OF COUNTY SURVEYORS AND ENGINEERS; AND MAKING CERTAIN TECHNICAL CHANGES. THIS ACT AMENDS SECTIONS 17-16-2, 17-23-2, 17-23-3, AND 17-23-11, UTAH CODE ANNOTATED 1953, SECTION 17-16-11, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 27, LAWS OF UTAH 1974, SECTIONS 17-23-1, 17-23-4, 17-23-5, 17-23-8, 17-23-9, AND 21-2-7, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 33, LAWS OF UTAH 1971, AND SECTION 17-23-10, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 63, LAWS OF UTAH 1979; AND ENACTS SECTION 17-5-87, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

BURGLAR ALARM SECURITY CERTIFICATION ACT

S.B. No. 160 Arnold Christensen

AN ACT RELATING TO THE BURGLAR ALARM BUSINESS INDUSTRY; PROVIDING FOR THE SECURITY CERTIFICATION OF PERSONS ENGAGED IN THE BURGLAR ALARM BUSINESS; PROVIDING DEFINITIONS; PROVIDING REQUIREMENTS AND PROCEDURES FOR CERTIFICATION; PROVIDING DUTIES FOR THE DEPARTMENT OF PUBLIC SAFETY; PROVIDING PROCEDURE AND REQUIREMENTS FOR DENIAL OF CERTIFICATE OR REVOCATION OF CERTIFICATE; PROVIDING FOR ISSUANCE OF IDENTIFICATION CARDS; PROVIDING FOR PREEMPTION OF LICENSING BY STATE; PROVIDING PENALTIES AND PROHIBITIONS, was read the first time and referred to Rules Committee.

DRINKING IN MOTOR VEHICLES

S.B. No. 161 A. Dean Jeffs

AN ACT RELATING TO MOTOR VEHICLES; PROHIBITING CONSUMPTION OF ALCOHOLIC BEVERAGES IN MOTOR VEHICLES; AND PROHIBITING OPEN CONTAINERS OF ALCOHOLIC BEVERAGES IN PASSENGER AREAS OF MOTOR VEHICLES, was read the first time and referred to Rules Committee.

TAX FORMS ELIMINATION

S.B. No. 162 Charles W. Bullen

AN ACT RELATING TO REAL PROPERTY TAXATION; PROVIDING FOR A SINGLE NOTICE OF VALUATION AND ASSESSED TAXES; MODIFYING THE DATES FOR ESTABLISHING MILL LEVIES TO CONFORM TO THE SINGLE NOTICE; CHANGING APPEAL DATES IN CONFORMITY WITH THE SINGLE NOTICE; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 59-7-1, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 7, LAWS OF UTAH 1978, SECTIONS 59-7-9,

59-7-11, AND 59-9-7, UTAH CODE ANNOTATED 1953, SECTION 59-9-6.3, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 30, LAWS OF UTAH 1961, SECTION 59-9-8, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 60, LAWS OF UTAH 1980, AND SECTION 59-10-10, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 209, LAWS OF UTAH 1979; AND REPEALS SECTION 59-10-9, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

S.B. No. 85, UNAUTHORIZED USE OF MUNICIPAL PROPERTY, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bullen	Finlinson	Money
Bangerter	Bunnell	Flamm	Peterson, C.
Barlow	Carling	Jeffs	Sandberg
Barton	Christensen	Jones	Snow
Bennett	Cornaby	Kimball	Swan
Black	Farley	Matheson	Mr. President (Ferry)

Absent and not voting were: Senators

Halverson	Pugh	Sowards	Wayment
Peterson, L.			

S.B. No. 85 was transmitted to the House.

* * *

S.B. No. 71, HIGHWAY DAMAGE SETTLEMENTS, was read the third time. Senators Bangerter, Carling and Swan commented. On motion of Senator Carling, **S.B. No. 71** was amended as follows:

Page 2, Line 22 (goldenrod):
delete *"1000"* and insert in lieu thereof *"$500"*

S.B. No. 71 passed third reading on the following roll call:

Yeas, 25; Nays, 2; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Jones	Snow
Bangerter	Christensen	Kimball	Sowards
Barlow	Cornaby	Matheson	Wayment
Barton	Farley	Money	Mr. President (Ferry)
Black	Finlinson	Peterson, C.	
Bullen	Flamm	Peterson, L.	

Bunnell	Jeffs	Sandberg

Voting in the negative were: Senators

Bennett	Swan

Absent and not voting were: Senators

Halverson	Pugh

S.B. No. 71 was transmitted to the House.

* * *

S.B. No. 78, MOTION PICTURE FILMS AS INVENTORY, was read the third time. On motion of Senator Black, **S.B. No. 78** was amended as follows:

Page 1, Line 11:
After *"FOR"* insert *"RENT,"*

Page 1, Line 12:
delete *"ON"* and insert in lieu thereof *"OR"*

S.B. No. 78 passed third reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	Kimball	Sowards
Bangerter	Christensen	Matheson	Swan
Barlow	Cornaby	Money	Wayment
Barton	Farley	Peterson, C.	Mr. President (Ferry)
Bennett	Finlinson	Peterson, L.	
Black	Jeffs	Sandberg	
Bullen	Jones	Snow	

Absent and not voting were: Senators

Bunnell	Flamm	Halverson	Pugh

S.B. No. 78 was transmitted to the House.

* * *

S.B. No. 79, SALES TAXES, MOTION PICTURE FILMS, was read the third time and passed third reading on the following roll call:

Yeas, 25, Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Sowards
Bangerter	Carling	Matheson	Swan
Barlow	Christensen	Money	Wayment
Barton	Cornaby	Peterson, C.	Mr. President (Ferry)

Bennett	Farley	Peterson, L.	
Black	Finlinson	Sandberg	
Bullen	Jeffs	Snow	

Absent and not voting were: Senators

Flamm	Halverson	Kimball	Pugh

S.B. No. 79 was transmitted to the House.

* * *

S.B. No. 28, REGULATIONS OF CONTRACTORS, PLUMBERS AND ELECTRICIANS, was read the third time. Senators Christensen, Farley and Swan commented.

At the request of Senator Farley, and on motion of Senator Christensen **S.B. No. 28** was amended as follows:

Page 4, Line 12:
After *"department."* delete *"His"* and insert *"The director's"*

Page 4, Line 14:
After *"finance."* delete *"He"* and insert *"The director"*

Page 4, Line 30:
After *"Utah, as"* delete *"he"* and insert *"the director"*

Page, Line 33:
After *"assistants as"* delete *"he"* and insert *"the director"*

Page 5, Line 12:
Before *"may,"* delete *"He"* and insert *"The director"*

Page 5, Line 12:
After *"motion, and"* delete *"he"*

Page 5, Line 17:
After *"upon"* delete *"him"* and insert *"the director"*

Page 5, Line 22:
After *"hereunder as"* delete *"he"* and insert *"the director"*

Page 5, Line 24:
After *"devices as"* delete *"he"* and insert *"the director"*

Page 5, Line 26:
After *"acts of"* delete *"his"* and insert *"this"*

Page 7, Line 25:
After *"boards"* delete *"he"* and insert *"the applicant"*

Page 20, Line 33:
After *"license."* delete *"he"* and insert *"the applicant"*

Page 20, Line 33:
After *"which"* delete *"he"* and insert *"the applicant"*

Page 20, Line 34:
After *"until"* delete *"he"* and insert *"the applicant"*

Page 32, Line 24:
After *"to hold"* delete *"himself"* and insert *"themselves"*

S.B. No. 28 passed third reading on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Carling	Jones	Sowards
Barlow	Christensen	Money	Swan
Bennett	Cornaby	Peterson, C.	Wayment
Black	Farley	Peterson, L.	Mr. President (Ferry)
Bullen	Finlinson	Sandberg	
Bunnell	Jeffs	Snow	

Absent and not voting were: Senators

Bangerter	Flamm	Kimball	Pugh
Barton	Halverson	Matheson	

S.B. No. 28 was transmitted to the House.

SECOND READING CALENDAR

S.B. No. 30, CONTINUING EDUCATION FOR PHARMACISTS, was read the second time.

Mr. President: January 15, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 30,** CONTINUING EDUCATION FOR PHARMACISTS, by Senator Glade M. Sowards, has considered the bill and reports it out of committee favorably and with the following amendment:

Page 2: Delete subsection 3, Lines 29 through 34

Arnold Christensen, Committee Chairman

Committee report, as amended, read and adopted. Senators Sowards, Cornaby, Black, Jones, Carling and Kimball commented. On motion of Senator Black, **S.B. No. 30** was amended as follows:

Page 2, Line 9:
After *"license of"* insert *"not less than"* and after *"$25"* insert *"nor more than $50"*

On motion of Senator Jones, **S.B. No. 30** was amended as follows:

Page 2, Line 22:
After *"two years,"* delete *"30 or fewer hours"* and insert *"at least 15 hours"*

S.B. No. 30 failed second reading on the following roll call:

Yeas, 14; Nays, 9; Absent, 6

Voting in the affirmative were: Senators

Asay	Farley	Peterson, C.	Swan
Barlow	Jeffs	Peterson, L.	Mr. President (Ferry)
Barton	Jones	Snow	
Bullen	Matheson	Sowards	

Voting in the negative were: Senators

Bennett	Cornaby	Kimball	Sandberg
Carling	Finlinson	Money	Wayment
Christensen			

Absent and not voting were: Senators

Bangerter	Bunnell	Halverson	Pugh
Black	Flamm		

* * *

S.B. No. 51, UTAH DRUG PARAPHERNALIA ACT, was read the second time. Senators Finlinson, Kimball, Barton, Christensen and Asay commented.

Mr. President: January 15, 1981

The Judiciary Committee, to which was referred **S.B. No. 51,** UTAH DRUG PARAPHERNALIA ACT, by Senator Fred W. Finlinson et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 25:
After *"used,"* insert *"or"* and delete *"or designed for use,"*

Page 1, Line 32:
After *"used,"* insert *"or"* and delete *"or designed for use"*

Page 2, Line 4:
After *"used,"* insert *"or"* and delete *"or designed for use"*

Page 2, Lines 7 and 8:
After *"used,"* insert *"or"* and delete *"or designed for use"*

Page 2, Lines 10 and 11:
After *"used,"* insert *"or"* and delete *"or designed for use"*

Page 2, Lines 13 and 14:
After *"used,"* insert *"or"* and delete *"or designed for use"*

Page 2, Lines 17 and 18:
After *"used,"* insert *"or"* and delete *"or designed for use"*

Page 2, Lines 20 and 21:
After *"used,"* insert *"or"* and delete *"or designed for use"*

Page 2, Line 24:
After *"used,"* insert *"or"* and delete *"or designed for use"*

Page 2, Line 27:
After *"used,"* insert *"or"* and delete *"or designed for use"*

Page 2, Lines 29 and 30:
After *"used,"* insert *"or"* and delete *"or designed for use"*

Page 2, Line 32:
After *"used,"* insert *"or"* and delete *"or designed for use"*

Page 3, Line 2:
After *"used,"* insert *"or"* and delete *"or designed for use"*

Page 3, Line 4:
Delete *"such as"* and insert in lieu thereof *"including but not limited to"*

Page 4:
Delete Lines 4 through 10 and renumber remaining subsections.

Page 5, Lines 6 and 7:
Delete *", or under circumstances where it reasonably should be known"*

Page 5, Line 18:
After the word *"place"* insert *"in this state"*
This amendment is not inserted in the bill until 2/19/81.

Page 5, Lines 20 and 21:
Delete *", or under circumstances where it reasonably should know,"*

Page 5, Lines 21 and 22:
Delete *", in whole or in part,"*

Page 5, after Line 26 insert:
"Section 7. Severability Clause — If any provision of this Act or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable."

Page 5, Line 27:
Delete *"7"* and insert *"8"*

A. Dean Jeffs, Committee Chairman

Committee report, as amended, read and adopted.

COMMITTEE OF THE WHOLE

On motion of Senator Finlinson, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

Harry L. Gibbons, MD. MPH, Director
Salt Lake City/County Health Dept.

On motion of Senator Finlinson, the Committee of the Whole was dissolved.

S.B. No. 51 passed second reading on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Carling	Jones	Snow
Barton	Christensen	Matheson	Sowards
Bennett	Cornaby	Money	Swan
Black	Finlinson	Peterson, C.	Wayment
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)
Bunnell	Jeffs	Sandberg	

Absent and not voting were: Senators

Bangerter	Farley	Kimball	Pugh
Barlow	Halverson		

* * *

S.B. No. 11, OFF DUTY POLICE OFFICERS, was read the second time. Senators Carling, Asay, Christensen, C. Peterson, Matheson, Asay, Swan and Sandberg commented.

Mr. President: January 16, 1981

The Transportation and Public Safety Committee, to which was referred **S.B. No. 11, OFF DUTY POLICE OFFICERS,** by Senator Richard J. Carling, has carfully considered the bill and reports it out of committee with favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted.

COMMITTEE OF THE WHOLE

On motion of Senator Asay, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

Robert B. Garver
Community and Private Security Industry

On motion of Senator Jones, the Committee of the Whole was dissolved.

S.B. No. 11 passed second reading on the following roll call:

Yeas, 20; Nays, 7; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Carling	Jeffs	Peterson, L.
Barlow	Cornaby	Jones	Snow
Barton	Finlinson	Kimball	Swan
Black	Flamm	Money	Wayment
Bullen	Halverson	Peterson, C.	Mr. President (Ferry)

Voting in the negative were: Senators

Asay	Bunnell	Farley	Sandberg
Bennett	Christensen	Matheson	

Absent and not voting were: Senators

Pugh	Sowards

* * *

S.B. No. 41, UTAH SCHOOL IMMUNIZATION ACT, was read the second time. Senators Farley, Jones, L. Peterson and Flamm commented.

Mr. President: January 16, 1981

The Public Education Committee, to which was referred **S.B. No. 41,** UTAH SCHOOL IMMUNIZATION ACT, by Senator Frances Farley, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 3, Line 22:
After *"cost"* insert *"for the vaccine"*

Page 3, Line 22:
Delete *"department of"* and after *"health"* insert *"department"*

Page 3, Line 23:
After *"guardian."* insert *"A charge may be made by a local health department to cover the cost of vaccine administration."*

Page 3, Line 30:
Delete *"conditionally"*

Page 3, Line 31:
Delete *"or"*

Page 3, Line 32:
Insert a "." after *"section 26-6-24"* and delete *"or"*

Page 3,
Delete Lines 33 and 34 and insert in lieu thereof *"Conditional enrollment time*

periods shall be established by the department in accordance with rules and regulations. Provisional or conditional requirements shall apply to each child unless that child is exempted under the provisions of section 26-6-24 (3)."

William 'Bill' Barton, Committee Chairman

Committee report, as amended, read and adopted.

On motion of Senator Farley, **S.B. No. 41** was amended as follows:

Page 1, Line 14:
after *"ACT"* delete remainder of line

Page 1, Line 15:
delete *"ANNOTATED 1953, AND"*

Page 1, Line 19:
after *"Section 1."* delete remainder of line

Page 1, Line 20:
delete entirely

Page 1, Line 21:
delete *"26-6-23."*

Page 1, Line 29:
after *"Section 2."* delete remainder of line

Page 1, Line 30:
delete entirely

Page 1, Line 31:
delete *"26-6-24"*

Page 2, Line 26:
following *"Section 3."* delete remainder of line

Page 2, Line 27:
delete entirely

Page 2, Line 28:
delete *"26-6-25"*

Page 3, Line 2:
after *"Section 4."* delete remainder of line

Page 3, Line 3:
delete entirely

Page 3, Line 4:
delete *"26-6-26."*

Page 3, Line 18:
after *"Section 5."* delete remainder of line

Page 3, Line 19:
delete entirely

Page 3, Line 20:
delete *"26-6-27"*

Page 3, Line 27:
after *"Section 6."* delete remainder of line

Page 3, Line 28:
delete entirely

Page 3, Line 29:
delete *"26-6-28"*

The following amendments were adopted (do not refer to the Committee Report amendments on Pages 32, 33 and 34).

Page 3, Line 32:
delete *"26-6-24 or"* and insert *"2 of this act."*

Page 3, Lines 33 and 34:
delete entire line and insert the following: *"Conditional enrollment time periods shall be established by the department in accordance with rules and regulations. Provisional or conditional requirements shall apply to each child unless that child is exempted under the provisions of subsection (3) of Section 2 of this act."*

S.B. No. 41 will remain as Unfinished Business.

* * *

Senator Finlinson, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action on **S.B. No. 30,** CONTINUING EDUCATION FOR PHARMACISTS, tomorrow.

* * *

On motion of Senator Snow and at 12:00 noon, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Miles 'Cap' Ferry presiding.

STANDING COMMITTEES

Mr. President: January 27, 1981

The State and Local Affairs Committee, to which was referred **S.B. No. 93,** REPEAL OF PHARMACY PROVISIONS, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar,

The State and Local Affairs Committee, to which was referred **S.B. No. 110,** NURSE PRACTITIONERS PILOT PROJECT EXTENSION, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on Consent Calendar.

Ronald T. Halverson, Committee Chairman

S.B. Nos. 93 and **110** were read the second time and placed on Consent Calendar.

* * *

Mr. President: January 27, 1981

The Energy and Natural Resources Committee, to which was referred **H.B. No. 58,** LICENSING OF OUTFITTERS, by Representative Gayle F. McKeachnie, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar,

The Energy and Natural Resources Committee, to which was referred **S.J.R. No. 4,** EARTHQUAKE PREPAREDNESS RESOLUTION, by Senator Eldon A. Money, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Fred W. Finlinson, Committee Chairman

H.B. No. 58 and **S.J.R. No. 4** were read the second time and placed on Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

S.B. No. 80	UTAH COSMETOLOGIST AND BARBER LICENSING ACT (Business, Labor and Economic Development)
S.B. No. 113	USE OF CORPORATION NAMES (Business, Labor and Economic Development)
S.B. No. 56	PEACE OFFICERS' AMENDMENTS (State and Local Affairs)
S.B. No. 89	OMBUDSMAN FOR INSTITUTIONALIZED ELDERLY (Social Services)
H.B. No. 11	BUSINESS LICENSE FEES (Business, Labor and Economic Development)
H.B. No. 87	UTAH CHILD ABUSE ACT (State and Local Affairs)

S.B. Nos. 80, 113, 56 and **89** and **H.B. Nos. 11** and **87** were placed on Second Reading Calendar.

SECOND READING CALENDAR

On motion of Senator Farley, **S.B. No. 41**, UTAH SCHOOL IMMUNIZATION ACT, being Unfinished Business, was circled.

* * *

S.B. No. 76, ANIMAL DISEASE INVESTIGATION, was read the second time.

Mr. President: January 16, 1981

The Agriculture Committee, to which was referred **S.B. No. 76**, ANIMAL DISEASE INVESTIGATIONS, by Senator Lowell S. Peterson, has carefully considered the bill and reports it out of committee favorably with the following amendment:

Page 1, Line 19:
After *"investigate"* insert *"and may quarantine"*

Ivan M. Matheson, Committee Chairman

Committee report, as amended, read and adopted.

On motion of Senator Matheson, **S.B. No. 76** was amended as follows:

Page 1, Line 28:
After *"disease."* insert *"Investigations involving fish or wildlife shall be conducted under a cooperative agreement with the division of wildlife resources."*

S.B. No. 76 passed second reading on the following roll call:

Yeas, 20; Nays, 0; Absent 9

Voting in the affirmative were: Senators

Asay	Christensen	Kimball	Snow
Barton	Cornaby	Matheson	Sowards
Bennett	Farley	Money	Swan
Bullen	Flamm	Peterson, C.	Wayment
Bunnell	Jeffs	Sandberg	Mr. President (Ferry)

Absent and not voting were: Senators

Bangerter	Carling	Halverson	Peterson, L.
Barlow	Finlinson	Jones	Pugh
Black			

* * *

S.B. No. 9, PROCEDURE FOR FILLING LOCAL VACATED ELECTIVE OFFICE, was read the second time. Senators Matheson, Snow and Swan commented.

Mr. President: January 16, 1981

The State and Local Affairs Committee, to which was referred **S.B. No. 9,** PROCEDURE FOR FILLING LOCAL VACATED ELECTIVE OFFICE, by Senator Ivan M. Matheson et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 2:
After *"of"* delete *"six"* and insert in lieu thereof *"three"*

Bryce Flamm, Committee Chairman

Committee report, as amended, read and adopted.

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

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sowards
Barlow	Cornaby	Kimball	Swan
Barton	Farley	Matheson	Wayment
Bennett	Finlinson	Money	Mr. President (Ferry)
Black	Flamm	Peterson, C.	
Bullen	Halverson	Sandberg	
Bunnell	Jeffs	Snow	

Absent and not voting were: Senators

Bangerter	Carling	Peterson, L.	Pugh

* * *

S.B. No. 73, PUBLIC EMPLOYEES POLITICAL ACTIVITIES, was read the second time.

Mr. President: January 16, 1981

The State and Local Affairs Committee, to which was referred **S.B. No. 73,** PUBLIC EMPLOYEES POLITICAL ACTIVITIES, by Senator Wilford R. Black, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 7:
After *"[**No**]"* delete *An"* and insert in lieu thereof
"No"

Page 2, Line 8:
After *"[**shall**]"* delete *"may"* and insert in lieu thereof *"shall"* and after *"any"* insert *"partisan"*.

Page 2, Line 14:
After *"service**]"* delete the remainder of the line and all of lines 15, 16, 17 and 18.
Insert the following new material:
", unless upon proper application, an officer or employee is granted leave of

absence without pay, without loss of existing seniority or tenure to participate in a political campaign, either as an officer or as a candidate; however, time spent during political leave shall not be counted for seniority purposes as being in service."

Bryce Flamm, Committee Chairman

Committee report, as amended, read and adopted. On motion of Senator Black **S.B. No. 73** was circled.

* * *

S.B. No. 50, COUNTY VEHICLE INSPECTION AND MAINTENANCE PROGRAM, was read the second time.

Mr. President: January 19, 1981

The Transportation and Public Safety Committee, to which was referred **S.B. No. 50,** COUNTY VEHICLE INSPECTION AND MAINTENANCE PROGRAMS, by Senator Fred W. Finlinson, has carefully considered the bill and reports it out of committee without recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted. On motion of Senator Snow, **S.B. No. 50** was circled.

* * *

S.B. No. 87, COUNSEL FOR INDIGENT DEFENDANTS, was read the second time. Senators Jeffs, Kimball and Bunnell commented.

Mr. President: January 19, 1981

The Public Education Committee, to which was referred **S.B. No. 87,** COUNSEL FOR INDIGENT DEFENDANTS, by Senator A. Dean Jeffs et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

William 'Bill' Barton, Committee Chairman

Committee report read and adopted and passed second reading on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Peterson, C.
Barlow	Carling	Jeffs	Sandberg
Barton	Christensen	Jones	Snow
Bennett	Cornaby	Kimball	Sowards
Black	Finlinson	Matheson	Swan
Bullen	Flamm	Money	Mr. President (Ferry)

Voting in the negative was: Senator
Farley

Absent and not voting were: Senators

Bangerter	Peterson, L.	Pugh	Wayment

COMMUNICATION FROM THE HOUSE

Mr. President: January 27, 1981

I am directed to inform the Senate that the House of Representatives has this day voted to recall **H.B. No. 23,** MUNICIPAL GOVERNMENT AMENDMENTS, by Representative Harrison, to correct technical errors.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, the Senate voted to lift **H.B. No. 23** from the State and Local Affairs Committee and return it to the House.

RULES COMMITTEE REPORTS

Mr. President: January 27, 1981

Your Rules Committee, to which were referred:

H.B. No. 7	LABEL GUARANTEES PROVISIONS (Agriculture)
H.B. No. 27	BONDS OF NOTARY PUBLICS (Judiciary)
H.B. No. 43	RESTITUTION BY CRIMINALS (Social Services)
H.B. No. 68	CATTLE TUBERCULOSIS CERTIFICATES (Agriculture)
H.B. No. 111	BEEF PROMOTION AMOUNTS (Agriculture)

reports the same back and recommends that they be assigned to the committees indicated,

Your Rules Committee, to which were referred:

S.B. No. 92	STATE LEVY FOR SCHOOL SUPPORT (Public Education)
S.B. No. 141	CONSUMER RELATED LOAN AMENDMENTS (Judiciary)
S.B. No. 151	DIVISION OF REGISTRATION AMENDMENTS (Business, Labor and Economic Development)
S.B. No. 152	SUNSET ACT AMENDMENTS (Business, Labor and Economic Development)
S.B. No. 153	INDUSTRIAL COMMISSION MODIFICATIONS (Judiciary)

reports the same back with a few minor changes assented to by the authors and recommends that they be printed and assigned to the committees indicated.

Ronald T. Halverson, Committee Chairman

Committee reports read and adopted.

SECOND READING CALENDAR

S.C.R. No. 2, FAIR COMPETITION IN STEEL INDUSTRY, was read the second time. Senator Jeffs explained the resolution and it passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Christensen	Kimball	Sowards
Bangerter	Cornaby	Matheson	Swan
Barlow	Farley	Money	Wayment
Bennett	Finlinson	Peterson, C.	Mr. President (Ferry)
Bullen	Flamm	Peterson, L.	
Bunnell	Halverson	Sandberg	
Carling	Jeffs	Snow	

Absent and not voting were: Senators

Barton	Black	Jones	Pugh

* * *

S.B. No. 25, ATHLETIC EVENTS AMENDMENTS, was read the second time. Senators Swan, Halverson, Bunnell and Bullen commented.

Mr. President: January 20, 1981

The Business, Labor and Economic Development Committee, to which was referred **Sub. S.B. No. 25,** ATHLETIC EVENTS AMENDMENTS, by Senator Karl G. Swan, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted. On motion of Senator Swan, the Senate voted to adopt Substitute **S.B. No. 25.**

On motion of Senator Swan, Substitute **S.B. No. 25** was amended as follows:

Page 1, Line 17:
After *"BOXERS"* insert *"AND SECONDS"*

Page 3, Line 5:
After *"ten dollars;"* insert *"seconds, ten dollars;"*

Page 4, Line 28:
After *"sold"* add a period and delete remainder of line

Page 4, Line 29:
delete entirely

Substitute **S.B. No. 25** passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sowards
Bangerter	Cornaby	Kimball	Swan
Barlow	Farley	Money	Wayment
Barton	Finlinson	Peterson, C.	Mr. President (Ferry)
Bennett	Flamm	Peterson, L.	
Black	Halverson	Sandberg	
Bullen	Jeffs	Snow	

Absent and not voting were: Senators

Bunnell	Carling	Matheson	Pugh

* * *

S.B. No. 15, HEALTH PLANNING AND RESOURCES DEVELOPMENT ACT AMENDMENTS, was read the second time. Senators Cornaby, Wayment, Matheson, Jones, Kimball and Bunnell commented.

Mr. President: January 20, 1981

The Social Services Committee, to which was referred **S.B. No. 15,** HEALTH PLANNING AND RESOURCES DEVELOPMENT ACT AMENDMENTS, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 4, Line 30:
After *"plan"* insert *"consistent with state legislative intent expressed either in the appropriations act or other statute;"*

Page 5, Line 4:
After *"Act"* insert *"provided, however, that the agency's decision to approve or disapprove the use of federal funds under this paragraph shall not conflict with the express intent of the state legislature;"*

Page 9, Line 4:
Delete entirely.

Ronald T. Halverson, Committee Chairman

Committee report, as amended, read and adopted and passed second reading on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Sandberg
Bangerter	Bunnell	Jones	Snow
Barlow	Christensen	Matheson	Sowards
Barton	Cornaby	Money	Swan
Bennett	Farley	Peterson, C.	Wayment
Black	Flamm	Peterson, L.	Mr. President (Ferry)

Voting in the negative was: Senator
Finlinson

Absent and not voting were: Senators

Carling	Halverson	Kimball	Pugh

* * *

On motion of Senator Black, the circles were removed from **S.B. No. 41,** UTAH SCHOOL IMMUNIZATION ACT, and **S.B. No. 73,** PUBLIC EMPLOYEES POLITICAL ACTIVITIES.

* * *

On motion of Senator Snow, the circle was removed from **S.B. No. 50,** COUNTY VEHICLE INSPECTION AND MAINTENANCE, and it was made a Special Order of Business for Monday, February 2, 1981 at 10:30 a.m.

* * *

On motion of Senator Snow and at 3:30 p.m. the Senate adjourned until 10:00 a.m., Wednesday, January 28, 1981.

Pg. 272

SEVENTEENTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with president Miles 'Cap' Ferry presiding.

Roll Call — All senators present except Senator Pugh and Finlinson (excused).

Prayer — Senator Arnold Christensen (Salt Lake, Dist. 10).

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: January 28, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATION FROM THE GOVERNOR

Dear President Ferry: January 27, 1981

This is to inform you that on January 27, 1981, Governor Matheson did sign into law the following bill, which has been forwarded to the Lt. Governor's Office for filing.

S.C.R. No. 1 ROYAL THOMAS HARWARD RESOLUTION

Tina Falvo, Administrative Aide

Communication filed.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 27, 1981

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.B. No. 24,** RETURN OF ATTORNEY'S FEES AMOUNT, by Representative Selleneit, and the same is transmitted herewith for the Signature of the President,

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.B. No. 53,** SMALL CLAIMS COURT HOURS, by Representative Pace, and the same is transmitted herewith for the Signature of the President,

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, **S.C.R. No. 3,** PRESIDENT RONALD W. REAGAN RESOLUTION, by All Members of the Senate, which has been signed by the Speaker in open session, and the same is transmitted herewith for the Signature of the President.

Allan M. Acomb, Chief Clerk

H.B. Nos. 24 and **53** were signed by the President in open session in the presence of the Senate and was returned to the House for further action and **S.C.R. No. 3** was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

* * *

Mr. President: January 27, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 1,** REPEAL OF PREVAILING WAGE RATES, by Representative Haddow, et al, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, Substitute **H.B. No. 79,** BOARD OF EDUCATION VACANCIES, by Representative Farnsworth, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 93,** CONSTRUCTION OCCUPANCY EFFECT, by Representative Richards, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 1, Sub. H.B. No. 79 and **H.B. No. 93** were read the first time and referred to Rules Committee.

* * *

Mr. President: January 27, 1981

This is to inform you that on January 26, 1981, that Governor Matheson did sign into law the following bills, which have been forwarded to the Lt Governor's Office for filing.

H.B. No. 108	COUNTY INDEBTEDNESS AMENDMENTS
H.B. No. 146	UTAH MUNICIPAL BOND ACT AMENDMENTS

Allan M. Acomb, Chief Clerk

INTRODUCTION OF BILLS

TRANSIT DISTRICT ESTABLISHMENT LIMITATIONS

S.B. No. 163 Senators Finlinson, Jeffs, Christensen

AN ACT RELATING TO TRANSIT DISTRICTS; CHANGING THE POWERS OF THE TRAN-

SIT DISTRICT; ALLOWING PUBLIC TRANSIT DISTRICTS TO EXTEND OR REROUTE TRANSIT SERVICE; AND MAKING ARBITRATION OF LABOR DISPUTES ADVISORY RATHER THAN BINDING. THIS ACT AMENDS SECTIONS 11-20-17 AND 11-20-32, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION, was read the first time and referred to Rules Committee.

HEARING AID COMMITTEE

S.B. No. 164 Senators Barlow, Barton

AN ACT RELATING TO REPRESENTATIVE COMMITTEES IN THE DEPARTMENT OF REGISTRATION; AND ALLOWING THE COMMITTEE FOR HEARING AID DEALERS TO HAVE UNLICENSED HEARING AID SPECIALISTS ON THE INITIAL COMMITTEE. THIS ACT AMENDS SECTION 58-1-5, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 5, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

S.B. No. 51, UTAH DRUG PARAPHERNALIA ACT, was read the third time and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Bunnell	Matheson	Sowards
Bangerter	Christensen	Money	Wayment
Barlow	Cornaby	Peterson, C.	Mr. President (Ferry)
Barton	Flamm	Peterson, L.	
Bennett	Jeffs	Sandberg	
Bullen	Jones	Snow	

Absent and not voting were: Senators

Black	Farley	Halverson	Pugh
Carling	Finlinson	Kimball	Swan

S.B. No. 51 was transmitted to the House.

* * *

S.B. No. 11, OFF DUTY POLICE OFFICERS, was read the third time. Senators Carling, Matheson and Black commented and it passed third reading on the following roll call:

Yeas, 23; Nays, 4; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Christensen	Kimball	Snow
Barlow	Cornaby	Matheson	Sowards
Black	Flamm	Money	Swan

Bullen	Halverson	Peterson, C.	Wayment
Bunnell	Jeffs	Peterson, L.	Mr. President (Ferry)
Carling	Jones	Sandberg	

Voting in the negative were: Senators

Asay	Barton	Bennett	Farley

Absent and not voting were: Senators

Finlinson	Pugh

S.B. No. 11 was transmitted to the House.

* * *

S.B. No. 76, ANIMAL DISEASE INVESTIGATIONS, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Sandberg
Bangerter	Carling	Jones	Snow
Barlow	Christensen	Kimball	Sowards
Barton	Cornaby	Matheson	Wayment
Bennett	Farley	Money	Mr. President (Ferry)
Black	Flamm	Peterson, C.	
Bullen	Halverson	Peterson, L.	

Absent and not voting were: Senators

Finlinson	Pugh	Swan

S.B. No. 76 was transmitted to the House.

* * *

S.B. No. 9, PROCEDURE FOR FILLING LOCAL VACATED ELECTIVE OFFICE, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jones	Snow
Bangerter	Christensen	Kimball	Sowards
Barlow	Cornaby	Matheson	Swan
Bennett	Farley	Money	Wayment
Black	Flamm	Peterson, C.	Mr. President (Ferry)
Bullen	Halverson	Peterson, L.	
Bunnell	Jeffs	Sandberg	

Absent and not voting were: Senators

Barton	Finlinson	Pugh

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

* * *

S.B. No. 87, COUNSEL FOR INDIGENT DEFENDANTS, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 2; Absent, 3

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Sandberg
Bangerter	Bunnell	Jones	Snow
Barlow	Carling	Matheson	Sowards
Barton	Christensen	Money	Swan
Bennett	Cornaby	Peterson, C.	Wayment
Black	Flamm	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Farley	Kimball

Absent and not voting were: Senators

Finlinson	Halverson	Pugh

S.B. No. 87 was transmitted to the House.

* * *

S.C.R. No. 2, FAIR COMPETITION IN STEEL INDUSTRY, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Bunnell	Jones	Sandberg
Barlow	Carling	Kimball	Snow
Barton	Christensen	Matheson	Sowards
Bennett	Cornaby	Money	Swan
Black	Flamm	Peterson, C.	Wayment
Bullen	Jeffs	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Asay	Finlinson	Halverson	Pugh
Farley			

S.C.R. No. 2 was transmitted to the House.

* * *

On motion of Senator Bangerter, Substitute **S.B. No. 25,** ATHLETIC EVENTS AMENDMENTS, was read the third time and circled.

* * *

S.B. No. 15, UTAH HEALTH PLANNING AND RESOURCES DEVELOPMENT ACT, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Snow
Bangerter	Carling	Jones	Sowards
Barlow	Christensen	Matheson	Swan
Barton	Cornaby	Money	Wayment
Bennett	Farley	Peterson, C.	Mr. President (Ferry)
Black	Flamm	Peterson, L.	
Bullen	Halverson	Sandberg	

Absent and not voting were: Senators

Finlinson	Kimball	Pugh

S.B. No. 15 was transmitted to the House.

* * *

On motion of Senator Swan, the circle was removed from Substitute **S.B. No. 25,** ATHLETIC EVENTS AMENDMENTS, and it was before the Senate. Senators Swan, Matheson, Flamm and Snow commented. On motion of Senator Swan, Substitute **S.B. No. 25** was amended as follows:

Page 1, Lines 21 and 22 (goldenrod):
Delete *"REQUIRING RETENTION OF TAXES BY THE COMMISSION;"* and insert in lieu thereof *"DESCRIBING THE DISPOSAL OF FUNDS BY THE COMMISSION;"*

Page 2, Line 27 (green):
After *"referees,"* insert *"judges, seconds,"*

Page 3, Line 25:
After *"competing"* insert *", by placing the prize, purse or gate receipts in a trust and agency account in the custody of the state treasurer,"*.

Page 3, Line 28:
After the last *"the"* insert *"impounded"*.

Page 4, Line 6:
After *"that"* insert *"the parties who would have received the assets absent their impoundment are entitled to receive those assets, the assets shall be turned over to those entitled parties; if it is determined that"*.

Page 4, Lines 8 and 9:
Delete the language beginning with the first *"the"* and ending with *"deposit."* and insert in its place *"those assets shall be deposited in the general fund."*

On motion of Senator Snow, Substitute **S.B. No. 25** was circled.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

S.B. No. 104	SALES TAX ON HEARING AIDS (Revenue and Taxation)
S.B. No. 123	MX IMPACT PLANNING ACT (Energy and Natural Resources)
S.B. No. 133	COVERAGE OF PROFESSIONAL CORPORATION ACT (Business, Labor and Economic Development)
S.B. No. 138	SIGNAL LIGHTS — VOLUNTEER FIREMEN (Transportation and Public Safety)
H.B. No. 18	UTILITIES RATE STRUCTURE (Business, Labor and Economic Development)
H.B. No. 73	NOTICE OF TAX SALE (Revenue and Taxation)

S.B. Nos. 104, 123, 133 and **138** and **H.B. Nos. 18** and **73** were placed on Second Reading Calendar.

STANDING COMMITTEES

Mr. President: January 27, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 82,** PSYCHOLOGISTS' LICENSING AMENDMENTS, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Arnold Christensen, Committee Chairman

Committee report read and adopted. **S.B. No. 82** was read the second time and placed on Consent Calendar.

* * *

Mr. President: January 28, 1981

The Agriculture Committee to which was referred **H.B. No. 7,** LABEL GUARANTEES PROVISIONS, by Representative Ray S. Schmutz, has considered the Bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted. **H.B. No. 7** was read the second time and placed on Consent Calendar.

SECOND READING CALENDAR

On motion of Senator Christensen, the Senate voted to reconsider **S.B. No. 30,** CONTINUING EDUCATION FOR PHARMACISTS, and place it at the top of Second Reading Calendar.

* * *

H.B. No. 47, RIGHTS OF DEAF AND BLIND PERSONS, was read the second time. Senator Bangerter explained the bill.

Mr. President: January 21, 1981

The Public Education Committee, to which was referred **H.B. No. 47,** RIGHTS OF DEAF AND BLIND PERSONS, by Representative John E. Smith, has carefully considered the bill and reports it out of committee with a favorable recommendation.

William 'Bill' Barton, Committee Chairman

Committee report read and adopted.

COMMITTEE OF THE WHOLE

On motion of Senator Bangerter, the Senate resolved itself in a Committee of the Whole. Appearing before the Senate was:

Rep. John E. Smith; Karen Ingraham, consumer;
Sherry Repsecher, Governor's Committee Employment of Handicapped;
Robert Stonehocker, Committee member
"Bob," a seeing 'ear' dog

On motion of Senator Bangerter, the Committee of the Whole was dissolved.

On motion of Senator Bangerter and under suspension of the rules, **H.B. No. 47** was read the third time and passed unanimously on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Sandberg
Bangerter	Bunnell	Jones	Snow
Barlow	Carling	Kimball	Sowards
Barton	Cornaby	Matheson	Swan
Bennett	Farley	Money	Wayment
Black	Flamm	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators
Christensen Halverson Peterson, C. Pugh
Finlinson

H.B. No. 47 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

* * *

H.B. No. 36, INSTRUMENT RECORDATION REQUISITE, was read the second time. Senators Snow and Barton commented.

Mr. President: January 19, 1981

The State and Local Affairs Committee, to which was referred **H.B. No. 36,** INSTRUMENT RECORDATION REQUISITE, by Representative E. Reed Palmer, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 29:
After *"No"* insert *"property"*

Page 1, Line 29:
After *"instrument"* insert *"presented for recording after July 1, 1981"*

Page 1, Line 29:
After *"1981"* delete *"which involves a change in the owner or record or real property after July 1, 1981,"*

Page 1, Line 33:
After *"the"* insert *"new grantees or the"*

Bryce C. Flamm, Committee Chairman

Committee report, as amended, read and adopted. Senator Snow explained the bill and on motion of Senator Snow **H.B. No. 36** was amended as follows:

Page 1, delete Lines 19 through 28 and insert
"57-3-10. (1) All instruments executed after July 1, 1961 which release or assign a mortgage, deed of trust, lease or other document creating a lien or encumbrance on real property, shall not be entitled to recordation in the office of any county recorder unless said instruments contain a legal description of the real property affected thereby. All county recorders shall refuse to accept the same for recording until said real property description is inserted therein.

Page 1, delete Lines 29 through 33 and insert
(2) No property transfer instrument presented for recording after July 1, 1981 shall be entitled to recordation in the office of any county recorder unless said instrument contains the names and mailing addresses of the grantees or the new owners of record in addition to that information required under subsection (1). All county recorders shall refuse to accept the same for recording until that information is inserted therein."

Page 2, delete Lines 2, 3, and 4.

H.B. No. 36 passed second reading, as amended, on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Bunnell	Matheson	Swan
Bangerter	Cornaby	Money	Wayment
Barlow	Farley	Peterson, L.	Mr. President (Ferry)
Barton	Flamm	Sandberg	
Bennett	Jeffs	Snow	
Bullen	Kimball	Sowards	

Absent and not voting were: Senators

Black	Christensen	Halverson	Peterson, C.
Carling	Finlinson	Jones	Pugh

* * *

H.B. No. 6, AGRICULTURAL ACTIVITIES — NUISANCES, was read the second time.

Mr. President: January 21, 1981

The Agriculture Committee, to which was referred **H.B. No. 6,** AGRICULTURAL ACTIVITIES — NUISANCES, by Representative Ray S. Schmutz et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted. Senators Matheson, Farley, Money, Black, Sandberg, Ferry, Jeffs, Kimball and Jones commented.

On motion of Senator Sandberg, **H.B. No. 6** was circled.

COMMITTEE OF THE WHOLE

On motion of Senator Sandberg, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

Ogden Spikers
Steve Lawson, Executive Director, Ogden Area Chamber of Commerce

On motion of Senator Sandberg, the Committee of the Whole was dissolved.

* * *

H.B. No. 45, MILK AND CREAM ASSESSMENT, was read the second time. Senator Matheson explained the bill.

Mr. President: January 21, 1981

The Agricultural Committee, to which was referred **H.B. No. 45,** MILK AND CREAM ASSESSMENT, by Representative Glen E. Brown, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted and it passed second reading on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Sowards
Bangerter	Carling	Jones	Swan
Barlow	Christensen	Kimball	Wayment
Bennett	Cornaby	Matheson	Mr. President (Ferry)
Black	Farley	Peterson, L.	
Bullen	Flamm	Snow	

Absent and not voting were: Senators

Barton	Halverson	Peterson, C.	Sandberg
Finlinson	Money	Pugh	

* * *

H.B. No. 55, COLLECTOR ROADS SYSTEM DESIGNATION, was read the second time. Senator Black explained the bill.

Mr. President: January 21, 1981

The Transportation and Public Safety Committee, to which was referred **H.B. No. 55,** COLLECTOR ROADS SYSTEM DESIGNATIONS, by Representative Don R. Strong, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted and it passed second reading on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Bullen	Flamm	Sandberg
Bangerter	Bunnell	Halverson	Snow
Barlow	Christensen	Jeffs	Swan
Bennett	Cornaby	Matheson	Wayment
Black	Farley	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Barton	Jones	Money	Pugh
Carling	Kimball	Peterson, C.	Sowards
Finlinson			

* * *

H.B. No. 56, STATE HIGHWAYS DESIGNATIONS, was read the second time. Senator Black explained the bill.

Mr. President: January 21, 1981

The Transportation and Public Safety Committee, to which was referred **H.B. No. 56,** STATE HIGHWAYS DESIGNATIONS, by Representative Don R. Strong, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted and it passed second reading on the following roll call:

Yeas, 18; Nays, 4; Absent, 7

Voting in the affirmative were: Senators

Asay	Bullen	Flamm	Swan
Bangerter	Bunnell	Kimball	Wayment
Barlow	Christensen	Matheson	Mr. President (Ferry)
Bennett	Cornaby	Peterson, L.	
Black	Farley	Snow	

Voting in the negative were: Senators

Barton	Halverson	Jeffs	Sandberg

Absent and not voting were: Senators

Carling	Jones	Peterson, C.	Sowards
Finlinson	Money	Pugh	

RULES COMMITTEE REPORTS

Mr. President: January 28, 1981

Your Rules Committee, to which were referred:

S.B. No. 127	KINDERGARTEN ENTRANCE DATE (Public Education)
S.B. No. 149	HUMANE TREATMENT OF ANIMALS (Agriculture)

reports the same back with a few minor changes assented to by the authors and recommends that they be printed and assigned to the committees indicated.

Your Rules Committee, to which were referred:

H.B. No. 1	REPEAL OF PREVAILING WAGE RATES (Business, Labor and Economic Development)
H.B. No. 79	(Sub) BOARD OF EDUCATION VACANCIES (Public Education)
H.B. No. 93	CONSTRUCTION OCCUPANCY EFFECT (Business, Labor and Economic Development)

reports the same back and recommends that they be assigned to the committees indicated.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted.

* * *

On motion of Senator Bangerter and under suspension of the rules, the circle was removed from **H.B. No. 6,** AGRICULTURAL ACTIVITIES — NUISANCES, on Second Reading Calendar, and from **S.B. No. 25,** ATHLETIC EVENTS AMENDMENTS, on Third Reading Calendar.

* * *

On motion of Senator Bangerter and at 12:00 noon, the Senate adjourned until 10:00 a.m., Thursday, January 29, 1981.

Pg. 285

EIGHTEENTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present except Senator Halverson (excused).

Prayer — Senator Richard J. Carling (Salt Lake, Dist. 3).

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: January 29, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 28, 1981

I am directed to inform the Senate that the House of Representatives has this day rejected, as amended by the Senate and House, **S.B. No. 2,** BUSINESS OPPORTUNITY DISCLOSURE DOCUMENTS, by Senator Cornaby, and the same is returned herewith.

Allan M. Acomb, Chief Clerk

S.B. No. 2 is recalled by the House.

STANDING COMMITTEE

Mr. President: January 28, 1981

The Agriculture Committee, to which was referred **H.B. No. 68,** CATTLE TUBERCULOSIS CERTIFICATES, by Representative Glen E. Brown, has considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted. **H.B. No. 68** was read the second time and placed on Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

H.B. No. 86	AUTOMOBILE NEGLIGENCE – DEATH OR INJURY (Judiciary)
H.B. No. 111	BEEF PROMOTION AMOUNTS (Agriculture)
S.B. No. 32	CASUAL MEETINGS OF PUBLIC BODIES (Higher Education)
S.B. No. 89	OMBUDSMAN FOR INSTITUTIONALIZED ELDERLY (Social Services)
S.B. No. 102	TENANTS' RENT DEPOSITS (Judiciary)
S.B. No. 103	MAINTENANCE OF LEASED PREMISES (Judiciary)
S.B. No. 126	MUNICIPAL OFFICERS ETHICS (State and Local Affairs)
S.B. No. 128	OWNER-TENANT REMEDIES (Judiciary)
S.B. No. 130	BOARD OF REGENTS INCREASE (Higher Education)
S.B. No. 135	COMPLIANCE WITH COUNTY PLANS (State and Local Affairs)

H.B. Nos. 86 and 111 and **S.B. Nos. 32, 89, 102, 103, 126, 128, 130** and **135** were placed on Second Reading Calendar.

INTRODUCTION OF BILLS

RACKETEERING ENTERPRISE ACT

S.B. No. 165 A. Dean Jeffs

AN ACT RELATING TO ORGANIZED FRAUDULENT AND ILLEGAL ENTERPRISE CRIME; DESIGNATING THE FOLLOWING ACTIVITIES AS UNLAWFUL: TO USE OR INVEST PROCEEDS FROM A PATTERN OF RACKETEERING CONDUCT IN AN ENTERPRISE; TO ACQUIRE OR MAINTAIN AN INTEREST IN, OR TO CONDUCT AN ENTERPRISE THROUGH A PATTERN OF RACKETEERING CONDUCT; OR TO CONSPIRE TO ENGAGE IN SUCH CONDUCT; PROVIDING CRIMINAL PENALTIES; PROVIDING FOR ENFORCEMENT; PROVIDING CIVIL AND EQUITABLE REMEDIES; PROVIDING FOR THE RIGHTS OF INNOCENT PERSONS; AND PROVIDING THAT ANY AGGRIEVED PERSON MAY INSTITUTE CIVIL PROCEEDINGS TO SEEK DAMAGES; AND PROVIDING AN EFFECTIVE DATE. THIS ACT ENACTS PART 16, CHAPTER 10, TITLE 76, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

JUVENILE COURT SUBPOENAS AND WARRANTS

S.B. No. 166 Sherman A. Wayment

AN ACT RELATING TO JUVENILE COURT; AUTHORIZING THE DISTRICT JUVENILE COURT TO ISSUE SEARCH WARRANTS AND SUBPOENAS IN THE SAME MANNER AND FOR THE SAME REASONS AS SEARCH WARRANTS AND SUBPOENAS MAY BE ISSUED BY THE CIRCUIT COURT OR DISTRICT COURT. THIS ACT AMENDS SECTION 78-3a-50, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 79, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

NEGLECT OR DELINQUENCY OF CHILDREN

S.B. No. 167 Sherman A. Wayment

AN ACT RELATING TO DELINQUENCY OF MINORS; SETTING FORTH WITH GREATER SPECIFICITY THE JURISDICTION OF THE JUVENILE COURT TO ADJUDICATE AND SENTENCE AN ADULT WHO IS CHARGED WITH AND WHO HAS BEEN CONVICTED OF CONTRIBUTING TO THE NEGLECT OR DELINQUENCY OF A CHILD; AND FURTHER SPECIFYING SPECIFIC ACTS WHICH CONSTITUTE CONTRIBUTING TO THE DELINQUENCY OR NEGLECT OF A CHILD. THIS ACT AMENDS SECTION 78-3a-19, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 165, LAWS OF UTAH 1965, was read the first time and referred to Rules Committee.

AUTO DEATHS—MEDICAL EXAMINER

S.B. No. 168 Senators Farley, Carling

AN ACT RELATING TO AUTOMOBILE DEATHS; PROVIDING THAT THE MEDICAL EXAMINER ASSUME CUSTODY OF DECEASED AUTOMOBILE ACCIDENT VICTIMS. THIS ACT AMENDS SECTION 26-20-7, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 63, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

COUNCIL ON SCIENCE AND TECHNOLOGY

S.B. No. 169 Glade M. Sowards

AN ACT REMOVING THE EXPIRATION DATE FOR STATUTORY PROVISIONS COVERING THE COUNCIL ON SCIENCE AND TECHNOLOGY. THIS ACT AMENDS SECTIONS 63-45-4 AND 63-45-8, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 187, LAWS OF UTAH 1975, AS AMENDED BY CHAPTER 228, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

PREPAYMENT OF PROPERTY TAXES TO MITIGATE IMPACT OF DEVELOPMENT

S.B. No. 170 Omar B. Bunnell

AN ACT RELATING TO RESOURCE DEVELOPMENT; ENABLING UNITS OF LOCAL GOVERNMENT TO AUTHORIZE DEVELOPERS TO PREPAY AD VALOREM PROPERTY TAXES TO HELP MITIGATE THE IMPACT OF DEVELOPMENT; DEFINING THE TERMS "DEVELOPER", "MAJOR DEVELOPER", "COMMENCEMENT OF CONSTRUCTION" AND "UNIT OF LOCAL GOVERNMENT", REQUIRING THE FILING OF A FINANCIAL IMPACT STATEMENT AND PLAN TO ALLEVIATE SUCH IMPACTS PRIOR TO THE AUTHORIZATION OF PREPAYMENT; AND REQUIRING THE FILING OF A FINANCIAL IMPACT STATEMENT AND ALLEVIATION PLAN BY A MAJOR DEVELOPER PRIOR TO COMMENCEMENT OF CONSTRUCTION WHETHER OR NOT THE MAJOR DEVELOPER DESIRES TO PREPAY AD VALOREM PROPERTY TAXES. THIS ACT AMENDS SECTION 63-51-1, 63-51-2, 63-51-3, 63-51-5, 63-51-6, UTAH CODE ANNOTATED AND ADDS A NEW SECTION 63-51-10, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

H.B. No. 36, INSTRUMENT RECORDATION REQUISITE, was read the third time. Senators Barton, Swan and Snow commented. On motion of Senator Snow, **H.B. No. 36** amended the title as follows:

Page 1, Line 12 (goldenrod):
After *"UNLESS"* insert *"A LEGAL DESCRIPTION OF THE REAL PROPERTY AND,"*

H.B. No. 36 passed third reading, as amended, on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Christensen	Jones	Sandberg
Barton	Cornaby	Kimball	Snow
Black	Farley	Matheson	Sowards
Bullen	Finlinson	Money	Swan
Bunnell	Flamm	Peterson, C.	Wayment
Carling	Jeffs	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Asay	Bennett	Halverson	Pugh
Barlow			

H.B. No. 36, as amended, was returned to the House.

* * *

H.B. No. 45, MILK AND CREAM ASSESSMENT, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3;

Voting in the affirmative were: Senators

Bangerter	Carling	Jones	Sandberg
Barlow	Christensen	Kimball	Snow
Barton	Cornaby	Matheson	Sowards
Bennett	Farley	Money	Wayment
Black	Finlinson	Peterson, C.	Mr. President (Ferry)
Bullen	Flamm	Peterson. L.	
Bunnell	Jeffs	Pugh	

Absent and not voting were: Senators

Asay	Halverson	Swan

H.B. No. 45 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

* * *

H.B. No. 55, COLLECTOR ROADS SYSTEM DESIGNATIONS, was read the third time. Senators Matheson and Finlinson commented and on motion of Senator Finlinson, the bill was circled.

* * *

H.B. No. 56, STATE HIGHWAY DESIGNATIONS, was read the third time and on motion of Senator Black, the bill was circled.

* * *

On motion of Senator Swan, **S.B. No. 25,** ATHLETIC EVENTS AMENDMENTS, was circled.

CONSENT CALENDAR

H.B. No. 85, RESISTING LAWFUL ARREST, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Bunnell	Jones	Sandberg
Barlow	Carling	Kimball	Snow
Barton	Christensen	Matheson	Sowards
Bennett	Farley	Money	Swan
Black	Finlinson	Peterson, C.	Wayment
Bullen	Flamm	Pugh	Mr. President (Ferry)

Absent and not voting were: Senators

Asay	Halverson	Jeffs	Peterson, L.
Cornaby			

H.B. No. 85 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

* * *

S.B. No. 114, AUDITS OF POLITICAL SUBDIVISIONS, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Carling	Kimball	Sandberg
Barlow	Christensen	Matheson	Snow
Barton	Farley	Money	Sowards
Bennett	Flamm	Peterson, C.	Swan
Bullen	Jeffs	Peterson, L.	Wayment
Bunnell	Jones	Pugh	Mr. President (Ferry)

Absent and not voting were: Senators

Asay	Cornaby	Finlinson	Halverson
Black			

S.B. No. 114 was transmitted to the House.

* * *

H.B. No. 42, COUNTY REFERENDUM AND INITIATIVE, was read the third time and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Carling	Money	Sowards
Barlow	Flamm	Peterson, C.	Swan
Barton	Jeffs	Peterson, L.	Wayment
Bennett	Jones	Pugh	Mr. President (Ferry)
Bullen	Kimball	Sandberg	
Bunnell	Matheson	Snow	

Absent and not voting were: Senators

Asay	Christensen	Farley	Halverson
Black	Cornaby	Finlinson	

H.B. No. 42 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

SECOND READING CALENDAR

On motion of Senator Snow, **H.B. No. 19,** UTILITY FRANCHISE TAX LIMITATIONS, was returned to State and Local Affairs Committee.

* * *

On motion of Senator Christensen, **S.B. No. 80,** UTAH COSMETOLOGIST AND BARBER LICENSING ACT, was returned to Business, Labor and Economic Development Committee.

Special Order of Business

S.B. No. 42, WATER CONSERVANCY ACT AMENDMENTS. Senators Finlinson, Matheson, Bunnell and Farley commented.

S.B. No. 42 passed second reading on the following roll call:

Yeas, 16; Nays, 8; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Bullen	Jones	Sandberg
Barlow	Finlinson	Money	Sowards
Barton	Flamm	Peterson, C.	Wayment
Black	Jeffs	Pugh	Mr. President (Ferry)

Voting in the negative were: Senators

Asay	Bunnell	Farley	Snow
Bennett	Christensen	Kimball	Swan

Absent and not voting were: Senators

Carling	Halverson	Matheson	Peterson, L.
Cornaby			

* * *

On motion of Senator Wayment, **H.B. No. 6,** AGRICULTURAL ACTIVITIES — NUISANCES, the bill was circled.

* * *

H.B. No. 66, COAL MINING AND RECLAMATION ACT AMENDMENTS, was read the second time.

Mr. President: January 22, 1981

The Energy and Natural Resources Committee, to which was referred **H.B. No. 66,** COAL MINING AND RECLAMATION ACT AMENDMENTS, by Representative John J. Garr, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Fred W. Finlinson, Committee Chairman

Committee report read and adopted. Representative John M. Garr explained provisions of the bill in Committee of the Whole. Senators Bunnell and Swan commented and **H.B. No. 66** passed second reading on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Cornaby	Kimball	Sowards
Barlow	Farley	Money	Swan
Barton	Finlinson	Peterson, C.	Wayment
Black	Flamm	Pugh	Mr. President (Ferry)
Bunnell	Jeffs	Sandberg	
Christensen	Jones	Snow	

Absent and not voting were: Senators

Asay	Bullen	Halverson	Peterson, L.
Bennett	Carling	Matheson	

* * *

H.B. No. 35, DISABILITY BENEFITS INCREASE, was read the second time. Senator Jeffs, Pugh and Cornaby commented.

Mr. President: January 22, 1981

The Judiciary Committee, to which was referred **H.B. No. 35,** DISABILITY BENEFITS INCREASE, by Representative D. Leon Reese, has carefully considered the bill and reports it out of committee favorably and with the following amendment:

Page 3, Line 8:
Delete *"$100"* and insert *"$110"*

A. Dean Jeffs, Committee Chairman

Committee report, as amended, read and adopted. On motion of Senator Pugh, **H.B. No. 35** was circled.

* * *

On motion of Senator Jeffs, **H.B. No. 6,** AGRICULTURE ACTIVITIES — NUISANCES, was uncircled. Senators Matheson, Jeffs, Money, Kimball and C. Peterson commented. On motion of Senator Matheson **H.B. No. 6** was amended as follows:

Page 1, Line 15:
After *"(1)"* delete *"No"* and insert *"Notwithstanding sections 78-38-1 and 76-10-803, no"*

Page 2, after Line 10 insert the following new section: *"Section 2. As used in this act, "agricultural operation" means any facility for the production for commercial purposes of crops, livestock, poultry, livestock products, or poultry products."*

On motion of Senator Jeffs, **H.B. No. 6** was amended as follows:

Page 1, Line 23:
After *"provided,"* insert *"the agricultural operation does not increase or intensify the condition asserted to be a nuisance and"*

H.B. No. 6 passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4;

Voting in the affirmative were: Senators

Bangerter	Cornaby	Matheson	Sowards
Barlow	Farley	Money	Swan
Barton	Finlinson	Peterson, C.	Wayment
Bennett	Flamm	Peterson, L.	Mr. President (Ferry)
Black	Jeffs	Pugh	
Bunnell	Jones	Sandberg	

Absent and not voting were: Senators

Asay	Bullen	Carling	Halverson

THIRD READING CALENDAR

On motion of Senator Black, the circle was removed from **H.B. No. 55,** COLLECTOR ROAD SYSTEMS DESIGNATIONS, and it passed third reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Carling	Jones	Sandberg
Barlow	Christensen	Matheson	Snow
Barton	Cornaby	Money	Sowards
Bennett	Farley	Peterson, C.	Swan
Black	Finlinson	Peterson, L.	Wayment
Bunnell	Flamm	Pugh	Mr. President (Ferry)

Absent and not voting were: Senators

Asay	Halverson	Jeffs	Kimball
Bullen			

H.B. No. 55 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

* * *

On motion of Senator Black, the circle was removed from **H.B. No. 56,** STATE HIGHWAY DESIGNATIONS, and it passed third reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Christensen	Matheson	Sowards

Barlow	Farley	Money	Swan
Barton	Finlinson	Peterson, C.	Wayment
Bennett	Flamm	Peterson, L.	Mr. President (Ferry)
Black	Jeffs	Pugh	
Bunnell	Jones	Sandberg	

Absent and not voting were: Senators

Asay	Bullen	Cornaby	Halverson

H.B. No. 56 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

* * *

Senator Black's motion to reconsider previous action whereby **S.B. No. 80,** UTAH COSMETOLOGIST AND BARBER LICENSING ACT, was returned to Business, Labor and Economic Development Committee, failed.

SECOND READING CALENDAR

Sub. H.B. No. 59, CHAUFFEUR'S LICENSE AMENDMENTS, was read the second time. Senator Finlinson is presiding. Senator Sowards explained the bill.

Mr. President: January 23, 1981

The Transportation and Public Safety Committee, to which was referred Substitute **H.B. No. 59,** CHAUFFEUR'S LICENSE AMENDMENTS, by Representative Dix H. McMullin, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted and **H.B. No. 59** passed second reading on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Cornaby	Kimball	Sandberg
Barlow	Farley	Matheson	Snow
Barton	Finlinson	Money	Sowards
Bennett	Flamm	Peterson, C.	Swan
Black	Jeffs	Peterson, L.	Mr. President (Ferry)
Christensen	Jones	Pugh	

Absent and not voting were: Senators

Asay	Bunnell	Halverson	Wayment
Bullen	Carling		

* * *

H.B. No. 2, WITHDRAWAL OF CONSENT TO FEDERAL JURISDICTION OVER STATE LANDS, was read the second time.

Mr. President: January 26, 1981

The Agriculture Committee, to which was referred **H.B. No. 2,** WITHDRAWAL OF CONSENT TO FEDERAL JURISDICTION OVER STATE LANDS, by Representative C. Hardy Redd, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted. Senators Matheson, C. Peterson, Farley, Bunnell and Pugh commented. Representative C. Hardy Redd explained the bill in Committee of the Whole. President Ferry resumed presiding. **H.B. No. 2** passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Cornaby	Matheson	Sowards
Barton	Farley	Money	Swan
Bennett	Finlinson	Peterson, C.	Wayment
Black	Flamm	Peterson, L.	Mr. President (Ferry)
Bullen	Halverson	Pugh	
Bunnell	Jeffs	Sandberg	
Christensen	Jones	Snow	

Absent and not voting were: Senators

Asay	Bangerter	Carling	Kimball

* * *

H.B. No. 4, REPEAL OF STATE CONSENT, was read the second time.

Mr. President: January 26, 1981

The Agriculture Committee, to which was referred **H.B. No. 4,** REPEAL OF STATE CONSENT, by Representative C. Hardy Redd, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted. **H.B. No. 4** passed second reading on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Bunnell	Jones	Sandberg
Barlow	Christensen	Matheson	Snow
Barton	Finlinson	Money	Sowards
Bennett	Flamm	Peterson, C.	Swan

Black	Halverson	Peterson, L.	Wayment
Bullen	Jeffs	Pugh	Mr. President (Ferry)

Voting in the negative was: Senator
Farley

Absent and not voting were: Senators

Asay	Carling	Cornaby	Kimball

COMMUNICATION FROM THE HOUSE

Mr. President: January 29, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, as amended, **S.B. No. 116,** BRAND INSPECTION FEES, by Senator L. Peterson, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator L. Peterson, the Senate voted to concur in the House Amendments on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Christensen	Kimball	Snow
Barlow	Cornaby	Matheson	Sowards
Barton	Farley	Money	Swan
Bennett	Finlinson	Peterson, C.	Wayment
Black	Flamm	Peterson, L.	Mr. President (Ferry)
Bullen	Jeffs	Pugh	
Bunnell	Jones	Sandberg	

Absent and not voting were: Senators

Asay	Carling	Halverson

S.B. No. 116 was transmitted to the House.

SECOND READING CALENDAR

H.B. No. 11, BUSINESS LICENSE FEES, was read the second time.

Mr. President: January 27, 1981

The Business, Labor and Economic Development Committee, to which was referred **H.B. No. 11,** BUSINESS LICENSE FEES, by Representative Sherman D. Harmer, Jr., has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Lines 14 and 15:
Delete *"PROVIDING FOR AN INCREASE IN CONTRACTORS' AND SPECIALTY CONTRACTORS' LICENSE AND RENEWAL FEES;"*

Page 1, Lines 20-26:
After *"1977"* delete the remainder of line 20 and lines 21-26

Page 2:
After line 11, delete the remainder of the bill on pages 2, 3 and 4

Arnold Christensen, Committee Chairman

Committee report, as amended, read and adopted. Senator Christensen explained the bill and it passed second reading on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Asay	Christensen	Matheson	Sowards
Bangerter	Farley	Money	Swan
Barlow	Finlinson	Peterson, C.	Wayment
Barton	Flamm	Peterson, L.	Mr. President (Ferry)
Bennett	Jeffs	Pugh	
Bullen	Jones	Sandberg	
Bunnell	Kimball	Snow	

Voting in the negative was: Senator
Black

Absent and not voting were: Senators

Carling	Cornaby	Halverson

* * *

On motion of Senator Snow, and at 12:00, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Miles 'Cap' Ferry presiding.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

S.B. No. 84 OSTEOPATHIC MEDICINE LICENSING ACT
(Business, Labor and Economic Development)

S.B. No. 95 MEDICAL PRACTICES ACT REVISION
(Business, Labor and Economic Development)
S.B. No. 99 LIFE INSURANCE POLICY LOAN INTEREST RATE
(Business, Labor and Economic Development)

S.B. Nos. 84, 95, and 99 were placed on Second Reading Calendar.

INTRODUCTION OF BILLS

JUVENILE COURT JURISDICTION EXTENSION

S.B. No. 171 Lowell S. Peterson

AN ACT RELATING TO THE JURISDICTION OF THE JUVENILE COURT; EXPANDING JURISDICTION OF THE JUVENILE COURT TO INCLUDE THE PARENTS, STEP-PARENTS, OR CUSTODIAN OF ANY CHILD WHO IS A NEGLECTED OR DEPENDENT CHILD AS DEFINED BY SECTION 78-3a-2; ALSO EXPANDING JURISDICTION TO INCLUDE A CHILD RESIDING WITHIN THIS STATE IN VIOLATION OF A COURT ORDER FROM ANOTHER STATE. THIS ACT AMENDS SECTION 78-3a-16, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 76, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

SKIING COLLISION DUTIES

S.B. No. 172 Senators Carling, Finlinson

AN ACT RELATING TO SKIING COLLISIONS; REQUIRING PARTIES INVOLVED IN COLLISIONS TO STOP AND RENDER ASSISTANCE, IF NEEDED; PROVIDING FOR THE EXCHANGE OF IDENTIFICATION OF INVOLVED PARTIES, AND PROVIDING A PENALTY, was read the first time and referred to Rules Committee.

DECEPTION DETECTION EXAMINERS

S.B. No. 173 Richard J. Carling

AN ACT RELATING TO DECEPTION DETECTION EXAMINERS; MODIFYING THE DEFINITION OF A DECEPTION DETECTION INSTRUMENT; INCREASING THE MEMBERSHIP OF THE LICENSING BOARD FROM THREE TO FIVE MEMBERS; MODIFYING RECIPROCITY REQUIREMENTS FOR NON-RESIDENT EXAMINERS; PROVIDING A DATE ON WHICH ADDITIONAL EDUCATIONAL REQUIREMENTS BECOME EFFECTIVE; REQUIRING A DECEPTION DETECTION INSTRUMENT PRINTOUT; PROHIBITING SURREPTITIOUS EXAMINATIONS; AND MAKING CERTAIN TECHNICAL CHANGES. THIS ACT AMENDS SECTIONS 34-37-2, 34-37-3, 34-37-5, AND 34-37-8, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1977, AND SECTION 34-37-14, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER

94, LAWS OF UTAH 1973, AND ENACTS SECTIONS 34-37-15 AND 34-37-16, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

TENANT-LANDLORD RELATIONSHIPS

S.B. No. 174 Senators Kimball, Farley

AN ACT RELATING TO THE JUDICIAL CODE; PROVIDING A PRESUMPTION IN FAVOR OF A TENANT IN AN ACTION FOR EJECTMENT COMMENCED BY A LANDLORD WITHIN SIX MONTHS AFTER A TENANT COMPLAINS ABOUT LEASED PREMISES OR ORGANIZES OR CLAIMS MEMBERSHIP IN A TENANT ORGANIZATION; AND PROVIDING CONDITIONS UNDER WHICH NO SUCH PRESUMPTION ARISES, was read the first time and referred to Rules Committee.

INSURANCE GUARANTY ASSOCIATION AMENDMENTS

S.B. No. 175 Bryce C. Flamm

AN ACT RELATING TO INSURANCE; PROVIDING FOR TECHNICAL AMENDMENTS TO THE "UTAH LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION"; AND PROVIDING FOR CHANGES IN THE POWERS OF THE "UTAH LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION" TO MAKE THE ASSOCIATION'S ADMINISTRATION AND PROCEDURES MORE UNIFORM WITH ASSOCIATIONS IN OTHER STATES. THIS ACT AMENDS SECTIONS 31-43-1, 31-43-3, 31-43-4, 31-43-10, AND 31-43-12, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 122, LAWS OF UTAH 1979; AND REPEALS AND REENACTS SECTION 31-43-7, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 122, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

NOTICE OF ENFORCEMENT—MECHANICS LIENS

S.B. No. 176 Senators Carling, Jeffs, Christensen

AN ACT RELATING TO MECHANICS' LIENS; PROVIDING FOR REPEAL OF THE REQUIREMENT THAT A PLAINTIFF IN A LIEN FORECLOSURE ACTION GIVE CONSTRUCTIVE NOTICE OF THE ACTION, THROUGH PUBLICATION, TO ALL PERSONS CLAIMING LIENS AGAINST THE PREMISES BEING FORECLOSED. THIS ACT AMENDS SECTION 38-1-12, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

CAMPUS BUILDINGS ACT AMENDMENTS

S.B. No. 177 Senators Barlow, Bangerter

AN ACT RELATING TO CAMPUS BUILDINGS OF THE STATE INSTITUTIONS OF HIGH-

ER LEARNING; REMOVING THE INTEREST RATE LIMITATIONS ON BONDS ISSUED REGARDING THESE BUILDINGS; PROVIDING FOR THE SALE OF THESE BONDS WITHOUT LIMITATIONS; MAKING CERTAIN CHANGES IN FORM; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 53-38-2, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 18, LAWS OF UTAH 1972, was read the first time and referred to Rules Committee.

UTAH COMMUNITY REDEVELOPMENT LAW AMENDMENTS

S.B. No. 178 Senators, Barlow, Bangerter

AN ACT RELATING TO THE UTAH COMMUNITY REDEVELOPMENT LAW; REMOVING THE INTEREST RATE LIMITATION ON INDEBTEDNESS; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 11-15-142, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 16, LAWS OF UTAH 1961, was read the first time and referred to Rules Committee.

WATER AND SEWER IMPROVEMENT DISTRICT AMENDMENTS

S.B. No. 179 Senators Barlow, Bangerter

AN ACT RELATING TO WATER AND SEWER IMPROVEMENT DISTRICTS; PROVIDING THAT BONDS OF IMPROVEMENT DISTRICTS PAYABLE SOLELY FROM OPERATING REVENUES DERIVED FROM ALL OR A PORTION OF THE FACILITIES OF THESE DISTRICTS MAY BE ISSUED BY THE DISTRICTS WITHOUT SUBMITTING THE QUESTION OF ISSUING THE BONDS TO THE QUALIFIED ELECTORS OF THE DISTRICTS; DELETING THE REQUIREMENT THAT RESOLUTIONS DIRECTING THE HOLDING OF AN ELECTION ON BONDS OF IMPROVEMENT DISTRICTS SPECIFY THE MAXIMUM INTEREST RATE ON THE BONDS; PROVIDING THAT BONDS OF IMPROVEMENT DISTRICTS SHALL BE ISSUED AND SOLD IN COMPLIANCE WITH THE UTAH MUNICIPAL BOND ACT; VALIDATING THE CREATION OF DISTRICTS AND PROCEEDINGS PREVIOUSLY HAD BY ANY DISTRICT FOR THE AUTHORIZATION AND ISSUANCE OF BONDS OF THE DISTRICT; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 17-6-3.2, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 29, LAWS OF UTAH 1953, SECTIONS 17-6-3.3 AND 17-6-3.5, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 7, LAWS OF UTAH 1970; AND ENACTS SECTION 17-6-33, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

HOUSING AUTHORITY ACT AMENDMENTS

S.B. No. 180 Senators Barlow, Bangerter

AN ACT RELATING TO HOUSING AUTHORITY BONDS; REMOVING THE INTEREST RATE LIMITATION ON BONDS ISSUED BY HOUSING AUTHORITIES; PROVIDING FOR

THE SALE OF THESE BONDS AT OTHER THAN PAR; MAKING CERTAIN CHANGES IN FORM; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 55-18-18, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 16, LAWS OF UTAH 1971, was read the first time and referred to Rules Committee.

UTAH REFUNDING BOND ACT

S.B. No. 181 Senators Barlow, Bangerter

AN ACT RELATING TO BONDS OF AGENCIES, AUTHORITIES, INSTRUMENTALITIES, AND INSTITUTIONS OF THE STATE OF UTAH, AND OF MUNICIPAL AND QUASI-MUNICIPAL CORPORATIONS, POLITICAL SUBDIVISIONS, SCHOOL DISTRICTS, SPECIAL DISTRICTS, AND OTHER GOVERNMENTAL ENTITIES WITHIN THE STATE OF UTAH; PROVIDING FOR THE REFUNDING OF BONDS AT OR IN ADVANCE OF THEIR MATURITY; PROVIDING FOR PROCEDURES IN THIS REGARD; AND PROVIDING AN EFFECTIVE DATE. THIS ACT ENACTS CHAPTER 27, TITLE 11, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

GRANT ANTICIPATION NOTES

S.B. No. 182 Senators Barlow, Bangerter

AN ACT RELATING TO GRANT ANTICIPATION NOTES; AUTHORIZING THE ISSUANCE OF GRANT ANTICIPATION NOTES BY MUNICIPALITIES; PROVIDING FOR THE BASIC PROVISIONS AND LIMITATIONS OF THESE NOTES; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS THE UTAH MUNICIPAL BOND ACT BY ENACTING SECTION 11-14-19.9, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

INVESTMENT OF REDEMPTION FUND REPEAL

S.B. No. 183 Senators Barlow, Bangerter

AN ACT RELATING TO THE INVESTMENT OF REDEMPTION FUNDS; REPEALING THE PROVISIONS PROVIDING FOR THE INVESTMENT OF REDEMPTION FUNDS CONCERNING BONDS ISSUED BY THE STATE; AND PROVIDING AN EFFECTIVE DATE. THIS ACT REPEALS ALL OF CHAPTER 2, TITLE 66, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

INDEBTEDNESS OF SCHOOL DISTRICT AMENDMENTS

S.B. No. 184 Senators Barlow, Bangerter, Jeffs

AN ACT RELATING TO INDEBTEDNESS OF SCHOOL DISTRICTS; REMOVING THE INTEREST RATE LIMITATION ON INDEBTEDNESS INCURRED BY THE SCHOOL DIS-

TRICTS; AUTHORIZING THE ISSUANCE OF TAX ANTICIPATION NOTES AS PROVIDED IN THE UTAH MUNICIPAL BOND ACT; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 53-10-1, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 13, LAWS OF UTAH 1970, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

On motion of Senator Swan, the circle was removed from **S.B. No. 25**, ATHLETIC EVENTS AMENDMENTS, and it passed third reading on the following roll call:

Yeas, 21; Nays, 4; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	Kimball	Swan
Bangerter	Christensen	Money	Wayment
Barlow	Farley	Peterson, C.	Mr. President (Ferry)
Barton	Flamm	Peterson, L.	
Bennett	Halverson	Sandberg	
Black	Jones	Sowards	

Voting in the negative were: Senators

Jeffs	Matheson	Pugh	Snow

Absent and not voting were: Senators

Bullen	Bunnell	Cornaby	Finlinson

S.B. No. 25 was transmitted to the House.

COMMUNICATION FROM THE HOUSE

Mr. President: January 29, 1981

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 116**, BRAND INSPECTION FEES, by Senator Peterson, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. No. 116 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

SECOND READING CALENDAR

H.B. No. 87, UTAH CHILD ABUSE ACT, was read the second time.

Mr. President: January 27, 1981

The Social Services Committee, to which was referred **H.B. No. 87**, UTAH CHILD ABUSE

ACT, by Representative Orval C. Harrison, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted. Senator Jones explained the bill and it passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Jones	Pugh
Barlow	Christensen	Kimball	Sandberg
Barton	Farley	Matheson	Snow
Bennett	Flamm	Money	Swan
Black	Halverson	Peterson, C.	Wayment
Bunnell	Jeffs	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Bangerter	Cornaby	Finlinson	Sowards
Bullen			

* * *

On motion of Senator Snow, the circle was removed from **H.B. No. 35,** DISABILITY BENEFITS INCREASE, and on motion of Senator Christensen, **H.B. No. 35** was amended as follows:

Page 3, Line 8:
Delete *"$110"* and restore *"$100"*

H.B. No. 35 passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Kimball	Snow
Barton	Farley	Matheson	Swan
Bennett	Finlinson	Money	Wayment
Black	Flamm	Peterson, C.	Mr. President (Ferry)
Bunnell	Halverson	Peterson, L.	
Carling	Jeffs	Pugh	

Absent and not voting were: Senators

Asay	Bullen	Sowards

* * *

H.B. No. 73, NOTICE OF TAX SALE, was read the second time.

Mr. President: January 27, 1981

The Revenue and Taxation Committee, to which was referred **H.B. No. 73,** NOTICE OF TAX SALE, by Representative Olene S. Walker, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Charles W. Bullen, Committee Chairman

Committee report read and adopted and **H.B. No. 73** passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Christensen	Kimball	Snow
Barlow	Cornaby	Matheson	Swan
Barton	Farley	Money	Wayment
Bennett	Finlinson	Peterson, C.	Mr. President (Ferry)
Black	Flamm	Peterson, L.	
Bunnell	Jeffs	Pugh	
Carling	Jones	Sandberg	

Absent and not voting were: Senators

Asay	Bullen	Halverson	Sowards

* * *

On motion of Senator Christensen, **S.B. No. 30,** CONTINUING EDUCATION FOR PHARMACISTS, was circled.

* * *

S.B. No. 41, UTAH SCHOOL IMMUNICATION ACT, was before the Senate. On motion of Senator Farley **S.B. No. 41** was amended as follows:

Page 1, Line 21:
Delete *"26-6-24"* and insert in its place *"2 of this Act"*.

Page 2, Lines 17 through 20:
Delete entire lines and insert in lieu thereof:

"(b) Upon submitting a statement signed by one of the following persons that he or she has a personal belief opposed to immunizations:

(1) One of the child's parents;

(2) The child's guardian;

(3) A legal age brother or sister of a child who is without parent or guardian; or

(4) The student, if of legal age."

Page 2, Lines 21 through 25:
Delete entire lines and insert in lieu thereof:

"(c) Upon submitting a statement signed by one of the following persons,

that he or she is a bona fide member of a specified, recognized relgious organization whose teachings are contrary to immunizations:

(1) One of the child's parents;

(2) The child's guardian;

(3) A legal age brother or sister of a cild who is without parent or guardian; or

(4) The student, if of legal age."

S.B. No. 41 passed second reading on the following roll call:

Yeas, 23; Nays, 2; Absent, 4

Voting in the affirmative were: Senators

Barlow	Cornaby	Jones	Pugh
Barton	Farley	Kimball	Snow
Black	Finlinson	Matheson	Swan
Bullen	Flamm	Money	Wayment
Bunnell	Halverson	Peterson, C.	Mr. President (Ferry)
Carling	Jeffs	Peterson, L.	

Voting in the negative were: Senators

Bennett	Christensen

Absent and not voting were: Senators

Asay	Bangerter	Sandberg	Sowards

* * *

S.B. No. 73, PUBLIC EMPLOYEES POLITICAL ACTIVITIES, was before the Senate and on motion of Senator Black, **S.B. No. 73** was amended as follows:

Page 2, Lines 7 through 18:
Delete entirely and insert the new paragraph (b) as follows:
"(b) No officer or employee in career service shall be a candidate for any partisan political office unless upon proper application, the officer or employee is granted leave of absence without pay, without loss of existing seniority or tenure to participate in a partisan political campaign, either as an officer or as a candidate; however, time spent during political leave shall not be counted for seniority purposes as being in service."

S.B. No. 73 passed second reading on the following roll call:

Yeas, 16; Nays, 10; Absent, 3

Voting in the affirmative were: Senators

Barlow	Carling	Finlinson	Pugh
Bennett	Christensen	Flamm	Snow
Black	Cornaby	Kimball	Sowards
Bunnell	Farley	Money	Swan

Voting in the negative were: Senators

Asay	Halverson	Matheson	Wayment
Barton	Jeffs	Peterson, C.	
Bullen	Jones	Sandberg	

Absent and not voting were: Senators

Bangerter	Peterson, L.	Mr. President (Ferry)

* * *

On motion of Senator Cornaby, **S.B. No. 55,** SUPPORT, MAINTENANCE, AND DIVORCE AMENDMENTS, was read the second time.

Mr. President: January 20, 1981

The Social Services Committee, to which was referred **S.B. No. 55,** SUPPORT, MAINTENANCE, AND DIVORCE AMENDMENTS, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 3, Lines 9 and 10:
Delete *"Garnishments may issue if support payments are 60 days overdue."* and insert in lieu thereof *"The department of social services may initiate garnishment or otherwise execute on the judgment amount from the past due installments twenty days after notice of the department's intended action has been served upon the obligor in the manner prescribed for service of notices under section 78-45b-4 Utah Code Annotated as amended. If, within the twenty days provided by notice, the obligor's written objection to the claimed judgement amount is received by the department or the court, the intended action is stayed until an opportunity for a hearing on the obligor's objection is provided by the department of social services."*

Ronald T. Halverson, Committee Chairman

Committee report, as amended, read and adopted and on motion of Senator Cornaby circled.

* * *

S.B. No. 18, PLACEMENT OF NUCLEAR WASTE, was read the second time.

Mr. President: January 20, 1981

The Energy and Natural Resources Committee, to which was referred **S.B. No. 18,** PLACEMENT OF NUCLEAR WASTE, by Senator Frances Farley et al, has carefully considered the bill and reports it out favorably with the recommendation that the original bill be deleted in body and title and that Substitute **S.B. No. 18** replace the original bill.

Substitute **S.B. No. 18** to be amended as follows:

Page 1, Line 23:
After *"Governor,"* insert *"after consultation with the county commission of the affected county and"*

Page 1, Line 26:
After *"assemblies,"* insert *"dismantled nuclear reactor components,"*

Fred W. Finlinson, Committee Chairman

Committee report, as amended, read and adopted. Senator Farley explained the bill. Senators Finlinson, Black, Christensen, Matheson and Bunnell commented and on motion of Senator Finlinson, Substitute **S.B. No. 18** was amended as follows:

Page 1, Line 18:
After *"GOVERNOR,"* insert *"AFTER CONSULTATION WITH THE COUNTY COMMISSIONER OF THE AFFECTED COUNTY AND"*

Sub. **S.B. No. 18** passed second reading on the following roll call:

Yeas, 24; Nays, 4; Absent, 1

Voting in the affirmative were: Senators

Bangerter	Bunnell	Halverson	Pugh
Barlow	Christensen	Kimball	Snow
Barton	Cornaby	Matheson	Sowards
Bennett	Farley	Money	Swan
Black	Finlinson	Peterson, C.	Wayment
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Asay	Jeffs	Jones	Sandberg

Absent and not voting was: Senator
Carling

COMMUNICATION FROM THE HOUSE

Mr. President: January 29, 1981

I am directed to inform the Senate that the House of Representatives has this day voted to recall **S.B. No. 2,** BUSINESS DISCLOSURE OPPORTUNITY DOCUMENTS, by Senator Cornaby for further consideration by the House.

Allan M. Acomb, Chief Clerk

On motion of Senator Cornaby, **S.B. No. 2** was returned to the House.

* * *

On motion of Senator Christensen, **S.B. No. 30,** CONTINUING EDUCATION FOR PHARMACISTS, was uncircled and before the Senate.

S.B. No. 30 passed second reading on the following roll call:

Yeas, 17; Nays, 9; Absent, 3

Voting in the affirmative were: Senators

Asay	Farley	Jones	Swan
Barlow	Finlinson	Peterson, C.	Mr. President (Ferry)
Barton	Flamm	Peterson, L.	
Black	Halverson	Sandberg	
Christensen	Jeffs	Sowards	

Voting in the negative were: Senators

Bangerter	Bunnell	Cornaby	Money
Bennett	Carling	Kimball	Snow
Bullen			

Absent and not voting were: Senators

Matheson	Pugh	Wayment

* * *

On motion of Senator Cornaby, **S.B. No. 63,** HEALTH INSURANCE COMPETITION AND DISCRIMINATION, was circled.

* * *

S.B. No. 101, INDUSTRIAL FACILITIES DEVELOPMENT ACT AMENDMENT, was read the second time. Senators Sowards, Money, Swan and Carling commented.

Mr. President: January 21, 1981

The State and Local Affairs Committee, to which was referred **S.B. No. 101,** INDUSTRIAL FACILITIES DEVELOPMENT ACT AMENDMENT, by Senator Fred W. Finlinson has carefully considered the bill and reports it out of committee with a favorable recommendation.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted and on motion of Senator Finlinson, **S.B. No. 101** was amended as follows:

Page 1, Line 12:
Delete *"COMMON"* and insert in lieu thereof *"REGULATED"*

Page 2, Line 14:
Delete *"common"* and insert in lieu thereof *"regulated"*

S.B. No. 101, as amended, passed second reading on the following roll call:

Yeas, 21; Nays, 3; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Bunnell	Kimball	Swan
Barlow	Carling	Money	Wayment
Barton	Cornaby	Pugh	Mr. President (Ferry)

Bennett	Farley	Sandberg
Black	Finlinson	Snow
Bullen	Flamm	Sowards

Voting in the negative were: Senators

Jeffs	Peterson, C.	Peterson, L.

Absent and not voting were: Senators

Asay	Halverson	Jones	Matheson
Christensen			

RULES COMMITTEE REPORT

Mr. President: January 29, 1981

Your Rules Committee, to which were referred:

S.B. No. 109	PUBLIC CONSTRUCTION — SALES TAXES (Revenue and Taxation)
S.B. No. 121	EDUCATION OF YOUTH IN CUSTODY (Social Services)
S.B. No. 132	CRITICAL SCHOOL BUILDING PROJECTS (Public Education)
S.B. No. 143	JUVENILE COURT ACT AMENDMENTS (Judiciary)
S.B. No. 146	MOTOR VEHICLE ACCIDENT REPORT (Transportation and Public Safety)
S.B. No. 148	CONDEMNED PROPERTY USES (State and Local Affairs)
S.B. No. 156	UTILITIES SERVICES — HOSTAGE SITUATION (Judiciary)
S.B. No. 134	FINANCIAL INSTITUTIONS ACT (Business, Labor and Economic Development)

reports the same back with a few minor changes assented to by the authors and recommends that they be printed and assigned to the committees indicated.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted.

* * *

S.B. No. 55, SUPPORT, MAINTENANCE, AND DIVORCE AMENDMENTS, and **S.B. No. 63,** HEALTH INSURANCE COMPETITION AND DISCRIMINATION, were placed on Second Reading Table.

* * *

On motion of Senator Snow and at 3:30 p.m., the Senate adjourned until 10:00 a.m., Friday, January 30, 1981.

NINETEENTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present.

Prayer — Don C. Miller, Mayor of Corinne, Utah.

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: January 30, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 29, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate, **S.B. No. 4,** UNIFORM FIRE-PREVENTION-CODE PANEL, by Senator E. Verl Asay, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President,

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 6,** STUDDED TIRES TAX REMOVAL, by Senator Bullen, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President,

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 19,** SMALL TRUCKS LADEN WEIGHT, by Senator Bullen, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President,

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 20,** PAYMENTS OF WITHHOLDING TAXES, by Senator Bullen, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President,

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 57,** UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT AMENDMENTS, by Senator K.S. Cornaby, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. Nos. 4, 6, 19, 20 and **57** were signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

* * *

Mr. President: January 29, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House **S.B. No. 26,** MASSAGE PRACTICE ACT, by Senator Halverson, et al, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Halverson, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 25; Nays, 2; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Christensen	Matheson	Sowards
Barlow	Cornaby	Money	Swan
Barton	Finlinson	Peterson, C.	Wayment
Bennett	Flamm	Peterson, L.	Mr. President, (Ferry)
Black	Halverson	Pugh	
Bullen	Jeffs	Sandberg	
Carling	Jones	Snow	

Voting in the negative were: Senators

Farley	Kimball

Absent and not voting were: Senators:

Asay	Bunnell

S.B. No. 26 was returned to the House.

* * *

Mr. President: January 29, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House **S.B. No. 58,** ACCRUAL OF INCIDENCES OF FRAUD, by Senator Cornaby, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Cornaby, the Senate voted to refuse to concur in the House Amendments and asked that the House recede from its amendments.

S.B. No. 58 was returned to the House.

THIRD READING CALENDAR

On motion of Senator Pugh, **S.B. No. 5,** SCHOOL BUILDINGS AND CODE WAIVERS, was lifted from Third Reading Table, placed at the top of the calendar and before the Senate. Senators Pugh, Swan, Jeffs, Barlow, Black, Jones, Snow, Asay and Kimball commented.

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

Page 2, Line 26:
Delete *"examing"* and insert in lieu thereof *"examining"*

Page 2a, Line 2:
Delete *"An"*, and insert *"A disinterested"*

Page 2a, Line 4:
After *"A"* insert *"disinterested"*

Page 2a, after Line 7:
insert *"6. An elected official or designate of the local governmental unit in which the building is being constructed."*

Page 2a, Line 8:
After *"waiver"* insert *"by majority vote,"*

Page 2a, Line 34:
Delete *"An"* and insert *"A disinterested"*

Page 2b, Line 26:
Delete *"An"* and insert *"A disinterested"*

Page 2b, Line 28:
After *"A"* insert *"disinterested"*

Page 2b, Line 30:
After line 30 insert: *"5. An elected official or designate of the local governmental unit in which the building is being constructed."*

Page 2b, Line 31:
After *"waiver"* insert *"by majority vote"*

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

Yeas, 17; Nays, 10; Absent, 2

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, C.	Wayment

Bangerter	Flamm	Pugh	Mr. President (Ferry)
Barlow	Halverson	Sandberg	
Barton	Jones	Snow	
Bullen	Matheson	Sowards	

Voting in the negative were: Senators

Bennett	Cornaby	Kimball	Swan
Black	Farley	Money	
Bunnell	Jeffs	Peterson, L.	

Absent and not voting were: Senators

Carling	Christensen

COMMITTEE OF THE WHOLE

On motion of Senator Swan, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

Col. Jerry K. Patterson
Commander of Tooele Army Depot.

On motion of Senator Swan, the Committee of the Whole was dissolved.

* * *

S.B. No. 42, WATER CONSERVANCY ACT AMENDMENTS, was read the third time and passed on the following roll call:

Yeas, 23; Nays, 2; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Sandberg
Bangerter	Carling	Jones	Sowards
Barlow	Cornaby	Matheson	Swan
Barton	Finlinson	Money	Wayment
Bennett	Flamm	Peterson, C.	Mr. President (Ferry)
Black	Halverson	Pugh	

Voting in the negative were: Senators

Farley	Kimball

Absent and not voting were: Senators

Bullen	Christensen	Peterson, L.	Snow

S.B. No. 42 was transmitted to the House.

* * *

H.B. No. 66, COAL MINING AND RECLAMATION ACT AMENDMENTS, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bullen	Flamm	Pugh
Bangerter	Bunnell	Jeffs	Sandberg
Barlow	Carling	Jones	Sowards
Barton	Cornaby	Matheson	Swan
Bennett	Farley	Money	Wayment
Black	Finlinson	Peterson, C.	Mr. President (Ferry)

Absent and not voting were: Senators

Christensen	Kimball	Peterson, L.	Snow
Halverson			

H.B. No. 66 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

* * *

H.B. No. 6, AGRICULTURAL ACTIVITIES-NUISANCES, was read the third time and passed on the following roll call:

Yeas, 22; Nays, 2; Absent, 5

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Sowards
Bangerter	Carling	Jones	Swan
Barlow	Cornaby	Matheson	Wayment
Barton	Farley	Money	Mr. President (Ferry)
Bennett	Finlinson	Peterson, C.	
Bullen	Flamm	Sandberg	

Voting in the negative were: Senators

Black	Pugh

Absent and not voting were: Senators

Christensen	Kimball	Peterson, L.	Snow
Halverson			

H.B. No. 6, as amended, was returned to the House.

* * *

Sub. H.B. No. 59, CHAUFFEUR'S LICENSE ACT AMENDMENTS, was read the third time and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Sowards

Bangerter	Carling	Matheson	Swan
Barlow	Cornaby	Money	Wayment
Barton	Farley	Peterson, C.	Mr. President (Ferry)
Bennett	Flamm	Peterson, L.	
Black	Halverson	Pugh	
Bullen	Jeffs	Sandberg	

Absent and not voting were: Senators

Christensen	Finlinson	Kimball	Snow

Sub. H.B. No. 59 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

* * *

H.B. No. 2, WITHDRAWAL OF CONSENT TO FEDERAL JURISDICTION OVER STATE LANDS, was read the third time and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Sowards
Bangerter	Carling	Matheson	Swan
Barlow	Cornaby	Money	Wayment
Barton	Farley	Peterson, C.	Mr. President (Ferry)
Bennett	Flamm	Peterson, L.	
Black	Halverson	Pugh	
Bullen	Jeffs	Sandberg	

Absent and not voting were: Senators

Christensen	Finlinson	Kimball	Snow

H.B. No. 2 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

* * *

H.B. No. 4, REPEAL OF STATE CONSENT, was read the third time and passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Kimball	Sowards
Bangerter	Carling	Matheson	Swan
Barlow	Cornaby	Money	Wayment
Barton	Flamm	Peterson, C.	Mr. President (Ferry)
Bennett	Halverson	Peterson, L.	
Black	Jeffs	Pugh	

Bullen	Jones	Sandberg

Voting in the negative was: Senator
Farley

Absent and not voting were: Senators

Christensen	Finlinson	Snow

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

* * *

H.B. No. 11, BUSINESS LICENSE FEES, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Sandberg
Bangerter	Carling	Kimball	Sowards
Barlow	Cornaby	Matheson	Swan
Barton	Farley	Money	Wayment
Bennett	Flamm	Peterson, C.	Mr. President (Ferry)
Black	Halverson	Peterson, L.	
Bullen	Jeffs	Pugh	

Absent and not voting were: Senators

Christensen	Finlinson	Snow

H.B. No. 11 as amended, was returned to the House.

* * *

H.B. No. 87, UTAH CHILD ABUSE ACT, was read the third time and passed on the following roll call:

Yeas, 19; Nays, 5; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Kimball	Sandberg
Barlow	Cornaby	Matheson	Sowards
Barton	Farley	Peterson, C.	Swan
Bennett	Flamm	Peterson, L.	Mr. President (Ferry)
Bunnell	Halverson	Pugh	

Voting in the negative were: Senators

Bangerter	Jeffs	Jones	Money
Bullen			

Absent and not voting were: Senators

Black	Finlinson	Snow	Wayment
Christensen			

H.B. No. 87 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

* * *

H.B. No. 35, DISABILITY BENEFITS INCREASE, was read the third time and passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Asay	Bullen	Jones	Sandberg
Bangerter	Bunnell	Kimball	Sowards
Barlow	Cornaby	Matheson	Swan
Barton	Farley	Money	Wayment
Bennett	Flamm	Peterson, L.	Mr. President (Ferry)
Black	Jeffs	Pugh	

Voting in the negative was: Senator

Halverson

Absent and not voting were: Senators

Carling	Finlinson	Peterson, C.	Snow
Christensen			

H.B. No. 35, as amended, was returned to the House.

* * *

H.B. No. 73, NOTICE OF TAX SALE, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Pugh
Bangerter	Bunnell	Jones	Sandberg
Barlow	Cornaby	Kimball	Sowards
Barton	Farley	Money	Swan
Bennett	Flamm	Peterson, C.	Wayment
Black	Halverson	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Carling	Finlinson	Matheson	Snow
Christensen			

H.B. No. 73 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

* * *

S.B. No. 41, UTAH SCHOOL IMMUNIZATION ACT, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Pugh
Bangerter	Cornaby	Kimball	Sandberg
Barlow	Farley	Matheson	Sowards
Barton	Flamm	Money	Swan
Black	Halverson	Peterson, C.	Wayment
Bullen	Jeffs	Peterson, L.	Mr. President (Ferry)

Voting in the negative was: Senator
Bennett

Absent and not voting were: Senators

Carling	Christensen	Finlinson	Snow

S.B. No. 41 was transmitted to the House.

* * *

S.B. No. 73, PUBLIC EMPLOYEES' POLITICAL ACTIVITIES, was read the third time and failed on the following roll call:

Yeas, 10; Nays, 14; Absent, 5

Voting in the affirmative were: Senators

Barlow	Bunnell	Farley	Sowards
Bennett	Carling	Money	
Black	Cornaby	Peterson, L.	

Voting in the negative were: Senators

Asay	Halverson	Peterson, C.	Wayment
Bangerter	Jeffs	Pugh	Mr. President (Ferry)
Bullen	Jones	Sandberg	
Flamm	Matheson	Swan	

Absent and not voting were: Senators

Barton	Finlinson	Kimball	Snow
Christensen			

S.B. No. 73 is reconsidered.

* * *

Sub. S.B. No. 18, PLACEMENT OF NUCLEAR WASTE, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Pugh
Bangerter	Cornaby	Kimball	Sandberg
Barlow	Farley	Matheson	Sowards
Bennett	Flamm	Money	Swan
Black	Halverson	Peterson, C.	Wayment
Bullen	Jeffs	Peterson, L.	Mr. President (Ferry)

Voting in the negative was: Senator
Barton

Absent and not voting were: Senators

Carling	Christensen	Finlinson	Snow

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

COMMITTEE OF THE WHOLE

On motion of Senator Snow, the Senate resolved itself into a Committee of Whole. Appearing before the Senate was:

Glenn J. Mecham, President
Utah League of Cities and Towns

Several Senators introduced Mayors from Utah cities.

On motion of Senator Bangerter, the Committee of the Whole was dissolved.

* * *

Senator Swan, having voted on the prevailing side served notice that he may ask the Senate to reconsider its action on **S.B. No. 73,** PUBLIC EMPLOYEES' POLITICAL ACTIVITIES, on Monday.

* * *

On motion of Senator Snow, **S.B. No. 55,** SUPPORT, MAINTENANCE AND DIVORCE AMENDMENTS, and **S.B. No. 63,** HEALTH INSURANCE COMPETITION AND DISCRIMINATION, were lifted from Second Reading Table and placed at the top of Second Reading Calendar.

* * *

S.B. No. 101, INDUSTRIAL FACILITIES DEVELOPMENT ACT AMENDMENTS, was read the third time. Senator Finlinson, Bullen, L. Peterson, Matheson, Bunnell and Black commented. On motion of Senator Finlinson, **S.B. No. 101** was amended as follows:

Page 2, Line 14:
Delete the entire line and insert *"common carriers and their warehouseman and aircraft carriers as defined therein, and regulated carriers, and except as provided in"*

Page 1, Line 12:
Restore *"COMMON"* and insert after the *"Common"* a comma and add *"AIRCRAFT, AND"*

S.B. No. 101 passed third reading on the following roll call:

Yeas, 19; Nays, 4; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Bunnell	Kimball	Sandberg
Barlow	Farley	Money	Sowards
Barton	Finlinson	Peterson, C.	Swan
Bennett	Flamm	Peterson, L.	Mr. President (Ferry)
Bullen	Halverson	Pugh	

Voting in the negative were: Senators

Black	Jeffs	Matheson	Wayment

Absent and not voting were: Senators

Asay	Christensen	Jones	Snow
Carling	Cornaby		

S.B. No. 101 was transmitted to the House.

* * *

On motion of Senator Snow and at 12:00 noon, the Senate adjourned until Monday, February 2, 1981.

Pg. 322

TWENTY-SECOND DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present.

Prayer — Senator Wayne L. Sandberg (Salt Lake, Dist. 4).

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: February 2, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 30, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House **S.B. No. 40,** DIVISION OF FAMILY SERVICES FEES, by Senator Cornaby, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Cornaby, the Senate voted to not concur in the House amendments and to ask the House to recede from its amendments.

* * *

Mr. President: January 30, 1981

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 26,** MASSAGE PRACTICE ACT, by Senator Halverson, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.B. No. 36,** INSTRUMENT RECORDATION RE-

QUISITE, by Representative Palmer, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. No. 26 was signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor, and **H.B. No. 36** was signed by the President in open session of the Senate and returned to the House for further action.

* * *

Mr. President: January 30, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, as amended, **H.B. No. 23,** MUNICIPAL GOVERNMENT AMENDMENTS, by Representative Harrison, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, the Senate voted, under suspension of the rules, to again refer **H.B. No. 23** to the State and Local Affairs Committee.

* * *

Mr. President: January 30, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 37,** PEACE OFFICERS TRAINING EXEMPTION, by Representative Christensen, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 77,** MUNICIPAL FINANCIAL REPORTS, by Representative Mecham, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 95,** MUNICIPAL FINANCES REPORTING, by Representative Mecham, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed Substitute **H.B. No. 51,** MECHANICS' LIEN MODIFICATIONS, by Representative McMullin, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. Nos. 37, 77, 95 and Sub. **H.B. No. 51** were read the first time and referred to Rules Committee.

STANDING COMMITTEE REPORTS

Mr. President: January 30, 1981

The State and Local Affairs Committee to which was referred **S.B. No. 115, LEGISLATORS' RETIREMENT**, by Senator Charles W. Bullen et al, has carefully considered the bill and reports it out of committee favorably and asks that it be placed on the Consent Calendar with the following amendments:

Page 2, Line 8:
After "," insert *"and shall be deemed not to be retroactive,"*

Page 3, Line 9:
After *"8"* delete *"2"* and insert in lieu of *"1"*, and

The State and Local Affairs Committee to which was referred **H.B. No. 22**, IMPROVEMENT DISTRICT BOARD OF EQUALIZATION, by Representative Orval C. Harrison, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on Consent Calendar.

Bryce C. Flamm, Committee Chairman

S.B. No. 115 and **H.B. No. 22** were read the second time and placed on Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

H.B. No. 27	BONDS OF NOTARY PUBLICS (Judiciary)
H.B. No. 82	RECORDING OF ADMINISTRATIVE HEARINGS (Judiciary)
S.B. No. 59	REVENUE AND APPROPRIATION LIMITATION AMENDMENTS (State and Local Affairs)
S.B. No. 83	MAIL ORDER SALES ACT (Public Education)
S.B. No. 105	BULK REINSURANCE (Business, Labor and Economic Development)
S.B. No. 106	ROADSIDE SIGNS AMENDMENTS (Transportation and Public Safety)
S.B. No. 146	MOTOR VEHICLE ACCIDENT REPORT (Transportation and Public Safety)
S.B. No. 137	UTAH ANTITRUST ACT AMENDMENTS (Judiciary)

H.B. Nos. 27 and **82** and **S.B. Nos. 59, 83, 105, 106, 146** and **137** were placed on Second Reading Calendar.

INTRODUCTION OF BILLS

TAX EQUIVALENT PROPERTY

S.B. No. 185 Senators Sowards, Finlinson
C. Peterson, Bunnell

AN ACT RELATING TO INDEBTEDNESS OF COUNTIES, CITIES, TOWNS, AND VARIOUS OTHER POLITICAL SUBDIVISIONS OF THE STATE; DEVELOPING THE CONCEPT OF TAX EQUIVALENT PROPERTY; PROVIDING THAT THIS PROPERTY BE INCLUDED A PART OF THE VALUE OF TAXABLE PROPERTY IN THESE SUBDIVISIONS; PROVIDING THAT TAX EQUIVALENT PROPERTY BE TAKEN INTO ACCOUNT IN DETERMINING INDEBTEDNESS LIMITS FOR THESE SUBDIVISIONS; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 11-14-13, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 40, LAWS OF UTAH 1979, SECTION 11-23-16, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 116, LAWS OF UTAH 1975, SECTION 17-9-23, UTAH CODE ANNOTATED 1953, SECTION 17-29-21, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 10, LAWS OF UTAH 1970, AND SECTION 73-8-18, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 180, LAWS OF UTAH 1963; AND ENACTS CHAPTER 28, TITLE 59, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

WATER CONSERVANCY DISTRICT BOARDS

S.B. No. 186 Frances Farley

AN ACT RELATING TO WATER CONSERVANCY DISTRICTS; PROVIDING THAT DIRECTORS OF WATER CONSERVANCY DISTRICTS BE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE, OR BY THE COUNTY COMMISSION IN SINGLE COUNTY DISTRICTS; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS ACTION 73-9-9, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 168, LAWS OF UTAH 1961, was read the first time and referred to Rules Committee.

WORKMEN'S COMPENSATION MODIFICATIONS

S.B. No. 187 Senators Cornaby, Finlinson, Kimball

AN ACT RELATING TO WORKMEN'S COMPENSATION; PROVIDING FOR TEMPORARY DISABILITY PAYMENTS WHEN LIGHT DUTY EMPLOYMENT IS UNAVAILABLE; PROVIDING FOR PARTIAL AND PERMANENT DISABILITY COMPENSATION; PROVIDING FOR CASES OF AGGRAVATION OF PRE-EXISTING CONDITIONS; ROVIDING FOR ALLOCATION OF BENEFITS AMONG EMPLOYERS, CARRIERS, AND SECOND INJURY FUND IN CASE OF SECOND INJURY; PROVIDING FOR AWARDS OF INTEREST; PROVIDING FOR TOLLING THE PERIOD FOR FILING CLAIMS; AND PROVIDING A LIMITA-

TION PERIOD. THIS ACT AMENDS SECTION 35-1-65, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 151, LAWS OF UTAH 1977, SECTION 35-1-66, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 156, LAWS OF UTAH 1977, SECTION 35-1-69, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 67, LAWS OF UTAH 1973, SECTION 35-1-78, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 68, LAWS OF UTAH 1965, SECTIONS 35-1-99 AND 35-1-100, UTAH CODE ANNOTATED 1953, AND ENACTS SECTION 35-1-65.1, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

POWERS OF CITIES AND TOWNS

S.B. No. 188 Senators Halverson, Matheson Jeffs, Black

AN ACT RELATING TO POWERS OF CITIES AND TOWNS; PROHIBITING ACQUISITION BY EMINENT DOMAIN OF ELECTRIC UTILITY PROPERTIES AND PROHIBITING ACQUISITION OF HYDRO ELECTRIC GENERATION PROJECTS BY FILING APPLICATIONS THEREFORE WITH THE FEDERAL ENERGY REGULATORY COMMISSION. THIS ACT AMENDS SECTION 10-8-14, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

JUVENILES TRIED AS ADULTS

S.B. No. 189 Senators Barlow, Finlinson, Jeffs

AN ACT RELATING TO THE CERTIFICATION OF JUVENILES TO BE TRIED AS ADULTS; PROVIDING GUIDELINES AND STANDARDS FOR JUVENILE COURT JUDGES IN DETERMINING WHETHER JUVENILES SHOULD BE MAINTAINED IN THE JUVENILES COURT; INCLUDING ALL RELEVANT WRITTEN SOCIAL HISTORY OF THE JUVENILE; DIVESTING THE JUVENILE COURT OF JURISDICTION TO TRY JUVENILES BETWEEN THE AGES OF 16 AND 18 YEARS OF AGE FOR SPECIFIC FORCIBLE AND/OR AGGRAVATED FELONIES COMMITTED AGAINST PERSONS WHEN THE COUNTY ATTORNEY FILES AN INFORMATION IN THE DISTRICT COURT OR THE GRAND JURY RETURNS AN INDICTMENT AGAINST THE OFFENDER. THIS ACT AMENDS SECTION 78-3a-25, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 134, LAWS OF UTAH 1971, was read the first time and referred to Rules Committee.

SCHOOL BUILDING CONSTRUCTION REQUIREMENTS

S.B. No. 190 Senators Swan, C. Peterson

AN ACT RELATING TO CONSTRUCTION OF SCHOOLS; EXTENDING AUTHORITY OF THE STATE BOARD OF EDUCATION TO INCLUDE SCHOOL BUILDINGS OF FIRST CLASS CITIES IN REGULATIONS GOVERNING CONSTRUCTION; AND ADDING A REQUIREMENT FOR CERTIFICATION OF COMPLIANCE WITH CONSTRUCTION PLANS

AND SPECIFICATIONS TO MEET EARTHQUAKE SAFETY STANDARDS. THIS ACT AMENDS SECTIONS 53-11-2, 53-11-3 AND 53-11-4, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 90, LAWS OF UTAH 1963, SECTION 53-11-37, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 82, LAWS OF UTAH 1959, AND SECTION 53-11-38, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 155, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

S.B. No. 30, CONTINUING EDUCATION FOR PHARMACISTS, was read the third time and on motion of Senator Sowards, Substitute **S.B. No. 30** replaced the original bill. Senator Sowards, Black, Matheson and Cornaby commented.

On motion of Senator Black, **S.B. No. 30** was amended as follows:

Page 2, Line 9:
After *"license of"* insert *"not less than"* and after *"$25,"* insert *"nor more than $50."*

Page 2, Line 11:
delete *"$30"* and insert in lieu thereof *"$50"*

Sub. S.B. No. 30, passed third reading on the following roll call:

Yeas, 25; Nays 4; Absent, 0

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sandberg
Barlow	Cornaby	Kimball	Sowards
Barton	Farley	Matheson	Swan
Bennett	Finlinson	Money	Mr. President (Ferry)
Black	Flamm	Peterson, C.	
Bunnell	Halverson	Peterson, L.	
Carling	Jeffs	Pugh	

Voting in the negative were: Senators

Bangerter	Bullen	Snow	Wayment

Sub. S.B. No. 30 was transmitted to the House.

CONSENT CALENDAR

S.J.R. No. 4, EARTHQUAKE PREPAREDNESS RESOLUTION, was read the third time and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Peterson, L.
Bangerter	Carling	Jeffs	Sandberg
Barlow	Christensen	Jones	Snow
Barton	Cornaby	Kimball	Swan
Bennett	Farley	Matheson	Wayment
Black	Finlinson	Money	Mr. President (Ferry)
Bullen	Flamm	Peterson, C.	

Absent and not voting were: Senators

Pugh	Sowards

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

* * *

H.B. No. 58, LICENSING OF OUTFITTERS, was read the third time and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Peterson, L.
Bangerter	Carling	Jeffs	Pugh
Barlow	Christensen	Jones	Sandberg
Barton	Cornaby	Kimball	Snow
Bennett	Farley	Matheson	Swan
Black	Finlinson	Money	Wayment
Bullen	Flamm	Peterson, C.	Mr. President (Ferry)

Absent and not voting was: Senator

Sowards

H.B. No. 58 was signed by the President in open session in the presence of the Senate and was returned to the House for futher action.

* * *

S.B. No. 93, REPEAL OF PHARMACY PROVISIONS, was read the third time and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Peterson, L.
Bangerter	Carling	Jeffs	Pugh
Barlow	Christensen	Jones	Sandberg

Barton	Cornaby	Kimball	Snow
Bennett	Farley	Matheson	Swan
Black	Finlinson	Money	Wayment
Bullen	Flamm	Peterson, C.	Mr. President (Ferry)

Absent and not voting was: Senator

Sowards

S.B. No. 93 was transmitted to the House.

* * *

S.B. No. 110, NURSE PRACTITIONERS' PILOT SUBJECT, was read the third time and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Peterson, L.
Bangerter	Carling	Jeffs	Pugh
Barlow	Christensen	Jones	Sandberg
Barton	Cornaby	Kimball	Snow
Bennett	Farley	Matheson	Swan
Black	Finlinson	Money	Wayment
Bullen	Flamm	Peterson, C.	Mr. President (Ferry)

Absent and not voting was: Senator

Sowards

S.B. No. 110 was transmitted to the House.

* * *

S.B. No. 82, PSYCHOLOGISTS' LICENSING, was read the third time and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Peterson, L.
Bangerter	Carling	Jeffs	Pugh
Barlow	Christensen	Jones	Sandberg
Barton	Cornaby	Kimball	Snow
Bennett	Farley	Matheson	Swan
Black	Finlinson	Money	Wayment
Bullen	Flamm	Peterson, C.	Mr. President (Ferry)

Absent and not voting was: Senator

Sowards

S.B. No. 82 was transmitted to the House.

* * *

H.B. No. 7, LABEL GUARANTEES PROVISIONS, was read the third time and passed on the following roll call.

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Carling	Jeffs	Pugh
Barlow	Christensen	Jones	Sandberg
Barton	Cornaby	Kimball	Snow
Bennett	Farley	Matheson	Swan
Black	Finlinson	Money	Wayment
Bullen	Flamm	Peterson, C.	Mr. President (Ferry)
Bunnell	Halverson	Peterson, L.	

Absent and not voting were: Senators

Asay Sowards

H.B. No. 7 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

***

H.B. No. 68, CATTLE TUBERCULOSIS CERTIFICATES, was read the third time and passed on the following roll call.

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Carling	Jeffs	Pugh
Barlow	Christensen	Jones	Sandberg
xBarton	Cornaby	Kimball	Snow
Bennett	Farley	Matheson	Swan
Black	Finlinson	Money	Wayment
Bullen	Flamm	Peterson, C.	
Bunnell	Halverson	Peterson, L.	

Absent and not voting were: Senators

Asay Sowards

H.B. No. 68 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

* * *

Special Order of Business

S.B. No. 50, COUNTY VEHICLE INSPECTION AND MAINTENANCE, was before the Senate. Senator Finlinson explained the bill.

COMMITTEE OF THE WHOLE

On motion of Senator Finlinson, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

Harry L. Gibbons, MD, MPH, Director
Salt Lake City/County Health Department

Senators Black, Cornaby, Matheson, Pugh, Bullen, Money, Bunnell, Swan and Jeffs commented.

D. Michael Stewart
Salt Lake County Commissioner

Senator C. Peterson commented.

On motion of Senator Finlinson, the Committee of the Whole was dissolved. Senators Christensen, Finlinson, Bullen, Black, Asay and Barton commented.

Senator Barton's amendment to place the words "six years old or newer" after "vehicle" on Line 19 failed.

On motion of Senator C. Peterson **S.B. No. 50** was amended as follows:

Line 11,
Delete *"COUNTY ASSESSORS"* and insert in lieu thereof *"COUNTIES"* and delete *"BE REQUIRED TO"*

Line 15
Delete *"that its county assessor demand"*

Senators Farley, Money, Swan, Cornaby and Asay commented.

S.B. No. 50 failed second reading on the following roll call:

Yeas,12; Nays, 16; Absent, 1

Voting in the affirmative were: Senators

Barlow	Bunnell	Jeffs	Pugh
Bennett	Farley	Kimball	Snow
Bullen	Finlinson	Peterson, C.	Swan

Voting in the Negative were: Senators

Asay	Christensen	Jones	Sandberg
Bangerter	Cornaby	Matheson	Sowards
Barton	Flamm	Money	Wayment
Black	Halverson	Peterson, L.	Mr. President (Ferry)

Absent and not voting was: Senator

Carling

S.B. No. 50 was filed.

COMMITTEE OF THE WHOLE

On motion of Senator Snow, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

Ron Boone, Utah Jazz

Senators Snow and Sowards commented. On motion of Senator Snow, the Committee of the Whole was dissolved.

* * *

Senator Swan, having served notice that he might ask the Senate to reconsider its action on **S.B. No. 73,** PUBLIC EMPLOYEES' POLITICAL ACTIVITIES, on this day, now asked that it be placed at the top of Third Reading Calendar for reconsideration.

RULES COMMITTEE REPORTS

Mr. President: February 2, 1981

Your Rules Committee, to which were referred:

S.B. No. 140	WASTEWATER TREATMENT FACILITIES FUND (Energy and Natural Resources)
S.B. No. 155	STANDARD STATE BUILDING CODES (Business, Labor and Economic Development)
S.B. No. 163	TRANSIT DISTRICT ESTABLISHMENT LIMITATIONS (Transportation and Public Safety)
S.B. No. 164	HEARING AID COMMITTEE (Revenue and Taxation)
S.C.R. No. 4	ACORD RESOLUTION (Energy and Natural Resources)

reports the same back with a few minor changes assented to by the authors and recommends that they be printed and assigned to the committees indicated, and

Your Rules Committee, to which were referred:

H.B. No. 37	PEACE OFFICERS TRAINING EXEMPTION (Transportation and Public Safety)
H.B. No. 51	(Sub.) MECHANICS' LIEN MODIFICATIONS (Judiciary)
H.B. No. 77	MUNICIPAL FINANCIAL REPORTS (State and Local Affairs)

H.B. No. 95 MUNICIPAL FINANCES REPORTING
(State and Local Affairs)

reports the same back and recommends that they be assigned to the committees indicated.

Ronald T. Halverson, Committee Chairman

Committee reports read and adopted.

At the request of Senator Warren E. Pugh, **S.B. No. 5** appears in the Journal retyped for clarity this 2nd Day of February, 1981, incorporating all amendments by the Senate.

SCHOOL BUILDINGS AND CODE WAIVERS

(RETYPED FOR CLARITY — Feb. 2, 1981
Incorporating all amendments made by Senate)

S.B. No. 5 E. Verl Asay

AN ACT RELATING TO CONSTRUCTION AND ALTERATIONS OF SCHOOLS; PROVIDING THAT THE SUPERINTENDENT OF PUBLIC INSTRUCTION, THE COMMISSIONER OF HIGHER EDUCATION AND COMMISSIONER OR LOCAL GOVERNING BODIES MAY WAIVE STATE AND LOCAL BUILDING RESTRICTIONS. THIS ACT AMENDS SECTIONS 53-11-2, 53-11-3, AND 53-11-4, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 90, LAWS OF UTAH 1963, AND ENACTS SECTIONS 10-8-5.1, 17-5-45.1, AND 53-38-1.1, UTAH CODE ANNOTATED 1953.

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

Section 1. Section 53-11-2, Utah Code Annotated 1953, as last amended by Chapter 90, Laws of Utah 1963, is amended to read:

53-11-2. *(1)* No school building or alteration thereto shall [**hereafter**] be contracted for or erected in any county school district or in cities other than the first class the total annual accumulative building project cost of which exceeds $20,000, until the plans and specifications for the same shall have been submitted in duplicate to the state superintendent of public instruction and his approval or the approval of the person designated by him has been endorsed thereon. The approval, when granted, shall be signed on the plans and specifications in accordance with rules and regulations prescribed by the state board of education. The review and approval of the plans and specifications shall not be granted unless such plans and specifications are in factors of functional utility, economy and a reasonable balance between initial and long-time costs. [**In*order*to*assure*safety*to*occupants**] *Except as provided in subsection (2),* the approval shall be based upon compliance with standard building codes adopted by the state board of education and the state building board. All projects less than $10,000 in cost shall conform to standards and codes adopted by the state board of education.

(2) In the event that the state superintendent of public instruction determines that state and local building, fire, health, seismological, and zoning codes, ordinances, and regulations would unnecessarily increase the cost of local school building and compliance with such codes,

ordinances, and regulations, because of local conditions, are unnecessary for the health and safety of school children or other occupants of such buildings, he may convene a special board of review for the purpose of examining the particular codes, ordinances, or regulations questioned and authority is hereby vested in the board to waive such restrictions upon their agreement with the superintendent's findings.

The board of review shall be known as the "special school construction review board" and is hereby created to consist of the following persons:

(a) The state superintendent of public instruction.

(b) A member of the state agency whose code requirement is being reviewed or a member of the local board or commission whose ordinance or rule is being reviewed.

(c) A disinterested architect licensed to do business in Utah familiar with school construction appointed by the governor.

(d) A disinterested contractor licensed to do business in Utah familiar with school construction appointed by the governor.

(e) A lay member recommended by the state P.T.A. board, to be appointed by the governor.

(f) An elected official or designate of the local governmental unit in which the building is being constructed.

Prior to granting a waiver by majority vote the special school construction review board shall conduct a public hearing on the question in the school district in which the construction is to occur. Notice of the hearing will be in accordance with Utah open meeting law section 52-4-6, Utah Code Annotated 1953.

(3) One set of approval plans and specifications and one set of the "as built" plans shall be provided for permanent file in the office of the state superintendent of public instruction.

Section 2. Section 10-8-5.1, Utah Code Annotated 1953, is enacted to read:

10-8-5.1. (1) In the event that the local governing body determines that state and local building, fire, health, seismological, and zoning codes, ordinances, and reguations would unnecessarily increase the cost of local public building and compliance with such codes, ordinances, and regulations are unnecessary because of local conditions for the health and safety of occupants of such buildings the governing body may convene a special board of review for the purpose of examining the particular codes, ordinances, or regulations questioned and authority is hereby vested in the board to waive such restrictions upon agreement with the local government's findings.

The board of review shall be known as the "local government construction review board" and is hereby created to consist of the following persons:

(a) A member of the state agency whose code requirement is being reviewed or a member of the local board or commission whose ordinance or rule is being reviewed.

(b) A disinterested architect licensed to do business in Utah familiar with public building construction appointed by the governor.

(c) A disinterested contractor licensed to do business in Utah familiar with public building construction appointed by the governor.

(d) A lay member to be appointed by the governor.

(e) An elected official or designate of the local governmental unit in which the building is being constructed.

Prior to granting a waiver by majority vote the local government construction review board shall conduct a public hearing on the question in the local government in which the construction is to occur. Notice of the hearing will be in accordance with Utah open meeting law section 52-4-6, Utah Code Annotated 1953.

Section 3. Section 17-5-45.1, Utah Code Annotated 1953, is enacted to read:

17-5-45.1. (1) In the event that the local governing body determines that state and local building, fire, health, seismological, and zoning codes, ordinances, and regulations would unnecessarily increase the cost of local public building and compliance with such codes, ordinances, and regulations are unnecessary because of local conditions for the health and safety of occupants of such buildings the governing body may convene a special board of review for the purpose of examining the particular codes, ordinances, or regulations questioned and authority is hereby vested in the board to waive such restrictions upon agreement with the local government's findings.

The board of review shall be known as the "local government construction review board" and is hereby created to consist of the following persons:

(a) A member of the state agency whose code requirement is being reviewed or a member of the local board or commission whose ordinance or rule is being reviewed.

(b) A disinterested architect licensed to do business in Utah familiar with public building construction appointed by the governor.

(c) A disinterested contractor licensed to do business in Utah familiar with public building construction appointed by the governor.

(d) A lay member to be appointed by the governor.

(e) An elected official or designate of the local governmental unit in which the building is being constructed.

Prior to granting a waiver by majority vote the local government construction review board shall conduct a public hearing on the question in the local government in which the construction is to occur. Notice of the hearing will be in accordance with Utah open meeting law section 52-4-6, Utah Code Annotated 1953.

Section 4. Section 53-11-3, Utah Code Annotated 1953, as last amended by Chapter 90, Laws of Utah 1963, is amended to read:

53-11-3. The state board of education shall perform the following duties:

(1) Adopt codes to govern the preparation of plans and specifications for school buildings in all school districts, except those of cities of the first class. Such codes shall include minimum standards for construction, heating, ventilation, sanitation, lighting, plumbing, structural safety, protection from fire, panic and other dangers, and promoting the safety, health and comfort of the occupants, and providing functional adaptability including suitable facilities for handicapped.

(2) Cause to be prepared and kept current by local school districts an accurate inventory of school plant facilities. Such inventory shall be maintained in conformance with rules and regulations established by the state board of education.

(3) Establish, by rules and regulations, planning procedure for the use of local districts, [**except**those*cities*of*the*first*class,**] to determine the need for school plant facilities. Such rules and regulations shall define methods, criteria and other pertinent information,

including items of cost per square foot or some other unit of measure, necessary to determine type, size, location and cost of school plant needs as a basis for state financial participation.

(4) Cause to be prepared and maintained, by local school districts, surveys of school plant capital outlay needs. Such surveys shall include immediate and long-range school plant capital outlay needs in accordance with planning procedures established by the state board. The planning procedures shall include space utilization studies, enrollment projections, district and attendance area organization, class size, conditions of present facilities, financial structure of the district, and other necessary information.

(5) Prepare a format to be used as a guide by local districts to formulate educational specifications for individual building projects.

(6) Recommend minimum requirements for contracts and agreements between architects and engineers and local boards of education. As a condition of the contract or agreement, the state board shall require the use of independent licensed consulting engineers for engineering design work.

(7) Recommend minimum requirements for advertising, bidding and contractural procedures for school plant construction.

(8) Make available to local districts for school building planning, findings regarding school designs, including flexibility of design and modular planning, new methods of construction and new material.

(9) Prepare annually a school plant capital outlay report of all local districts, including tabulations of facilities available, number and size of projects completed and under construction and additional facilities required.

Section 5. Section 53-11-4, Utah Code Annotated 1953, as last amended by Chapter 90, Laws of Utah 1963, is amended to read:

53-11-4. The state superintendent is hereby charged with the enforcement of the provisions of this chapter, and whenever it is necessary he may employ an architect or other qualified personnel or contract with the state building board for services to examine the plans and specifications of any school building or alteration, [**except*those*of***cities**of*the**first-**class,**] thereto submitted as provided above, to inspect any such school building in the course of construction, and perform other functions necessary to insure compliance with the provisions of this chapter. The state superintendent shall notify the board of education constructing said building of any nonconformity with the provisions of this chapter and shall make recommendations; and it shall be the duty of said board to comply therewith. The compensation and expenses for services under this chapter shall be paid out of the uniform school fund upon approval of the state board of education.

Section 6. Section 53-38-1.1, Utah Code Annotated 1953, is enacted to read:

53-38-1.1. In the event that the commissioner of higher education determines that state and local building, fire, health, seismological, and zoning codes, ordinances, and regulations would unnecessarily increase the cost of buildings in the system of higher education and compliance with such codes, ordinances, and regulations because of local conditions are unnecessary for the health and safety of students or other occupants of such buildings he may convene a special board of review for the purpose of examining the particular codes, ordinances,

or regulations questioned and authority is hereby vested in the board to waive such restrictions upon their agreement with the commissioner's findings.

The board of review shall be known as the "higher education construction review board" and is hereby created to consist of the following persons:

(a) The commissioner of higher education.

(b) A member of the state agency whose code requirement is being reviewed or a member of the local board or commission whose ordinance or rule is being reviewed.

(c) An architect licensed to do business in Utah familiar with school construction appointed by the governor.

(d) A contractor licensed to do business in Utah familiar with school construction appointed by the governor.

(e) A lay member to be appointed by the governor.

Prior to granting a waiver the higher education construction review board shall conduct a public hearing on the question in the county in which the construction is to occur. Notice of the hearing will be in accordance with the Utah open meeting law section 52-4-6, Utah Code Annotated 1953.

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

On motion of Senator Snow and at 12:00, the Senate adjourned until 10:00 a.m., Tuesday, February 3, 1981.

Pg. 338

TWENTY-THIRD DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. President Miles 'Cap' Ferry presiding.

Roll Call — All senators present.

Prayer — Senator Warren E. Pugh (Salt Lake, Dist. 9).

COMMITTEE OF THE WHOLE

On motion of Senator Snow, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

Representative Lee Farnsworth introduced
Hiroshi Kitamura, Consul General, Japan

On motion of Senator Snow, the Committee of the Whole was dissolved.

On motion of Senator Karl N. Snow, the Senate voted to have the remarks of the Consul General printed in the Senate Journal.

Hiroshi Kitamura, Consul General, Japan

Thank you Representative Farnsworth. Mr. President and Senators, it is a great privilege to speak before this distinguished Senate of the State of Utah. I am the first Consul General of Japan to have this honor, and I am deeply grateful. On behalf of the Japanese government and the people of Japan, I am pleased to extend our very warm and cordial greetings to each member of this body and to all the people of your fine state.

I would also like to express a heartfelt congratulation to all Americans on securing the freedom of 52 hostages who have been held captive in Iran. It was a long and painful ordeal, but now that it is over, my government and the Japanese people rejoice with you. It is the position of the Japanese government that the seizure of diplomats as hostages jeopordizes the basic order of the international community and cannot be tolerated. From the very beginning of the incident in Tehran, Japan supported completely the position of the United States and in both political and economic sanctions against Iran. We suspended imports of Iranian oil which had been providing more than 10% of Japan's total oil consumption. To cut ourselves off from such an important source of supply was a major sacrifice, but it was a sacrifice we were willing to make as a staunch ally of the United States.

Japan is indeed your staunch ally. We have shown that, also, in the case of the Soviet invasion of Afghanistan. Not only did Japan boycott the Moscow Olympic Games, but also we have greatly restricted the trade with the Soviet Union.

Your Japanese relationship is today better and greater and stronger than ever before. More than one hundred and twenty-five years ago, Commodore Matthew Perry first sailed into Tokyo Bay. Ties linking Utah and Japan span nearly as long a period of time. The first official mission sent by the newly established government of modern Japan was in 1871.

On the way to Washington, D.C., the mission spent one week here in Salt Lake City. Included in the members of that mission were many young students who later became the founding fathers of the modern industrial society of Japan. The impressions of the people and sites of nineteenth century Salt Lake City are recorded in their diaries giving intriguing insights into the first official contact between the people of Utah and those of Japan. Years later as the first Americans of Japanese descent pioneered communities in the American West, Utah became known in Japan for the warmth and good will of its people.

Still fresh in our memories are the efforts made by the pioneers of Utah to uphold the civic rights of the Japanese in their hour of oppression. One such person was the late Senator Elbert Thomas, who after serving as a mormon missionary in Japan, had a distinguished career of nearly twenty years as a U.S. Senator from Utah. It was not long after the signing of the Peace Treaty with Japan, that the Sister City relationship linking Salt Lake City and Matsumoto in Japan was established. For more than twenty years people in these cities have developed friendships and fostered bi-cultural understanding and similarly the more than 2,000 mormon missionaries living in Japan now build lasting friendships and promote better understanding on a very personal level.

I believe that our past cultural relations have paved the way for future ties in trade. Utah's mineral resources have come to the attention of Japan, and there is conceivably a large market in my country for your coal as a source of energy and as a source of raw material for our iron and steel industries. Japan and the United States are the two largest industrial democracies in the world. The trade between our two countries now amounts to $55 billion — the largest volume in history between two countries trading across an ocean.

As advanced industrial democracies, we hold similar political beliefs, economic principles and social values. Both of our nations have experienced the mutual benefits which can result from free trade. We have both learned from history that protectionism is short sighted and not productive at all. I believe that free and fair trade supported by each individual state of your great nation is very important to the maintaining and expanding of our mutual prosperity. Today the world situation presents many political and economic challenges, and our two countries together with our same idealization bear the awesome responsibilities of maintaining peace and stability in the world and prosperity of the nation. I sincerely believe that through understanding and through respect and mutual trust fortified by these cooperative endeavors together Americans and Japanese will fulfill that responsibility successfully.

Thank you very much.

COMMITTEE ON REVISION OF JOURNAL

Mr. President: February 3, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted. Senator Pugh advised that at his direction, the amended version of **S.B. No. 5** was placed in the Senate Journal, Day 22.

READING OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 2, 1981

I am directed to inform the Senate that the House of Representatives has this day refused to recede from its amendments to **S.B. No. 58,** ACCRUAL OF INCIDENCES OF FRAUD, by Senator Cornaby, and has appointed a Conference Committee consisting of Representatives Doane, Sykes and Johnson, to act with a like Committee from the Senate on this bill.

Allan M. Acomb, Chief Clerk

President Ferry appointed a Conference Committee comprised of Senators Cornaby, Farley and Sandberg.

* * *

Mr. President: February 2, 1981

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.B. No. 6,** AGRICULTURAL ACTIVITIES — NUISANCES, by Representative Schmutz, et al, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

H.B. No. 6 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

Mr. President: February 2, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 124,** INSURANCE DEPARTMENT EXAMINATIONS, by Representative Free, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 101,** GENERAL ASSISTANCE REVISIONS, by Representative Rogers, noting technical amendments, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 126,** RESIDENTIAL FACILITY ZONING LIMITATION, by Representative Charles L. Doane, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. Nos. 124, 101 and **126** were read the first time and referred to Rules Committee.

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H.B. No. 35, DISABILITY BENEFITS INCREASE, was signed by the President in open session of the Senate and returned to the House for further action. (Senate amendments did not alter the bill from the way it passed the House.)

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

H.B. No. 3	STATE MINERAL LANDS RENTALS AND ROYALTIES (Energy and Natural Resources)
H.B. No. 43	RESTITUTION BY CRIMINALS (Social Services)
S.B. No. 3	CONTRACEPTION OR ABORTION SERVICES OR DEVICES (Social Services)
S.B. No. 80	UTAH COSMETOLOGIST AND BARBER LICENSING ACT (Business, Labor and Economic Development)
S.B. No. 89	OMBUDSMAN FOR INSTITUTIONALIZED ELDERLY (Social Services)
S.B. No. 90	PLACE OF JUVENILE DETENTION (Social Services)
S.B. No. 100	MARRIAGE AND FAMILY THERAPIST LICENSING (Business, Labor and Economic Development)
S.B. No. 109	PUBLIC CONSTRUCTION — SALES TAXES (Revenue and Taxation)
S.B. No. 118	INSURNACE INFORMATION AND PRIVACY PROTECTION ACT (Business, Labor and Economic Development)
S.B. No. 141	CONSUMER RELATED LOAN AMENDMENTS (Judiciary)
S.B. No. 143	JUVENILE COURT ACT AMENDMENTS (Judiciary)

S.B. No. 151 DIVISION OF REGISTRATION AMENDMENTS
(Business, Labor and Economic Development)

S.B. No. 156 UTILITIES SERVICES — HOSTATE SITUATION
(Judiciary)

H.B. Nos. 3 and **43** and **S.B. Nos. 3, 80, 89, 90, 100, 109, 118, 141, 143, 151** and **156** were placed on Second Reading Calendar.

INTRODUCTION OF BILLS

ADMINISTRATIVE SERVICES ACT

S.B. No. 191 Senators Snow, Finlinson, Bunnell

AN ACT RELATING TO ADMINISTRATIVE SERVICES IN STATE GOVERNMENT; CREATING AND ASSIGNING THE DUTIES OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES; ESTABLISHING THE DIVISIONS OF FINANCE, CENTRAL SERVICES, DATA PROCESSING, FACILITIES CONSTRUCTION AND MANAGEMENT, ARCHIVES AND RECORDS SERVICES, PURCHASING AND PERSONNEL MANAGEMENT; PROVIDING THAT THE DEPARTMENT MANAGE THE STATE INSURANCE FUND AND THE AGENCY FOR SURPLUS PROPERTY; PROVIDING THAT THE DEPARTMENT GIVE ADMINISTRATIVE AND STAFF SUPPORT TO THE RISK MANAGER, THE STATE BUILDING BOARD, AND THE STATE BUILDING OWNERSHIP AUTHORITY; DEFINING THE DUTIES OF THE DIVISIONS OF FINANCE, CENTRAL SERVICES, DATA PROCESSING AND FACILITIES CONSTRUCTION AND MANAGEMENT AND OF THE STATE BUILDING BOARD; ESTABLISHING AND DEFINING THE DUTIES OF THE STATE DATA PROCESSING COORDINATOR; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTIONS 63-2-60 AND 63-2-85.3, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 223, LAWS OF UTAH 1979, SECTIONS 63-2-62, 63-2-63, 63-2-71 AND 63-2-84, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 212, LAWS OF UTAH 1969, SECTION 63-2-68, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 194, LAWS OF UTAH 1975, SECTION 63-9a-4, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1979, SECTION 63-17-1, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1963, SECTION 63-56-8, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 75, LAWS OF UTAH 1980, AND SECTION 67-19-5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 139, LAWS OF UTAH 1979; ENACTS CHAPTER 1 OF TITLE 63, UTAH CODE ANNOTATED 1953; AND REPEALS SECTIONS 63-2-1 THROUGH 63-2-58, UTAH CODE ANNOTATED 1953; SECTIONS 63-2-90 AND 63-2-91, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 219, LAWS OF UTAH 1979, CHAPTER 10 OF TITLE 63, UTAH CODE ANNOTATED 1953, AND CHAPTER 42 OF TITLE 63, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

LIQUOR COMMISSION HEARING AND INVESTIGATION COSTS

S.B. No. 192 A. Dean Jeffs

AN ACT RELATING TO THE ASSESSMENT OF HEARINGS AND INVESTIGATIVE COSTS BY THE UTAH LIQUOR CONTROL COMMISSION; PROVIDING THAT THE ASSESSMENTS REMAIN WITH THE UTAH LIQUOR CONTROL COMMISSION TO OFFSET COSTS OF HEARINGS AND INVESTIGATIONS. THIS ACT AMENDS SECTION 32-1-32.4, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 126, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

CONDOMINIUM RECORDINGS

S.B. No. 193 Ivan M. Matheson

AN ACT RELATING TO CONDOMINIUMS; REQUIRING A DEVELOPER TO COMPLY WITH ALL APPLICABLE REQUIREMENTS OF THE LOCAL POLITICAL SUBDIVISIONS BEFORE RECORDING A PLAT OR SELLING A CONDOMINIUM UNIT. THIS ACT AMENDS SECTION 57-8-12, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 111, LAWS OF UTAH 1963, was read the first time and referred to Rules Committee.

U.C.C.C. EXEMPTION PROVISIONS

S.B. No. 194 Ivan M. Matheson

AN ACT RELATING TO THE UNIFORM CONSUMER CREDIT CODE; EXEMPTING FROM ITS PROVISIONS RELATIVE AN ARRANGER OF CREDIT AND TO NOTIFICATION AND FEES PERSONS INVOLVED WITH CONSUMER CREDIT SALES, LEASES OR LOANS OF LESS THAN $500,000 AND WHO COLLECT THEIR OWN ACCOUNTS. AN ACT AMENDING SECTION 70B-2-104 AND 70B-6-201, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 18, LAWS OF UTAH 1969, was read the first time and referred to Rules Committee.

OCCASIONAL SALES OF MOBILE HOMES SALES TAX EXEMPTION

S.B. No. 195 Senators Flamm, Jeffs

AN ACT RELATING TO SALES TAX, PROVIDING FOR THE EXEMPTION OF OCCASIONAL SALES OF MOBILE HOMES AND PROVIDING AN EFFECTIVE DATE. AN ACT AMENDING SECTION 59-15-2, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 151, LAWS OF UTAH 1973, was read the first time and referred to Rules Committee.

PROPERTY RIGHTS PROTECTION

S.B. No. 196 K.S. Cornaby

AN ACT RELATING TO ZONING; ESTABLISHING PROCEDURES FOR ZONING IN MUNICIPALITIES AND COUNTIES. THIS ACT AMENDS SECTIONS 10-9-5, AND 10-9-20, UTAH CODE ANNOTATED 1953, AND SECTION 17-27-17, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 27, LAWS OF UTAH 1953, ENACTS SECTIONS 10-9-5.1, 10-9-5.2, 10-9-5.3, 10-9-5.4, 10-9-5.5, 10-9-5.6, 10-9-5.7, 10-9-5.8, 10-9-5.9, 10-9-5.10, 10-9-5.11, 10-9-20.1, 10-9-20.2, 10-9-20.3, 10-9-20.10, 10-9-20.11, 10-9-20.12, 10-9-20.13, 10-9-20.14, 17-27-4.1, 17-27-4.2, 17-27-4.3, 17-27-6.1, 17-27-6.2, 17-27-6.3, 17-27-6.4, 17-27-14.1, 17-27-14.2, 17-27-14.3, 17-27-14.4, 17-27-14.5, 17-27-14.6, 17-27-14.7, 17-27-14.8, 17-27-14.9, 17-27-14.10, 17-27-14.11, 17-27-14.12, AND REPEALS AND REENACTS SECTIONS 17-27-4 AND 17-27-6, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 27, LAWS OF UTAH 1953, AND SECTION 17-27-14, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

MORONI L. JENSEN
STATE HOUSE FELLOWS PROGRAM

S.B. No. 197 Senators Bunnell, Snow

AN ACT RELATING TO THE STATE HOUSE FELLOWS PROGRAM; CHANGING THE NAME OF THE PROGRAM TO THE MORONI L. JENSEN STATE HOUSE FELLOWS PROGRAM; AND ELIMINATING LANGUAGE REFERRING TO AGE AND SEX. THIS ACT AMENDS SECTIONS 63-39-2, 63-39,3, 63-39, 4, 63-39-5, 63-39-6, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 196, LAWS OF UTAH 1969; ENACTS SECTION 63-39-1.5, UTAH CODE ANNOTATED 1953; AND REPEALS AND REENACTS SECTION 63-39-1, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 196, LAWS OF UTAH 1969, was read the first time and referred to Rules Committee.

COUNTY ORDINANCE COMPLIANCE

S.B. No. 198 Glade M. Sowards

AN ACT RELATING TO COMMENCEMENT OF MINING OPERATIONS; REQUIRING EVIDENCE OF COMPLIANCE WITH COUNTY ZONING AND OTHER APPLICABLE ORDINANCES AS PART OF THE NOTICE TO BE FILED BY EACH OPERATOR WITH THE DIVISION OF OIL, GAS AND MINING UNDER THE UTAH MINED LAND RECLAMATION ACT PRIOR TO COMMENCING OR CONTINUING MINING OPERATION. THIS ACT AMENDS SECTION 40-8-13, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 130, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

UTAH STATE RETIREMENT ACT MODIFICATIONS

S.B. No. 199 Bryce C. Flamm

AN ACT RELATING TO FINAL AVERAGE SALARY, OUT-OF-STATE SERVICE CREDIT; PROVIDING CHANGE IN CALCULATION OF FINAL AVERAGE SALARY, PURCHASE OF OUT-OF-STATE SERVICE CREDIT; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 49-10-6, LAWS OF UTAH , AS LAST AMENDED BY CHAPTER 171, LAWS OF UTAH 1979, AND ENACTS SECTION 49-10-25.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

MOTOR FUEL MARKETING

S.B. No. 200 Senators Money, Sowards, Bullen

AN ACT RELATING TO UNFAIR COMPETITION IN THE SALE OF MOTOR FUELS; PROVIDING THAT IT IS UNLAWFUL TO SELL MOTOR FUEL AT BELOW COST OR TO SELL IT AT A PRICE LOWER THAN CHARGED OTHER PERSONS ON THE SAME MARKETING LEVEL; PROVIDING FOR ENFORCEMENT; PROVIDING FOR EXCEPTIONS UNDER STATED CIRCUMSTANCES; AND PROVIDING PENALTIES, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

S.B. No. 73, PUBLIC EMPLOYEES' POLITICAL ACTIVITIES, was before the Senate. Senators Pugh and Matheson commented.

On motion of Senator Pugh, **S.B. No. 73** was amended as follows:

Page 2, Line 8:
after *"partisan"* insert *"or full time non-partisan"*

Page 2, Line 11:
after *"partisan"* insert *"or full time non-partisan"*

S.B. No. 73 passed on reconsideration and on the following roll call:

Yeas, 22; Nays, 6; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Kimball	Sowards
Bangerter	Carling	Money	Swan
Barlow	Christensen	Peterson, C.	Wayment
Barton	Cornaby	Peterson, L.	Mr. President (Ferry)
Bennett	Farley	Pugh	
Black	Flamm	Snow	

Voting in the negative were: Senators

Bullen	Jeffs	Matheson	Sandberg
Halverson	Jones		

Absent and not voting was: Senator
Finlinson

S.B. No. 73 was transmitted to the House.

SECOND READING CALENDAR

S.B. No. 55, SUPPORT, MAINTENANCE AND DIVORCE AMENDMENTS, was before the Senate. Senators Cornaby, Jeffs, Carling and Swan commented.

On motion of Senator Cornaby, **S.B. No. 55** was amended as follows:

Page 1, Line 10:
delete *"PROVIDING"*

Page 1, Lines 11, 12 and 13:
delete entirely.

Page 1, Line 14:
delete *"IS SILENT ON THE MATTER;"*

Page 1, Lines 27 and 28:
delete *"Maintenance of the children may also include providing for medical and dental expenses."*

Page 2, Lines 18, 19, 20, 21, 22 and 23:
delete entirely.

COMMITTEE OF THE WHOLE

On motion of Senator Cornaby, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

John P. Abbott, Director,
Office of Recovery Services, Dept. of Social Services

On motion of Senator Cornaby, the Committee of the Whole was dissolved.

S.B. No. 55 failed second reading on the following roll call:

Yeas, 14; Nays, 14; Absent, 1

Voting in the affirmative were: Senators

Barton	Jeffs	Money	Swan
Christensen	Jones	Peterson, C.	Mr. President (Ferry)
Cornaby	Kimball	Snow	

Halverson	Matheson	Sowards	

Voting in the negative were: Senators

Bangerter	Bullen	Finlinson	Sandberg
Barlow	Bunnell	Flamm	Wayment
Bennett	Carling	Peterson, L.	
Black	Farley	Pugh	

Absent and not voting was: Senator Asay

S.B. No. 55 is filed.

* * *

S.B. No. 63, HEALTH INSURANCE COMPETITION AND DISCRIMINATION, was read the second time.

Mr. President: January 20, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 63,** HEALTH INSURANCE COMPETITION AND DISCRIMINATION, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee favorably and with the following amendment:

Page 3, Line 15:
After *"insured."* insert the following:
"A reasonable opportunity shall be afforded to all licensed providers to become participating providers, and any limitation on the total number of participating providers and the selection of individual participating providers shall be based solely on economic, access or quality considerations. If a policy contains substantial limitations on the choice of hospitals or practitioners and prohibits payment to non-participating hospitals or practitioners, all potential enrollees shall be offered both the restrictive policy and a comparable policy which does not contain such restrictions."

Arnold Christensen, Committee Chairman

Committee report, as amended, read and adopted and on motion of Senator Cornaby, circled.

* * *

S.B. No. 68, SALES TAX — PUBLIC TRANSIT ALLOCATION, was read the second time.

Mr. President: January 20, 1981

The Revenue and Taxation Committee, to which was referred **S.B. No. 68,** SALES TAX — PUBLIC TRANSIT ALLOCATION, by Senator Fred W. Finlinson, has carefully considered the bill and reports it out of committee without recommendation.

Charles W. Bullen, Committee Chairman

Committee report read and adopted and on motion of Senator Snow, **S.B. No. 68** was made a Special Order of Business on Tuesday, February 10, 1981 at 10:30 a.m.

* * *

S.B. No. 44, AUTOMOBILE INSURANCE AMENDMENTS, was read the second time. Senator Barton is presiding. Senators Cornaby, Matheson, Swan, Bunnell, Black, Pugh, Flamm, Christensen and Kimball commented.

Mr. President: January 22, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 44,** AUTOMOBILE INSURANCE AMENDMENTS, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted and on motion of Senator Cornaby, **S.B. No. 44** was amended as follows:

Page 2, Lines 11 and 12:
delete *"for or a safety inspection"*

On motion of Senator Matheson, **S.B. No. 44** was amended as follows:

Page 5, Lines 27 and 28:
delete *"for Salt Lake County"* and insert in lieu thereof *"where the person resides"*

COMMITTEE OF THE WHOLE

On motion of Senator Cornaby, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

Rolan B. Senior, Director,
Motor Vehicle Division, Dept. of Transportation

On motion of Senator Snow, the Committee of the Whole was dissolved.

S.B. No. 44 passed second reading on the following roll call:

Yeas, 25; Nays, 3; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Sowards
Bangerter	Carling	Jones	Swan
Barlow	Christensen	Kimball	Wayment
Barton	Cornaby	Money	Mr. President (Ferry)
Bennett	Farley	Pugh	
Black	Flamm	Sandberg	
Bullen	Halverson	Snow	

Voting in the negative were: Senators

Finlinson	Matheson	Peterson, C.

Absent and not voting was: Senator

Peterson, L.

* * *

S.B. No. 54, MEDICAL RESPONSIBILTIIES, was read the second time.

Mr. President: January 22, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 54,** MEDICAL RESPONSIBILITIES, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee favorably and with the following amendment:

Page 3, Line 12:
Delete *"it shall also recover interest, costs, and"* and insert in lieu thereof *"the court may award"*

Arnold Christensen, Committee Chairman

Committee report, as amended, read and adopted. **S.B. No. 54** passed second reading on the following roll call:

Yeas, 23; Nays, 6; Absent, 0

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sandberg
Bennett	Cornaby	Kimball	Snow
Black	Farley	Matheson	Sowards
Bullen	Finlinson	Peterson, C.	Swan
Bunnell	Flamm	Peterson, L.	Mr. President (Ferry)
Carling	Halverson	Pugh	

Voting in the negative were: Senators

Bangerter	Barton	Money	Wayment
Barlow	Jeffs		

* * *

S.B. No. 65, INTEREST LIMITATION INCREASE, was read the second time. On motion of Senator Carling, **Sub. S.B. No. 65** replaced the original bill. Senator Carling explained the bill. Senators Black, Bullen, Swan and Pugh commented.

Mr. President: January 22, 1981

The Business, Labor and Economic Development Committee, to which was referred Sub. **S.B. No. 65,** INTEREST LIMITATION INCREASE, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted. **Sub. S.B. No. 65** will remain as Unfinished Business.

RULES COMMITTEE REPORTS

Mr. President: February 3, 1981

Your Rules Committee, to which were referred:

H.B. No. 101	GENERAL ASSISTANCE REVISIONS (Social Services)
H.B. No. 124	(Sub) INSURANCE DEPARTMENT EXAMINATIONS (Agriculture)
H.B. No. 126	RESIDENTIAL FACILITY ZONING LIMITATION (State and Local Affairs)

reports the same back and recommends that they be assigned to the committees indicated, and

Your Rules Committee, to which were referred:

S.B. No. 147	BOARD OF REGENTS' MEMBERS (Higher Education)
S.B. No. 159	COUNTY SURVEYOR-COUNTY ENGINEER (State and Local Affairs)
S.B. No. 161	DRINKING IN MOTOR VEHICLES (Transportation and Public Safety)
S.B. No. 162	TAX FORMS ELIMINATION (Revenue and Taxation)
S.B. No. 166	JUVENILE COURT SUBPOENAS AND WARRANTS (Judiciary)
S.B. No. 167	NEGLECT OR DELINQUENCY OF CHILDREN (Judiciary)
S.B. No. 184	INDEBTEDNESS OF SCHOOL DISTRICT AMENDMENTS (Public Education)

reports the same back with a few minor changes assented to by the authors and recommends that they be printed and assigned to the committees indicated.

Ronald T. Halverson, Committee Chairman

Committee reports read and adopted.

* * *

On motion of Senator Snow, and at 12:05, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Miles 'Cap' Ferry presiding.

COMMUNICATION FROM THE HOUSE

Mr. President: February 3, 1981

I am directed to inform the Senate that the House of Representatives has this day refused to recede from its amendments to **S.B. No. 40**, DIVISION OF FAMILY SERVICES FEES, by Senator Cornaby, and has appointed a Conference Committee consisting of Representative Doane, Pace, and Johnson to act with a like Committee from the Senate on this bill.

Allan M. Acomb, Chief Clerk

President Ferry appointed a Conference Committee comprised of Senator Cornaby, Jeffs and Farley.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

S.B. No. 92	STATE LEVY FOR SCHOOL SUPPORT (Public Education)
S.B. No. 132	CRITICAL SCHOOL BUILDING PROJECTS (Public Education)
H.B. No. 79	(Sub) BOARD OF EDUCATION VACANCIES (Public Education)

S.B. Nos. 92 and **132** and Sub. **H.B. No. 79** were placed on the Second Reading Calendar.

INTRODUCTION TO BILLS

PHYSICAL THERAPY REGISTRATION AMENDMENTS

S.B. No. 201 Richard J. Carling

AN ACT RELATING TO THE REGISTRATION OF PHYSICAL THERAPISTS; PROVIDING AN AMENDED DEFINITION OF LEGISLATIVE PURPOSE; PROVIDING AN UPDATED DEFINITION OF PHYSICAL THERAPY; PROVIDING DUTIES FOR THE DEPARTMENT OF REGISTRATION OF THE DEPARTMENT OF BUSINESS REGULATION; AMENDING THE MEMBERSHIP AND DUTIES OF THE PHYSICAL THERAPY COMMITTEE; PROVIDING RULE-MAKING POWERS FOR THE PHYSICAL THERAPY COMMITTEE; AMEND-

ING LICENSURE, TEMPORARY LICENSURE AND RENEWAL PROVISIONS, LICENSURE SUSPENSION AND REVOCATION AND PROVISIONS FOR PHYSICAL THERAPISTS, AND REVISING FEES RELATIVE THERETO; PROHIBITING UNLICENSED USER OF PHYSICAL THERAPISTS' IDENTIFICATION; PROVIDING FOR LICENSE REVOCATION FOR UNAUTHORIZED TREATMENT, FOR FEE SPLITTING, AND FOR UNPROFESSIONAL CONDUCT; AND PROVIDING FOR ENFORCEMENT AND ENJOINDER AGAINST UNREGISTERED PRACTICE OF PHYSICAL THERAPY. THIS ACT AMENDS SECTIONS 58-24-1, 58-24-3, 58-24-4, 58-24-5, 58-24-7, 58-24-9, 58-24-10, 58-24-12, 58-24-13, AND 58-24-14, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 101, LAWS OF UTAH 1959, AND SECTION 58-24-6, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 6, LAWS OF UTAH 1980; AND ENACTS SECTIONS 58-24-12.1, 58-24-12.2, 58-24-12.3, AND 58-24-17, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

JOINT APPRENTICESHIP COMMITTEES

S.B. No. 202 Senators Christensen, Pugh

AN ACT AMENDING SECTION 35-8-4, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 58, LAWS OF UTAH 1959, AS AMENDED BY CHAPTER 74, LAWS OF UTAH 1961; RELATING TO LABOR — INDUSTRIAL COMMISSION; PROVIDING THAT THE JOINT APPRENTICESHIP COMMITTEE SHALL RECOMMEND THE RATIO OF APPRENTICES TO JOURNEYMEN; AND PROVIDING AN EFFECTIVE DATE, was read the first time and referred to Rules Committee.

PROVO-JORDAN RIVER STATE PARKWAY

S.B. No. 203 Senators Snow, Barton

AN ACT AMENDING SECTIONS 65-10-1, 65-10-2, 65-10-3, 65-10-6, AND REPEALING SECTIONS 65-10-4, 65-10-5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 182, LAWS OF UTAH 1973; CONVEYING THE LAND UNDER THE PROVO-JORDAN RIVER PARKWAY AUTHORITY'S JURISDICTION TO THE DIVISION OF PARKS AND RECREATION AND ESTABLISHING A PROVO-JORDAN RIVER STATE PARKWAY ADVISORY COUNCIL TO SERVE AS ADVISORS TO THE PARK BOARD IN THE DEVELOPMENT OF THE PARKWAY, was read the first time and referred to Rules Committee.

ATHLETIC COMMISSION REORGANIZATION

S.B. No. 204 Senators Swan, Christensen, Kimball

AN ACT RELATING TO THE ATHLETIC COMMISSION; INCREASING THE NUMBER OF MEMBERS OF THE COMMISSION TO FIVE, THE TWO NEW MEMBERS TO BEGIN THEIR FOUR YEAR TERMS IN MAY, 1981; AND DIRECTING THAT THE COMMISSION MEMBERSHIP BE OF DIVERSE ETHNIC ORIGIN, WHERE POSSIBLE. THIS ACT AMENDS

SECTION 63-24-4, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 10, LAWS OF UTAH 1959, was read the first time and referred to Rules Committee.

STATE LANDS TRUST INVESTMENTS

S.B. No. 205 Senators Finlinson, Sowards
C. Peterson, Ferry

AN ACT RELATING TO ASSETS AND FUNDS CONTROLLED BY THE DIVISION OF STATE LANDS; ENLARGING THE TYPES OF INVESTMENTS INTO WHICH THESE ASSETS AND FUNDS MAY BE DIRECTED; PROVIDING FOR INVESTING OF AMOUNTS IN THE PERMANENT SCHOOL FUND IN VARIOUS PUBLIC FACILITIES OF THE STATE AND ITS POLITICAL SUBDIVISIONS; PROVIDING THE MANNER AND THE CRITERIA UPON WHICH THIS INVESTING MAY BE DONE; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 65-1-65, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 27, LAWS OF UTAH 1974; AND ENACTS SECTIONS 65-1-65.5 AND 65-1-66, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

STATE AGENCIES' LAND LEASING

S.B. No. 206 Senators Finlinson, Sowards, C. Peterson

AN ACT RELATING TO LEASING OF LANDS HELD OR USED BY STATE AGENCIES; PROVIDING FOR ISSUANCE OF MINERAL LEASES ON THESE LANDS; PROVIDING FOR LIMITATIONS ON THESE AGENCIES NOT GIVING THEIR CONSENT TO THIS LEASING; AND CLARIFYING THE LANDS TO WHICH THESE LEASING PROCEDURES APPLY. THIS ACT AMENDS SECTION 65-7-10, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 128, LAWS OF UTAH 1955, was read the first time and referred to Rules Committee.

STATE LAND SALES

S.B. No. 207 Senators Finlinson, Sowards
C. Peterson, Ferry

AN ACT RELATING TO LANDS OWNED BY THE STATE; PROVIDING FOR THE SALE OF THESE LANDS ON TERMS DETERMINED BY THE BOARD AND DIVISION OF STATE LANDS AND WITHOUT THE REQUISITE FOR COMPETITIVE BIDDING; AND PROVIDING FOR RESERVATION OF MINERALS IN THESE SALES AND FOR EXCEPTIONS TO THIS. THIS ACT AMENDS SECTION 65-1-36, UTAH CODE ANNOTATED 1953; REPEALS AND REENACTS SECTION 65-1-29, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 175, LAWS OF UTAH 1971; AND REPEALS SECTIONS 65-1-42 AND 65-1-68, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

SECOND READING CALENDAR

Sub. S.B. No. 65, INTEREST LIMITATION INCREASE, was before the Senate as unfinished business. Senators Bullen, Black, Kimball, Flamm, Swan and Farley commented.

Senator Farley's motion to circle failed. **Sub S.B. No. 65** passed second reading on the following roll call:

Yeas, 18; Nays, 8; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Carling	Halverson	Snow
Barlow	Christensen	Matheson	Sowards
Barton	Cornaby	Peterson, C.	Mr. President (Ferry)
Bullen	Finlinson	Peterson, L.	
Bunnell	Flamm	Pugh	

Voting in the negative were: Senators

Bennett	Farley	Kimball	Sandberg
Black	Jeffs	Money	Swan

Absent and not voting were: Senators

Asay	Jones	Wayment

* * *

S.B. No. 77, HEALTH MAINTENANCE AMENDMENTS, was read the second time. Senators Cornaby, Matheson, Kimball, Pugh, Halverson, Sowards, Black and Swan commented.

Mr. President: January 22, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 77,** HEALTH MAINTENANCE ORGANIZATIONS AMENDMENTS, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 2:
Delete *"market failure"* and insert in lieu thereof *"failure of traditional market mechanisms"*

Page 3, Line 33:
After *" "health maintenance organization" "*, insert *"or "HMO" "*

Arnold Christensen, Committee Chairman

Committee report, as amended, read and adopted. On motion of Senator Pugh, **S.B. No. 77** was amended as follows:

Page 2, Line 2:
Delete entirely including committee amendments.

Page 2, Line 3:
Delete *"economy, and"*

Page 2, Line 4:
Delete *"stronger"*

On motion of Senator Halverson, **S.B. No. 77** was amended as follows:

Page 3, Line 15:
After *"medical"* insert *"and chiropractic"*

Page 3, Line 18:
After *"health care"* insert *"including chiropractic care"*

Page 3, Line 19:
After *"such care"* insert *"and chiropratic care"*

The Halverson amendments were adopted on the following roll call:

Yeas, 18; Nays, 9; Absent, 2

Voting in the affirmative were: Senators

Asay	Black	Matheson	Sowards
Bangerter	Bullen	Money	Wayment
Barlow	Christensen	Pugh	Mr. President (Ferry)
Barton	Flamm	Sandberg	
Bennett	Halverson	Snow	

Voting in the negative were: Senators

Carling	Finlinson	Kimball	Peterson, L.
Cornaby	Jeffs	Peterson, C.	Swan
Farley			

Absent and not voting were: Senators

Bunnell	Jones

H.B. No. 77 passed second reading on the following roll call:

Yeas, 19; Nays, 8; Absent, 2

Voting in the affirmative were: Senators

Asay	Black	Money	Sowards
Bangerter	Christensen	Peterson, C.	Swan
Barlow	Finlinson	Pugh	Wayment
Barton	Flamm	Sandberg	Mr. President (Ferry)
Bennett	Halverson	Snow	

Voting in the negative were: Senators

Bullen	Cornaby	Jeffs	Matheson
Carling	Farley	Kimball	Peterson, L.

Absent and not voting were: Senators

Bunnell	Jones

* * *

S.B. No. 81, SOCIAL WORK LICENSING AMENDMENTS, was read the second time. Senator Christensen and Matheson commented.

Mr. President: January 22, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 81,** SOCIAL WORK LICENSING AMENDMENTS, by Senator Arnold Christensen, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted and the bill passed second reading on the following roll call:

Yeas, 22; Nays, 4; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Sandberg
Bangerter	Christensen	Jones	Sowards
Barlow	Farley	Matheson	Wayment
Barton	Finlinson	Peterson, C.	Mr. President (Ferry)
Black	Flamm	Peterson, L.	
Bullen	Halverson	Pugh	

Voting in the negative were: Senators

Bennett	Cornaby	Money	Snow

Absent and not voting were: Senators

Bunnell	Kimball	Swan

* * *

S.B. No. 10, HERITAGE TREES, was read the second time.

Mr. President: January 23, 1981

The Agriculture Committee, to which was referred **S.B. No. 10,** HERITAGE TREES, by Senator Richard J. Carling, has considered the bill and reports it out of committee without recommendation and with the following amendments:

Page 2, Line 3:
After *"trees"* insert *"not to exceed 1 acre,"*

Page 2, Line 4:
After *"[**division**]"* insert in lieu thereof *"division"* and after *"board"* delete remainder of line and *"body,"* on line 5.

Page 3, Line 18:
After *"in"* delete *"recommending the"*

Page 5, Line 4:
After *"lands"* insert *"and forestry"*

Page 5, Line 24:
After *"forester,"* delete *"county sheriffs, police officers, and other law enforcement officers"* and insert in lieu thereof *"and any peace officer"*

Ivan M. Matheson, Committee Chairman

Committee report, as amended, read and adopted and passed second reading on the following roll call:

Yeas, 20; Nays, 8; Absent, 1

Voting in the affirmative were: Senators

Asay	Bullen	Finlinson	Pugh
Barlow	Carling	Flamm	Snow
Barton	Christensen	Halverson	Sowards
Bennett	Cornaby	Kimball	Swan
Black	Farley	Money	Mr. President (Ferry)

Voting in the negative were: Senators

Bangerter	Jones	Peterson, C.	Sandberg
Jeffs	Matheson	Peterson, L.	Wayment

Absent and not voting was: Senator
Bunnell

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On motion of Senator Snow, **S.J.R. No. 1,** TAX ARTICLE REVISION, was circled.

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S.J.R. No. 2, SCHOOL PROGRAM SUPPORT LIMITATION, was read the second time.

Mr. President: January 22, 1981
The Revenue and Taxation Committee, to which was referred **S.J.R. No. 2,** SCHOOL PROGRAM SUPPORT LIMITATION, by Senator Omar B. Bunnell, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Charles W. Bullen, Committee Chairman

Committee report read and adopted and on motion of Senator Snow, circled.

* * *

S.B. No. 22, UNKNOWN VOTER IDENTIFICATION, was read the second time. Senator Finlinson, Bunnell and Flamm commented.

Mr. President: January 23, 1981

Your committee on State and Local Affairs to which was referred **S.B. No. 22,** UNKNOWN VOTER IDENTIFICATION, by Senator Fred W. Finlinson et al, has carefully considered the bill and reports it out favorably, with the recommendation that the original bill be deleted in body and title and Substitute **S.B. No. 22,** GENERAL AND MUNICIPAL ELECTION LAW MODIFICATION, be inserted in lieu thereof.

Substitute **S.B. No. 22** should be amended as follows:

Page 22, Line 16:
After *"commissioners,"* delete the entire sentence and insert a period.

Page 22, Line 20:
After *"served,"* delete entire line and all of line 21. Then insert a period.

Bryce C. Flamm, Committee Chairman

Committee report, as amended, read and adopted. **Sub. S.B. No. 22** passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Sandberg
Bangerter	Carling	Jones	Snow
Barlow	Christensen	Kimball	Sowards
Barton	Farley	Matheson	Swan
Bennett	Finlinson	Money	Wayment
Black	Flamm	Peterson, C.	Mr. President (Ferry)
Bullen	Halverson	Peterson, L.	

Absent and not voting were: Senators

Cornaby	Pugh

* * *

On motion of Senator Finlinson, **H.B. No. 3,** STATE MINERAL LANDS RENTALS AND ROYALTIES, was lifted to the top of Second Reading Calendar and on further motion, placed on Second Reading Table.

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On motion of Senator Snow, the circle was removed from **S.B. No. 63,** HEALTH INSURANCE COMPETITION AND DISCRIMINATION.

* * *

S.J.R. No. 1, TAX ARTICLE REVISION, and **S.J.R. No. 2,** SCHOOL PROGRAM SUPPORT LIMITATION, being circled as the Senate adjourned, were placed on Second Reading Table.

On motion of Senator Snow, and at 3:30 p.m., the Senate adjourned until 10:00 a.m., Wednesday, February 4, 1981.

Pg. 360

TWENTY-FOURTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present except Senator Snow (excused).

Prayer — Senator Cary S. Peterson, (Juab, Sanpete, Sevier, Millard, Piute, Wayne, Dist. 28).

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: February 4, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATION FROM THE HOUSE

Mr. President: February 4, 1981

I am directed to inform the Senate the House of Representatives has this day passed, as amended, Second Substitute **H.B. No. 60,** STATE AND LOCAL REVENUE AND APPROPRIATIONS LIMITATION, by Representative Brockbank, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

Second Sub. **H.B. No. 60** was read the first time and referred to Rules Committee.

SECRETARY OF SENATE REPORT

A committee report has been received on **S.B. No. 149,** HUMANE TREATMENT OF ANIMALS, and it was placed on Second Reading Calendar.

INTRODUCTION OF BILLS

LAND SALES EXEMPTION

S.B. No. 208 Lowell S. Peterson

AN ACT RELATING TO THE LAND SALES PRACTICES ACT; DEFINING "INDUSTRIAL PARK"; AND EXEMPTING FROM THE PROVISIONS OF THE ACT THE OFFER OR DISPOSITION OF AN INTEREST IN LAND LYING WITHIN THE BOUNDARIES OF FIRST, SECOND, OR THIRD CLASS CITIES OR IN AN INDUSTRIAL PARK. THIS ACT AMENDS SECTIONS 57-11-2 AND 57-11-4, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 158, LAWS OF UTAH 1973, was read the first time and referred to Rules Committee.

MOBILE HOME AND RECREATIONAL VEHICLE STANDARDS MANUFACTURED HOUSING AND RECREATIONAL VEHICLE STANDARDS

S.B. No. 209 Senators Bunnell, Barlow

AN ACT CHANGING THE TITLE OF THE ACT AND AMENDING SECTION 41-20-1, 41-20-3 AND 41-20-4.5 UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 106, LAWS OF UTAH 1971, RELATING TO FEES CHARGED FOR ENFORCEMENT, was read the first time and referred to Rules Committee.

PUBLIC ACCOUNTANTS LICENSING ACT

S.B. No. 210 Senators Sandberg, Sowards
Bunnell, Black

AN ACT RELATING TO PUBLIC ACCOUNTANTS; PROVIDING FOR THE CERTIFICATION AND LICENSING OF CERTIFIED PUBLIC ACCOUNTANTS AND PUBLIC ACCOUNTANTS BY THE DEPARTMENT OF REGISTRATION AND THE BASIS OF THIS; PROVIDING FOR CONTINUATION OF LICENSURE OF PERSONS ALREADY LICENSED UNDER CERTAIN CONDITIONS; PROVIDING FOR REGISTRATION WITH THIS DEPARTMENT OF ACCOUNTING FIRMS AND OFFICES; LIMITING THE USE OF CERTAIN TITLES RELATING TO ACCOUNTING MATTERS; PROVIDING FOR PENALTIES FOR VIOLATION OF THIS ACT; AND PROVIDING AN EFFECTIVE DATE. THIS ACT REPEALS CHAPTER 26 OF TITLE 58, UTAH CODE ANNOTATED 1953; AND ENACTS CHAPTER 26, TITLE 58, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

ENERGY SAVING SYSTEM TAX CREDIT AMENDMENTS

S.B. No. 211 Glade M. Sowards

AN ACT RELATING TO THE ENERGY SAVING SYSTEM TAX CREDIT; PROVIDING THAT TAX CREDITS MAY BE CLAIMED FOR SYSTEMS OR PARTS OF SYSTEMS INSTALLED AFTER THE ORIGINAL SYSTEM; PROVIDING FOR REFUNDS TO INDIVIDUAL TAXPAYERS; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS

SECTIONS 59-14B-2 AND 59-14B-3, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 66, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

S.B. No. 44, AUTOMOBILE INSURANCE AMENDMENTS, was read the third time and passed on the following roll call:

Yeas, 18; Nays, 6; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Bullen	Flamm	Sowards
Barlow	Bunnell	Jeffs	Swan
Barton	Carling	Kimball	Mr. President (Ferry)
Bennett	Cornaby	Pugh	
Black	Farley	Sandberg	

Voting in the negative were: Senators

Finlinson	Matheson	Peterson, L.	Wayment
Halverson	Peterson, C.		

Absent and not voting were: Senators

Asay	Jones	Money	Snow
Christensen			

S.B. No. 44 was transmitted to the House.

* * *

S.B. No. 54, MEDICAL RESPONSIBILITIES, was read the third time and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Bunnell	Jeffs	Pugh
Barlow	Carling	Kimball	Sowards
Barton	Cornaby	Matheson	Swan
Bennett	Farley	Money	Wayment
Black	Flamm	Peterson, C.	Mr. President (Ferry)
Bullen	Halverson	Peterson, L.	

Absent and not voting were: Senators

Asay	Finlinson	Sandberg	Snow
Christensen	Jones		

S.B. No. 54 was transmitted to the House.

* * *

Sub. S.B. No. 65, INTEREST LIMITATIONS INCREASE, was read the third time. Senator Kimball's motion to dissolve into a Committee of the Whole failed. Senators Kimball, Farley, Swan, Bullen and Carling commented.

COMMITTEE OF THE WHOLE

On motion of Senator Farley, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

Mike Martinez
Anti-Trust Division of the Attorney General's Office

Senator Bullen commented. On motion of Senator Farley, the Committee of the Whole was dissolved. Senator Kimball, commented and **Sub. S.B. No. 65** passed third reading on the following roll call:

Yeas, 18; Nays, 8; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Halverson	Pugh
Bangerter	Christensen	Jones	Sowards
Barlow	Cornaby	Matheson	Mr. President (Ferry)
Barton	Finlinson	Peterson, C.	
Bullen	Flamm	Peterson, L.	

Voting in the negative were: Senators

Bennett	Farley	Kimball	Sandberg
Black	Jeffs	Money	Swan

Absent and not voting were: Senators

Bunnell	Snow	Wayment

Sub. S.B. No. 65 was transmitted to the House.

* * *

S.B. No. 77, HEALTH MAINTENANCE ORGANIZATIONS AMENDMENTS, was read the third time. Senator Cornaby's motion to delete the Halverson amendments relating to the inclusion of chiropractic care failed on a 13 nay, 12 yea voice vote. Senators Cornaby, Kimball, Jones, Halverson, Sowards, Pugh, Farley, Matheson, Flamm, Black, C. Peterson and Barlow commented. (lengthy discussion)

Senator Cornaby's motion to delete the words *"and chiropractic"* on Page 3, Line 15 (goldenrod) failed.

On motion of Senator Cornaby, **S.B. No. 77** was circled.

* * *

S.B. No. 81, SOCIAL WORK LICENSING AMENDMENTS, was read the third time. Senators Christensen and Matheson commented.

On motion of Senator Matheson **S.B. No 81** was amended as follows:

Page 2, delete Lines 17 and 18. Line 19, delete the *"(c)"* and add in lieu thereof *"(a)"* and on Line 20, delete the *"(d)"* and add in lieu thereof *"(b)"*

Page 2, delete Lines 22 and 23. Line 24, delete the *"(c)"* and add in lieu thereof *"(a)"* and Line 25, delete the *"(d)"* and add in lieu thereof *"(b)"*

S.B. No. 81 passed third reading on the following roll call:

Yeas, 20; Nays, 1, Absent, 8

Voting in the affirmative were: Senators

Asay	Bullen	Flamm	Peterson, L.
Bangerter	Carling	Jeffs	Sandberg
Barlow	Christensen	Jones	Swan
Barton	Cornaby	Matheson	Wayment
Black	Finlinson	Peterson, C.	Mr. President (Ferry)

Voting in the negative was: Senator
Money

Absent and not voting were: Senators

Bennett	Farley	Kimball	Snow
Bunnell	Halverson	Pugh	Sowards

Senator Matheson, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action on **S.B. No. 81** on the next legislative day.

* * *

S.B. No. 10, HERITAGE TREES, was read the third time and passed on the following roll call:

Yeas, 16; Nays, 9; Absent, 4

Voting in the affirmative were: Senators

Barlow	Bullen	Finlinson	Pugh
Barton	Carling	Flamm	Sandberg
Bennett	Cornaby	Halverson	Swan
Black	Farley	Kimball	Mr. President (Ferry)

Voting in the negative were: Senators

Asay	Jeffs	Matheson	Peterson, L.
Bangerter	Jones	Peterson, C.	Wayment
Christensen			

Absent and not voting were: Senators

Bunnell	Money	Snow	Sowards

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

* * *

On motion of Senator Black, **Sub. S.B. No. 22,** GENERAL AND MUNICIPAL ELECTION LAW, was read the third time and circled.

SECOND READING CALENDAR

H.B. No. 111, BEEF PROMOTION AMOUNTS, was read the second time. Senator C. Peterson explained the bill.

Mr. President: January 28, 1981

The Agriculture Committee, to which was referred **H.B. No. 111,** BEEF PROMOTION AMOUNTS, by Representative Alarik Myrin, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 25; Nays, 2; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Sowards
Bangerter	Christensen	Jones	Swan
Barlow	Cornaby	Kimball	Wayment
Barton	Farley	Matheson	Mr. President (Ferry)
Bennett	Finlinson	Peterson, C.	
Black	Flamm	Pugh	
Bullen	Halverson	Sandberg	

Voting in the negative were: Senators

Money	Peterson, L.

Absent and not voting were: Senators

Bunnell	Snow

* * *

H.B. No. 86, AUTOMOBILE NEGLIGENCE — DEATH OR INJURY, was read the second time. Senator Jeffs explained the bill.

Mr. President: January 27, 1981

The Judiciary Committee, to which was referred **H.B. No. 86,** AUTOMOBILE NEGLI-

GENCE — DEATH OR INJURY, by Representative Orval C. Harrison, has carefully considered the bill and reports it out of committee with a favorable recommendation.

A. Dean Jeffs, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Peterson, L.
Bangerter	Carling	Jeffs	Pugh
Barlow	Christensen	Jones	Sandberg
Barton	Cornaby	Kimball	Swan
Bennett	Farley	Matheson	Wayment
Black	Finlinson	Money	Mr. President (Ferry)
Bullen	Flamm	Peterson, C.	

Absent and not voting were: Senators

Snow	Sowards

* * *

H.B. No. 27, BONDS OF NOTARY PUBLICS, was read the second time. Senator Jeffs explained the bill.

Mr. President: January 29, 1981

The Judiciary Committee, to which was referred **H.B. No. 27**, BONDS OF NOTARY PUBLICS, by Representative Lorin N. Pace, has carefully considered the bill and reports it out of committee with a favorable recommendation.

A. Dean Jeffs, Committee Chairman

Committee report read and adopted and the bill failed on the following roll call:

Yeas,14; Nays, 12; Absent, 3

Voting in the affirmative were: Senators

Barton	Flamm	Peterson, L.	Wayment
Bullen	Halverson	Pugh	Mr. President (Ferry)
Carling	Jeffs	Sandberg	
Finlinson	Matheson	Sowards	

Voting in the negative were: Senators

Bangerter	Black	Cornaby	Kimball
Barlow	Bunnell	Farley	Peterson, C.
Bennett	Christensen	Jones	Swan

Absent and not voting were: Senators

Asay	Money	Snow

H.B. No. 27 was returned to the House for filing.

* * *

H.B. No. 82, RECORDING OF ADMINISTRATIVE HEARINGS, was read the second time. Senator Wayment explained the bill.

Mr. President: January 29, 1981

The Judiciary Committee, to which was referred **H.B. No. 82,** RECORDING OF ADMINISTRATIVE HEARINGS, by Representative Robert B. Sykes, has carefully considered the bill and reports it out of committee with a favorable recommendation.

A. Dean Jeffs, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 22; Nays, 3; Absent, 4

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sandberg
Bangerter	Cornaby	Kimball	Sowards
Barlow	Farley	Matheson	Wayment
Black	Finlinson	Money	Mr. President (Ferry)
Bullen	Halverson	Peterson, C.	
Bunnell	Jeffs	Pugh	

Voting in the negative were: Senators

Bennett	Carling	Peterson, L.

Absent and not voting were: Senators

Barton	Flamm	Snow	Swan

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

H.B. No. 10	BANK EXAMINATION (Business, Labor and Economic Development)
H.B. No. 18	UTILITIES RATE STRUCTURE (Business, Labor and Economic Development)
H.B. No. 19	UTILITY FRANCHISE TAX LIMITATIONS (State and Local Affairs)
H.B. No. 93	CONSTRUCTION OCCUPANCY EFFECT (Business, Labor and Economic Development)
S.B. No. 117	WATER CONDITIONER INSTALLERS REPEAL (Business, Labor and Economic Development)
S.B. No. 133	COVERAGE OF PROFESSIONAL CORPORATION ACT (Business, Labor and Economic Development)

S.B. No. 140	WASTEWATER TREATMENT FACILITIES FUND (Energy and Natural Resources)
S.B. No. 152	SUNSET ACT AMENDMENTS (Business, Labor and Economic Development)
S.B. No. 163	TRANSIT DISTRICT ESTABLISHMENT LIMITATIONS (Transportation and Public Safety)
S.B. No. 166	JUVENILE COURT SUBPOENAS AND WARRANTS (Judiciary)
S.B. No. 167	NEGLECT OR DELINQUENCY OF CHILDREN (Judiciary)

H.B. Nos. 10, 18, 19 and 93 and S.B. Nos. 117, 133, 140, 152, 163, 166 and 167 were placed on Second Reading Calendar.

RULES COMMITTEE REPORT

Mr. President: February 4, 1981

Your Rules Committee, to which were referred:

S.B. No. 125	MEDICAL PROBLEM REFLECTION (Social Services)
S.B. No. 154	PRIVILEGE TAX AMENDMENTS (Revenue and Taxation)
S.B. No. 176	NOTICE OF ENFORCEMENT — MECHANICS LIENS (Judiciary)
H.B. No. 60	(Second Sub.) STATE AND LOCAL REVENUE AND APPROPRIATIONS LIMITATIONS (Revenue and Taxation)

reports the Senate Bills back with a few minor changes assented to by the authors and recommends that they be printed and assigned to the committees indicated. It also reports the House Bill back and recommends that it be assigned to the committee indicated.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted.

STANDING COMMITTEE REPORTS

Mr. President: February 4, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 107,** REAL ESTATE LICENSE AMENDMENTS, by Senator Haven J. Barlow, has carefully considered the bill and reports it out of committee favorably with the following amendments and asks that it be placed on the Consent Calendar.

Page 2, Line 24:
After *"(a)"* delete the period and insert *", the other must be from the public at large"*

Page 7, Line 30:
Delete *"Commission of felony;"* and insert in lieu thereof *"Conviction for a felony involving moral turpitude;"*

Page 12, Line 20:
Delete subsection (c); Lines 20 through 26.

Page 12, Line 27:
Delete *"(d)"* and insert in lieu thereof *"(c)"*

Arnold Christensen, Committee Chairman

Committee report, as amended, read and adopted. **S.B. No. 107** was read the second time and placed on Consent Calendar.

* * *

Mr. President: February 4, 1981

The Energy and Natural Resources Committee, to which was referred **S.C.R. No. 4,** ACORD RESOLUTION, by Senator William T. "Bill" Barton et al, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Fred W. Finlinson, Committee Chairman

Committee report read and adopted. **S.C.R. No. 4,** was read the second time and placed on Consent Calendar.

* * *

On motion of Senator Finlinson, the circle was removed from **Sub. S.B. No. 22,** GENERAL AND MUNICIPAL ELECTION LAW.

* * *

On motion of Senator Cornaby, the circle was removed from **S.B. No. 77,** HEALTH MAINTENANCE ORGANIZATION AMENDMENTS.

On motion of Senator Snow, and at 12:00 noon, the Senate adjourned until 10:00 a.m., Thursday, February 5, 1981.

TWENTY-FIFTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present except Senator Jones (excused).

Prayer — Cliff Memmott (former member of the House of Representatives).

COMMITTEE ON REVISION OF JOURNAL

Mr. President: February 5, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATION FROM THE GOVERNOR

Dear President Ferry: February 3, 1981

This is to inform you that on February 3, 1981, Governor Matheson did sign into law the following bill, which has been forwarded to the Lt. Governor's Office for filing.

S.C.R. No. 3 PRESIDENT RONALD W. REAGAN RESOLUTION

Tina Falvo, Administrative Aide

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 4, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 21,** SALT LAKE ART CENTER RESOLUTION, by Representative Garff, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.J.R. No. 21 was read the first time and referred to Rules Committee.

* * *

Mr. President: February 4, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, as amended, **S.B. No. 2,** BUSINESS OPPORTUNITY DISCLOSURE DOCUMENTS, by Senator Cornaby, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Halverson, action was deferred on **S.B. No. 2** until Senator Cornaby, who is ill, can be present. **S.B. No. 2** was placed on Third Reading Calendar.

* * *

Mr. President: February 4, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 16,** MOTOR FUELS TESTING AND LABELING, by Senator Money, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 45,** SHORT TERM YOUTH COMMITMENT, by Senator Cornaby, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 53,** SALES TAX EXEMPTION FOR OXYGEN, by Senator Swan, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.C.R. No. 2,** FAIR COMPETITION IN STEEL INDUSTRY, by Senator Jeffs, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.B. No. 11,** BUSINESS LICENSE FEES, by Representative Harmer, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. Nos. 16, 45, 53 and **S.C.R. No. 2** were signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor and

H.B. No. 11 was signed by the President in open session of the Senate and returned to the House for further action.

INTRODUCTION OF BILLS

LIGHT BEER ADVERTISING

S.B. No. 212 Senators Asay, Jones, Matheson
Christensen, Wayment, Sandberg, Jeffs
Sowards, C. Peterson, L. Peterson
Flamm, Barton, Pugh

AN ACT RELATING TO THE ADVERTISING OF LIGHT BEER; REPEALING THE AUTHORITY OF THE LIQUOR CONTROL COMMISSION TO REGULATE ADVERTISING OF LIGHT BEER. THIS ACT AMENDS SECTION 32-7-27, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 83, LAWS OF UTAH 1969, was read the first time and referred to Rules Committee.

SOLAR ENERGY UTILIZATION IN MUNICIPALITIES

S.B. No. 213 Glade M. Sowards

AN ACT RELATING TO SOLAR ENERGY UTILIZATION; ENABLING MUNICIPALITIES TO FACILITATE THE USE OF SOLAR ENERGY. THIS ACT AMENDS SECTIONS 10-9-1, 10-9-3, 17-27-5, 17-27-9, 17-27-13, AND 17-27-18, UTAH CODE ANNOTATED 1953, AND SECTIONS 17-27-4 AND 17-27-11, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 27, LAWS OF UTAH 1953, AND ENACTS SECTIONS 10-9-3.5, 10-9-3.6, 17-27-11.5, AND 17-27-11.6, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

COURT REPORTER ACT

S.B. No. 214 Richard J. Carling

AN ACT RELATING TO CERTIFIED COURT REPORTERS; PROVIDING FOR THEIR APPOINTMENT, DUTIES, AND COMPENSATION; PROVIDING FOR A DEFINITION OF SHORTHAND REPORTER AND REQUIRING THAT SUCH REPORTERS BE CERTIFIED BY THEIR NATIONAL ASSOCIATION. THIS ACT ENACTS SECTIONS 78-56-1 THROUGH 78-56-16, UTAH CODE ANNOTATED 1953 AND REPEALS SECTIONS 78-56-2, 78-56-5 THROUGH 78-56-9, 78-56-13, 78-56-17 THROUGH 78-56-19, UTAH CODE ANNOTATED 1953, SECTION 78-56-3, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 197, LAWS OF UTAH 1963, SECTION 78-56-1.1, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 259, LAWS OF UTAH 1969, SECTION 78-56-4, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 207, LAWS OF UTAH 1973, SECTION 78-56-16, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 95, LAWS OF UTAH 1975, AND SECTIONS 78-56-14 AND 78-56-15, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 77, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

RENEWABLE ENERGY USE

S.B. No. 215 Senators Farley, Sowards

AN ACT RELATING TO COST ANALYSES FOR STATE-CONSTRUCTED OR FINANCED BUILDINGS AND CERTAIN OTHER BUILDINGS; REQUIRING A LIFE-CYCLE COST ANALYSIS FOR CERTAIN FACILITIES, ALLOWING SUCH AN ANALYSIS FOR OTHER BUILDINGS, AND EXEMPTING CERTAIN OTHER BUILDINGS AND RENOVATIONS, was read the first time and referred to Rules Committee.

MOTOR FUEL SALES

S.B. No. 216 Senators Bangerter, Sowards

AN ACT RELATING TO MOTOR FUELS; ALLOWING A PURCHASER OF MOTOR FUELS THE OPTION TO BUY EITHER BY GROSS GALLONS OR ON THE ASSUMPTION THAT THE TEMPERATURE OF THE PRODUCT IS 60° FARENHEIT; ESTABLISHING CERTAIN STANDARDS AND CONDITIONS, AND ALLOWING PURCHASE AND USE OF A MEASURING DEVICE. THIS ACT ENACTS SECTION 41-11-94, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

OPTOMETRIC REFERRALS MODIFICATIONS

S.B. No. 217 Senators Halverson, Carling, Bullen

AN ACT RELATING TO OPTOMETRISTS; SPECIFYING MINIMUM REQUIREMENTS OF EYE EXAMINATIONS AND MEDICAL CONDITIONS REQUIRING REFERRAL TO A PHYSICIAN; PROVIDING THAT UNPROFESSIONAL CONDUCT INCLUDES FAILURE TO COMPLY WITH REQUIREMENTS OF EXAMINATION AND REFERRAL; REQUIRING DISPLAY OF CERTIFICATES OF AUTHORITY TO USE DIAGNOSTIC PHARMACEUTICAL AGENTS; AND PROVIDING REQUIREMENTS FOR RELICENSURE. THIS ACT AMENDS SECTIONS 58-16-8, 58-16-12, AND 58-16-14, UTAH CODE ANNOTATED 1953, AND SECTION 58-16-11, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 10, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

On motion of Senator Halverson, **S.B. No. 77,** HEALTH MAINTENANCE ORGANIZATION AMENDMENTS; and on motion of Senator Jeffs, **Sub. S.B. No. 22,** GENERAL AND MUNICIPAL ELECTION LAW MODIFICATIONS, were circled.

* * *

H.B. No. 111, BEEF PROMOTION AMOUNTS, was read the third time and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Snow
Bangerter	Christensen	Matheson	Sowards
Barlow	Cornaby	Money	Swan
Barton	Farley	Peterson, C.	Wayment
Bennett	Flamm	Peterson, L.	Mr. President (Ferry)
Black	Halverson	Sandberg	

Absent and not voting were: Senators

Bullen	Finlinson	Kimball	Pugh
Bunnell	Jones		

H.B. No. 111 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

H.B. No. 86, AUTOMOBILE NEGLIGENCE — DEATH OR INJURY, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Snow
Bangerter	Christensen	Matheson	Sowards
Barlow	Cornaby	Money	Swan
Barton	Farley	Peterson, C.	Wayment
Bennett	Finlinson	Peterson, L.	Mr. President (Ferry)
Black	Flamm	Pugh	
Bullen	Halverson	Sandberg	

Absent and not voting were: Senators

Carling	Jones	Kimball

H.B. No. 86 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

H.B. No. 82, RECORDING OF ADMINISTRATIVE HEARINGS, was read the third time and passed on the following roll call:

Yeas, 23; Nays, 3; Absent, 3

Voting in the affirmative were: Senators

Asay	Christensen	Jeffs	Snow
Bangerter	Cornaby	Kimball	Sowards
Barlow	Farley	Matheson	Swan

Black	Finlinson	Money	Wayment
Bullen	Flamm	Pugh	Mr. President (Ferry)
Bunnell	Halverson	Sandberg	

Voting in the negative were: Senators

Barton	Bennett	Peterson, L.

Absent and not voting were: Senators

Carling	Jones	Peterson, C.

H.B. No. 82 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Finlinson, **Sub. S.B. No. 22,** GENERAL AND MUNICIPAL ELECTION LAW MODIFICATIONS, was uncircled and before the Senate. Senators Finlinson, Bunnell, Matheson, Kimball, Bennett, Black and Farley commented.

Senator Bunnell's motion to amend on Pages 3 and 5 failed.

Senator Bunnell proposed the following amendments:

Page 6, Line 15:
following *"shall"* restore *"also make"*

Page 6, Line 16:
restore deleted language and following *"available"* insert *"by-mail"*

Page 6, Line 17:
restore *"organizations"*

Page 6, Line 18:
following deleted number *"*20-2-7.1**]"* insert *"and"* so that subsection 20-2-11. will read:
"(1) The county clerk shall perpare registration forms for use in his office and in the respective registration agents' offices. He shall also make available by-mail registration forms to interested persons and organizations and place, or cause to be placed, by-mail election registration forms at convenient public locations throughout the county such as banks, municipal offices, libraries, post offices and high schools, in order to implement the provisions of subsection 20-2-7 (2)."

The Bunnell amendments failed on the following roll call:

Yeas, 8; Nays, 17; Absent, 4

Voting in the affirmative were: Senators

Asay	Black	Farley	Money
Bennett	Bunnell	Kimball	Swan

Voting in the negative were: Senators

Bangerter	Finlinson	Peterson, L.	Wayment
Barlow	Flamm	Pugh	Mr. President (Ferry)
Barton	Halverson	Sandberg	
Bullen	Jeffs	Snow	
Christensen	Matheson	Sowards	

Absent and not voting were: Senators

Carling	Cornaby	Jones	Peterson, C.

On motion of Senator Bunnell, **Sub. S.B. No. 22** was amended as follows:

Page 11, Line 26:
After *"ballot"* delete the comma and insert *"and has reason to doubt that person's identity, the judge shall request"*

Page 11, Line 27:
delete *"the person shall present"* and after *"or"* delete *"be"* and insert in lieu thereof *"have voter"*

On motion of Senator Black, **Sub. S.B. No. 22** was amended as follows:

Page 27, Lines 20 and 21:
delete *"board of city commissioners, the city council, and"*

Page 27, Line 22:
delete *"the town council"* and insert in lieu thereof *"governing body of the municipality"*

Page 27, Line 27:
delete *"Two"*

Page 27, Line 28:
delete *"both"* and insert in lieu thereof *"combined"*

Page 27, Line 29:
After *"with"* insert *"as many sets of"* and after *"officiating"* delete the period and add *"as may be needed."*

Sub. S.B. No. 22 passed third reading on the following roll call:

Yeas, 19; Nay, 7; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Snow
Bangerter	Christensen	Matheson	Sowards
Barlow	Finlinson	Peterson, L.	Wayment
Barton	Flamm	Pugh	Mr. President (Ferry)
Bullen	Halverson	Sandberg	

Voting in the negative were: Senators

Bennett	Bunnell	Kimball	Swan
Black	Farley	Money	

Absent and not voting were: Senators

Cornaby	Jones	Peterson, C.

Sub. S.B. No. 22 was transmitted to the House.

* * *

Senator Matheson, having served notice that he might ask the Senate to reconsider its action on **S.B. No. 81,** SOCIAL WORK LICENSING AMENDMENTS, on this day, now asked that it be placed at the top of Third Reading Calendar, and circled.

* * *

On motion of Senator Cornaby, **S.B. No. 77,** HEALTH MAINTENANCE ORGANIZATIONS AMENDMENT, was circled.

SECOND READING CALENDAR

H.B. No. 43, RESTITUTION BY CRIMINALS, was read the second time. Senators Jeffs, Halverson, Farley, Pugh and Swan commented.

On motion of Senator Farley, **H.B. No. 43** was amended as follows:

Page 1, Line 11:
After *"REASONS FOR"* insert *"PROVIDING OR"*

Page 2, Line 18:
After *"restitution is"* insert *"appropriate or"*

H.B. No. 43 passed second reading on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Snow
Barlow	Christensen	Kimball	Sowards
Barton	Farley	Money	Swan
Bennett	Finlinson	Peterson, L.	Wayment
Black	Flamm	Pugh	
Bullen	Halverson	Sandberg	

Absent and not voting were: Senators

Bangerter	Cornaby	Matheson	Mr. President (Ferry)
Carling	Jones	Peterson, C.	

* * *

On motion of Senator Bullen, **S.B. No. 115,** LEGISLATORS' RETIREMENT, was lifted from Consent Calendar, placed at the top of Second Reading Calendar and circled.

* * *

On motion of Senator Halverson, **S.B. No. 63,** HEALTH INSURANCE COMPETITION AND DISCRIMINATION, was circled.

* * *

S.B. No. 23, CEMETERY AND FIRE COMMISSIONER APPOINTMENTS, was read the second time. Senator Money is presiding.

Mr. President: January 23, 1981

The State and Local Affairs Committee to which was referred **S.B. No. 23,** CEMETERY AND FIRE COMMISSIONER APPOINTMENTS, by Senator Fred W. Finlinson et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted and on motion of Senator Finlinson, **S.B. No. 23** was amended as follows:

Page 1, Line 4:
After *"(CEMETERY"* delete *"AND FIRE"*

Page 1, Line 11:
After *"CEMETERY"* delete *"AND FIRE PROTECTION"*

Page 1, Line 13:
After *"SECTIONS 8-1-5,"* delete *"17-9-6, 17-9-7, AND 17-9-22,"*

Page 1, Line 17:
After *"1953,"* delete *"AND SECTION 17-9-9-, UTAH CODE"*

Page 1, Line 18:
Delete *"ANNOTATED 1953,"*

Page 1, Line 21:
After *"1963"* add a period and delete *",AND SECTION 17-9-"*

Page 1: Delete Lines 22 and 23.

Page 4: Delete Lines 27 through 34.

Page 5: Delete Lines 2 through 34.

Page 6: Delete Lines 2 through 34.

Page 7: Delete Lines 2 through 11.

Page 7, Line 12:
After *"Section"* delete *"9."* and insert *"5."*

Page 7, Line 14:
After *"1963"* insert ". "

Page 7, Line 14:
After *"1963."* delete remainder of line.

Page 7: Delete Lines 15 and 16.

S.B. No. 23 passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Snow
Bangerter	Bunnell	Kimball	Sowards
Barlow	Carling	Money	Swan
Barton	Farley	Peterson, L.	Wayment
Bennett	Finlinson	Pugh	Mr. President (Ferry)
Black	Flamm	Sandberg	

Voting in the negative was: Senator
Halverson

Absent and not voting were: Senators

Christensen	Jones	Matheson	Peterson, C.
Cornaby			

* * *

S.B. No. 36, JUSTICE OF PEACE PRECINCTS, was read the second time. Senator Finlinson and Jeffs commented.

Mr. President: January 23, 1981

The State and Local Affairs Committee to which was referred **S.B. No. 36,** JUSTICE OF PEACE PRECINCTS, by Senator Fred W. Finlinson et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted and on motion of Senator Finlinson, **S.B. No. 36** was amended as follows:

Page 1, delete Lines 21 through 33.

Page 2, delete Lines 2 through 6 and insert the following:
"17-16-5. Precincts — Election of Justices and Constables.
(1) Each board of county commissioners shall divide their respective counties into one or more precincts for the purpose of electing county justices of the peace and constables in each. The officers of such county precincts shall be one justice of the peace and one constable. County precincts may include geographical

boundries of municipalities which did not have city courts established prior to the effective date of The Circuit Court Act of 1977. County precincts shall not include the geographical boundries of municipalities in which city courts had been established prior to the effective date of The Circuit Court Act of 1977. Justices of the peace and constables of county precincts so established shall be elected by the electorate of such precincts.

(2) Holding the office of municipal justice of the peace in a municipality located within the boundary of a county precinct, or maintaining residence within a municipality, shall not preclude any person from holding office of the county precinct justice of the peace in the precinct in which he resides.

(3) Municipalities of the first class shall not be divided into precincts for the purpose of electing constables. Such municipalities shall be deemed one precinct in which two constables shall be elected.

(4) Municipalities, not of the first class, in which city courts had been established prior to the effective date of The Circuit Court Act of 1977, shall not be divided into precincts for the purpose of electing constables. Such municipalities shall be deemed one precinct in which one constable shall be elected."

COMMITTEE OF THE WHOLE

On motion of Senator Finlinson, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

Bill Huish
President, Utah Association of Counties

On motion of Senate Finlinson, the Committee of the Whole was dissolved and **S.B. No. 36** passed on the following roll call:

Yeas, 19, Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Bangerter	Bullen	Money	Sowards
Barlow	Bunnell	Peterson, L.	Swan
Barton	Finlinson	Pugh	Wayment
Bennett	Flamm	Sandberg	Mr. President (Ferry)
Black	Jeffs	Snow	

Absent and not voting were: Senators

Asay	Cornaby	Jones	Matheson
Carling	Farley	Kimball	Peterson, C.
Christensen	Halverson		

* * *

S.B. No. 38, ELECTION REGISTRATION AMENDMENTS, was read the second time. Senators Finlinson, Bunnell, Farley, Black, Matheson and Kimball commented.

Mr. President: January 23, 1981

The State and Local Affairs Committee to which was referred **S.B. No. 38,** ELECTION REGISTRATION AMENDMENTS, by Senator Fred W. Finlinson et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted. Senator Bunnell proposed the following amendments:

Page 1, Line 10:
following *"A"* delete *"20"* and insert in lieu thereof *"10"*

Page 2, Line 12:
following *"a"* restore *"10-day"* and delete *"20 day"*

Page 2, Line 22:
following *"least"* delete *"20"* and insert *"10"*

Page 3, Line 5:
following *"than"* restore *"10"* and delete *"20"*

Page 4, Line 16:
following the deleted number *"[**15**]"* delete *"21"* and insert *"10"*

Page 4, Line 33:
following *"least"* restore *"10"* and delete *"20"*

The amendments failed on the following roll call:

Yeas, 7; Nays, 17; Absent, 5

Voting in the affirmative were: Senators

Bennett	Bunnell	Kimball	Swan
Black	Farley	Money	

Voting in the negative were: Senators

Asay	Finlinson	Peterson, L.	Wayment
Bangerter	Flamm	Pugh	Mr. President (Ferry)
Barlow	Halverson	Sandberg	
Barton	Jeffs	Snow	
Bullen	Matheson	Sowards	

Absent and not voting were: Senators

Carling	Cornaby	Jones	Peterson, C.
Christensen			

Senator Black proposed amendments which failed.

S.B. No. 38 passed on the following roll call:

Yeas, 16; Nays, 7; Absent, 6

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Sandberg
Bangerter	Finlinson	Matheson	Sowards
Barlow	Flamm	Peterson, L.	Wayment
Barton	Halverson	Pugh	Mr. President (Ferry)

Voting in the negative were: Senators

Bennett	Bunnell	Kimball	Swan
Black	Farley	Money	

Absent and not voting were: Senators

Carling	Cornaby	Peterson, C.	Snow
Christensen	Jones		

RULES COMMITTEE REPORT

Mr. President: February 5, 1981

Your Rules Committee, to which were referred:

S.B. No. 165	RACKETEERING ENTERPRISE ACT (Judiciary)
S.B. No. 168	AUTO DEATHS—MEDICAL EXAMINER (Social Services)
S.B. No. 171	JUVENILE COURT JURISDICTION EXTENSION (Judiciary)
S.B. No. 172	SKIING COLLISION DUTIES (Judiciary)
S.B. No. 173	DECEPTION DETECTION EXAMINERS (Judiciary)
S.B. No. 174	TENANT — LANDLORD RELATIONSHIPS (Business, Labor and Economic Development)
S.B. No. 175	INSURANCE GUARANTY ASSOCIATION AMENDMENTS (Business, Labor and Economic Development)
S.B. No. 177	CAMPUS BUILDINGS ACT AMENDMENTS (Higher Education)
S.B. No. 178	UTAH COMMUNITY REDEVELOPMENT LAW AMENDMENTS (State and Local Affairs)
S.B. No. 179	WATER AND SEWER IMPROVEMENT DISTRICT AMENDMENTS (Energy and Natural Resources)
S.B. No. 180	HOUSING AUTHORITY ACT AMENDMENTS (State and Local Affairs)
S.B. No. 181	UTAH REFUNDING BOND ACT (Revenue and Taxation)

S.B. No. 182	GRANT ANTICIPATION NOTES (Revenue and Taxation)
S.B. No. 183	INVESTMENT OF REDEMPTION FUND REPEAL (State and Local Affairs)
H.J.R. No. 21	SALT LAKE ART CENTER RESOLUTION (State and Local Affairs)

reports the Senate Bills back with a few minor changes assented to by the authors and recommends that they be printed and assigned to the committees indicated. It also reports the House Joint Resolution back and recommends that it be assigned to the committee indicated.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted.

INTRODUCTION OF BILLS (Last Day)

Senator Halverson, Rules Committee Chairman, moved that 5:00 p.m., Tuesday, February 10, 1981, be the deadline for introduction of bills without doing so under suspension of the rules. The motion carried.

On motion of Senator Snow, and at 12:00 noon, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Miles 'Cap' Ferry presiding. All senators present except Senator Cornaby (excused).

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 5, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 14,** TAXATION OF CERTAIN MOBILE HOMES, by Senator Barlow, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. No. 14 was signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

* * *

Mr. President: February 4, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House **S.B. No. 85,** UNAUTHORIZED USE OF MUNICIPAL

PROPERTY, by Senator Barton, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, action is to be deferred until Senator Barton is present. **S.B. No. 85** was placed on Third Reading Calendar.

STANDING COMMITTEE REPORT

Mr. President: February 5, 1981

The Agriculture Committee to which was referred **Substitute H.B. No. 124,** INSURANCE DEPARTMENT EXAMINATIONS, by Representative Ray D. Free, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted. **Sub. H.B. No. 124** was read the second time and placed on Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

S.B. No. 127	KINDERGARTEN ENTRANCE DATE (Public Education)
S.B. No. 184	INDEBTEDNESS OF SCHOOL DISTRICT AMENDMENTS (Public Education)

S.B. Nos. 127 and **184** were placed on Second Reading Calendar.

THIRD READING CALENDAR

On motion of Senator Barton, and under suspension of the rules, **S.B. No. 85,** UNAUTHORIZED USE OF MUNICIPAL PROPERTY, was before the Senate. The Senate voted to concur in the House amendments on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Kimball	Snow
Bangerter	Carling	Matheson	Sowards
Barlow	Christensen	Money	Swan
Barton	Farley	Peterson, C.	Wayment
Bennett	Finlinson	Peterson, L.	Mr. President (Ferry)
Black	Flamm	Pugh	
Bullen	Jones	Sandberg	

Absent and not voting were: Senators

Cornaby	Halverson	Jeffs

S.B. No. 85 was transmitted to the House.

CONSENT CALENDAR

H.B. No. 22, IMPROVEMENT DISTRICT BOARD OF EQUALIZATION, was read the third time and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Carling	Kimball	Sandberg
Bangerter	Christensen	Matheson	Snow
Barlow	Farley	Money	Swan
Black	Finlinson	Peterson, C.	Wayment
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)
Bunnell	Jones	Pugh	

Absent and not voting were: Senators

Barton	Cornaby	Jeffs	Sowards
Bennett	Halverson		

H.B. No. 22 was signed by the President in open session of the Senate and returned to the House for further action.

SECOND READING CALENDAR

S.B. No. 120, TRANSFER OF PERSONALIZED LICENSE PLATES, was read the second time. Senator Carling explained the bill.

Mr. President: January 26, 1981

The Transportation and Public Safety Committee, to which was referred **S.B. No. 120,** TRANSFER OF PERSONALIZED LICENSE PLATES, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Kimball	Snow
Bangerter	Carling	Matheson	Swan
Barlow	Farley	Money	Wayment
Barton	Finlinson	Peterson, C.	Mr. President (Ferry)
Bennett	Flamm	Peterson, L.	

Black	Jeffs	Pugh	
Bullen	Jones	Sandberg	

Absent and not voting were: Senators

Christensen	Cornaby	Halverson	Sowards

* * *

On motion of Senator Bullen, **S.B. No. 115,** LEGISLATORS' RETIREMENT, was uncircled and before the Senate. Senator Bullen, Bunnell and Swan commented.

On motion of Senator Bullen, **S.B. No. 115** was amended as follows:

Page 2, Line 8:
delete the previous amendment after the comma *"and shall be deemed not to be retroactive"*

Page 2, Line 10:
after *"system"* delete the period and insert *"; but pension benefits shall not be paid on a retroactive basis."*

Page 3, Line 9:
delete *"2"* and insert in lieu thereof *"1"*

S.B. No. 115 passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Matheson	Snow
Bangerter	Farley	Money	Sowards
Barlow	Finlinson	Peterson, C.	Swan
Black	Flamm	Peterson, L.	Wayment
Bullen	Jeffs	Pugh	Mr. President (Ferry)
Bunnell	Kimball	Sandberg	

Voting in the negative was: Senator
Barton

Absent and not voting were: Senators

Bennett	Cornaby	Halverson	Jones
Christensen			

* * *

S.B. No. 136, PUBLIC TRANSIT ACT AMENDMENTS, was read the second time. Senator Finlinson and Bennett commented.

Mr. President: January 26, 1981
The Transportation and Public Safety Committee, to which was referred **S.B. No. 136,**

PUBLIC TRANSIT ACT AMENDMENTS, by Senator Fred W. Finlinson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Carling	Jones	Sandberg
Barlow	Christensen	Kimball	Snow
Barton	Farley	Matheson	Sowards
Bennett	Finlinson	Money	Swan
Black	Flamm	Peterson, C.	Wayment
Bunnell	Jeffs	Pugh	Mr. President (Ferry)

Absent and not voting were: Senators

Asay	Cornaby	Halverson	Peterson, L.
Bullen			

* * *

S.B. No. 113, USE OF CORPORATION NAMES, was read the second time. Senator Carling explained the bill.

Mr. President: January 27, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 113,** USE OF CORPORATION NAMES, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Carling	Jones	Snow
Barlow	Christensen	Matheson	Swan
Barton	Farley	Money	Mr. President (Ferry)
Bennett	Finlinson	Peterson, C.	
Black	Flamm	Pugh	
Bunnell	Jeffs	Sandberg	

Absent and not voting were: Senators

Asay	Cornaby	Kimball	Sowards
Bullen	Halverson	Peterson, L.	Wayment

* * *

S.B. No. 56, PEACE OFFICERS' AMENDMENTS, was read the second time. Senator Jeffs explained the bill.

Mr. President: January 27, 1981

The Social Services Committee to which was referred **S.B. No. 56,** PEACE OFFICERS' AMENDMENTS, by Senator K.S. Cornaby has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted. On motion of Senator Jeffs, **Sub. S.B. No. 56** replaced the original bill and it passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Bunnell	Jeffs	Sandberg
Barlow	Carling	Jones	Snow
Barton	Christensen	Kimball	Sowards
Bennett	Farley	Matheson	Swan
Black	Flamm	Money	Wayment
Bullen	Halverson	Peterson, C.	Mr. President (Ferry)

Absent and not voting were: Senators

Asay	Finlinson	Peterson, L.	Pugh
Cornaby			

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S.B. No. 123, MX IMPACT PLANNING ACT, was read the second time. Senator Farley explained the bill.

Mr. President: January 27, 1981

The Energy and Natural Resources Committee, to which was referred **S.B. No. 123,** MX IMPACT PLANNING ACT, by Senator Frances Farley et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Fred W. Finlinson, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 23; Nays, 2; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Kimball	Snow
Bangerter	Carling	Matheson	Sowards
Barlow	Christensen	Money	Swan
Barton	Farley	Peterson, C.	Wayment
Bennett	Flamm	Peterson, L.	Mr. President (Ferry)
Bullen	Jeffs	Sandberg	

Voting in the negative were: Senators

Halverson	Jones		

Absent and not voting were: Senators

Black	Cornaby	Finlinson	Pugh

COMMUNICATION FROM THE HOUSE

Mr. President: February 5, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House **S.B. No. 64,** ADDITIONAL OPTIONAL FORM FOR COUNTY GOVERNMENT, by Senator Cornaby, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jones	Snow
Bangerter	Christensen	Kimball	Sowards
Barlow	Farley	Matheson	Swan
Barton	Finlinson	Money	Wayment
Bennett	Flamm	Peterson, C.	Mr. President (Ferry)
Bullen	Halverson	Peterson, L.	
Bunnell	Jeffs	Sandberg	

Absent and not voting were: Senators

Black	Cornaby	Pugh

S.B. No. 64 was returned to the House.

SECOND READING CALENDAR

S.B. No. 104, SALES TAX ON HEARING AIDS, was read the second time. Senator Barton explained the bill.

Mr. President: January 27, 1981

The Revenue and Taxation Committee, to which was referred **S.B. No. 104,** SALES TAX ON HEARING AIDS, by Senator William T. Barton, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Charles W. Bullen, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 21; Nays, 6; Absent, 2

Voting in the affirmative were: Senators

Asay	Bullen	Halverson	Sowards
Bangerter	Bunnell	Kimball	Swan
Barlow	Christensen	Matheson	Mr. President (Ferry)
Barton	Farley	Money	
Bennett	Finlinson	Peterson, C.	
Black	Flamm	Peterson, L.	

Voting in the negative were: Senators

Carling	Jones	Snow	Wayment
Jeffs	Sandberg		

Absent and not voting were: Senators

Cornaby	Pugh

* * *

S.B. No. 138, SIGNAL LIGHTS — VOLUNTEER FIREMEN, was read the second time. Senators Bangerter, Black, Carling, Sandberg, Christensen and Sowards commented.

Mr. President: January 28, 1981

The Transportation and Public Safety Committee, to which was referred **S.B. No. 138,** SIGNAL LIGHTS — VOLUNTEER FIREMEN, by Senator Jack M. Bangerter et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted. Senator Black proposed amendments which failed.

On motion of Senator Black, **S.B. No. 138** was amended as follows:

Page 2, after Line 24:
Insert *"(6) It is a misdemeanor for any person to do any act forbidden or fail to perform any act required in this section."*

S.B. No. 138 passed on the following roll call:

Yeas, 20; Nays, 6; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Kimball	Snow
Bangerter	Finlinson	Matheson	Sowards
Barlow	Flamm	Money	Swan
Bennett	Jeffs	Peterson, C.	Wayment
Bullen	Jones	Sandberg	Mr. President (Ferry)

Voting in the negative were: Senators

Black	Christensen	Peterson, L.	Pugh
Bunnell	Farley		

Absent and not voting were: Senators

Barton	Cornaby	Halverson

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S.B. No. 130, BOARD OF REGENTS INCREASE, was read the second time. Senators C. Peterson, Swan, Finlinson, Snow, Black and Carling commented.

Mr. President: January 28, 1981

The Higher Education Committee, to which was referred **S.B. No. 130,** BOARD OF REGENTS INCREASE, by Senator Cary Peterson et al, has carefully considered the bill and reports it out of committee favorably and with the following amendment:

Page 1, Line 29:
Delete *"and the lieutenant governor"*

Lowell S. Peterson, Committee Chairman

Committee report, as amended, read and adopted. On motion of Senator Black, **S.B. No. 130** was amended as follows:

Page 2, Line 18:
delete *"each"* and insert in lieu thereof
"either"

S.B. No. 130 passed on the following roll call:

Yeas, 23; Nays, 3; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Kimball	Snow
Bangerter	Christensen	Matheson	Sowards
Barlow	Farley	Peterson, C.	Swan
Barton	Flamm	Peterson, L.	Wayment
Bennett	Jeffs	Pugh	Mr. President (Ferry)
Bullen	Jones	Sandberg	

Voting in the negative were: Senators

Carling	Finlinson	Money

Absent and not voting were: Senators

Black	Cornaby	Halverson

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On motion of Senator Snow, and under suspension of the rules, **S.B. No. 63,** HEALTH INSURANCE COMPETITION AND DISCRIMINATION, and **S.B. No. 77,** HEALTH MAINTENANCE ORGANIZATIONS AMENDMENTS, were uncircled.

* * *

On motion of Senator Bunnell, and under suspension of the rules, **S.B. No. 81,** SOCIAL

WORK LICENSING AMENDMENTS, was uncircled and replaced on Third Reading Table.

On motion of Senator Snow, and at 3:30 p.m., the Senate adjourned until 10:00 a.m., Friday, February 6, 1981.

TWENTY-SIXTH DAY

MORNING SESSION

The Senate was called to order at 10:10 a.m. with President Miles 'Cap' Ferry in the chair.

Roll Call All senators present except Senators Farley, Swan, Sowards and Finlinson who are attending a meeting of the NCSL in Phoenix, Arizona, and Senators Kimball and Matheson (excused).

Prayer — Senator A. Dean Jeffs (Utah, Dist 15).

COMMITTEE ON THE REVISION OF THE JOURNAL

Mr. President: February 6, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 5, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate **S.B. No. 76,** ANIMAL DISEASE INVESTIGATIONS, by Senator L. Peterson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate, **S.B. No. 43,** GEOTHERMAL RESOURCE CONSERVATION ACT, by Senator Finlinson, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. Nos. 76 and **43** were signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

* * *

Mr. President: February 5, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House **S.B. No. 28,** REGULATION OF CONTRACTORS, PLUMBERS, AND ELECTRICIANS, by Senator Christensen, et al, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Christensen, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Black	Halverson	Pugh
Bangerter	Bullen	Jeffs	Sandberg
Barlow	Bunnell	Money	Snow
Barton	Carling	Peterson, C.	Wayment
Bennett	Cornaby	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Christensen	Flamm	Kimball	Sowards
Farley	Jones	Matheson	Swan
Finlinson			

S.B. No. 28 is reconsidered.

INTRODUCTION OF BILLS

TITLE INSURANCE RATES

S.B. No. 218 Wayne L. Sandberg

AN ACT RELATING TO TITLE INSURANCE; PROVIDING AN EXCEPTION TO RATE CONTROL AND FILINGS; PROVIDING FOR THE PUBLICATION AND DISSEMINATION OF TITLE INSURANCE RATES TO THE PUBLIC; AND PROVIDING FOR VARIATIONS IN TITLE INSURANCE RATES. THIS ACT AMENDS SECTION 31-18-3, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 52, LAWS OF UTAH 1973; AND ENACTS SECTION 31-25-17, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

CONDEMNATION AMENDMENTS

S.B. No. 219 Senators Wayment, Halverson

AN ACT RELATING TO THE USES FOR WHICH THE RIGHT OF EMINENT DOMAIN MAY BE EXERCISED; CLARIFYING THE RIGHT OF NATURAL GAS COMPANIES TO CON-

DEMN STORAGE AREAS. THIS ACT AMENDS SECTION 78-34-1, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 206, LAWS OF UTAH 1973, was read the first time and referred to Rules Committee.

WORKMAN'S COMPENSATION
TIME LIMITATIONS AND DEFINITIONS

S.B. No. 220 Arnold Christensen

AN ACT AMENDING SECTIONS 35-1-44 (6), 35-1-99, AND 35-1-100, UTAH CODE ANNOTATED 1953, RELATING TO THE DEFINITIONS TO BE APPLIED UNDER TITLE 35; NOTICE OF INJURY AND CLAIM FOR COMPENSATION; LIMITATION OF ACTION; NOTICE OF ACCIDENT; DUTY OF EMPLOYEE TO FILE WITH COMMISSION; COPY TO EMPLOYER; TIME LIMITATION; AND JURISDICTION OF COMMISSION, was read the first time and referred to Rules Committee.

STATE VETERANS' CEMETERY

S.B. No. 221 Senators Black, Swan, Farley
Kimball, Sowards, Snow
Bangerter, Asay

AN ACT RELATING TO VETERANS' CEMETERIES; AUTHORIZING THE DIVISION OF PARKS AND RECREATION TO INVESTIGATE THE "STATE VETERANS' CEMETERY PROGRAM" AND TAKE STEPS TO IMPLEMENT IT IF FEASIBLE. THIS ACT ENACTS SECTION 71-7-3, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

VEHICLE REGISTRATION FEE INCREASE

S.B. No. 222 Wayne L. Sandberg

AN ACT RELATING TO MOTOR VEHICLE REGISTRATION; INCREASING MOTOR VEHICLE REGISTRATION FEES $5.00; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 41-1-127, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 45, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

DRIVERS' LICENSE FEES

S.B. No. 223 Wayne L. Sandberg

AN ACT RELATING TO DRIVERS' LICENSE FEES; INCREASING FEES FOR ISSUING AND RENEWING DRIVERS' LICENSES AND IDENTIFICATION CARDS; AND INCREASING THE FEE FOR RETURNED CHECKS. THIS ACT AMENDS SECTION 32-9-4, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 83, LAWS OF UTAH 1969, SEC-

TION 41-2-5, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 156, LAWS OF UTAH 1979, SECTION 41-2-8, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 45, LAWS OF UTAH 1980, SECTION 41-2-11.5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPER 169, LAWS OF UTAH 1977, SECTIONS 41-2-12.1 AND 41-2-14, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 82, LAWS OF UTAH 1967, AND SECTION 41-2-16, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 46, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

MOTOR VEHICLE SAFETY RESPONSIBILITY

S.B. No. 224 Senators Kimball, Flamm

AN ACT RELATING TO THE MOTOR VEHICLE SAFETY RESPONSIBILITY ACT; INCREASING THE MINIMUM LIMITS FOR PROOF OF FINANCIAL RESPONSIBILITY IN RESPECT TO BODILY INJURY OR DEATH RESULTING FROM A MOTOR VEHICLE ACCIDENT; AND PROVIDING FOR CERTAIN SINGLE LIMIT INSURANCE COVERAGE. THIS ACT AMENDS SECTIONS 41-12-1 AND 41-12-5, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 91, LAWS OF UTAH 1973, was read the first time and referred to Rules Committee.

BIG GAME DAMAGE RESTRICTION

S.B. No. 225 Arnold Christensen

AN ACT RELATING TO WILDLIFE RESOURCES; PROVIDING FOR A RESTRICTION ON OWNERS OF CROPS THAT ACCEPT PAYMENTS UNDER THIS SECTION. THIS ACT AMENDS SECTION 23-16-4, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 101, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

* * *

At the request of Senator Wayment, the Senate agreed to allow him to remove his name as co-sponsor on **S.B. No. 123,** MX IMPACT PLANNING ACT.

* * *

S.B. No. 2, BUSINESS OPPORTUNITY DISCLOSURE DOCUMENTS. On motion of Senator Cornaby, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Black	Flamm	Pugh
Bangerter	Bullen	Halverson	Sandberg
Barlow	Bunnell	Jeffs	Snow

Barton	Carling	Money	Wayment
Bennett	Cornaby	Peterson, C.	Mr. President (Ferry)

Absent and not voting were: Senators

Christensen	Jones	Matheson	Sowards
Farley	Kimball	Peterson, L.	Swan
Finlinson			

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

* * *

On motion of Senator Cornaby, **S.B. No. 77,** HEALTH MAINTENANCE ORGANIZATION AMENDMENTS, was circled.

* * *

H.B. No. 43, RESTITUTION BY CRIMINALS, was read the third time and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Snow
Bangerter	Bunnell	Money	Wayment
Barlow	Carling	Peterson, C.	Mr. President (Ferry)
Barton	Cornaby	Peterson, L.	
Bennett	Flamm	Pugh	
Black	Halverson	Sandberg	

Absent and not voting were: Senators

Christensen	Finlinson	Kimball	Sowards
Farley	Jones	Matheson	Swan

H.B. No. 43, as amended was returned to the House.

* * *

On motion of Senator Wayment, **S.B. No. 23,** CEMETERY AND FIRE COMMISSIONER APPOINTMENTS, was read the third time and circled.

* * *

S.B. No. 36, JUSTICE OF PEACE PRECINCTS, was read the third time and passed on the following roll call:

Yeas, 19; Nays, 2; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Bullen	Halverson	Sandberg
Barlow	Bunnell	Jones	Snow

Barton	Carling	Money	Wayment
Bennett	Cornaby	Peterson, C.	Mr. President (Ferry)
Black	Flamm	Pugh	

Voting in the negative were: Senators

Jeffs	Peterson, L.

Absent and not voting were: Senators

Asay	Farley	Kimball	Sowards
Christensen	Finlinson	Matheson	Swan

S.B. No. 36 was transmitted to the House.

* * *

S.B. No. 38, ELECTION REGISTRATION AMENDMENTS, was read the third time and passed on the following roll call:

Yeas, 20; Nays, 2; Absent, 7

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Pugh
Bangerter	Carling	Jones	Sandberg
Barlow	Cornaby	Money	Snow
Barton	Flamm	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Bennett	Black

Absent and not voting were: Senators

Christensen	Finlinson	Matheson	Swan
Farley	Kimball	Sowards	

S.B. No. 38 was transmitted to the House.

* * *

S.B. No. 115, LEGISLATORS' RETIREMENT, was read the third time and passed on the following roll call:

Yeas, 20; Nays, 2; Absent, 7

Voting in the affirmative were: Senators

Asay	Bullen	Halverson	Peterson, L.
Bangerter	Bunnell	Jeffs	Pugh
Barlow	Carling	Jones	Sandberg
Barton	Christensen	Money	Wayment
Black	Cornaby	Peterson, C.	Mr. President (Ferry)

Voting in the negative were: Senators

Bennett	Flamm		

Absent and not voting were: Senators

Farley	Kimball	Snow	Swan
Finlinson	Matheson	Sowards	

S.B. No. 115 was transmitted to the House.

* * *

On motion of Senator Halverson, **S.B. No. 23,** CEMETERY AND FIRE COMMISSIONER APPOINTMENTS, was uncircled and before the Senate. **S.B. No. 23** passed on the following roll call:

Yeas, 20; Nays, 2; Absent, 7

Voting in the affirmative were: Senators

Asay	Black	Cornaby	Peterson, C.
Bangerter	Bullen	Flamm	Peterson, L.
Barlow	Bunnell	Halverson	Pugh
Barton	Carling	Jeffs	Snow
Bennett	Christensen	Jones	Mr. President (Ferry)

Voting in the negative were: Senators

Money	Wayment

Absent and not voting were: Senators

Farley	Kimball	Sandberg	Swan
Finlinson	Matheson	Sowards	

S.B. No. 23 was transmitted to the House.

* * *

S.B. No. 120, TRANSFER OF PERSONALIZED LICENSE PLATES, was read the third time and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Bullen	Halverson	Pugh
Bangerter	Bunnell	Jeffs	Snow
Barlow	Carling	Jones	Wayment
Barton	Christensen	Money	Mr. President (Ferry)
Bennett	Cornaby	Peterson, C.	
Black	Flamm	Peterson, L.	

Absent and not voting were: Senators

Farley	Kimball	Sandberg	Swan
Finlinson	Matheson	Sowards	

S.B. No. 120 was transmitted to the House.

* * *

S.B. No. 136, PUBLIC TRANSIT ACT AMENDMENTS, was read the third time and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Black	Cornaby	Money
Bangerter	Bullen	Flamm	Peterson, C.
Barlow	Bunnell	Halverson	Peterson, L.
Barton	Carling	Jeffs	Snow
Bennett	Christensen	Jones	Mr. President (Ferry)

Absent and not voting were: Senators

Farley	Matheson	Sandberg	Swan
Finlinson	Pugh	Sowards	Wayment
Kimball			

S.B. No. 136 was transmitted to the House.

* * *

S.B. No. 113, USE OF CORPORATION NAMES, was read the third time and on motion of Senator Cornaby, **S.B. No. 113** was amended as follows:

Page 2, Line 6:
After *"words"* delete the period and insert
"; provided, however, this subsection shall not apply to corporations organized and existing under the laws of this state on May 11, 1981, nor to any restatement of or amendment to the articles of such existing corporations."

Page 2, Line 29:
After *"act."* insert
"Furthermore, this subsection shall not apply to any limited partnership, organized or qualified pursuant to the provisions of the Limited Partnership Act, which desires to use the words "limited partnership," after the name of the limited partnership."

S.B. No. 113 passed third reading on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Bullen	Halverson	Snow
Bangerter	Bunnell	Jeffs	Wayment
Barlow	Carling	Jones	Mr. President (Ferry)
Barton	Christensen	Money	
Bennette	Cornaby	Peterson, C.	
Black	Flamm	Peterson, L.	

Absent and not voting were: Senators

Farley	Kimball	Pugh	Sowards
Finlinson	Matheson	Sandberg	Swan

S.B. No. 113 was transmitted to the House.

* * *

Sub. S.B. No. 56, PEACE OFFICERS' AMENDMENTS, was read the third time and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Black	Cornaby	Peterson, C.
Bangerter	Bullen	Flamm	Petersonm, L.
Barlow	Bunnell	Jeffs	Snow
Barton	Carling	Jones	Wayment
Bennett	Christensen	Money	Mr. President (Ferry)

Absent and not voting were: Senators

Farley	Kimball	Pugh	Sowards
Finlinson	Matheson	Sandberg	Swan
Halverson			

Sub. S.B. No. 56 was transmitted to the House.

* * *

S.B. No. 123, MX IMPACT PLANNING ACT, was read the third time and passed on the following roll call:

Yeas, 17; Nays, 3; Absent, 9

Voting in the affirmative were: Senators

Asay	Black	Cornaby	Snow
Bangerter	Bullen	Flamm	Mr. President (Ferry)
Barlow	Bunnell	Money	
Barton	Carling	Peterson, C.	
Bennett	Christensen	Peterson, L.	

Voting in the negative were: Senators

Jeffs	Jones	Wayment	

Absent and not voting were: Senators

Farley	Kimball	Pugh	Sowards
Finlinson	Matheson	Sandberg	Swan
Halverson			

S.B. No. 123 was transmitted to the House.

* * *

S.B. No. 104, SALES TAX ON HEARING AIDS, was read the third time and passed on the following roll call:

Yeas, 15; Nays, 6; Absent, 8

Voting in the affirmative were: Senators

Asay	Black	Cornaby	Peterson, C.
Barlow	Bullen	Flamm	Sandberg
Barton	Bunnell	Halverson	Mr. President (Ferry)
Bennett	Christensen	Money	

Voting in the negative were: Senators

Bangerter	Jeffs	Peterson, L.	Snow
Carling	Jones		

Absent and not voting were: Senators

Farley	Kimball	Pugh	Swan
Finlinson	Matheson	Sowards	Wayment

S.B. No. 104 was transmitted to the House.

* * *

S.B. No. 138, SIGNAL LIGHTS — VOLUNTEER FIREMEN, was read the third time. Senators Bangerter, Black, Carling, Christensen and Bunnell commented. **S.B. No. 138** passed on the following roll call:

Yeas, 18; Nays, 4; Absent, 7

Voting in the affirmative were: Senators

Asay	Bullen	Halverson	Snow
Bangerter	Bunnell	Jeffs	Wayment
Barlow	Carling	Jones	Mr. President (Ferry)
Barton	Cornaby	Peterson, C.	
Bennett	Flamm	Sandberg	

Voting in the negative were: Senators

Black	Christensen	Money	Peterson, L.

Absent and not voting were: Senators

Farley	Kimball	Pugh	Swan
Finlinson	Matheson	Sowards	

S.B. No. 138 was transmitted to the House.

* * *

S.B. No. 130, BOARD OF REGENTS INCREASE, was read the third time and passed on the following roll call:

Yeas, 18; Nays, 4; Absent, 7

Voting in the affirmative were: Senators

Asay	Black	Jeffs	Snow
Bangerter	Bullen	Jones	Wayment
Barlow	Bunnell	Peterson, C.	Mr. President (Ferry)
Barton	Christensen	Peterson, L.	
Bennett	Flamm	Sandberg	

Voting in the negative were: Senators

Carling	Cornaby	Halverson	Money

Absent and not voting were: Senators

Farley	Kimball	Pugh	Swan
Finlinson	Matheson	Sowards	

S.B. No. 130 was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator Cornaby, **S.B. No. 63,** HEALTH INSURANCE COMPETITION AND DISCRIMINATIONS, was circled.

* * *

S.B. No. 32, CASUAL MEETINGS OF PUBLIC BODIES, was read the second time. Senators L. Peterson, Bunnell and Black commented.

Mr. President: January 28, 1981

The Higher Education Committee, to which was referred **S.B. No. 32,** CASUAL MEETINGS OF PUBLIC BODIES, by Senator Lowell S. Peterson, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 4:
Delete *"CASUAL"*

Page 1, Line 11:
Delete *"CASUAL"* and insert in lieu thereof *"CERTAIN"*

Page 1, Lines 25 through 27:
Delete all underlined language and insert a period after *"meetings"*

Page 2, Line 11:
After *"law"* insert *", but a quorum does not include a meeting of two elected officials by themselves when no action, either formal or informal, is taken on a subject over which these elected officials have jurisdiction"*

Lowell S. Peterson, Committee Chairman

Committee report, as amended, read and adopted and passed on the following roll call:

Yes, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Asay	Black	Flamm	Peterson, C.
Bangerter	Bullen	Halverson	Peterson, L.
Barlow	Bunnell	Jeffs	Wayment
Barton	Christensen	Jones	Mr. President (Ferry)
Bennett	Cornaby	Money	

Absent and not voting were: Senators

Carling	Kimball	Sandberg	Swan
Farley	Matheson	Snow	
Finlinson	Pugh	Sowards	

* * *

S.B. No. 126, MUNICIPAL OFFICERS' ETHICS, was read the second time. Senator Bennett is presiding. Senators Bunnell and Jeffs commented.

Mr. President: January 28, 1981

The State and Local Affairs Committee to which was referred **S.B. No. 126,** MUNICIPAL OFFICERS' ETHICS, by Senator Omar B. Bunnell, et. al., has carefully considered the bill and reports it out of committee with a favorable recommendation.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 18; Nays, 1; Absent, 10

Voting in the affirmative were: Senators

Bangerter	Bullen	Halverson	Snow
Barlow	Bunnell	Jones	Wayment
Barton	Christensen	Money	Mr. President (Ferry)
Bennett	Cornaby	Peterson, C.	
Black	Flamm	Sandberg	

Voting in the negative was: Senator Jeffs

Absent and not voting were: Senators

Asay	Finlinson	Peterson, L.	Swan
Carling	Kimball	Pugh	
Farley	Matheson	Sowards	

* * *

On motion of Senator Halverson, the Senate voted to reconsider its action on **S.B. No. 28,** REGULATION OF CONTRACTORS, PLUMBERS AND ELECTRICIANS, and further to not concur in the House amendments and to ask the House to recede from the amendments.

S.B. No. 28 was returned to the House.

* * *

S.B. No. 135, COMPLIANCE WITH COUNTY PLANS. was read the second time.

Mr. President: January 28, 1981

The State and Local Affairs Committee to which was referred **S.B. No. 135,** COMPLIANCE WITH COUNTY PLANS, by Senator Glade M. Sowards, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted and on motion of Senator Snow, the bill was circled.

* * *

S.B. No. 102, TENANTS' RENT DEPOSITS, was read the second time.

Mr. President: January 27, 1981

The Judiciary Committee, to which was referred **S.B. No. 102,** TENANTS' RENT DEPOSITS, by Senator William T. "Bill" Barton, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Delete lines 15 through 23 and insert in lieu thereof:

"Section 1. Landlords requiring deposits however denominated from tenants leasing or renting residential dwelling units shall either return those deposits at the termination of the tenancy or provide the tenant with written notice explaining why any deposit refundable under the terms of the lease or rental agreement is being retained.

Section 2. If there is a written agreement and if any part of the deposit is to be made non-refundable, it must be so stated in writing to the tenant at the time the deposit is taken by the landlord."

Page 1, Line 26: Delete *"unit"* and insert in lieu thereof *"premises"*

Page 1, Line 27: After *"tear,"* insert *"other costs provided for in the contract"*

Page 1, Line 30: Delete *"15"* and insert *"30"*

Page 2, Delete Lines 5 through 7 and renumber remaining sub-section.

A. Dean Jeffs, Committee Chairman

Committee report, as amended, read and adopted and the bill passed on the following roll call:

Yeas, 16; Nays, 5; Absent 8

Voting in the affirmative were: Senators

Asay	Bennett	Cornaby	Sandberg
Bangerter	Black	Flamm	Snow
Barlow	Bullen	Peterson, C.	Wayment
Barton	Carling	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Christensen	Jeffs	Jones	Money
Halverson			

Absent and not voting were: Senators

Bunnell	Finlinson	Matheson	Sowards
Farley	Kimball	Pugh	Swan

* * *

S.B. No. 103, MAINTENANCE OF LEASED PREMISES, was read the second time. Senators Barton, Jones, Black, Bunnell and Wayment commented.

Mr. President: January 27, 1981

The Judiciary Committee, to which was referred **S.B. No. 103,** MAINTENANCE OF LEASED PREMISES, by Senator William T. "Bill" Barton, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 22: After *"shall"* delete the colon and insert *"make a diligent effort to:"*

Page 1, Line 24: After *"affect"* insert *"physical"*

Page 1, Lines 29-30: Delete *"as"* and *"a"* and *"as such fixtures permit"* to read as follows: *"Maintain all plumbing fixtures in sanitary condition;"*

Page 2, Line 8: Delete *"unreasonably"* and after *"occupants"* delete the period and insert *"above that specified in the rental contract."*

Page 2, Line 9: After *"shall"* delete the colon and insert *"make a diligent effort to:"*

Page 2, Line 13: After *"condition;"* insert *"however, owners shall not have the duty to repair or remedy a condition which is caused by the renter or guests."*

Page 2, Line 20: Delete *"and convenient"*

Page 2, After Line 32 insert:
"This act shall not extend to breakages, mulfunctions or other conditions which do not materially affect the physical health or safety of an ordinary renter."

A. Dean Jeffs, Committee Chairman

Committee report, as amended, read and adopted. On motion of Senator Jones **S.B. No. 103** was amended as follows:

Page 2, Lines 20, 21, 22 and 23 delete entirely.

Page 2, Line 24: delete *"6"* and insert in lieu thereof *"5"*

S.B. No. 103 passed on the following roll call:

Yeas, 19; Nays, 2; Absent, 8

Voting in the affirmative were: Senators

Asay	Black	Jones	Sandberg
Bangerter	Bullen	Money	Snow
Barlow	Bunnell	Peterson, C.	Wayment
Barton	Cornaby	Peterson, L.	Mr. President (Ferry)
Bennett	Flamm	Pugh	

Voting in the negative were: Senators

Christensen	Jeffs

Absent and not voting were: Senators

Carling	Finlinson	Kimball	Sowards
Farley	Halverson	Matheson	Swan

* * *

S.B. No. 128, OWNER-TENANT REMEDIES, was read the second time. Senators Barlow, Bennett and Jones commented.

Mr. President: January 27, 1981

The Judiciary Committee, to which was referred **S.B. No. 128,** OWNER-TENANT REMEDIES, by Senator Haven J. Barlow, has carefully considered the bill the reports it out of committee favorably and with the following amendments:

Page 4, Line 2: After *"registered"* insert *"or certified"*

Page 4, Line 24: After *"cash bond,"* insert *"property bond,"*

Page 4, Line 33: After *"notice"* insert *"explaining the alternative remedies available to the defendant"*

Page 5, After Line 3 insert
"(1) The defendant may pay accrued rent, late fee, if any, and costs, and the existing contract shall remain in force;" and renumber remaining sub-sections.

Page 5, Line 6: After *"cash bond,"* insert *"property bond,"*

Page 5, Line 12: After *"suit and"* insert *"actual"*
Page 5, Line 13: After *"defendant"* delete the semi-colon, add a period and insert *"The court will consider pre-paid rent to the owner as a portion of the defendant's total bond;"*

Page 5, Line 30: Delete *"immediately"* and insert in lieu thereof *"promptly"*

Page 7, Line 25: Delete *"10"* and insert in lieu thereof *"15"*

A. Dean Jeffs, Committee Chairman

Committee report, as amended, read and adopted and the bill passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Bangerter	Bullen	Flamm	Pugh
Barlow	Bunnell	Jeffs	Sandberg
Barton	Carling	Jones	Snow
Bennett	Christensen	Money	Wayment
Black	Cornaby	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Asay	Halverson	Matheson	Sowards
Farley	Kimball	Peterson, C.	Swan
Finlinson			

* * *

S.B. No. 95, MEDICAL PRACTICES ACT REVISION, was read the second time. Senators Carling, Jones and Bunnell commented.

Mr. President: January 29, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 95,** MEDICAL PRACTICES ACT REVISION, by Senator Richard Carling, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted On motion of Senator Carling, **S.B. No. 95** was amended as follows:

Page 17, Line 30: Delete *"administrator"* and insert in lieu thereof *"board"*

S.B. No. 95 passed on the following roll call:

Yeas, 21; Nays, 0; Absent 8

Voting in the affirmative were: Senators

Bangerter	Carling	Jeffs	Pugh
Barlow	Christensen	Jones	Sandberg
Barton	Cornaby	Money	Snow
Black	Flamm	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)
Bunnell			

Absent and not voting were: Senators

Asay	Farley	Kimball	Sowards
Bennett	Finlinson	Matheson	Swan

SECRETARY OF THE SENATE REPORT

Committee reports have been received on the following bills:

H.B. No. 17	ALTERNATIVE MORTGAGE INSTRUMENTS (Business Labor and Economic Development)
S.B. No. 97	ANATOMICAL GIFT ACT AMENDMENTS (Social Services)
S.B. No. 121	EDUCATION OF YOUTH IN CUSTODY (Social Services)
S.B. No. 126	RESIDENTIAL FACILITY ZONING LIMITATION (State and Local Affairs)
S.B. No. 148	CONDEMNED PROPERTY USES (State and Local Affairs)
S.B. No. 159	COUNTY SURVEYOR — COUNTY ENGINEER (State and Local Affairs)
S.B. No. 162	TAX FORMS ELIMINATION (Revenue and Taxation)

H.B. No. 17 and **S.B. Nos. 97, 121, 126, 148, 159** and **162** were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President: February 5, 1981

The State and Local Affairs Committee, to which was referred **H.B. No. 77,** MUNICIPAL FINANCIAL REPORTS, by Representative Paul F. Mecham, has carefully considered the bill and reports it out of committee favorably and asks that it be placed on the Consent Calendar, and

The State and Local Affairs Committee, to which was referred **H.B. No. 95,** MUNICIPAL FINANCES REPORTING, by Representative Paul F. Mechan, has carefully considered the bill

and reports it out of committee favorably and asks that it be placed on the Consent Calendar, and

The State and Local Affairs Committee, to which was referred **H.B. No. 99,** POLITICAL CONVENTION AMENDMENTS, by Representative Beverly J. White, has carefully considered the bill and reports it out of committee favorably and asks that it be placed on the Consent Calendar.

Bryce C. Flamm, Committee Chairman

H.B. Nos. 77, 95 and **99** were read the second time and placed on Consent Calendar.

RULES COMMITTEE REPORT

Mr. President: February 6, 1981

Your Rules Committee, to which were referred:

S.B. No. 139	REORGANIZATION OF NATURAL RESOURCE AND ENERGY FUNCTIONS (Energy and Natural Resources)
S.B. No. 150	ONE LICENSE PLATE (Transportation and Public Safety)
S.B. No. 169	COUNCIL ON SCIENCE AND TECHNOLOGY (Energy and Natural Resources)
S.B. No. 170	PREPAYMENT OF PROPERTY TAXES TO MITIGATE IMPACT OF DEVELOPMENT (Revenue and Taxation)
S.B. No. 185	TAX EQUIVALENT PROPERTY (Revenue and Taxation)
S.B. No. 186	WATER CONSERVANCY DISTRICT BONDS (Energy and Natural Resources)
S.B. No. 187	WORKMEN'S COMPENSATION MODIFICATIONS (Business, Labor and Economic Development)
S.B. No. 189	JUVENILES TRIED AS ADULTS (Judiciary)
S.B. No. 190	SCHOOL BUILDING CONSTRUCTION REQUIREMENTS (Public Education)
S.B. No. 193	CONDOMINIUM RECORDINGS (State and Local Affairs)
S.B. No. 197	MORONI L. JENSEN STATE HOUSE FELLOWS PROGRAM (State and Local Affairs)
S.B. No. 200	MOTOR FUEL MARKETING (Agriculture)

reports the same back with a few minor changes assented to by the authors and recommends that they be printed and assigned to the committees indicated.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted.

* * *

On motion of Senator Snow, and under suspension of the rules, **S.B. No. 63,** HEALTH INSURANCE COMPETITION AND DISCRIMINATION, and **S.B. No. 135,** COMPLIANCE WITH COUNTY PLANS, and **S.B. No. 77,** HEALTH MAINTENANCE ORGANIZATIONS AMENDMENTS, were uncircled.

On motion of Senator Snow and at 12:00 noon, the Senate adjourned until 10:00 a.m., Monday, February 9, 1981.

TWENTY-NINTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Miles 'Cap' Ferry in the chair.

Roll Call — All senators present.

Prayer — Senator Ivan Matheson (Beaver, Washington, Garfield, Iron, Kane, Dist. 29).

COMMITTEE ON REVISION OF JOURNAL

Mr. President: February 9, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

VISITORS FROM NIGERIA

Senator Snow introduced "ALI" (Haliru Aliyu) and "GRACE" (Mrs. M. E. Sule) from NIGERIA. Ali serves as a legislative clerk and Grace as a legislative librarian in Nigeria. They are visiting in Utah and will be observing and participating in Utah's Legislature during the coming week.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 6, 1981

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 2,** BUSINESS OPPORTUNITY DISCLOSURE DOCUMENTS, by Senator Cornaby, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 64,** ADDITIONAL OPTIONAL FORM FOR COUNTY GOVERNMENT, by Senator Cornaby, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 85,** UNAUTHORIZED USE OF MUNICIPAL PROPERTY, by Senator Barton, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. Nos. 2, 64 and 85 were signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

Mr. President: February 6, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 72,** FLOOD CONTROL AMENDMENTS, by Representative Hollingshaus, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 80,** MASS MEETING DATE, by Representative Robert B. Sykes, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 100,** ATTORNEY'S FEES IN CIVIL CASES, by Representative Maxfield, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **Substitute H.B. No. 112,** LIBRARY THEFT, by Representative Bishop, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. Nos. 72, 80, 100 and Sub. H.B. No. 112 were read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

NUISANCES IN MANUFACTURING ACTIVITIES

S.B. No. 226 William T. "Bill" Barton

AN ACT RELATING TO MANUFACTURING FACILITIES; PROVIDING THAT SUCH PLANTS SHALL NOT BE DECLARED NUISANCES BY VIRTURE OF CHANGED CONDITIONS IF THEY HAVE BEEN IN OPERATION FOR MORE THAN THREE YEARS, was read the first time and referred to Rules Committee.

APPRENTICESHIP COUNCIL CHARGES

S.B. No. 227 Senators L. Peterson, Money, Wayment

AN ACT RELATING TO THE APPRENTICE TRAINING PROGRAM; ASSESSING A FEE TO PARTICIPANT APPRENTICES TO AID IN FUNDING THE APPRENTICESHIP COUNCIL SERVICES. THIS ACT AMENDS SECTION 35-8-2, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 58, LAWS OF UTAH 1959, AND ENACTS SECTION 35-8-6A, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

BUSINESS ENTERPRISES FOR VISUALLY HANDICAPPED

S.B. No. 228 Senators Bennett, Flamm, Sowards

AN ACT RELATING TO BUSINESS ENTERPRISES FOR THE VISUALLY HANDICAPPED; PROVIDING FOR PRIORITY RIGHTS TO BLIND PERSONS TO OPERATE VENDING STANDS IN PUBLIC BUILDINGS OR ON PUBLIC PROPERTY; PROVIDING GUIDELINES AND PROCEDURES FOR THE BOARD OF EDUCATION TO ADMINISTER THE PROGRAM; GRANTING THE BOARD AUTHORITY TO IMPLEMENT A VENDING PROGRAM FOR THE BLIND; ESTABLISHING A BUSINESS ENTERPRISES FUND; PROVIDING FOR REVIEW OF REJECTIONS OF BOARD RECOMMENDATIONS; GRANTING THE BOARD AUTHORITY TO CONTRACT WITH PRIVATE PARTIES; PROVIDING GUIDELINES AND POLICIES FOR BLIND OPERATORS OF VENDING STANDS; PROVIDING FOR THE USE OF NONPROFIT CORPORATIONS IN DAY-TO-DAY MANAGEMENT OF THE VENDING PROGRAMS; PROVIDING FOR EXCEPTIONS TO VENDING OPERATIONS IN PUBLIC BUILDINGS; AND PROVIDING A PENALTY, was read the first time and referred to Rules Committee.

KILLING UNBORN CHILD

S.B. No. 229 E. Verl Asay

AN ACT RELATING TO THE DEFINITIONS OF "CRIMINAL HOMICIDE"; AND PROVIDING INCLUSIONS WITHIN THAT DEFINITION FOR UNLAWFULLY CAUSING THE DEATH OF AN UNBORN CHILD. THIS ACT AMENDS SECTION 76-5-201, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 196, LAWS OF UTAH 1973, was read the first time and referred to Rules Committee.

SALARY SURVEY REQUISITES

S.B. No. 230 Senators Sandberg, Jones, Asay, Bangerter, Barlow Barton, Bullen, Bunnell, Carling, Christensen Cornaby, Ferry, Finlinson, Flamm, Halverson Jeffs, Matheson, C. Peterson, L. Peterson Pugh, Sowards, Snow, Swan, Wayment

AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES, MODIFYING PAY PLAN GUIDELINES, PROVIDING NEW CRITERIA AND PRIORITIES FOR AN ANNUAL RATHER THAN BIENNIAL SALARY SURVEY; AND MAKING CERTAIN TECHNICAL CHANGES. THIS ACT AMENDS SECTION 67-19-12, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 139, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

S.B. No. 77, HEALTH MAINTENANCE ORGANIZATIONS AMENDMENTS, was before

the Senator. Senator Cornaby's motion, again, to delete the Halverson amendments relating to the inclusion of chiropractic care, failed. Senators Halverson, Jones, Matheson, Kimball, Black, Pugh and Swan commented.

COMMITTEE OF THE WHOLE

On motion of Senator Halverson, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

Roger Day
Utah Insurance Commissioner

On motion of Senator Halverson, the committee of the Whole was dissolved.

S.B. No. 77 failed third reading on the following roll call:

Yeas, 14; Nays, 11; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Money	Wayment
Bennett	Christensen	Peterson, L.	Mr. President (Ferry)
Black	Halverson	Snow	
Bullen	Matheson	Sowards	

Voting in the negative were: Senators

Bangerter	Farley	Jones	Sandberg
Barlow	Flamm	Kimball	Swan
Cornaby	Jeffs	Pugh	

Absent and not voting were: Senators

Barton	Carling	Finlinson	Peterson, C.

Senator Pugh, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action on **S.B. No. 77** tomorrow.

COMMITTEE OF THE WHOLE

On motion of Senator Snow, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate were:

The Honorable E. J. "Jake" Garn
United States Senator, Utah.

Senator Swan, Bullen, Barlow and Barton commented.

and

The Honorable Orrin Hatch
United States Senator, Utah.

Senator Asay commented and on motion of Senator Snow, the Committee of the Whole was dissolved.

THIRD READING CALENDAR

S.B. No. 32, CASUAL MEETINGS OF PUBLIC BODIES, was read the third time and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Peterson, L.
Bangerter	Christensen	Jones	Pugh
Barton	Cornaby	Kimball	Snow
Bennett	Farley	Matheson	Swan
Black	Flamm	Money	Mr. President (Ferry)
Bullen	Halverson	Peterson, C.	

Absent and not voting were: Senators

Barlow	Finlinson	Sowards	Wayment
Carling	Sandberg		

S.B. No. 32 was transmitted to the House.

* * *

S.B. No. 126, MUNICIPAL OFFICERS ETHICS, was read the third time and will remain as Unfinished Business. Senators Bunnell and Jeffs commented.

COMMITTEE OF THE WHOLE

On motion of Senator Bangerter, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

The Honorable Dan Marriott
United States Representative, Utah

Senator Farley commented and on motion of Senator Snow, the Committee of the Whole was dissolved.

* * *

On motion of Senator Snow, and at 11:50 a.m., the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Miles 'Cap' Ferry presiding.

THIRD READING CALENDAR

On motion of Senator Snow, **S.B. No. 126,** MUNICIPAL OFFICERS ETHICS, was circled.

* * *

S.B. No. 102, TENANTS' RENT DEPOSITS, was read the third time and passed on the following roll call:

Yeas, 22; Nays, 4; Absent, 3

Voting in the affirmative were: Senators

Asay	Bullen	Halverson	Snow
Bangerter	Carling	Kimball	Sowards
Barlow	Cornaby	Money	Swan
Barton	Farley	Peterson, C.	Mr. President (Ferry)
Bennett	Finlinson	Peterson, L.	
Black	Flamm	Pugh	

Voting in the negative were: Senators

Christensen	Jeffs	Jones	Matheson

Absent and not voting were: Senators

Bunnell	Sandberg	Wayment

S.B. No. 102 was transmitted to the House.

* * *

S.B. No. 103, MAINTENANCE OF LEASED PREMISES, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 2; Absent, 3

Voting in the affirmative were: Senators

Asay	Bullen	Flamm	Peterson, L.
Bangerter	Carling	Halverson	Pugh
Barlow	Christensen	Jones	Snow
Barton	Cornaby	Kimball	Sowards
Bennett	Farley	Money	Swan
Black	Finlinson	Peterson, C.	Mr. President (Ferry)

Voting in the negative were: Senators

Jeffs	Matheson

Absent and not voting were: Senators

Bunnell	Sandberg	Wayment

S.B. No. 103 was transmitted to the House.

* * *

S.B. No. 128, OWNER — TENANT REMEDIES, was read the third time and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Peterson, L.
Bangerter	Carling	Jeffs	Pugh
Barlow	Christensen	Jones	Snow
Barton	Cornaby	Kimball	Sowards
Bennett	Farley	Matheson	Swan
Black	Finlinson	Money	Mr. President (Ferry)
Bullen	Flamm	Peterson, C.	

Absent and not voting were: Senators

Sandberg	Wayment

S.B. No. 128 was transmited to the House.

* * *

On motion of Senator Snow, **S.B. No. 95,** MEDICAL PRACTICES ACT REVISION, was read the third time, and circled.

CONSENT CALENDAR

S.C.R. No. 4, ACORD RESOLUTION, was read the third time and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Peterson, L.
Bangerter	Carling	Jeffs	Pugh
Barlow	Christensen	Jones	Snow
Barton	Cornaby	Kimball	Sowards
Bennett	Farley	Matheson	Swan
Black	Finlinson	Money	Mr. President (Ferry)
Bullen	Flamm	Peterson, C.	

Absent and not voting were: Senators

Sandberg	Wayment

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

* *

S.B. No. 107, REAL ESTATE LICENSE AMENDMENTS, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Pugh
Bangerter	Christensen	Jones	Snow
Barlow	Cornaby	Kimball	Sowards
Barton	Farley	Matheson	Swan
Bennett	Finlinson	Money	Mr. President (Ferry)
Black	Flamm	Peterson, C.	
Bullen	Halverson	Peterson, L.	

Absent and not voting were: Senators

Carling	Sandberg	Wayment

S.B. No. 107 was transmitted to the House.

* * *

H.B. No. 124, INSURANCE DEPARTMENT EXAMINATIONS, was read the third time and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Peterson, L.
Bangerter	Carling	Jeffs	Pugh
Barlow	Christensen	Jones	Snow
Barton	Cornaby	Kimball	Sowards
Bennett	Farley	Matheson	Swan
Black	Finlinson	Money	Mr. President (Ferry)
Bullen	Flamm	Peterson, C.	

Absent and not voting were: Senators

Sandberg	Wayment

H.B. No. 124 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

H.B. No. 95, MUNICIPAL FINANCES, was read the third time and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Peterson, L.
Bangerter	Carling	Jeffs	Pugh
Barlow	Christensen	Jones	Snow
Barton	Cornaby	Kimball	Sowards
Bennett	Farley	Matheson	Swan
Black	Finlinson	Money	Mr. President (Ferry)
Bullen	Flamm	Peterson, C.	

Absent and not voting were: Senators

Sandberg	Wayment

H.B. No. 95 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

H.B. No. 77, MUNICIPAL FINANCIAL, was read the third time and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Peterson, L.
Bangerter	Carling	Jeffs	Pugh
Barlow	Christensen	Jones	Snow
Barton	Cornaby	Kimball	Sowards
Bennett	Farley	Matheson	Swan
Black	Finlinson	Money	Mr. President (Ferry)
Bullen	Flamm	Peterson, C.	

Absent and not voting were: Senators

Sandberg	Wayment

H.B. No. 77 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

H.B. No. 99, POLITICAL CONVENTION AMENDMENTS, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jones	Sandberg
Bangerter	Christensen	Kimball	Snow
Barlow	Farley	Matheson	Sowards

Barton	Finlinson	Money	Swan
Bennett	Flamm	Peterson, C.	Mr. President (Ferry)
Black	Halverson	Peterson, L.	
Bunnell	Jeffs	Pugh	

Absent and not voting were: Senators

Bullen	Cornaby	Wayment

H.B. No. 99 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Snow the circle was removed from **S.B. No. 126,** MUNICIPAL OFFICERS' ETHICS, and it passed on the following roll call:

Yeas, 22; Nays, 5; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Flamm	Snow
Bangerter	Carling	Halverson	Sowards
Barlow	Christensen	Kimball	Swan
Barton	Cornaby	Money	Mr. President (Ferry)
Bennett	Farley	Pugh	
Bullen	Finlinson	Sandberg	

Voting in the negative were: Senators

Jeffs	Matheson	Peterson, C.	Peterson, L.
Jones			

Absent and not voting were: Senators

Black	Wayment

S.B. No. 126 was transmitted to the House.

* * *

On motion of Senator Carling, the circle was removed from **S.B. No. 95,** MEDICAL PRACTICES ACT REVISION, and it passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Kimball	Snow
Bennett	Farley	Matheson	Sowards
Black	Finlinson	Money	Swan
Bullen	Flamm	Peterson, C.	Mr. President (Ferry)
Bunnell	Halverson	Peterson, L.	
Carling	Jeffs	Pugh	

Absent and not voting were: Senators
Asay Barton Wayment

S.B. No. 95 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 9, 1981

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.B. No. 43,** RESTITUTION BY CRIMINALS, by Representative Selleneit, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

H.B. No. 43 was signed by the President in open session of the Senate and returned to the House for further action.

SECOND READING CALENDAR

S.B. No. 63, HEALTH INSURANCE COMPETITION AND DISCRIMINATION, was before the Senate. On motion of Senator Cornaby, **Sub. S.B. No. 63** replaced the original bill. Senators Cornaby, Jones, Swan, Barlow, Farley, Halverson and Kimball commented.

COMMITTEE OF THE WHOLE

On motion of Senator Cornaby, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate were:

(For) Merwin V. Stewart — President Deseret Mutual Benefit Association
(For) John Billings, Executive Director, — Utah Health Cost Management Foundation
(Against) Dr. Michael Decaria, Clinical Psychologist

On motion of Senator Black, the Committee of the Whole was dissolved.

On motion of Senator Cornaby, **Sub. S.B. No. 63** was amended as follows:

Page 3, Line 7:
delete *"may"* and insert in lieu thereof *"shall"*

Page 3, Lines 14, 15 and 16:
after *"services."* delete remainder of Line 14, all of Line 15 and *"pursuant to a utilization review program."* on Line 16.

Page 3, Line 30:
after *"for"* insert *"treatment of illness, injuries or for"*

Page 4, Line 10:
after *"services"* insert *"including the treatment of illness or injuries"*

Page 4, Line 17:
after *"standards"* delete *"for other forms"*

Page 4, Line 26:
after *"services"* insert *"and treatment of injuries or illnesses"*

On motion of Senator Jones, **Sub. S.B. No. 63** was circled.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

S.B. No. 74	HEALTH CODE REVISION (Social Services)
S.B. No. 91	COMMITTEE ON CONSUMER SERVICES' CONTINUATION (Business, Labor and Economic Development)
H.B. No. 101	GENERAL ASSISTANCE REVISION (Social Services)

S.B. Nos. 74 and **91** and **H.B. No. 101** were placed on Second Reading Calendar.

RULES COMMITTEE REPORTS

Mr. President: February 9, 1981
Your Rules Committee, to which were referred:

S.B. No. 142	PARKING AND IMPROVEMENT DISTRICT AMENDMENTS (State and Local Affairs)
S.B. No. 144	PUBLIC SAFETY RETIREMENT BENEFITS (State and Local Affairs)
S.B. No. 145	UTAH COMMUNITY FINANCE ACT (State and Local Affairs)
S.B. No. 157	SALES AND USE TAX JURISDICTION STANDARD (Revenue and Taxation)
S.B. No. 158	CIRCUIT BREAKER MODIFICATIONS (Revenue and Taxation)
S.B. No. 192	LIQUOR COMMISSION HEARING AND INVESTIGATION COSTS (Judiciary)
S.B. No. 194	U.C.C.C. EXEMPTION PROVISIONS (Business, Labor and Economic Development)
S.B. No. 196	PROPERTY RIGHTS PROTECTION (Business, Labor and Economic Development)
S.B. No. 198	COUNTY ORDINANCE COMPLIANCE (State and Local Affairs)
S.B. No. 199	UTAH STATE RETIREMENT ACT MODIFICATIONS (State and Local Affairs)

S.B. No. 201	PHYSICAL THERAPY REGISTRATION AMENDMENTS (Business, Labor and Economic Development)
S.B. No. 202	JOINT APPRENTICESHIP COMMITTEES (Business, Labor and Economic Development)
S.B. No. 204	ATHLETIC COMMISSION REORGANIZATION (Transportation and Public Safety)
S.B. No. 208	LAND SALES EXEMPTION (Agriculture)
S.B. No. 210	PUBLIC ACCOUNTANTS LICENSING ACT (Business, Labor and Economic Development)
S.B. No. 212	LIGHT BEER ADVERTISING (Judiciary)
S.B. No. 213	SOLAR ENERGY UTILIZATION IN MUNICIPALITIES (Energy and Natural Resources)
S.B. No. 215	RENEWABLE ENERGY USE (Energy and Natural Resources)
S.B. No. 223	DRIVERS' LICENSE FEES (Transportation and Public Safety)

reports the same back with a few minor changes assented to by the authors and recommends that they be printed and assigned to the committees indicated, and

Your Rules Committee, to which were referred:

H.B. No. 72	FLOOD CONTROL AMENDMENTS (Energy and Natural Resources)
H.B. No. 80	MASS MEETING DATE (State and Local Affairs)
H.B. No. 100	ATTORNEYS FEES IN CIVIL CASES (Judiciary)
H.B. No. 112	(**Sub.**) LIBRARY THEFT (Judiciary)

reports the same back and recommends that they be assigned to the committees indicated.

Ronald T. Halverson, Committee Chairman

Committee reports read and adopted.

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On motion of Senator Cornaby, the circle was removed from **Sub. S.B. No. 63,** HEALTH INSURANCE COMPETITION AND DISCRIMINATION.

On motion of Senator Snow, and at 3:30 p.m., the Senate adjourned until 10:00 a.m., Tuesday, February 10, 1981.

THIRTIETH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present.

Prayer — Senator Karl N. Snow, Jr., Senate Majority Leader, (Utah Dist. 16).

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: February 4, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 9, 1981

I am directed to inform the Senate that the House of Representatives has this day refused to recede from its amendments to **S.B. No. 28,** REGULATION OF CONTRACTORS, PLUMBERS, AND ELECTRICIANS, by Senator Christensen, and has appointed a Conference Committee consisting of Representatives Harward, Harmer, and LeFevre, to act with a like Committee from the Senate on this bill.

Allan M. Acomb, Chief Clerk

President Ferry appointed a Conference Committee comprised of Senators Christensen, Halverson and Money.

* * *

Mr. President: February 9, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 1,** NATIONAL FORENSICS LEAGUE RESOLUTION, by Representative Bishop, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.J.R. No. 1**, LEGISLATIVE JOURNAL CONTENTS, by Representative Selleneit, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 12**, DISABLED VETERANS EXEMPTION, by Representative B. White, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 102**, AUTOMOBILE INSPECTIONS REPEAL, by Representative F. Knowlton, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.C.R. No. 1 and **H.J.R. Nos. 1**and **12** and **H.B. No. 102** were read the first time and referred to Rules Committee.

PRESENTATION OF RESOLUTION

ALCOHOL WARNING LABEL RESOLUTION

S.C.R. No. 5 Senators Jeffs, Bangerter, Pugh
Bennett, Money, Asay

A CONCURRENT RESOLUTION OF THE GENERAL SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH, THE GOVERNOR CONCURRING THEREIN, EXPRESSING CONCERN OVER ALCOHOL ABUSE AND MEMORALIZING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION REQUIRING WARNING LABELS ON ALCOHOLIC BEVERAGE CONTAINERS, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

AGRICULTURAL FUNDS

S.B. No. 231 Ivan M. Matheson

AN ACT RELATING TO FUNDS DERIVED FROM AGRICULTURAL MARKETING ORDERS AND GRAIN GRADING; PROVIDING FOR HEARINGS AND ELECTIONS BEFORE THE IMPOSITION OF MARKETING ORDERS; PROVIDING FOR AUDITS OF MARKETING ORDER ACCOUNTS; AND PROVIDING THAT GRAIN GRADING FUNDS BE DEPOSITED AS DEDICATED CREDITS. THIS ACT AMENDS SECTION 4-2-2, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 1, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

UTAH FIRE EMPLOYEE RELATIONS ACT

S.B. No. 232 Arthur L. Kimball

AN ACT RELATING TO LABOR-MANAGEMENT RELATIONS; PROVIDING FOR RECOGNITION OF THE RIGHT OF FIRE FIGHTERS TO ORGANIZE AND COLLECTIVELY BARGAIN CONCERNING HOURS, WAGES, AND OTHER CONDITIONS OF EMPLOYMENT; AND PROVIDING FOR MEDIATION AND FACT-FINDING ARBITRATION OF UNRESOLVED BARGAINING ISSUES, was read the first time and referred to Rules Committee.

RETIREMENT PROGRAMS FOR PERSONNEL OF HIGHER EDUCATION INSTITUTIONS

S.B. No. 233 Ronald T. Halverson

AN ACT ENACTING SECTION 49-10-58.1, UTAH CODE ANNOTATED 1953; RELATING TO RETIREMENT AND RELATED RETIREMENT BENEFITS FOR FACULTY MEMBERS AND EMPLOYEES OF INSTITUTIONS OF HIGHER EDUCATION; PROVIDING A WAITING PERIOD BEFORE ENROLLMENT OF CERTAIN HIGHER EDUCATION EMPLOYEES IN A RETIREMENT PROGRAM, SUBJECT TO PURCHASE OF ANNUITY OR SERVICE CREDIT FOR SAID WAITING PERIOD AFTER FIVE YEARS OF EMPLOYMENT; PROVIDING THAT INSTITUTIONAL CONTRIBUTIONS FOR INDIVIDUAL EMPLOYEE RETIRMEENT OR ANNUITY BENEFITS MAY BE TERMINATED FOR EMPLOYEES WHO ARE AGE 70 AND OLDER, UNLESS OTHERWISE AGREED BY CONTRACT; PROVIDING THAT, NOTWITHSTANDING ANY CONTRARY LAW, FACULTY MEMBERS AND EMPLOYEES OF INSTITUTIONS OF HIGHER EDUCATION MAY BE REQUIRED TO RETIRE UPON REACHING SEVENTY YEARS OF AGE; PROVIDING FOR IMPLEMENTING REGULATIONS BY THE STATE BOARD OF REGENTS; AND PROVIDING AN EFFECTIVE DATE, was read the first time and referred to Rules Committee.

SCHOOL DISTRICT BOUNDARY CHANGES

S.B. No. 234 Senators Bennett, Pugh

AN ACT RELATING TO CITY SCHOOL DISTRICTS; PROVIDING GUIDELINES UNDER WHICH PART OF AN ANNEXED SCHOOL DISTRICT SHALL NOT BE ABSORBED BY THE ANNEXING AUTHORITY; AND MAKING CERTAIN TECHNICAL CHANGES. THIS ACT AMENDS SECTION 53-4-10, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 6, LAWS OF UTAH 1978, SECOND SPECIAL SESSION, was read the first time and referred to Rules Committee.

IMPLIED WARRANTIES IN LIVESTOCK SALES

S.B. No. 235 Senators Money, C. Peterson, Matheson, L. Peterson

AN ACT RELATING TO IMPLIED WARRANTIES IN LIVESTOCK SALES; PROVIDING AN EXEMPTION FROM IMPLIED WARRANTIES. THIS ACT AMENDS SECTION 70A-2-316, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965, was read the first time and referred to Rules Committee.

FIRE EXTINGUISHER LIMITATIONS

S.B. No. 236 Senators Money, Bennett, Matheson

AN ACT RELATING TO LIMITATIONS ON LOCAL GOVERNMENTS; PROHIBITING LOCAL FIRE DEPARTMENT FROM COMPETING WITH PRIVATE FIRE EXTINGUISHER BUSINESSES. THIS ACT AMENDS SECTION 63-29-16, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 204, LAWS OF UTAH 1964, was read the first time and referred to Rules Committee.

MOBILE HOME PARK RESIDENCY ACT

S.B. No. 237 Ivan M. Matheson

AN ACT RELATING TO MOBILE HOME PARKS; PROVIDING FOR THE REGULATION OF RELATIONSHIPS BETWEEN MOBILE HOME PARKS AND MOBILE HOME PARK RESIDENTS; PROVIDING RIGHTS, DUTIES, AND REMEDIES FOR MOBILE HOME PARKS AND MOBILE HOME PARK RESIDENTS; AND PROVIDING A PRESUMPTION IN AN EVICTION PROCEEDING IN FAVOR OF A MOBILE HOME PARK RESIDENT UNDER SPECIFIED CIRCUMSTANCES, was read the first time and referred to Rules Committee.

REVENUE STABILIZATION RESERVE FUND

S.B. No. 238 Charles E. Bennett

AN ACT ESTABLISHING A REVENUE STABLIZATION RESERVE FUND FOR THE STATE OF UTAH; PRESCRIBING THE METHOD FOR DETERMINING THE AMOUNT OF REVENUE TO BE SET ASIDE AND THE REVENUE SOURCES TO WHICH THIS FUND RELATE; PRESCRIBING THE METHOD AND PURPOSES FOR WHICH THE FUND MAY BE USED; AND PROVIDING AN EFFECTIVE DATE, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

On motion of Senator Christensen, **S.B. No. 81,** SOCIAL WORK LICENSING AMENDMENTS, was lifted from Third Reading Table, placed at the top of Third Reading Calendar and circled.

SECOND READING CALENDAR

On motion of Senator Halverson, **S.B. No. 29,** STATE BUILDING BOARD POWERS, was lifted from Second Reading Table and placed at the top of Second Reading Calendar and further **Sub. S.B. No. 29** replaced the original bill. Senators Halverson, Sandberg and Pugh commented.

On motion of Senator Halverson, **Sub. S.B. No. 29** was amended as follows:

> Page 3, Lines 17, 18, 19 and 20:
> after *"duties"* insert a period and delete remainder of paragraph. (underlined material)

Sub. S.B. No. 29 passed on the following roll call:

Yeas, 25; Nays, 2; Absent, 2

Voting in the affirmative were: Senators

Asay	Christensen	Matheson	Sowards
Bangerter	Cornaby	Money	Swan
Barlow	Farley	Peterson, C.	Wayment
Barton	Finlinson	Peterson, L.	Mr. President (Ferry)
Black	Flamm	Pugh	
Bullen	Halverson	Sandberg	
Bunnell	Jones	Snow	

Voting in the negative were: Senators

Bennett	Jeffs

Absent and not voting were: Senators

Carling	Kimball

THIRD READING CALENDAR

S.B. No. 81, SOCIAL WORK LICENSING AMENDMENTS, was uncircled and before the Senate. Senators Matheson and Bunnell commented.

COMMITTEE OF THE WHOLE

On motion of Senator Bunnell, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

Dr. Phyllis C. Southwick, Chairman
Social Work Licensing Board and Associate
Professor, U. of U. School of Social Work

Senator Matheson commented and on motion of Senator Bunnell, the Committee of the Whole was dissolved.

Senator Matheson proposed amendments which failed. On motion of Senator Bunnell the bill was circled.

SECOND READING CALENDAR

(Special Order of Business)

S.B. No. 68, SALES TAX — PUBLIC TRANSIT ALLOCATION, was before the Senate. Senator Finlinson explained the bill.

COMMITTEE OF THE WHOLE

On motion of Senator Finlinson, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

W. Hughes Brockbank, President, Board of Directors,
UTA (Utah Transit Authority) SLC, Utah

Senators Snow, Sandberg, Black, Jones and Bangerter commented and on motion of Senator Finlinson, the Committee of the Whole was dissolved.

On motion of Senator Halverson, **S.B. No. 68** was amended as follows:

Page 2, Line 12:
After *"body."* insert *"In the event that no county or municipality within a transit district has imposed a sales tax of ½ of one per cent on or before January 1, 1987, the rate of sales tax permitted under section 11-9-4 (2) shall be reduced to ¼ of one per cent."*

Page 5, Line 16:
After *"body."* insert *"In the event that no county or municipality within a transit district has imposed a use tax of ½ of one per cent on or before January 1, 1987, the rate of use tax permitted under section 11-9-6 (2) shall be reduced to ¼ of one per cent."*

Senators Halverson, Farley, Kimball, Swan, Bangerter, Black, Jones commented.

S.B. No. 68 passed on the following roll call:

Yeas, 17; Nays, 10; Absent, 2

Voting in the affirmative were: Senators

Barlow	Carling	Jeffs	Sowards
Barton	Christensen	Matheson	Mr. President (Ferry)
Black	Finlinson	Money	
Bullen	Flamm	Pugh	
Bunnell	Halverson	Snow	

Voting in the negative were: Senators

Asay	Farley	Peterson, L.	Wayment
Bangerter	Jones	Sandberg	
Bennett	Kimball	Swan	

Absent and not voting were: Senators

Cornaby	Peterson, C.

* * *

Sub. S.B. No. 63, HEALTH INSURANCE COMPETITION AND DISCRIMINATION, was before the Senate. Senators Cornaby, Jones, Black, Kimball and Matheson commented. Senator Jones proposed an amendment which failed. **Sub. S.B. No. 63** failed on the following roll call:

Yeas, 14; Nays, 13; Absent, 2

Voting in the affirmative were: Senators

Barton	Cornaby	Jones	Swan
Bennett	Farley	Kimball	Mr. President (Ferry)
Bunnell	Flamm	Peterson, L.	
Christensen	Halverson	Snow	

Voting in the negative were: Senators

Bangerter	Carling	Money	Wayment
Barlow	Finlinson	Pugh	
Black	Jeffs	Sandberg	
Bullen	Matheson	Sowards	

Absent and not voting were: Senators

Asay	Peterson, C.

Sub. S.B. No. 63 was filed.

* * *

S.B. No. 135, COMPLIANCE WITH COUNTY PLANS, was before the Senate. On motion of Senator Sowards, **S.B. No. 135** was amended as follows:

Page 2, Line 17:
delete *"disapproval"* and insert in lieu thereof *"action"*

Page 2, Line 18:
delete *"that body"* and insert in lieu thereof *"the board of county commissioners after"*

Page 2, Lines 19 and 20:
delete *"or official only upon a"* and after *"determination"* insert *"by the board of county commissioners"*

Senators Sowards and Bunnell commented and **S.B. No. 135** passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Snow
Bangerter	Carling	Kimball	Sowards
Barlow	Christensen	Matheson	Swan
Barton	Farley	Money	Wayment
Bennett	Finlinson	Peterson, L.	Mr. President (Ferry)
Black	Halverson	Pugh	
Bullen	Jeffs	Sandberg	

Voting in the negative was: Senator
Cornaby

Absent and not voting were: Senators
Flamm Peterson, C.

RULES COMMITTEE REPORTS

Mr. President: February 10, 1981

Your Rules Committee, to which were referred:

S.B. No. 205	STATE LANDS TRUST INVESTMENTS (State and Local Affairs)
S.B. No. 206	STATE AGENCIES LAND LEASING (Energy and Natural Resources)
S.B. No. 207	STATE LAND SALES (Energy and Natural Resources)
S.B. No. 211	ENERGY SAVING SYSTEM TAX CREDIT AMENDMENTS (Revenue and Taxation)

reports the same back with a few minor changes assented to by the authors and recommends that they be printed and assigned to the committees indicated, and

Your Rules Committee, to which were referred:

H.C.R. No. 1	NATIONAL FORENSICS LEAGUE RESOLUTION (Judiciary)
H.J.R. No. 1	LEGISLATIVE JOURNAL CONTENTS (State and Local Affairs)
H.J.R. No. 12	DISABLED VETERANS' EXEMPTION (Revenue and Taxation)
H.B. No. 102	AUTOMOBILE INSPECTIONS REPEAL (Transportation and Public Safety)

reports the same back and recommends that they be assigned to the committees indicated.

Ronald T. Halverson, Committee Chairman

Committee reports read and adopted.

STANDING COMMITTEE REPORTS

Mr. President: February 9, 1981

The State and Local Affairs Committee, to which was referred **H.J.R. No. 21,** SALT LAKE ART CENTER RESOLUTION, by Representative Robert H. Garff et al, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The State and Local Affairs Committee, to which was referred **S.B. No. 183,** INVESTMENT OF REDEMPTION FUND REPEAL, by Senator Haven J. Barlow et al, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Bryce C. Flamm, Committee Chairman

Committee reports read and adopted and **H.J.R. No. 21** and **S.B. No. 183** were read the second time and placed on Consent Calendar.

* * *

Mr. President: February 9, 1981

The Judiciary Committee, to which was referred **S.B. No. 176,** NOTICE OF ENFORCEMENT — MECHANICS LIENS, by Senator Richard J. Carling et al, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

A. Dean Jeffs, Committee Chairman

Committee report read and adopted and **S.B. No. 176** was read the second time and placed on Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

H.B. No. 60	STATE AND LOCAL REVENUE AND APPROPRIATIONS LIMITATION (Revenue and Taxation)
S.B. No. 147	BOARD OF REGENTS' MEMBERS (Higher Education)
S.B. No. 150	ONE LICENSE PLATE (Transportation and Public Safety)

S.B. No. 155	STANDARD STATE BUILDING CODES (Business, Labor and Economic Development)
S.B. No. 161	DRINKING IN MOTOR VEHICLES (Transportation and Public Safety)
S.B. No. 165	RACKETEERING ENTERPRISE ACT (Judiciary)
S.B. No. 172	SKIING COLLISION DUTIES (Judiciary)
S.B. No. 177	CAMPUS BUILDING ACT AMENDMENTS (Higher Education)
S.B. No. 178	UTAH COMMUNITY REDEVELOPMENT LAW AMENDMENTS (State and Local Affairs)
S.B. No. 180	HOUSING AUTHORITY ACT AMENDMENTS (State and Local Affairs)
S.B. No. 200	MOTOR FUEL MARKETING (Agriculture)

H.B. No. 60 and **S.B. Nos. 147, 150, 155, 161, 165, 172, 177, 178, 180** and **200** were placed on Second Reading Calendar.

Special Committee on Appointments

President Ferry appointed Senator K.S. Cornaby and Senator Omar B. Bunnell as a Special Committee to consider the Governor's appointments.

* * *

On motion of Senator Christensen, the circle was removed from **S.B. No. 81**, SOCIAL WORK LICENSING AMENDMENTS.

On motion of Senator Snow, and at 12:00, the Senate adjourned until 10:00 a.m., Wednesday, February 11, 1981.

Pg 435

THIRTY-FIRST DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present.

Prayer — Senator Karl G. Swan (Salt Lake, Tooele, Dist. 13).

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: February 11, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 10, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, as amended, **H.B. No. 84,** SCHOOL COMPLIANCE OFFICERS, by Representative Sykes, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 107,** SOCIAL SERVICES SUBPOENAS, by Representative Doane, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **Substitute H.B. No. 157,** INSURANCE CODE RECODIFICATION, by Representative Rector, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **Substitute H.B. No. 158,** INSURANCE INDUSTRY—REGULATORY FEES, by Representative Rector, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. Nos. 84, 107, 157 and 158 were read the first time and referred to Rules Committee.

PRESENTATION OF RESOLUTIONS

TOXICANTS FOR PREDATOR CONTROL RESEARCH

S.C.R. No. 6 Ivan M. Matheson

A CONCURRENT RESOLUTION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH, THE GOVERNOR CONCURRING THEREIN, RECOMMENDING A NATIONAL PROGRAM FOR CONTINUED RESEARCH FOR SAFE TOXICANTS FOR PREDATOR CONTROL, was read the first time and referred to Rules Committee.

PROPERTY TAX RELIEF STUDY

S.J.R. No. 3 Haven J. Barlow

A JOINT RESOLUTION OF THE GENERAL SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH; DIRECTING THE LEGISLATIVE MANAGEMENT COMMITTEE TO ASSIGN TO THE APPROPRIATE INTERIM STUDY COMMITTEE OF THE LEGISLATURE A STUDY OF THE PRESENT COUNTY-ADMINISTERED PROPERTY TAX ABATEMENT, EXEMPTION, AND DEFERRAL STATUTES AND THE FEASIBILITY OF COMBINING THESE ALLOWANCES WITH PRESENTLY-ENACTING PROPERTY TAX "CIRCUIT-BREAKER" LEGISLATION, was read the first time and referred to Rules Committee.

METRIC SYSTEM STUDY

S.J.R. No. 5 Richard J. Carling

A JOINT RESOLUTION OF THE GENERAL SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH DIRECTING THE LEGISLATIVE MANAGEMENT COMMITTEE TO ASSIGN TO AN APPROPRIATE INTERIM STUDY COMMITTEE THE DUTY TO STUDY A PROPOSED UNIFORM METRIC SYSTEM PROCEDURE ACT AND REQUESTING A REPORT TO THE BUDGET SESSION OF THE 44TH LEGISLATURE, was read the first time and referred to Rules Committee.

TRANSIT SYSTEMS STUDY RESOLUTION

S.J.R. No. 6 Jack M. Bangerter

A JOINT RESOLUTION OF THE GENERAL SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH; RELATING TO PUBLIC TRANSIT DISTRICTS IN UTAH; DIRECTING THE LEGISLATIVE MANAGEMENT COMMITTEE TO ASSIGN TO THE APPROPRIATE INTERIM STUDY COMMITTEE OF THE LEGISLATURE A STUDY OF THE NEEDS FOR PUBLIC TRANSIT DISTRICTS IN UTAH, THE PROVIDING OF THESE BY THE UTAH

TRANSIT AUTHORITY, AND WHAT SHOULD BE DONE TO CORRECT EXISTING PROBLEMS; AND SPECIFYING THAT THIS STUDY BE COMPLETED FOR THE 1982 BUDGET SESSION, was read the first time and referred to Rules Committee.

HOSPITAL NURSING PRACTICES STUDY

S.J.R. No. 7 Arthur L. Kimball

A JOINT RESOLUTION OF THE GENERAL SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH DIRECTING THE LEGISLATIVE MANAGEMENT COMMITTEE TO ASSIGN TO THE APPROPRIATE INTERIM STUDY COMMITTEE THE DUTY TO STUDY NURSING PRACTICES AND REQUESTING A REPORT TO THE BUDGET SESSION OF THE 44TH LEGISLATURE, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

TITLES OF BOATS AND VESSELS

S.B. No. 239 Glade M. Sowards

AN ACT RELATING TO TITLES OF VESSELS; PROVIDING THAT VESSELS AND OUTBOARD MOTORS HAVE TITLES; PROVIDING FOR ADMINISTRATION AND ENFORCEMENT BY THE DIVISION OF PARKS AND RECREATION; PROVIDING FOR EVIDENCE OF SECURITY INTERESTS; PROVIDING FOR TRANSFER AND REPLACEMENT OF TITLES; REQUIRING SERIAL NUMBERS; PROVIDING FOR FEES; PROVIDING FOR RULES AND REGULATIONS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR PENALTIES; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 73-18-2, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 183, LAWS OF UTAH 1977; AND ENACTS CHAPTER 18B OF TITLE 73, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

STATE BOARD OF EDUCATION PERSONNEL

S.B. No. 240 Richard J. Carling

AN ACT RELATING TO THE STATE BOARD OF EDUCATION; PROVIDING THAT THE BOARD HAS AUTHORITY TO APPOINT COORDINATORS AND SPECIALISTS TO MANAGE ITS PERSONNEL; AND THE AUTHORITY TO FREELY ASSIGN AND TRANSFER COORDINATORS AND SPECIALISTS WITHIN THE PUBLIC SCHOOL SYSTEM. THIS ACT AMENDS SECTION 67-19-15, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 139, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

ABUSE OF PERSONAL IDENTITY ACT

S.B. No. 241 Richard J. Carling

AN ACT RELATING TO INVASION OF INDIVIDUAL PRIVACY THROUGH ABUSE OF PERSONAL IDENTITY; PROVIDINC THAT AN I'IDIVIDUAL HAS A CIVIL CAUSE OF ACTION AGAINST A PERSON WHO PUBLISHES OR CAUSES THE PUBLICATION OF AN ADVERTISEMENT WITHOUT INDIVIDUAL'S CONSENT; AND PROVIDING THAT SIMILAR STATUTE WITH CRIMINAL PENALTIES IS REPEALED. THIS ACT ENACTS "THE ABUSE OF PERSONAL IDENTITY ACT" AND REPEALS SECTION 76-9-405, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 196, LAWS OF UTAH 1973, was read the first time and referred to Rules Committee.

UNIFORM TRADE SECRETS ACT

S.B. No. 2 Richard J. Carling

AN ACT RELATING TO UNIFORM TRADE SECRETS; DEFINING TERMS; PROVIDING INJUNCTIVE RELIEF FOR ACTUAL OR THREATENED MISAPPROPRIATION OF TRADE SECRETS; PROVIDING FOR DAMAGES; PROVIDING FOR ATTORNEY'S FEES; PROVIDING FOR THE PRESERVATION OF SECRECY OF A TRADE SECRET DURING LITIGATION; PROVIDING A STATUTE OF LIMITATIONS; DETAILING ITS EFFECT ON OTHER LAWS; PROVINDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE, was read the first time and referred to Rules Committee.

COLLECTION PRACTICES ACT

S.B. No. 243 Richard J. Carling

AN ACT RELATING TO COLLECTION PRACTICES; PROVIDING FOR REGULATION OF COLLECTION AGENCIES AND PRACTICES; REQUIRING THAT BONDS AND STATEMENTS BE FILED WITH THE LIEUTENANT GOVERNOR; REQUIRING TRUST ACCOUNTS; REQUIRING DISCLOSURES; PROHIBITING VARIOUS ACTS, COMMUNICATIONS, AND REPRESENTATIONS; AND PROVIDING REMEDIES AND PENALTIES. THIS ACT REPEALS AND REENACTS CHAPTER 1 OF TITLE 12, UTAH CODE ANNOTATED 1953; AND ENACTS CHAPTERS 2 AND 3 OF TITLE 12, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

DIVISION OF EXPOSITIONS TRANSFER

S.B. No. 244 Senators Matheson, Money

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; PROVIDING FOR THE TRANSFER OF THE DIVISION AND BOARD OF EXPOSITIONS FROM THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT TO THE DEPARTMENT OF AGRICUL-

TURE FOR PURPOSES OF ADMINISTRATIVE JURISDICTION; CHANGING THE BASIS OF COMPENSATION FOR THE BOARD; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTIONS 64-4-1, 64-4-5, AND 64-4-5.1, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 234, LAWS OF UTAH 1979, SECTIONS 63-33-1 AND 63-33-3, UTAH CODE ANNOTATED 1953, AS REPEALED AND REENACTED BY CHAPTER 234, LAWS OF UTAH 1979, SECTION 64-4-3, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 175, LAWS OF UTAH 1967, AND SECTION 4-2-4, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979, AND ENACTS SECTION 4-2-3.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

STANDARD VALUATION AND NONFOREITURE LAWS

S.B. No. 245 Bryce C. Flamm

AN ACT RELATING TO STANDARD VALUATION AND NONFOREITURE FOR INSURANCE AND ANNUITIES; ADDING A MECHANISM FOR AUTOMATIC ANNUAL UPDATING OF THE STATUTORY VALUATION AND NONFOREITURE INTEREST RATE STANDARDS APPLICABLE TO NEW BUSINESS; PROVIDING FOR NEW MORTALITY TABLES FOR ORDINARY LIFE INSURANCE AND AUTHORITY FOR THE INSURANCE COMMISSIONER TO PROMULGATE MORE MODERN LIFE INSURANCE, ANNUITY AND DISABILITY TABLES ADOPTED BY THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS; PROVIDING FOR A CHANGE IN THE INITIAL EXPENSE ALLOWANCE USED TO DETERMINE MINIMUM NONFOREITURE VALUES FOR LIFE INSURANCE; AND PROVIDING AUTHORIZATION FOR THE INSURANCE COMMISSIONER TO PROMULGATE VALUATION AND NONFOREITURE REGULATIONS TO ACCOMMODATE LIFE INSURANCE PLANS PROVIDING FOR FUTURE PREMIUM DETERMINATION AND PLANS FOR WHICH MINIMUM RESERVES OR NONFOREITURE VALUES CANNOT BE DETERMINED BY OTHER PROVISIONS OF LAW. THIS ACT AMENDS SECTIONS 31-22-13 AND 31-22-14, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 38, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

SCHOOL BUILDING REVOLVING ACCOUNT

S.B. No. 246 Cary S. Peterson

AN ACT RELATING TO THE SCHOOL BUILDING REVOLVING ACCOUNT; APPROPRIATING $1,000,000; CHANGING THE BOND REQUIREMENT TO 13.3% OF ASSESSED VALUE; DECREASING THE REQUIRED LEVY MINIMUM TO 17.55 MILLS; ELIMINATING REQUIRED RELIANCE ON OTHE RESOURCES; AND IDENTIFYING DISTRICT PRIORITIES IN TERMS OF SECTION 53-11-30. THIS ACT AMENDS SECTION 53-11-31.1, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 201, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

INSURANCE COVERAGE CHANGES

S.B. No. 247 Senators Bennett, Money

AN ACT RELATING TO HOMEOWNERS' INSURANCE; REQUIRING THE INSURER TO NOTIFY THE POLICYHOLDER OF ANY CHANGE IN COVERAGE AND TO ALLOW PASSAGE OF 10 DAYS BEFORE THE CHANGE BECOMES EFFECTIVE. THIS ACT ENACTS SECTION 31-27-12.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

FORECLOSURE OF TRUST DEEDS

S.B. No. 248 Richard J. Carling

AN ACT RELATING TO TRUST DEEDS; PROVIDING FOR SUBSTITUTION OF TRUSTEES; PROVIDING THE FORM OF NOTICE OF TRUSTEE'S SALES; PROVIDING THAT NOTICE OF DEFAULT NEED NOT BE GIVEN TO THOSE NOT REQUESTING NOTICE; PROVIDING FOR PAYMENT OF FEES ON REINSTATEMENT; AND PROVIDING THAT RECONVEYANCE OR CONVEYANCE BY THE TRUSTEE CANCELS NOTICES OF DEFAULT. THIS ACT AMENDS SECTIONS 57-1-22 AND 57-1-25, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 181, LAWS OF UTAH 1961, SECTION 57-1-26, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 57, LAWS OF UTAH 1980, AND SECTION 57-1-31, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 131, LAWS OF UTAH 1967, was read the first time and referred to Rules Committee.

CERTIFIED LAY MIDWIFERY PRACTICE ACT

S.B. No. 249 Senators Bangerter, Ferry, Farley

AN ACT RELATING TO THE PRACTICE OF MIDWIFERY; PROVIDING FOR A CERTIFIED LAY MIDWIFERY EXAMINING COMMITTEE; AND PROVIDING FOR CERTIFICATION AND STANDARDS FOR THE PRACTICE OF LAY MIDWIFERY. THIS ACT AMENDS SECTION 58-1-5, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 5, LAWS OF UTAH 1980, AND ENACTS SECTIONS, was read the first time and referred to Rules Committee.

OCCUPATION TAX INCREASE

S.B. No. 250 Senators Farley, Bennett, Swan

AN ACT RELATING TO TAXES ON PRODUCTION OF MINERALS AND THE USAGE OF THESE REVENUES; REDEFINING CERTAIN TERMS IN THIS REGARD; EXTENDING THE OCCUPATION TAX TO ALL METALLIFEROUS AND NONMETTALLIFEROUS MINERALS; PROVIDING FOR THE RATE OF THIS TAX ON MINERALS NOT SUBJECT

TO IT PRESENTLY AND INCREASING IT ON THE OTHERS; CREATING THE CAPITAL CONSTRUCTION ACCOUNT IN THE GENERAL FUND AND REQUIRING THE COLLECTIONS FROM THIS TAX BE DEPOSITED IN THIS ACCOUNT AND ELSEWHERE; MAKING CERTAIN CHANGES IN FORM; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTIONS 59-5-66, 59-5-68, AND 59-5-72, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 120, LAWS OF UTAH 1955, SECTION 59-5-67, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 106, LAWS OF UTAH 1959, AND SECTIONS 59-5-70 AND 59-5-71, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 69, LAWS OF UTAH 1980; ENACTS SECTION 51-5-14, UTAH CODE ANNOTATED 1953; AND REPEALS AND REENACTS SECTION 59-5-84, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 134, LAWS OF UTAH 1963, was read the first time and referred to Rules Committee.

COMMUNITY IMPACT ACCOUNT AMENDMENTS

S.B. No. 251 Senators Farley, Black, Bennett Swan, Bunnell

AN ACT RELATING TO THE COMMUNITY IMPACT ACCOUNT; EXTENDING THE MONEYS RECEIVED BY THE ACCOUNT TO INCLUDE GENERAL FUND – LIQUOR PROFITS. THIS ACT AMENDS SECTION 63-52-1, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 195, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

HABITUAL TRUANCY

S.B. No. 252 K.S. Cornaby

AN ACT RELATING TO PUBLIC SCHOOLS; PROVIDING THAT SCHOOL AND PARENTS MUST MAKE EARNEST AND PERSISTENT EFFORTS TO ELIMINATE CHILD'S ATTENDANCE PROBLEM; AND PROVIDING THAT JUVENILE COURT, AFTER SUCH EFFORTS HAVE FAILED, HAS JURISDICTION OVER CHILD WHO IS HABITUAL TRUANT. THIS ACT AMENDS SECTION 78-3a-16, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 76, LAWS OF UTAH 1977, AND ENACTS SECTION 53-24-1.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

MUNICIPAL GOVERNMENT

S.B. No. 253 Karl N. Snow, Jr.

AN ACT RELATING TO COUNCIL-MAYOR FORM OF GOVERNMENT; PROVIDING THAT, ANY CITY WHICH BECOMES A CITY OF THE FIRST OR SECOND CLASS SHALL BE ORGANIZED WITH A COUNCIL-MAYOR FORM OF GOVERNMENT, AND PROVID-

ING THAT EXISTING CITY COMMISSION FORMS CONTINUE. THIS ACT REPEALS AND REENACTS SECTIONS 10-3-103 AND 10-3-104, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 48, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

PROCUREMENT CODE AMENDMENTS

S.B. No. 254 Senators Snow, Finlinson

AN ACT RELATING TO PUBLIC PROCUREMENT; PERMITTING THE POLICY BOARD TO EXEMPT AN AGENCY FROM THE REQUIREMENTS OF THE PROCUREMENT CODE IF IT IS IN THE INTEREST OF THE STATE; EXEMPTING ENTITIES FORMED UNDER THE INTERLOCAL COOPERATION ACT; REDUCING THE TERM OF THE CHIEF PROCUREMENT OFFICER FROM EIGHT TO SIX YEARS; AND CORRECTING CERTAIN TYPOGRAPHICAL AND TECHNICAL ERRORS. THIS ACT AMENDS SECTIONS 63-56.5, 63-56-8, 63-56-28, 63-56-35, AND 63-56-61, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 75, LAWS OF UTAH 1980; AND ENACTS SECTION 63-56-35.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

SCHOOL LUNCH FUNDING

S.B. No. 255 Senators Wayment, Halverson

AN ACT AMENDING SECTION 53-8-1, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 93, LAWS OF UTAH 1965, AS AMENDED BY CHAPTER 111, LAWS OF UTAH 1967; RELATING TO LIQUOR PROFITS; PROVIDING THAT EIGHT (8) PER CENT OF NET LIQUOR PROFITS BE CREDITED TO THE UNIFORM SCHOOL FUND, was read the first time and referred to Rules Committee.

COMPARATIVE NEGLIGENCE

S.B. No. 256 Arthur L. Kimball

AN ACT RELATING TO COMPARATIVE NEGLIGENCE; PROVIDING THAT IN ANY ACTION TO RECOVER DAMAGES FOR NEGLIGENCE OR GROSS NEGLIGENCE RESULTING IN DEATH OR INJURY TO PERSON OR PROPERTY, NO DAMAGES SHALL BE ALLOWED WHERE THE NEGLIGENCE OR GROSS NEGLIGENCE OF THAT PERSON IS GREATER THAN NEGLIGENCE OR GROSS NEGLIGENCE OF THE PERSON FROM WHOM RECOVERY IS SOUGHT. THIS ACT AMENDS SECTION 78-27-37, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 209, LAWS OF UTAH 1973, was read the first time and referred to Rules Committee.

REASSESSMENT AND SCHOOL DISTRICT LEVIES

S.B. No. 257 Senators Barlow, Pugh

AN ACT RELATING TO TAX LEVIES FOR SCHOOLS; PROVIDING FOR A REDUCTION OF THE MINIMUM BASIC AND BOARD LEEWAY LEVIES WHEN THE STATE TAX COMMISSION ORDERS ADJUSTMENTS IN ASSESSED VALUES; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 53-7-19.5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 123, LAWS OF UTAH 1971, was read the first time and referred to Rules Committee.

HAZARDOUS WASTE FACILITY SITING ACT

S.B. No. 258 Fred W. Finlinson

AN ACT RELATING TO HAZARDOUS WASTE MATERIAL; PROVIDING FOR THE ADOPTION OF GUIDELINES FOR THE SELECTION OF HAZARDOUS WASTE TREATMENT, DISPOSAL, AND STORAGE FACILITY SITES; PROVIDING PROCEDURES FOR THE ADOPTION OF A STATE-WIDE HAZARDOUS WASTE SITING PLAN BY THE HAZARDOUS WASTE COMMITTEE; PROVIDING JUDICIAL REMEDIES FOR PERSONS WHOSE PROPERTY VALUES ARE ADVERSELY AFFECTED BY THE LOCATION OF A HAZARDOUS WASTE TREATMENT FACILITY; AND PROVIDING SPECIFIED PROTECTIONS FOR HAZARDOUS WASTE TREATMENT FACILITIES LOCATED AT SITES APPROVED BY THE STATE-WIDE SITING PLAN, was read the first time and referred to Rules Committee.

NOISE EXPOSURE

S.B. No. 259 Haven J. Barlow

AN ACT RELATING TO NOISE EXPOSURE; REQUIRING EMPLOYERS TO PROTECT EMPLOYEES AGAINST THE DANGERS OF NOISE EXPOSURE; AND REQUIRING EMPLOYERS WHO PROVIDE PLACES OF WORK WITH HIGH NOISE EXPOSURE TO PROVIDE TO THEIR EMPLOYEES HEARING TESTS, MEDICAL TREATMENT, AND HEARING AID APPARATUS. THIS ACT ENACTS SECTIONS 26-38-1 THROUGH 26-38-5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

REASSESSMENT LIMITATIONS

S.B. No. 260 Cary G. Peterson

AN ACT RELATING TO PROPERTY TAX LEVIES; PROVIDING FOR THE EXTENSION OF THE LIMITATION ON PROPERTY TAX ASSESSMENT INCREASES WHERE ADJUSTMENTS ARE ORDERED BY THE STATE TAX COMMISSION; APPLYING THIS LIMITATION TO LEVIES MADE BY VARIOUS TAXING DISTRICTS, INCLUDING SCHOOLS;

AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 53-7-19.5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 123, LAWS OF UTAH 1971, AND SECTION 59-5-111, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 196, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

POWER GENERATION BY TOWNS

S.B. No. 261 Senators Peterson, Money

AN ACT RELATING TO CITIES AND TOWNS; PROVIDING AUTHORITY IN TOWNS TO CONSTRUCT, OPERATE, AND MAINTAIN ELECTRIC POWER GENERATION FACILITIES. THIS ACT ENACTS SECTION 10-13-14.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

TRAMWAY REGISTRATIONS

S.B. No. 262 Senators Finlinson, Sowards, Carling

AN ACT RELATING TO PASSENGER TRAMWAYS; PROVIDING FOR REGISTRATION OF TRAMWAYS; PROVIDING THAT THE PASSENGER TRAMWAY SAFETY COMMITTEE MAY FIX REGISTRATION FEES; AND ELIMINATING AN INSPECTION SURCHARGE. THIS ACT AMENDS SECTIONS 63-11-43, 63-11-44, AND 63-11-47, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 200, LAWS OF UTAH 1969, was read the first time and referred to Rules Committee.

DISPOSITION OF RECEIPTS FROM SOVEREIGN LANDS

S.B. No. 263 Senators Finlinson, Sowards

AN ACT RELATING TO AMOUNTS RECEIVED BY THE DIVISION OF STATE LANDS FROM SOVEREIGN STATE LANDS; PROVIDING THAT 20% OF THESE AMOUNTS BE AVAILABLE TO DEFRAY THE ADMINISTRATIVE EXPENSES OF THE DIVISION CONCERNING THESE LANDS; MAKING CERTAIN CHANGES IN FORM; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 65-1-13, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 219, LAWS OF UTAH 1969, was read the first time and referred to Rules Committee.

BOAT OPERATOR'S LICENSURE

S.B. No. 264 Ronald T. Halverson

AN ACT RELATING TO BOAT OPERATORS; REQUIRING LICENSURE OF OPERATORS OF CERTAIN BOATS; PROVIDING FOR CERTAIN EXEMPTIONS; AND MAKING VIOLATION OF THE SECTION AN INFRACTION. THIS ACT ENACTS SECTION 41-2-11.010, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

BUSINESS REGULATION RESTRICTED REVENUE ACCOUNT

S.B. No. 265 Wayne L. Sandberg

AN ACT RELATING TO BUSINESS REGULATION; PROVIDING THAT FUNDS COLLECTED BY THE BOARD OF ABSTRACT COMMISSIONERS, CEMETERY BOARD, DEPARTMENT OF REGISTRATION, DEPARTMENT OF CONTRACTORS, SECURITIES COMMISSION, AND REAL ESTATE COMMISSION BE DEPOSITED IN RESTRICTED FUND ACCOUNTS; PROVIDING THAT SUCH FUNDS BE USED FOR THE OPERATION OF SUCH BOARDS, DEPARTMENTS AND COMMISSIONS; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 8-4-6, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 6, LAWS OF UTAH 1980, SECTION 61-1-18, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 191, LAWS OF UTAH 1969, and SECTION 61-2-19, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 193, LAWS OF UTAH 1969; AND REPEALS AND REENACTS SECTION 1-1-5, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 1, LAWS OF UTAH 1969, SECTION 58-1-22, UTAH CODE ANNOTATED 1953, AND SECTION 58-23.12, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 175, LAWS OF UTAH 1969., was read the first time and referred to Rules Committee.

INDUSTRIAL FACILITIES DEVELOPMENT ACT

S.B. No. 266 Charles E. Bennett

AN ACT RELATING TO INDUSTRIAL FACILITIES DEVELOPMENT; MODIFYING THE DEFINITION OF "PROJECT"; AND MAKING CERTAIN TECHNICAL CHANGES. THIS ACT AMENDS SECTION 11-17-2, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 12, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

SUBDIVISION STANDARDS

S.B. No. 267 Senators Bangerter, Barlow

AN ACT RELATING TO SUBDIVISIONS; ENABLING MUNICIPALITIES AND COUNTIES TO ESTABLISH PROCEDURES AND STANDARDS FOR SUBDIVISION APPLICATIONS, INCLUDING REASONABLE IMPACT FEES OR DEDICATIONS OF LAND; AND ENABLING SUCH MUNICIPALITIES AND COUNTIES TO REQUIRE THAT THE FEE OR DEDICATED LAND BE USED FOR THE BENEFIT OF THE SUBDIVISION, was read the first time and referred to Rules Committee.

HOSPITAL STATEMENTS OF CHARGES

S.B. No. 268 Jack M. Bangerter

AN ACT RELATING TO HOSPITALS; AND PROVIDING FOR AN ITEMIZED STATEMENT OF CHARGES, was read the first time and referred to Rules Committee.

PRENATAL DIAGNOSIS FUNDING

S.B. No. 269 Jack M. Bangerter

AN ACT RELATING TO UNBORN CHILDREN; PROVIDING THAT ANY FUNDS RECEIVED BY THE STATE OF UTAH FOR PROCEDURES OF PRENATAL DIAGNOSIS SHALL BE AVAILABLE ONLY UNDER CERTAIN CONDITIONS, was read the first time and referred to Rules Committee.

URANIUM TAILINGS RESTRICTIONS

S.B. No. 270 Karl G. Swan

AN ACT RELATING TO URANIUM TAILINGS; PROVIDING GUIDELINES AND SAFEGUARDS FOR THE STORAGE OF URANIUM TAILINGS; MAKING CERTAIN ACTS UNLAWFUL; AND GRANTING LIMITED EXCEPTIONS TO COUNTY COMMISSIONS, was read the first time and referred to Rules Committee.

STATE PERSONNEL MANAGEMENT ACT AMENDMENTS

S.B. No. 271 Senators Snow, Pugh

AN ACT RELATING TO PERSONNEL MANAGEMENT; PROVIDING FOR A QUORUM OF THE PERSONNEL REVIEW BOARD; PROVIDING FOR THE BURDEN OF PROOF IN HEARINGS BEFORE A HEARINGS OFFICER; PROVIDING FOR THE TAKING OF A WRITTEN TRANSCRIPT OF PROCEEDINGS CONDUCTED BEFORE A HEARINGS OFFICER; AND PROVIDING FOR THE RIGHT OF APPEAL BY A STATE AGENCY TO THE PERSONNEL REVIEW BOARD. THIS ACT AMENDS SECTION 67-19-12, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 139, LAWS OF UTAH 1979 and SECTIONS 67-19-20 AND 67-19-25, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 81, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

UTAH MUNICIPAL BUILDING AUTHORITY ACT

S.B. No. 272 Cornaby

AN ACT RELATING TO MUNICIPAL BUILDING AUTHORITIES; PROVIDING FOR THE CREATION AND FUNCTIONS, POWERS, AND DUTIES OF MUNICIPAL BUILDING AU-

THORITIES TO ACQUIRE, IMPROVE, AND EXTEND PROJECTS; PROVIDING FOR THE FINANCING OF THE COSTS OF THESE PROJECTS ON BEHALF OF COUNTIES, CITIES, AND SCHOOL DISTRICTS; PROVIDING FOR APPROVAL OF PLANS AND SPECIFICATIONS; PROVIDING FOR LEASING CONTRACTS COVERING THESE PROJECTS; PROVIDING FOR PROCEDURES REGARDING BUILDING AUTHORITIES AND THEIR PROJECTS; PROVIDING FOR THE DISSOLUTION OF BUILDING AUTHORITIES; PROVIDING FOR TAX EXEMPTIONS; PROVIDING FOR PUBLICATION OF NOTICE AND LIMITATION OF ACTIONS; PROVIDING FOR NON-APPLICABILITY OF CERTAIN OTHER LAWS; AND PROVIDING AN EFFECTIVE DATE. THIS ACT ENACTS CHAPTER 29, TITLE 11, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

STATE BUILDING OWNERSHIP AUTHORITY AMENDMENTS

S.B. No. 273 Charles W. Bullen

AN ACT RELATING TO THE STATE BUILDING OWNERSHIP AUTHORITY ACT; DEFINING AND CLARIFYING CERTAIN TERMS AND PROVISIONS OF THIS ACT; PROVIDING THAT OBLIGATIONS ISSUED BY THE AUTHORITY MAY BE SOLD AT SUCH PRICES, EITHER AT, IN EXCESS OF, OR BELOW THEIR FACE VALUE AS DETERMINED BY THE AUTHORITY; PROVIDING FOR THE OPERATION, MAINTENANCE AND INSURANCE OF AND THE REQUIREMENT FOR THE PAYMENT OF RENTALS FOR FACILITIES LEASED BY THE AUTHORITY; PROVIDING FOR THE CREATION AND MAINTENANCE OF RESERVE FUNDS AND ACCOUNTS FROM THE PROCEEDS OF THE SALE OF THE OBLIGATIONS OF THE AUTHORITY AS SECURITY FOR SUCH OBLIGATIONS AND AS A COST OF ACQUIRING OR IMPROVING FACILITIES; EXPRESSLY EXEMPTING THE AUTHORITY'S PROPERTY, INCOME, OBLIGATIONS AND INTEREST THEREON FROM TAXATION UNDER THE INDIVIDUAL INCOME TAX AND CORPORATE FRANCHISE TAX LAWS OF UTAH; PROVIDING FOR THE PUBLICATION OF RESOLUTIONS OF THE AUTHORITY OR NOTICES OF OBLIGATIONS TO BE ISSUED BY IT; PROVIDING FOR CONTRACTS BETWEEN THE AUTHORITY AND THE UTAH STATE BUILDING BOARD WITH RESPECT TO FACILITIES ACQUIRED OR CONSTRUCTED BY THE AUTHORITY; PROVIDING FOR THE USE OF OUTSIDE ACCOUNTANTS AND ATTORNEYS BY THE AUTHORITY WITH THE CONSENT OF THE STATE AUDITOR AND ATTORNEY GENERAL, RESPECTIVELY; VALIDATING PRIOR OBLIGATIONS OF THE AUTHORITY AND THE PROCEEDINGS, AGREEMENTS AND SECURITY THEREFOR; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTIONS 63-9A-3, 63-9A-5, 63-9A-6, 63-9A-7, 63-9A-8, 63-9A-9, 63-9A-11, 63-9A-15, 63-9A-17, 63-9A-18, AND 63-9A-19, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1979; AND ENACTS SECTION 63-9A-20.1, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

PENSION DISTRIBUTIONS TAXING

S.B. No. 274 Charles W. Bullen

AN ACT RELATING TO TAXING OF PENSION AMOUNTS; MAKING TAXATION OF THESE AMOUNTS UNDER THE UTAH INDIVIDUAL INCOME TAX ACT OF 1973 THE SAME AS THE INTERNAL REVENUE CODE; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 59-14A-13, AS LAST AMENDED BY CHAPTER 201, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

BAIL FORFEITURES

S.B. No. 275 Richard J. Carling

AN ACT RELATING TO BAIL FORFEITURES; ESTABLISHING A PROCEDURE REGARDING NOTICE TO THE SURETIES UPON FAILURE OF THE DEFENDANTS TO APPEAR; AND BAIL FORFEITURE. THIS ACT AMENDS SECTION 77-20-7, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

SEXUAL EXPLOITATION OF MINORS

S.B. No. 276 Sherman A. Wayment

AN ACT RELATING TO SEXUAL EXPLOITATION OF A MINOR; EXPANDING THE OFFENSE TO INCLUDE EXPLOITATION OF A MINOR IN A STATE OF NUDITY AND THE DISTRIBUTION OF MATERIALS USED IN THE EXPLOITATION OF MINORS. THIS ACT AMENDS SECTION 76-10-1206.5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 81, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

STATE LIQUOR STORES BEER SALES

S.B. No. 277 Sherman A. Wayment

AN ACT RELATING TO STATE LIQUOR STORES; PROHIBITING SALE OR DELIERY OF BEER FROM SUCH STORES, was read the first time and referred to Rules Committee.

HAZARDOUS WASTE FACILITIES MANAGEMENT ACT

S.B. No. 278 Fred W. Finlinson

AN ACT RELATING TO HAZARDOUS WASTES; PROVIDING FOR THE CREATION, COMPOSITION, POWERS AND DUTIES OF A HAZARDOUS WASTE FACILITIES AUTHORITY, was read the first time and referred to Rules Committee.

DEPARTMENT OF BUSINESS REGULATIONS FEES

S.B. No. 279 Warren E. Pugh

AN ACT RELATING TO PUBLIC UTILITIES; PROVIDING AUTHORITY IN THE DIRECTOR OF THE DEPARTMENT OF BUSINESS REGULATIONS TO INCREASE THE SPECIAL FEE NOW CHARGED REGULATED PUBLIC UTILITIES IN AN AMOUNT COMMENSURATE WITH INCREASED COSTS OF REGULATION; AND PROVIDING FOR THE DISPOSITION OF SUCH FEES. THIS ACT AMENDS SECTION 54-5-1.5, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 9, LAWS OF UTAH 1975, FIRST SPECIAL SESSION, was read the first time and referred to Rules Committee.

PROFESISONAL CORPORATION ACT AMENDMENTS

S.B. No. 280 Fred W. Finlinson

AN ACT RELATING TO PROFESSIONAL CORPORATIONS; AUTHORIZING LICENSED PSYCHOLOGISTS TO ORGANIZE PROFESSIONAL CORPORATIONS, was read the first time and referred to Rules Committee.

SCHOOL AND PUBLIC EMPLOYEES' RETIREMENT BENEFITS

S.B. No. 281 Senators Bennett, Bullen

AN ACT RELATING TO PENSIONS; PROVIDING A MINIMUM MONTHLY ALLOWANCE OF $6.50 PER MONTH FOR EACH YEAR OF CREDITED SERVICE TO RETIRANTS UNDER THE UTAH STATE RETIREMENT SYSTEM; APPROPRIATING $1,579,000 TO THE STATE RETIREMENT BOARD, FROM THE GENERAL FUND, TO FINANCE THE ALLOWANCE FOR FISCAL 1981-82; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTIONS 49-10-59 AND 49-10-61, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 174 LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

JUNKYARD CONTROL ACT AMENDMENT

S.B. No. 282 Jack M. Bangerter

AN ACT RELATING TO JUNKYARD CONTROL; CORRECTING STATUTORY REFERENCE IN JUNKYARD CONTROL ACT; AND RELATING TO VIOLATIONS OF ITS PROVISIONS. THIS ACT AMENDS SECTION 27-12-137.10, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 74, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

UTAH DRAM SHOP ACT

S.B. No. 283 A. Dean Jeffs

AN ACT RELATING TO INTOXICATING LIQUOR; MAKING THOSE WHO CAUSE INTOXICATION BY ILLEGALLY PROVIDING LIQUOR LIABLE FOR DAMAGES CAUSED BY INTOXICANTS: AND PROVIDING IMMUNITY FOR THE STATE, was read the first time and referred to Rules Committee.

INTERSTATE CORRECTIONS COMPACT

S.B. No. 284 A. Dean Jeffs

AN ACT RELATING TO INTERSTATE COMPACTS; ADOPTING THE REVISED INTERSTATE CORRECTIONS COMPACT FOR THE STATE OF UTAH, AND AUTHORIZING THE APPROPRIATE OFFICERS OF THE STATE TO TAKE ACTIONS TO IMPLEMENT THIS COMPACT, was read the first time and referred to Rules Committee.

PRIVATE CLUB NONPROFIT CORPORATION ACT

S.B. No. 285 A Dean Jeffs

AN ACT RELATING TO LIQUOR CONTROL; PROVIDING THAT NO PRIVATE CLUB NONPROFIT CORPORATION MAY OPERATE UNDER A LOCAL USE PERMIT UNTIL IT HAS A STATE LIQUOR LICENSE AND CHARTER. THIS ACT ENACTS SECTIONS 16-6-12.2, 16-6-12.3, 16-6-12.4, AND 16-6-12.5, UTAH CODE ANNOTATED 1953; AND REPEALS SECTION 16-6-13, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 25, LAWS OF UTAH 1955, was read the first time and referred to Rules Committee.

HOME IMPROVEMENTS TAX INCENTIVE

S.B. No. 286 Senators Bennett, Farley

AN ACT RELATING TO TAXATION; PROVIDING FOR A TAX CREDIT TO ENTITIES SUBJECT TO TAXATION UNDER CHAPTER 13 OF TITLE 59 AND TO INDIVIDUALS, OF UP TO 10% OF THE COSTS OF MATERIALS USED IN REMODELING, REPAIRING, RENOVATING, OR OTHERWISE IMPROVING A HOME OR APARTMENT BUILDING WHICH HAS BEEN ON THE PROPERTY TAX ROLLS FOR OVER 30 YEARS; AND ESTABLISHING A CEILING FOR THE CREDIT. THIS ACT ENACTS SECTIONS 59-13-9.5 AND 59-14A-8.10, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

UTAH CHILDREN IN HOUSING

S.B. No. 287 Arthur L. Kimball

AN ACT RELATING TO LANDLORDS AND TENANTS; PROVIDING THAT LANDLORDS CANNOT REFUSE TO RENT TO TENANTS WITH CHILDREN AND PROVIDING EXCEPTIONS; PROVIDING THAT THE TRADE COMMISSION OF UTAH, ASSISTED BY THE OFFICE OF THE ATTORNEY GENERAL, SHALL ENFORCE THE PROVISIONS OF THIS ACT; PROVIDING THAT A TENANT CAN BRING AN ACTION FOR INJUNCTIVE RELIEF AND IS ENTITLED TO RECOVER ACTUAL DAMAGES; AND PROVIDING FOR AN EFFECTIVE DATE. THIS ACT ENACTS THE "UTAH CHILDREN IN HOUSING ACT", was read the first time and referred to Rules Committee.

RETALIATION BY LANDLORDS

S.B. No. 288 Arthur L. Kimball

AN ACT RELATING TO LANDLORD TENANT RELATIONS; PROHIBITING RETALIATION BY RESIDENTIAL LANDLORDS AGAINST TENANTS FOR CERTAIN ACTS; PROVIDING A DEFENSE; AND PROVIDING EXCEPTIONS, was read the first time and referred to Rules Committee.

UNFAIR TRADE PRACTICES AMENDMENTS

S.B. No. 289 Bryce C. Flamm

AN ACT RELATING TO INSURANCE; INHIBITING THE DESTRUCTION OF VALUABLE CONTRACT RIGHTS THROUGH MISREPRESENTATION, NONDISCLOSURE OR SUPPRESSION OF INFORMATION; STRENGTHENING THE AUTHORITY OF THE COMMISSIONER OF INSURANCE TO CONTROL THE AUTHORITY OF THE COMMISSIONER OF INSURANCE TO CONTROL TRADE PRACTICES IN VIOLATION OF SECTION 31-27-2(1)(c), SECTION 31-27-4 OR SECTION 31-27-9; AND ALLOWING AND SECURING THE RESCISSION OF INSURANCE SALES WITHIN A PERIOD PRESUMED NECESSARY FOR FULL AND ACCURATE POLICY INFORMATION TO BE MADE AVAILABLE TO AN INSURANCE BUYER WHOSE POLICY IS BEING REPLACED; AND PROVIDING FOR PENALTY. THIS ACT ENACTS SECTION 31-27-25, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

SPECIAL SERVICE DISTRICT ACT AMENDMENTS

S.B. No. 290 Ivan M. Matheson

AN ACT RELATING TO SPECIAL SERVICE DISTRICTS; DEFINING AND CLARIFYING CERTAIN TERMS AND PROVISIONS OF THE UTAH SPECIAL SERVICE DISTRICT ACT; PROVIDING FOR THE ACQUISITION AND/OR CONSTRUCTION OF SERVICE DISTRICT

FACILITIES BY LEASE OR CONTRACT; PROVIDING FOR THE DELETION FROM THE SERVICE DISTRICT OF SERVICES BEING SUPPLIED BY AN OVERLAPPING IMPROVEMENT DISTRICT; PROVIDING FOR THE ABANDONMENT OF A PROPOSED SERVICE DISTRICT OR THE ELIMINATION OF SERVICES THEREFROM UPON THE WRITTEN PROTEST OF THE OWNERS OF MORE THAN 50% OF THE ASSESSED VALUE OF THE TAXABLE PROPERTY TO BE INCLUDED IN THE PROPOSED DISTRICT; PROVIDING FOR APPEALS BY QUALIFIED VOTERS HAVING FILED PROTESTS WITH RESPECT TO A PROPOSED DISTRICT; PROVIDING FOR CONTRACTS BETWEEN THE GOVERNING AUTHORITY OF THE COUNTY OR MUNICIPALITY ESTABLISHING THE SERVICE DISTRICT OR THE SERVICE DISTRICT AND OTHER PARTIES, INCLUDING INSTITUTIONS WITHIN THE STATE SYSTEM OF HIGHER EDUCAION, FOR THE USE, OPERATION AND/OR MAINTENANCE OF SERVICE DISTRICT FACILITIES, THE COLLECTION OF FEES AND CHARGES WITH RESPECT TO DISTRICT COMMODITIES, SERVICE OR FACILITIES AND PROHIBITING THE DISSOLUTION OF SERVICE DISTRICTS WHILE OBLIGATED UNDER CONTRACTS OR THE ELIMINATION OF SERVICES COVERED BY CONTRACTS WITHOUT THE CONSENT OF THE PARTY ENTITLED TO RECEIVE SUCH SERVICES; PROVIDING FOR SERVICE DISTRICTS TO FINANCE THEIR FACILITIES AND TO ACQUIRE OTHER THAN BY CONDEMNATION PROPERTY THEREFORE OWNED OR HELD BY INSTITUTIONS WITHIN THE STATE SYSTEM OF HIGHER EDUCATION; PROVIDING FOR THE COLLECTION, ADMINISTRATION AND EXPENDITURE OF SERVICE DISTRICT FUNS AS REQUIRED BY THE TERMS OF THE INSTRUMENTS AND PROCEEDINGS PURSUANT TO WHICH BONDS OR NOTES OF THE SERVICE DISTRICT ARE ISSUED AND/OR SECURED; PROVIDING THAT BONDS AND NOTES MAY CONTAIN SUCH TERMS AND PROVISIONS AS ARE PERMITTED BY THE UTAH MUNICIPAL BOND ACT AND FOR THE EXEMPTION THEREOF AND THE INTEREST THEREON FROM STATE TAXATION; PRESCRIBING COSTS PAYABLE FROM THE PROCEEDS OF SUCH BONDS OR NOTES; PROVIDING FROM REPRESENTATION OF INSTITUTIONS WITHIN THE STATE SYSTEM OF HIGHER EDUCATION RECEIVING OR USING COMMODITIES, SERVICES OF FACILITIES OF A SERVICE DISTRICT ON ANY ADMINISTRATIVE CONTROL BOARD ESTABLISHED BY THE DISTRICT; PROVIDING FOR PROTESTS BY PROPERTY OWNERS AND TAXPAYERS WITHIN ESTABLISHED DISTRICTS AGAINST ANNEXING ADDITIONAL AREA TO SUCH DISTRICTS; VALIDATING PRIOR SERVICE DISTRICTS AND THEIR BONDS OR NOTES AND THE PROCEEDINGS, AGREEMENTS, AND SECURITY THEREFORE; AND PROVIDING AN EFFECTIVE DATE THIS ACT AMENDS SECTIONS 11-23-5, 11-23-9, 11-23-10, 11-23-11, 11-23-13, 11-23-15, 11-23-21, 11-23-23, 11-23-25, 11-23-26, AND 11-23-27, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 116, LAWS OF UTAH 1975, SECTIONS 11-23-2, 11-23-4, 11-23-6, 11-23-14, AND 11-23-24, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 46, LAWS OF UTAH 1977; AND ENACTS SECTION 11-23-30, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

ADMINISTRATIVE RULES — LEGISLATIVE OVERSIGHT

S.B. No. 291 Ivan M. Matheson

AN ACT RELATING TO ADMINISTRATIVE RULE MAKING; AND PROVIDING FOR REVIEW AND APPROVAL BY A STANDING COMMITTEE OR INTERIM STUDY COMMITTEE APPOINTED BY THE LEGISLATIVE MANAGEMENT COMMITTEE OF RULES PROMULGATED BY STATE AGENCIES. THIS ACT AMENDS SECTION 63-46-5, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 193, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

MINIMUM BASIC SCHOOL DISTRICT TAX LEVY

S.B. No. 292 Senators Pugh, Barlow

AN ACT RELATING TO TAX LEVIES OF SCHOOL DISTRICTS; REDUCING THE MINIMUM BASIC TAX LEVY REQUIRED OF THESE DISTRICTS TO PARTICIPATE IN THE BASIC STATE-SUPPORTED SCHOOL PROGRAM; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 53-7-18, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 51, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

STATE WATERFOWL STAMP

S.B. No. 293 Haven J. Barlow

AN ACT RELATING TO THE STATE DIVISION OF WILDLIFE RESOURCES; PROVIDING FOR A STATE WATERFOWL STAMP; PROVIDING FOR THE USE OF PROCEEDS; AND DIRECTING THE DIVISION TO ESTABLISH AND ADMINISTER A WATERFOWL FUND. THIS ACT AMENDS SECTIONS 23-19-40, 23-19-40.5, 23-19-40.6, AND 23-19-40.7, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

WATER AND SEWAGE DISTRICT FEE DELINQUENCIES

S.B. No. 294 Fred W. Finlinson

AN ACT RELATING TO WATER AND SEWAGE DISTRICTS; PROVIDING THAT FEES CHARGED BY THESE DISTRICTS BE COLLECTED IN THE SAME MANNER AS COUNTY TAXES; AND PROVIDING AN EFFECTIVE DATE. THIS ACT ENACTS SECTION 17-6-33, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

SCHOOL PROXIMITY TO LIQUOR STORES

S.B. No. 295 Senators Kimball, Barton, Bangerter

AN ACT RELATING TO LIQUOR STORES; PROVIDING THAT DISTANCE REQUIREMENTS IN RELATION TO THE PROXIMITY OF STORES OR PACKAGE AGENCIES TO SCHOOLS MAY BE REDUCED AFTER PUBLIC HEARING; AND PROVIDING LIMITED HOURS OF OPERATION IF DISTANCE REQUIREMENTS ARE REDUCED. THIS ACT AMENDS SECTION 32-1-36.15, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 126, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

GROUNDWATER RECHARGE TEST APPROPRIATION

S.B. No. 296 Ronald R. Halverson

AN ACT RELATING TO WATERS IN THE STATE OF UTAH; AUTHORIZING THE STATE ENGINEER TO PROCEED WITH A GROUNDWATER RECHARGE FEASIBILITY TEST; AND APPROPRIATING $60,000 FROM THE GENERAL FUND FOR THIS PURPOSE, was read the first time and referred to Rules Committee.

PROPERTY TRANSFER TO WEBER STATE

S.B. No. 297 Ronald R. Halverson

AN ACT RELATING TO LANDS OWNED BY THE DEPARTMENT OF TRANSPORTATION; AND PROVIDING FOR TRANSFER OF CERTAIN VACANT REAL PROPERTY OWNED BY THIS DEPARTMENT TO WEBER STATE COLLEGE, was read the first time and referred to Rules Committee.

PEACE OFFICER CLASSIFICATIONS

S.B. No. 298 Glade M. Sowards

AN ACT RELATING TO AIRPORT SECURITY OFFICERS; PROVIDING A PEACE OFFICER CLASSIFICATION FOR SUCH OFFICERS; DESCRIBING TRAINING AND SCOPE OF AUTHORITY. THIS ACT AMENDS SECTION 77-1-3, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

On motion of Senator Barlow and under suspension of the rules, the Senate voted to allow introduction of the following bills:

UTAH UNIFORM PROBATE CODE AMENDMENTS

S.B. No. 299 Haven J. Barlow

AN ACT RELATING TO THE UTAH UNIFORM PROBATE CODE; PROVIDING FOR A CHANGE IN THE EFFECT OF ADOPTION UNDER THIS CODE; PROVIDING PROTECTION AGAINST THE GENERATION SHIPPING TAX BE INCLUDED UNDER DIRECTIONS TO PAY TAXES; INCREASING THE AVAILABILITY OF INFORMAL PROCEEDINGS WHERE THERE ARE QUESTIONS OF PRIORITY FOR APPOINTMENT AS PERSONAL REPRESENTATIVES; PROVIDING THAT SALES COMMISSIONS BE CONSIDERED IN BID FOR PROPERTY THE SALE OF WHICH IS BEFORE THE COURT FOR APPROVAL; CHANGING VARIOUS ASPECTS OF THE APPORTIONMENT OF DEATH TAXES IMPOSED ON AN ESTATE; PROVIDING CHANGES TO THE UNIFORM GIFTS TO MINORS PROVISIONS BY INCREASING THE INSTITUTIONS THAT CAN HOLD CUSTODIAL ACCOUNTS, BY INCREASING WHAT MAY BE INCLUDED AS CUSTODIAL PROPERTY, BY INCREASING THE WAYS ASSETS CAN BE MADE SUBJECT TO THESE PROVISIONS, AND BY MAKING IT MORE FLEXIBLE IN OTHER RESPECTS; MAKING CERTAIN CHANGES IN FORM; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTIONS 75-3-203, 75-5-601, 75-5-603, 75-5-604, 75-5-606, 75-5-607, 75-5-608, AND 75-7-402, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 150, LAWS OF UTAH 1975,AND SECTIONS 75-2-109, 75-3-710, 75-3-916, AND 75-5-602, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 194, LAWS OF UTAH 1977; AND ENACTS SECTIONS 75-2-114, 75-2-613, AND 75-6-202, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

REPEAL OF HIGHWAY PATROL MANPOWER STANDARD

S.B. No. 300 Haven J. Barlow

AN ACT RELATING TO THE UTAH STATE HIGHWAY PATROL; REPEALING THE STANDARD USED TO DETERMINE THE FIELD STRENGTH OF THE UTAH HIGHWAY PATROL, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

S.B. No. 81, SOCIAL WORK LICENSING AMENDMENTS, was before the Senate. Senator Matheson proposed amendments which failed.

On motion of Senator Christensen, the Senate agreed to delete all amendments to the bill and vote on **S.B. No. 81** as it was introduced.

S.B. No. 81 passed in its original form, and on the following roll call:

Yeas, 19; Nays, 7; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Bunnell	Halverson	Sandberg
Barlow	Christensen	Jones	Snow
Barton	Farley	Kimball	Sowards
Bennett	Finlinson	Peterson, L.	Swan
Black	Flamm	Pugh	

Voting in the negative were: Senators

Bullen	Jeffs	Money	Mr. President (Ferry)
Cornaby	Matheson	Peterson, C.	

Absent and not voting were: Senators

Asay	Carling	Wayment

S.B. No. 81 was transmitted to the House.

* * *

Sub. S.B. No. 29, STATE BUILDING BOARD POWERS, was read the third time and passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 6

Voting in the affirmative were: Senators

Asay	Christensen	Matheson	Sowards
Bangerter	Farley	Money	Swan
Barlow	Finlinson	Peterson, C.	Wayment
Bennett	Flamm	Peterson, L.	Mr. President (Ferry)
Black	Halverson	Pugh	
Bullen	Jones	Snow	

Voting in the negative was: Senator
Cornaby

Absent and not voting were: Senators

Barton	Carling	Kimball	Sandberg
Bunnell	Jeffs		

Sub. S.B. No. 29 was transmitted to the House.

* * *

S.B. No. 68, SALES TAX — PUBLIC TRANSIT ALLOCATION, was read the third time. Senators Finlinson, Bangerter, Halverson, Black, Sowards, Farley, Cornaby, Jones and C. Peterson commented.

On motion of Senator Black, **S.B. No. 68** was amended as follows:

Page 2, Line 4:
after *"proposal or"* delete [**proposals**] and insert *"any subsequent proposal to increase the rate of sales tax"*

Page 5, Line 8:
after *"proposal"* insert *"or any subsequent proposal to increase the rate of use tax"*

S.B. No. 68 failed on the following roll call:

Yeas, 10; Nays, 19, Absent, 0

Voting in the affirmative were: Senators

Barlow	Bunnell	Halverson	Mr. President (Ferry)
Barton	Carling	Jeffs	
Black	Finlinson	Sowards	

Voting in the negative were: Senators

Asay	Cornaby	Matheson	Sandberg
Bangerter	Farley	Money	Snow
Bennett	Flamm	Peterson, C	Swan
Bullen	Jones	Peterson, L.	Wayment
Christensen	Kimball	Pugh	

Senator Kimball, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action on **S.B. No. 68** tomorrow.

* * *

S.B. No. 135, COMPLIANCE WITH COUNTY PLANS, was read the third time and on motion of Senator Sowards, **S.B. No. 135** was amended as follows:

Page 2, Line 21 (goldenrod):
delete *"disapproval"* and insert in lieu thereof *"action"*

S.B. No. 135 passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Carling	Matheson	Sowards
Barlow	Farley	Peterson, C.	Swan
Barton	Finlinson	Peterson, L.	Mr. President (Ferry)
Bennett	Flamm	Pugh	
Bullen	Jeffs	Sandberg	
Bunnell	Jones	Snow	

Voting in the negative was: Senator
Cornaby

Absent and not voting were: Senators

Asay	Christensen	Kimball	Wayment
Black	Halverson	Money	

S.B. No. 135 was transmitted to the House.

SECOND READING CALENDAR

Sub. H.B. No. 79, BOARD OF EDUCATION VACANCIES, was read the second time. Senators Bunnell, Matheson and Swan commented.

Mr. President: February 3, 1081

The Public Education Committee, to which was referred **Substitute H.B. No. 79,** BOARD OF EDUCATION VACANCIES, by Representative Lee W. Farnsworth, has carefully considered the bill and reports it out of committee favorably and with the following amendment:

Page 2, Line 15:
Delete *"clerk"* and insert in lieu thereof *"lieutenant governor"*

William 'Bill' Barton, Committee Chairman

Committee report, as amended, read and adopted and the bill passed on the following roll call:

Yeas, 19; Nays, 3; Absent, 7

Voting in the affirmative were: Senators

Asay	Bullen	Finlinson	Pugh
Bangerter	Bunnell	Flamm	Snow
Barlow	Carling	Jeffs	Sowards
Barton	Cornaby	Kimball	Mr. President (Ferry)
Bennett	Farley	Peterson, C.	

Voting in the negative were: Senators

Matheson	Peterson, L.	Swan

Absent and not voting were: Senators

Black	Halverson	Money	Wayment
Christensen	Jones	Sandberg	

* * *

H.B. No. 19, UTILITY FRANCHISE TAX LIMITATIONS, was read the second time. Several senators commented.

Mr. President: February 3, 1981

The State and Local Affairs Committee to which was referred **H.B. No. 19,** UTILITY FRANCHISE TAX LIMITATIONS, by Representative Orval C. Harrison et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 13:
Delete *"6%"* and insert in lieu thereof *"6½%"*

Page 1, Line 31:
After *"A"* delete *"TWO-THIRDS"* and insert in lieu thereof *"MAJORITY"*

Bryce C. Flamm, Committee Chairman

Committee report, as amended, read and adopted.

COMMITTEE OF THE WHOLE

On motion of Senator Snow, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate were:

Representative Orval C. Harrison, sponsor
Mayor Ted Wilson, Salt Lake City, Utah

Senator Jones commented and on motion of Senator Kimball, the Committee of the Whole was dissolved.

On motion of Senator Carling, **H.B. No. 19** was amended as follows:

Page 1, Line 13:
delete *"6½%"* (committee amendment) and insert in lieu thereof *"6%"*

Page 1, Line 23:
delete *"6½%"* (committee amendment) and insert in lieu thereof *"6%"*

On motion of Senator Kimball, **H.B. No. 19** was amended as follows:

Page 1, Line 32:
delete the period and insert *"in a municipal election or two thirds of the local legislative body."*

H.B. No. 19 passed on the following roll call:

Yeas, 21; Nays, 6; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Carling	Kimball	Swan
Barlow	Cornaby	Matheson	Wayment
Barton	Farley	Peterson, L.	Mr. President (Ferry)
Bennett	Finlinson	Pugh	
Black	Flamm	Snow	
Bullen	Halverson	Sowards	

Voting in the negative were: Senators

Christensen	Jones	Peterson, C.	Sandberg
Jeffs	Money		

Absent and not voting were: Senators
Asay Bunnell

* * *

Senator Jones introduced the "Junior Patriots" from American Fork, Utah. The junior high school students sang three songs.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

H.B. No. 1	REPEAL OF PREVAILING WAGE RATES (Business, Labor and Economic Development)
S.B. No. 94	NATUROPATHIC LICENSING AND REGULATION (Business, Labor and Economic Development)
S.B. No. 124	WINTER RECREATIONAL PARKING (Energy and Natural Resources)
S.B. No. 125	MEDICAL PROBLEM REFLECTION (Social Services)
S.B. No. 131	CHIROPRACTIC PRACTICE (Business, Labor and Economic Development)
S.B. No. 139	STATE NATURAL RESOURCES AND ENERGY FUNCTIONS REORGANIZATION (Energy and Natural Resources)
S.B. No. 168	AUTO DEATHS—MEDICAL EXAMINER (Social Services)
S.B. No. 169	COUNCIL ON SCIENCE AND TECHNOLOGY (Energy and Natural Resources)
S.B. No. 175	INSURANCE GUARANTY ASSOCIATION AMENDMENTS (Business, Labor and Economic Development)

H.B. No. 1 and **S.B. Nos. 94, 124, 125, 131, 139, 168, 169** and **175** were placed on Second Reading Calendar.

On motion of Senator Snow, and at 12:00, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Miles 'Cap' Ferry presiding:

INTRODUCTION OF BILL

On motion of Senator Jones and under suspension of the rules, the Senate voted to allow introduction of the following bill:

MATERIAL ON CABLE TELEVISION

S.B. No. 301 Senators Jones, Halverson, Swan

AN ACT RELATING TO THE CRIMINAL CODE; PROVIDING THAT IT IS A CLASS A MISDEMEANOR TO KNOWINGLY DISTRIBUTE ANY OBSCENE OR INDECENT MATERIAL THROUGH CABLE TELEVISION. THIS ACT ENACTS SECTION 76-10-1229, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

SECOND READING CALENDAR

H.B. No. 10, BANK EXAMINATION was read the second time.

Mr. President: February 4, 1981

The Business, Labor and Economic Development Committee, to which was referred **H.B. No. 10,** BANK EXAMINATION, by Representative Sherman D. Harmer, Jr. has carefully considered the bill and reports it out of committee with a favorable recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Christensen	Jeffs	Pugh
Barlow	Cornaby	Jones	Sandberg
Barton	Farley	Kimball	Snow
Bennett	Finlinson	Money	Sowards
Bullen	Flamm	Peterson, C.	Wayment
Bunnell	Halverson	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Asay	Carling	Matheson	Swan
Black			

* * *

H.B. No. 18, UTILITIES RATE STRUCTURE was read the second time. Senators Bunnell, Matheson, Jones, Bullen, Black, C. Peterson, Christensen, Pugh and Cornaby commented.

Mr. President: February 4, 1981

The Business, Labor and Economic Development Committee, to which was referred **H.B. No. 18,** UTILITIES RATE STRUCTURE, by Representative Orval C. Harrison et al, has carefully considered the bill and reports it out of committee with a favorable recommendaton.

Arnold Christensen, Committee Chairman

Committee report read and adopted and on motion of Senator Snow, the bill was circled.

* * *

H.B. No. 17, ALTERNATIVE MORTGAGE INSTRUMENTS, was read the second time. Senators Pugh, Sandberg, Jeffs and Black commented.

Mr. President: February 6, 1981

The Business, Labor and Economic Development Committee, to which was referred **H.B. No. 17,** ALTERNATIVE MORTGAGE INSTRUMENTS, by Representative Sherman D. Harmer, Jr., has carefully considered the bill and reports it out of committee without recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted. Representative Orval C. Harrison explained the bill in Committee of the Whole.

On motion of Senator Snow, the bill was circled.

* * *

H.B. No. 93, CONSTRUCTION OCCUPANCY EFFECT, was read the second time. Senator Christensen explained the bill.

Mr. President: February 4, 1981

The Business, Labor and Economic Development Committee, to which was referred **H.B. No. 93,** CONSTRUCTION OCCUPANCY EFFECT, by Representative G. LaMont Richards, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted and on moton of Senator Christensen **H.B. No. 93** was amended as follows:

Page 2, Lines 16, 17, 18 and 19 (raspberry)
delete entirely.

H.B. No. 93 passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Matheson	Snow
Barton	Farley	Money	Sowards
Bennett	Finlinson	Peterson, C.	Swan
Black	Flamm	Peterson, L.	Wayment
Bullen	Halverson	Pugh	Mr. President (Ferry)
Bunnell	Jeffs		

Absent and not voting were: Senators

Asay	Carling	Kimball

* * *

H.B. No. 126, RESIDENTIAL FACILITY ZONING LIMITATION, was read the second time.

Mr. President: February 5, 1981

The State and Local Affairs to which was referred **H.B. No. 126,** RESIDENTIAL FACILITY ZONING LIMITATION, by Representative Charles L. Doane, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted and on motion of Senator Finlinson, the bill was circled.

* * *

H.B. No. 101, GENERAL ASSISTANCE REVISIONS, was read the second time. Senator Halverson explained the bill. Senators Swan and Kimball commented.

Mr. President: February 9, 1981

The Social Services Committee, to which was referred **H.B. No. 101,** GENERAL ASSISTANCE REVISIONS, by Representative Paul Rogers, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 20; Nays, 4; Absent, 5

Voting in the affirmative were; Senators

Bangerter	Cornaby	Jones	Sandberg
Barlow	Finlinson	Matheson	Snow
Barton	Flamm	Money	Sowards
Bullen	Halverson	Peterson, C.	Wayment
Christensen	Jeffs	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Bennett	Black	Farley	Kimball

Absent and not voting were: Senators

Asay	Carling	Pugh	Swan
Bunnell			

* * *

On motion of Senator Snow, the Senate voted to place **H.B. No. 60,** STATE AND LOCAL REVENUE AND APPROPRIATIONS LIMITATION, and **S.B. No. 59,** REVENUE AND

APPROPRIATION LIMITATION AMENDMENTS, as Special Orders of Business on Friday, February 13, 1981 at 2:30 p.m.

* * *

On motion of Senators Snow, the Senate voted to place **H.B. No. 1,** REPEAL OF PREVAILING WAGE RATES, as a Special Order of Business tomorrow, Thursday, February 12, 1981 at 11:00 a.m.

* * *

S.B. No. 84, OSTEOPATHIC MEDICINE LICENSING ACT, was read the second time. Senators Black, Cornaby, Kimball, Swan and Halverson commented.

Mr. President: January 29, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 84,** OSTEOPATHIC MEDICINE LICENSING ACT, by Senator Wilford R. Black, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 21:
Delete *"58-12-21,"*

Page 1, Lines 22 and 23:
After *"58-12-14,"* delete *"AND 58-12-20, UTAH CODE ANNOTATED 1953,"*

Page 1, Lines 26 and 27:
After *"1973,"* delete *"SECTION 58-12-23, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 138, LAWS OF UTAH 1967,"*

Page 1, Lines 29, 30, and 31:
After *"1965"* delete *", AND SECTION 58-12-25, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 4, LAWS OF UTAH 1976"*

Page 6, Line 14:
After *"advertising"* insert *"osteopathic"*

Page 7, Line 2:
Delete *"medical practices"* and insert in lieu thereof *"practice of osteopathic medicine or practice of medicine"*

Page 7, Line 19:
Delete *"medical practices"* and insert in lieu thereof *"the practice of osteopathic medicine"*

Page 8, Line 19:
Delete *"58-12-21,"*

Page 8, Line 20:
Delete *"and 58-12-20,"*

Page 8, Lines 23, 24 and 25:
After *"1973,"* delete *"Section 58-12-23, Utah Code Annotated 1953, and last amended by Chapter 138, Laws of Utah 1967,"*

Page 8, Lines 26, 27 and 28:
After *"1965,"* delete *"and Section 58-12-25, Utah Code Annotated 1953, as last amended by Chapter 4, Laws of Utah 1976,"*

Arnold Christensen, Committee Chairman

Committee report, as amended, read and adopted and the bill failed on the following roll call:

Yeas, 9; Nays, 16; Absent, 4

Voting in the affirmative were: Senators

Barlow	Black	Christensen	Snow
Barton	Carling	Kimball	Wayment
Bennett			

Voting in the negative were: Senators

Asay	Farley	Money	Sandberg
Bangerter	Flamm	Peterson, C.	Sowards
Bullen	Halverson	Peterson, L.	Swan
Cornaby	Jeffs	Pugh	Mr. President (Ferry)

Absent and not voting were: Senators

Bunnell	Finlinson	Jones	Matheson

* * *

S.B. No. 99, LIFE INSURANCE POLICY LOAN INTEREST RATE, was read the second time. Senators Pugh, Finlinson, Matheson, Flamm, Cornaby, Jeffs and Swan commented.

Mr. President: January 29, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 99,** LIFE INSURANCE POLICY LOAN INTEREST RATE, by Senator Warren E. Pugh, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted and on motion of Senator Finlinson, **S.B. No. 99** was amended as follows:

Page 2, Line 31:
after *"policy"* insert *", except for policies issued prior to the effective date of this act,"*

Page 3, Line 33:
after *"section"* add a period and delete remainder of line.

Page 3, Line 34:
delete entirely

S.B. No. 99 passed on the following roll call:

Yeas, 23; Nays, 5; Absent, 1

Voting in the affirmative were: Senators

Asay	Carling	Jones	Sandberg
Bangerter	Christensen	Kimball	Snow
Barlow	Farley	Money	Swan
Barton	Finlinson	Peterson, C.	Wayment
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)
Bunnell	Halverson	Pugh	

Voting in the negative were: Senators

Bennett	Jeffs	Matheson	Sowards
Cornaby			

Absent and not voting was: Senator
Black

* * *

On motion of Senator Snow, the circles were removed from **H.B. No. 17,** ALTERNATIVE MORTGAGE INSTRUMENTS, **H.B. No. 18,** UTILITIES RATE STRUCTURES, and **H.B. No. 126,** RESIDENTIAL FACILITIES ZONING LIMITATION.

* * *

Senator Bangerter, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action on **S.B. No. 84,** OSTEOPATHIC LICENSING ACT, on the next legislative day.

On motion of Senator Snow, and at 4:00 p.m., the Senate adjourned until 10:00 a.m., Thursday, February 12, 1981.

THIRTY-SECOND DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present.

Prayer — Senator Jack M. Bangerter (Davis, Dist. 23).

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: February 12, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 11, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House **S.B. No. 12,** PROPOSED INCORPORATION OF CITY AMENDMENTS, by Senator Barton, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Barton, the Senate voted to refuse to concur in the House amendments and to ask the House to recede from its amendments.

* * *

Mr. President: February 11, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the House, **S.B. No. 87,** COUNSEL FOR INDIGENT DEFENDANTS, by Senator Jeffs, et al, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Jeffs, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Christensen	Kimball	Sandberg
Bangerter	Cornaby	Matheson	Snow
Barton	Farley	Money	Sowards
Bennett	Finlinson	Peterson, C.	Swan
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)
Bunnell	Jones	Pugh	

Absent and not voting were: Senators

Barlow	Carling	Jeffs	Wayment
Black	Flamm		

S.B. No. 87 was transmitted to the House.

* * *

Mr. President: February 11, 1981

I am directed to inform the Senate that the House of Representatives has this day passed on Consent Calendar **H.J.R. No. 19,** KARL A. PETERSON RESOLUTION, by Representative Dmitrich, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, **H.J.R. No. 19** was read the first time and under suspension of the rules, placed on Second Reading Calendar, and circled.

* * *

Mr. President: February 11, 1981

I am directed to inform the Senate that the House of Representatives has this day passed on the Consent Calendar **H.B. No. 191,** MECHANIC'S LIENS — ITEMS COVERED, by Representative Richards, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 191 was read the first time and referred to Rules Committee.

* * *

Mr. President: February 11, 1981

I am directed to inform the Senate that the House of Representatives has this day passed on the Consent Calendar, **S.J.R. No. 4,** EARTHQUAKE PREPAREDNESS RESOLUTION, by Senator Money, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 13,** MUNICIPAL INCORPORATION AMENDMENTS, by Senator Barton, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed on the Consent Calendar, **S.B. No. 93,** REPEAL OF PHARMACY PROVISIONS, by Senator Carling, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed on Consent Calendar **S.B. No. 110,** NURSE PRACTITIONERS PILOT PROJECT EXTENSION, by Senator Carling, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.J.R. No. 4 and **S.B. Nos. 13, 93** and **110** were signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

THIRD READING CALENDAR

Sub. H.B. No. 79, BOARD OF EDUCATION VACANCIES, was read the third time. Senators Swan, Matheson, Bunnell, Bennett and Black commented. **Sub. H.B. No. 79** passed on the following roll call:

Yeas, 25; Nays, 3; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Sandberg
Bangerter	Carling	Jeffs	Snow
Barlow	Christensen	Jones	Sowards
Barton	Cornaby	Kimball	Mr. President (Ferry)
Bennett	Farley	Money	
Black	Finlinson	Peterson, C.	
Bullen	Flamm	Pugh	

Voting in the negative were: Senators

Matheson	Peterson, L.	Swan

Absent and not voting was: Senator

Wayment

Sub. H.B. No. 79, as amended, was returned to the House.

* * *

H.B. No. 19, UTILITY FRANCHISE TAX LIMITATIONS, was read the third time and passed on the following roll call:

Yeas, 23; Nays, 2; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	Jones	Sandberg
Barlow	Christensen	Kimball	Snow
Barton	Cornaby	Matheson	Sowards
Bennett	Finlinson	Peterson, C.	Swan
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)
Bunnell	Halverson	Pugh	

Voting in the negative were: Senators

Jeffs	Money

Absent and not voting were: Senators

Bangerter	Black	Farley	Wayment

H.B. No. 19, as amended, was returned to the House.

* * *

H.B. No. 10, BANK EXAMINATION, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Snow
Barlow	Christensen	Jones	Sowards
Barton	Cornaby	Kimball	Swan
Bennett	Farley	Peterson, C.	Wayment
Black	Finlinson	Peterson, L.	Mr. President (Ferry)
Bullen	Flamm	Pugh	
Bunnell	Halverson	Sandberg	

Voting in the negative was: Senator

Matheson

Absent and not voting were: Senators

Bangerter	Money

H.B. No. 10 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

H.B. No. 93, CONSTRUCTION OCCUPANCY EFFECT, was read the third time. Senators Christensen and Sandberg commented.

On motion of Senator Christensen, **H.B. No. 93** was amended as follows:

Page 1, Line 27:
Restore *"1½% per month"* and delete *"1% over the Utah prime rate"*

H.B. No. 93 passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Pugh
Barlow	Christensen	Jones	Sandberg
Barton	Cornaby	Kimball	Snow
Bennett	Farley	Matheson	Wayment
Black	Finlinson	Money	Mr. President (Ferry)
Bullen	Flamm	Peterson, C.	
Bunnell	Halverson	Peterson, L.	

Absent and not voting were: Senators

Bangerter	Sowards	Swan

H.B. No. 93, as amended, was transmitted to the House.

* * *

H.B. No. 101, GENERAL ASSISTANCE REVISIONS, was read the third time.

On motion of Senator Halverson, **H.B. No. 101** was amended as follows:

Page 6, after Line 32:
insert *"Section 6. This act shall take effect upon approval."*

H.B. No. 101 passed on the following roll call:

Yeas, 25; Nays, 3; Absent, 1

Voting in the affirmative were: Senators

Bangerter	Christensen	Kimball	Snow
Barlow	Cornaby	Matheson	Sowards
Barton	Finlinson	Money	Wayment
Black	Flamm	Peterson, C.	Mr. President (Ferry)
Bullen	Halverson	Peterson, L.	
Bunnell	Jeffs	Pugh	
Carling	Jones	Sandberg	

Voting in the negative were: Senators
Bennett Farley Swan

Absent and not voting was: Senator
Asay

H.B. No. 101, as amended, was returned to the House.

* * *

On motion of Senator Snow, **S.B. No. 99,** LIFE INSURANCE POLICY LOAN INTEREST RATES, was read the third time, and circled.

SECOND READING CALENDAR

H.B. No. 17, ALTERNATIVE MORTGAGE INSTRUMENTS, was before the Senate. Senator Pugh, Jeffs, Bennett, Farley, Carling and Black commented. On motion of Senator Jeffs **H.B. No. 17** was amended as follows:

Page 2, Line 30:
Delete *"secured by a first lien against a dwelling, one"*

On motion of Senator Snow, **H.B. No. 17** was circled.

COMMITTEE OF THE WHOLE

On motion of Senator Snow, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

The Honorable James V. Hansen
United States Representative, Utah

On motion of Senator Snow, the Committee of the Whole was dissolved.

* * *

H.B. No. 1, REPEAL OF PREVAILING WAGE RATES, being a Special Order of Business at 11:00 a.m., was read the second time. Senator Christensen explained the bill.

Mr. President: February 11, 1981

The Business, Labor and Economic Development Committees to which was referred **H.B. No. 1,** REPEAL OF PREVAILING WAGE RATES, by Representative C. McClain Haddow et al, had carefully considered the bill and reports it out of committee without recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted.

COMMITTEE OF THE WHOLE

On motion of Senator Christensen, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate were:

(Proponents) Representative C. McClain Haddow, sponsor, and Robert W. Warnick, Executive Director, Utah Chapter Associated Builders and Contractors (12 minutes)

(Opponents) Ed. Mayne, President, UTAH AFL-CIO and Nick L. Theos, Executive Manager, Sheet Metal Contractor's Association (12 minutes)

(Proponent) Representative Haddow (3 minutes)
(Opponent) Ed Mayne (3 minutes)

Senators Black, and Halverson commented. On motion of Senator Christensen, the Committee of the Whole was dissolved.

Senator Kimball moved to replace **H.B. No. 1** with **Sub H.B. No. 1,** PREVAILING WAGE AMENDMENTS, by Kimball and Black. Senators Black, Bunnell, Halverson spoke to the motion. **H.B. No. 1** will remain as Unfinished Business.

STANDING COMMITTEE REPORTS

Mr. President: February 11, 1981

The State and Local Affairs Committee, to which was referred **S.B. No. 199,** UTAH STATE RETIREMENT ACT MODIFICATIONS, by Senator Bryce C. Flamm, has carefully considered the bill and reports the bill out with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The State and Local Affairs Committee, to which was referred **S.B. No. 144,** PUBLIC SAFETY RETIREMENT BENEFITS, by Senator Richard J. Carling has carefully considered the bill and reports the bill out of committee favorably with the following amendments and asks that it be placed on the Consent Calendar.

Page 1, Line 12:
After *"AND"* delete *"FINAL AVERAGE SALARY"* and insert in lieu of *"EMPLOYER CONTRIBUTION RATES"*

Page 5, after Line 25:
Insert *"three consecutive years"*

Page 5, Line 26:
After *"years"* delete *"one"*

Page 5, Line 26:
After *"last"* insert *"five"*

Page 5, Line 27:
Delete *"three"*

Page 8, after Line 13:
Insert a new subparagraph:
"(45) "Employer contribution rates" shall mean those rates certified to the employers as provided for in Title 49-11-23(2).", and

The State and Local Affairs Committee, to which was referred **H.B. No. 80,** MASS MEETING DATE, by Representative Robert B. Sykes, has carefully considered the bill and reports the bill out with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The State and Local Affairs Committee, to which was referred **S.B. No. 197,** MORONI L. JENSEN STATE HOUSE FELLOWS PROGRAM, by Senator Omar B. Bunnell, et al, has carefully considered the bill and reports the bill out with a favorable recommendation and asks that it be placed on the Consent Calendar.

Bryce C. Flamm, Committee Chairman

Committee reports read and adopted.

S.B. Nos. 199 and **144** and **H.B. No. 80** and **S.B. No. 197** were read the second time and placed on Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

H.B. No. 51	(**Sub**) MECHANICS' LIEN MODIFICATIONS (Judiciary)
H.B. No. 100	ATTORNEY'S FEES IN CIVIL CASES (Judiciary)
S.B. No. 142	PARKING AND IMPROVEMENT DISTRICT AMENDMENTS (State andn Local Affairs)
S.B. No. 170	PROPERTY TAX PREPAYMENT (Revenue and Taxation)
S.B. No. 173	DECEPTION DETECTION EXAMINERS (Judiciary)
S.B. No. 192	LIQUOR COMMISSION HEARING AND INVESTIGATION COSTS (Judiciary)
S.B. No. 204	ATHLETIC COMMISSION REORGANIZATION (Transportation and Public Safety)
S.B. No. 208	LAND SALES EXEMPTION (Agriculture)

S.B. No. 223 DRIVERS' LICENSE FEES
(Transportation and Public Safety)

H.B. Nos. 51 and **100** and **S.B. Nos. 142, 170, 173, 192, 204, 208** and **223** were placed on Second Reading Calendar.

RULES COMMITTEE REPORTS

Mr. President: February 12, 1981

Your Rules Committee, to which were referred:

S.B. No. 160 BURGULAR ALARM SECURITY CERTIFICATION ACT
(Transportation and Public Safety)

S.B. No. 209 MOBILE HOME AND RECREATIONAL VEHICLE STANDARDS MANUFACTURED HOUSING AND RECREATIONAL VEHICLE STANDARDS
(Agricultural)

S.B. No. 216 MOTOR FUEL SALES
(Transportation and Public Safety)

S.B. No. 217 OPTOMETRIC REFERRALS MODIFICATIONS
(Social Services)

S.B. No. 218 TITLE INSURANCE RATES
(Business, Labor and Economic Development)

S.B. No. 221 STATE VETERANS' CEMETERY
(State and Local Affairs)

S.B. No. 222 VEHICLE REGISTRATION FEE INCREASE
(Transportation and Public Safety)

S.B. No. 226 NUISANCES IN MANUFACTURING ACTIVITIES
(State and Local Affairs)

S.B. No. 227 APPRENTICESHIP COUNCIL CHARGES
(Business, Labor and Economic Development)

reports the same back with a few minor changes assented to by the authors and recommends that they be printed and assigned to the committees indicated.

Your Rules Committee, to which were referred:

H.B. No. 84 SCHOOL COMPLIANCE OFFICERS
(Public Education)

H.B. No. 107 SOCIAL SERVICES SUBPOENAS
(Social Services)

H.B. No. 157 (**Sub.**) INSURANCE CODE RECODIFICATION
(Business, Labor, and Economic Development)

H.B. No. 158 (**Sub.**) INSURANCE INDUSTRY — REGULATORY FEES
(Business, Labor, and Economic Development)

H.B. No. 191 MECHANIC'S LIENS — ITEMS COVERED
(Business, Labor, and Economic Development)

reports the same back and recommends that they be assigned to the committees indicated.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted.

* * *

Senator Kimball, having served notice that he might ask the Senate to reconsider its action on **S.B. No. 68,** SALES TAX — PUBLIC TRANSIT ALLOCATION, today, did not ask that it be reconsidered. **S.B. No. 68** is filed.

COMMUNICATION FROM THE HOUSE

Mr. President: February 12, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House **Substitute S.B. No. 33,** OIL REREFINING AMENDMENTS, by Senator Black, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Black, the Senate voted to not accept the House amendments and to ask the House to recede from its amendments.

* * *

Senator Bangerter, having served notice that he might ask the Senate to reconsider its action on **S.B. No. 84,** OSTEOPATHIC LICENSING ACT, on this day, now moved that it be placed at the top of Second Reading Calendar. The motion carried.

* * *

On motion of Senator Snow, the circles were removed from **H.J.R. No. 19,** KARL A. PETERSON RESOLUTION, **H.B. No. 19,** UTILITY FRANCHISE TAX LIMITATIONS, and **S.B. No. 99,** LIFE INSURANCE POLICY LOAN INTEREST RATES.

On motion of Senator Snow, and at 12:15, the Senate adjourned until 10:00 a.m. Friday, February 13, 1981.

THIRTY-THIRD DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present.

Prayer — Senator K.S. Cornaby (Salt Lake, Dist. 7).

COMMITTEE TO READ AND REVISE THE JOURNAL

Mr. President: February 13, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

VALENTINE'S DAY

The Senate Employees presented each Senator with a carnation boutonnier, and Senator Farley with a corsage. Several employees sang an original song for the Senators. Female employees, and Senator Farley, were each were given a corsage by the Legislative Committee of the Utah Bar Association.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 12, 1981

I am directed to inform the Senate that the House of Representatives has this day rejected, as amended by the House and Senate, **Substitute S.B. No. 66,** SHOPLIFTING AMENDMENTS, by Senator Carling and same is returned herewith, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate, **S.B. No. 51,** UTAH DRUG PARAPHERNALIA ACT, by Senator Finlinson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate, **S.B. No. 78,** MOTION PICTURE FILMS AS INVENTORY, by Senator Black, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate, **S.B. No. 79,** SALES TAXES — MOTION PICTURE FILMS, by Senator Black, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

Sub. S.B. No. 66 is filed. **S.B. No. 61, 78** and **79** were signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

JOINT CONFERENCE COMMITTEE REPORT

Mr. Speaker and Mr. President: February 11, 1981

Your Conference and Committee, consisting of Senators Christensen, Halverson and Money and Representatives LeFevre, Harward and Harmer to which was referred **S.B. No. 28,** REGULATION OF CONTRACTORS, PLUMBERS, AND ELECTRICIANS, by Senator Arnold Christensen et al, begs leave to report as follows:

The Committee concurs in the House amendments except for the following amendment:

Page 23, Lines 6, 7 and 8:
Delete *"No journeyman plumber shall have under his immediate supervision at any one time more than one apprentice plumber."*

and that language should be restored to its original form.

Senator Arnold Christensen
Chairman, Senate Committee

Representative Sherman D. Harmer, Jr.
Chairman, House Committee

Mr. President: February 12, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Joint Conference Committee Report as of February 11, 1981, **S.B. No. 28,** REGULATION OF CONTRACTORS, PLUMBERS, AND ELECTRICIANS, by Senator Christensen, et al, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Christensen, the Senate voted to adopt the Joint Conference Committee Report on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Sowards
Bangerter	Carling	Kimball	Swan
Barlow	Christensen	Matheson	Wayment
Barton	Cornaby	Money	Mr. President (Ferry)
Bennett	Farley	Pugh	
Black	Finlinson	Sandberg	
Bullen	Flamm	Snow	

Voting in the negative was: Senator
Jeffs

Absent and not voting were: Senators

Halverson	Peterson, C.	Peterson, L.

S.B. No. 28 was transmitted to the House.

* * *

Mr. President: February 12, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, as amended by the House and Senate, **S.B. No. 15,** HEALTH PLANNING AND RESOURCES DEVELOPMENT ACT AMENDMENTS, by Senator Cornaby, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Cornaby, the Senate voted to place **S.B. No. 15** on Third Reading Calendar, and circle.

THIRD READING CALENDAR

On motion of Senator Money, the Senate voted to recall **S.B. No. 16,** MOTOR FUELS TESTING AND LABELING, from Rules Committee, place it on Third Reading Calendar, and circle. (**S.B. No. 16** is recalled after having been passed by the Senate and House and signed by the Speaker and President, for technical correction.)

* * *

S.B. No. 99, LIFE INSURANCE POLICY LOAN INTEREST RATE BILL, was read the third time. Senator Swan, Flamm, Pugh, Matheson and Finlinson commented.

On motion of Senator Pugh, **S.B. No. 99** was amended as follows:

Page 2, Lines 3, 4, 5, 6, 7, 8 and 9:
Delete entirely and insert in lieu thereof

"(a) The Monthly Average of the Composite Yield on Moody's Corporate Bond Yield Average — Monthly Average Corporates as published by Moody's Investors Service, Inc., or any successor thereto; or

(b) In the event that Moody's Corporate Bond Yield Average — Monthly Average Corporates is no longer published, a substantially similar average, established by regulation issued by the Commissioner."

On motion of Senator Flamm, **S.B. No. 99** was amended as follows:

Page 2, Line 31:
After *"policy"* delete *", except for policies issued prior to the effective date of this act,"* and insert *"must be determined"*

Page 3, Line 33:
After *"section"* insert *"unless the policyholder agrees in writing to the applicability of such provisions. Disclosure of the provisions regarding premiums, dividends, and nonforfeiture cash values of the existing insurance contract and those applicable to the amended insurance contract shall be made to the policyholder prior to obtaining such written agreement. No other rights of the policyholder under the insurance contract shall be affected"*

S.B. No. 99 passed on the following roll call:

Yeas, 22; Nays, 7; Absent, 0

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Sowards
Bangerter	Carling	Kimball	Swan
Barlow	Christensen	Money	Wayment
Barton	Farley	Peterson, L.	Mr. President (Ferry)
Bennett	Finlinson	Pugh	
Black	Flamm	Sandberg	

Voting in the negative were: Senators

Bullen	Halverson	Matheson	Snow
Cornaby	Jeffs	Peterson, C.	

S.B. No. 99 was transmitted to the House.

SECOND READING CALENDAR
(Unfinished Business)

H.B. No. 1, REPEAL OF PREVAILING WAGE RATES, was before the Senate. Senator Kimball's motion to replace **H.B. No. 1** with **Sub. H.B. No. 1** is considered. Senators Kimball, Swan, Jones, C. Peterson, Black and Kimball commented. Senator Kimball's motion failed on the following roll call:

Yeas, 8; Nays, 20; Absent, 1

Voting in the affirmative were: Senators

Barton	Black	Farley	Money
Bennett	Bunnell	Kimball	Swan

Voting in the negative were: Senators

Asay	Christensen	Jones	Sandberg
Bangerter	Finlinson	Matheson	Snow
Barlow	Flamm	Peterson, C.	Sowards
Bullen	Halverson	Peterson, L.	Wayment
Carling	Jeffs	Pugh	Mr. President (Ferry)

Absent and not voting was: Senator
Cornaby

Senators Farley, Jones, Black, Halverson, Kimball and Christensen commented. Senator Snow, with the aid of five senators requested a Call of the Senate. On motion of Senator Snow the Call of the Senate was lifted.

H.B. No. 1 passed on the following roll call:

Yeas, 19; Nays, 10; Absent, 0

Voting in the affirmative were: Senators

Asay	Christensen	Matheson	Snow
Bangerter	Finlinson	Peterson, C.	Sowards
Barlow	Flamm	Peterson, L.	Wayment
Bullen	Jeffs	Pugh	Mr. President (Ferry)
Carling	Jones	Sandberg	

Voting in the negative were: Senators

Barton	Bunnell	Halverson	Money
Bennett	Cornaby	Kimball	Swan
Black	Farley		

THIRD READING CALENDAR

On motion of Senator Cornaby, the circle was removed from **S.B. No. 15,** HEALTH PLANNING AND RESOURCES DEVELOPMENT ACT, and the Senate voted to concur in the House amendments on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Sandberg
Bangerter	Carling	Jeffs	Swan
Barlow	Christensen	Jones	Wayment
Barton	Cornaby	Matheson	Mr. President (Ferry)
Bennett	Farley	Money	
Black	Finlinson	Peterson, C.	
Bullen	Flamm	Peterson, L.	

Absent and not voting were: Senators

Kimball	Pugh	Snow	Sowards

S.B. No. 15 was transmitted to the House.

* * *

On motion of Senator money, **S.B. No. 16,** MOTOR FUELS TESTING AND LABELING, was uncircled and before the Senate on reconsideration. Senator Money and Black commented.

On motion of Senator Money, **S.B. No. 16** was amended as follows:

Page 1, Line 24:
Delete *"CHAPTER 11 OF TITLE 41"* and insert in lieu thereof *"SECTIONS 41-11-78 THROUGH 41-11-97"*.

Page 1, Line 25:
After *"1953"* insert *". AS ENACTED BY CHAPTER 3, LAWS OF UTAH 1979."*; delete *"IT"* and insert in lieu thereof *"THEM"*

Page 1, Line 28:
Delete *"Chapter 11 of Title 41"* and insert in lieu thereof *"Sections 41-11-78 through 41-11-97"*.

Page 1, Line 29:
After *"1953"* insert *"as enacted by Chapter 3, Laws of Utah 1979,"*; delete *"is"* and insert in lieu thereof *"are"*.

S.B. No. 16 passed reconsideration on the following roll call:

Yeas, 21; Nays, 2; Absent 6

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Sandberg
Bangerter	Carling	Kimball	Swan
Barlow	Christensen	Matheson	Mr. President (Ferry)
Bennett	Cornaby	Money	
Black	Farley	Peterson, C.	
Bullen	Flamm	Peterson, L.	

Voting in the negative were: Senators

Finlinson	Jeffs

Absent and not voting were: Senators

Barton	Pugh	Sowards	Wayment
Halverson	Snow		

S.B. No. 16 was transmitted to the House.

CONSENT CALENDAR

S.B. No. 183, INVESTMENT OF REDEMPTION FUND REPEAL, was read the third time and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	Jones	Snow
Bangerter	Christensen	Kimball	Sowards
Barlow	Cornaby	Matheson	Swan
Bennett	Farley	Money	Mr. President (Ferry)
Black	Finlinson	Peterson, C.	
Bullen	Flamm	Peterson, L.	
Bunnell	Jeffs	Sandberg	

Absent and not voting were: Senators

Barton	Halverson	Pugh	Wayment

S.B. No. 183 was transmitted to the House.

* * *

S.B. No. 176, NOTICE OF ENFORCEMENT — MECHANIC'S LIENS, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Peterson, L.
Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Kimball	Snow
Bennett	Farley	Matheson	Sowards
Black	Finlinson	Money	Swan
Bunnell	Flamm	Peterson, C.	Mr. President (Ferry)

Absent and not voting were: Senators

Barton	Halverson	Pugh	Wayment
Bullen			

S.B. No. 176 was transmitted to the House.

* * *

H.J.R. No. 21, SALT LAKE ART CENTER RESOLUTION, was read the third time and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	Jones	Snow
Bangerter	Christensen	Kimball	Sowards
Barton	Cornaby	Matheson	Swan
Bennett	Farley	Money	Mr. President (Ferry)
Black	Finlinson	Peterson, C.	
Bullen	Flamm	Peterson, L.	
Bunnell	Jeffs	Sandberg	

Absent and not voting were: Senators

Barlow	Halverson	Pugh	Wayment

H.J.R. No. 21 was signed by the President in open session of the Senate and returned to the House for further action.

SECOND READING CALENDAR

S.B. No. 84, OSTEOPATHIC MEDICINE LICENSING ACT, was before the Senate on reconsideration. Senators Black, Pugh and Cornaby commented. **S.B. No. 84** passed on the following roll call:

Yeas, 18; Nays, 10; Absent, 1

Voting in the affirmative were: Senators

Asay	Black	Matheson	Snow
Bangerter	Carling	Money	Sowards

Barlow	Finlinson	Peterson, C.	Wayment
Barton	Flamm	Pugh	
Bennett	Jones	Sandberg	

Voting in the negative were: Senators

Bullen	Cornaby	Kimball	Mr. President (Ferry)
Bunnell	Farley	Peterson, L.	
Christensen	Jeffs	Swan	

Absent and not voting was: Senator Halverson

* * *

H.J.R. No. 19, KARL A. PETERSON, was read the second time and, under suspension of the rules read the third time and placed on final passage.

On motion of Senator Snow, **H.J.R. No. 19** was amended as follows:

Page 1, Line 10:
After *"A"* delete *"CONCURRENT"* and insert in lieu thereof *"JOINT"*

Page 1, Line 11:
After the word *"UTAH,"* delete *"THE GOVERNOR CONCURRING THEREIN,"*

Page 2, Line 3:
After the word *"Utah"* delete *"and the Governor"*

Page 2, Line 4:
Delete *"of the State of Utah"*

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

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Sowards
Bangerter	Carling	Matheson	Swan
Barlow	Christensen	Money	Wayment
Barton	Cornaby	Peterson, C.	Mr. President (Ferry)
Bennett	Farley	Peterson, L.	
Black	Finlinson	Sandberg	
Bullen	Flamm	Snow	

Absent and not voting were: Senators

Halverson	Jeffs	Kimball	Pugh

H.J.R. No. 19, as amended, was transmitted to the House.

* * *

On motion of Senator Snow, **H.B. No. 60,** STATE AND LOCAL REVENUE AND APPROPRIATIONS LIMITATION, and **S.B. No. 59,** REVENUE AND APPROPRIATIONS LIMITIATION, having been placed as a Special Order of Business for this afternoon, were now placed on Second Reading Table.

On motion of Senator Snow, and at 12:00, the Senate recessed until 2:30 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:30 p.m. with President Miles 'Cap' Ferry presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 13, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **Substitute H.B. No. 96,** GOVERNMENT EMPLOYEES — NATIONAL GUARD, by Representative Farnsworth, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

Sub. H.B. No. 96 was read the first time and referred to Rules Committee.

Mr. President: February 13, 1981

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 87,** COUNSEL FOR INDIGENT DEFENDANTS, by Senator Jeffs, et al, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. No. 87 was signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

Mr. President: February 13, 1981

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.B. No. 93,** CONSTRUCTION OCCUPANCY EFFECT, by Representative Richards, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.B. No. 101,** GENERAL ASSISTANCE REVISIONS, by Representative Rogers, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **Substitute H.B. No. 79,** BOARD OF EDUCATION

VACANCIES, by Representative Farnsworth, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

H.B. Nos. 93, 101 and **Sub. H.B. No. 79** were signed by the President in open session of the Senate and returned to the House for further action.

Mr. President: February 13, 1981

I am directed to inform the Senate that the House of Representatives has this day refused to recede from its amendments to **S.B. No. 12,** PROPOSED INCORPORATION OF CITY AMENDMENTS, by Senator Barton, et al, and has appointed a Conference Committee consisting of Representatives Farnsworth, Williams and Palmer, to act with a like Committee from the Senate on this bill.

Allan M. Acomb, Chief Clerk

President Ferry appointed a Conference Committee comprised of Senators Barton, Swan and Flamm.

* * *

Mr. President: February 13, 1981

I am directed to inform the Senate that the House of Representatives has this day refused to concur in the Senate amendments to **H.B. No. 19,** UTILITY FRANCHISE TAX LIMITATIONS, by Representative Harrison, et al, and requests the Senate to recede from the following amendment:

Page 1, Line 33:
New language as follows: *"in a municipal election or two-thirds of the local legislative body."*

Allan M. Acomb, Chief Clerk

The Senate voted to refuse to recede from its amendments and President Ferry appointed a Conference Committee comprised of Senators Jeffs, Sowards and Money.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

H.B. No. 72	FLOOD CONTROL AMENDMENTS
S.B. No. 179	WATER AND SEWER IMPROVEMENT DISTRICT AMENDMENTS
S.B. No. 213	SOLAR ENERGY AND UTILIZATION IN MUNICIPALITIES
S.B. No. 215	RENEWABLE ENERGY USE

H.B. No. 72 and **S.B. Nos. 179, 213** and **215** are returned from Energy and Natural Resources Committee and placed on Second Reading Calendar.

SECOND READING CALENDAR

S.B. No. 83, MAIL ORDER SALES ACT, was read the second time.

Mr. President: January 30, 1981

The Public Education Committee, to which was referred **S.B. No. 83,** MAIL ORDER SALES ACT, by Senator Wilford R. Black, has carefully considered the bill and reports it out favorably with the recommendation that the original bill be deleted in body and title and that **Substitute S.B. No. 83** replace the original bill.

Substitute S.B. No. 83 to be amended as follows:

Page 1, Line 33:
After *"goods"* insert *"in an amount under $500"*

Page 3, Line 7:
Delete *"written"* and insert in lieu thereof *"certified or registered"*

Page 3, Line 15:
After *"period"* insert *"by mailing"*

Page 3, delete Lines 21 through 24 and insert in lieu thereof the following:
"(b) Upon receipt of the extension notice, the buyer has the right to cancellation of the order by a certified or registered notice to seller."

Page 3, Line 25:
Delete *"written"* and insert in lieu thereof *"certified or registered"*

William 'Bill' Barton, Committee Chairman

Committee report, as amended, read and adopted. The following floor amendment by Senator Black, was accepted to correct the committee report amendments.

On motion of Senator Black, **Sub. S.B. No. 83** was amended as follows:

Page 2, Line 5:
After *"goods"* insert *"in an amount under $500"*

Page 3, Line 9:
Delete *"after the first 30 days of"* and insert in lieu thereof *"during"*

Page 3, Line 11:
Delete *"written"* and insert in lieu thereof *"certified or registered"*

Page 3, Line 19:
After *"period"* insert *"by mailing"*

Page 3, delete Lines 25 through 28 and insert in lieu thereof the following:
"(b) Upon receipt of the extension notice, the buyer has the right to cancellation of the order by a certified or registered notice to seller."

Page 3, Line 29:
Delete *"written"* and insert in lieu thereof *"certified or registered"*

Sub. S.B. No. 83 passed on the following roll call:

Yeas, 23; Nays, 5; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Sandberg
Bangerter	Carling	Kimball	Snow
Barlow	Christensen	Matheson	Sowards
Barton	Farley	Money	Swan
Bennett	Finlinson	Peterson, C.	Mr. President (Ferry)
Black	Flamm	Peterson, L.	

Voting in the negative were: Senators

Cornaby	Jones	Pugh	Wayment
Jeffs			

Absent and not voting was: Senator
Bullen

* * *

S.B. No. 105, BULK REINSURANCE, was read the second time. Senators Flamm and Kimball commented.

Mr. President: January 29, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 105,** BULK REINSURANCE, by Senator Flamm, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 28:
After *"reinsure"* insert *"by assumption"*

Page 1, Line 29:
After *"reinsure"* insert *"by assumption"*

Arnold Christensen, Committee Chairman

Committee report, as amended, read and adopted and the bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sandberg
Bangerter	Cornaby	Kimball	Snow
Barlow	Farley	Matheson	Sowards

Bennett	Finlinson	Money	Swan
Black	Flamm	Peterson, C.	Mr. President (Ferry)
Bunnell	Halverson	Peterson, L.	
Carling	Jeffs	Pugh	

Absent and not voting were: Senators

Barton	Bullen	Wayment

* * *

S.B. No. 106, ROADSIDE SIGNS AMENDMENTS, was read the second time. Senators Christensen and Black commented.

President: January 30, 1981

The Transportation and Public Safety Committee, to which was referred **S.B. No. 106,** ROADSIDE SIGNS AMENDMENTS, by Senator Arnold Christensen et al, has carefully considered the bill and reports it out favorably with the recommendation that the original bill be deleted in body and title and that **Substitute S.B. No. 106** replace the original bill.

Substitute S.B. No. 106 to be amended as follows:

Page 6, Line 28:
Delete *"75,000"* and insert in lieu thereof *"125,000"*

Page 15, Line 4:
After *"city"* delete *"or county, or"* and insert in lieu thereof *"county, governmental entity, public utility or"*

E. Verl Asay, Committee Chairman

Committee report, as amended, read and adopted and the bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Pugh
Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Kimball	Snow
Barton	Farley	Matheson	Sowards
Bennett	Finlinson	Money	Swan
Black	Flamm	Peterson, C.	Wayment
Bunnell	Halverson	Peterson, L.	Mr. President (Ferry)

Absent and not voting was: Senator

Bullen

* * *

S.B. No. 146, MOTOR VEHICLE ACCIDENT REPORT, was read the second time. Senators Black, Pugh and Kimball commented.

Mr. President: January 30, 1981

The Transportation and Public Safety Committee, to which was referred **S.B. No. 146,** MOTOR VEHICLE ACCIDENT REPORT, by Senator Wilford R. Black et al, has carefully considered the bill and reports it out with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Pugh
Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Kimball	Snow
Barton	Farley	Matheson	Sowards
Bennett	Finlinson	Money	Swan
Black	Flamm	Peterson, C.	Wayment
Bunnell	Halverson	Peterson, L.	Mr. President (Ferry)

Absent and not voting was: Senator
Bullen

* * *

S.B. No. 137, UTAH ANTITRUST ACT AMENDMENTS, was read the second time.

Mr. President: January 29, 1981

The Judiciary Committee, to which was referred **S.B. No. 137,** UTAH ANTITRUST ACT AMENDMENTS, by Senator A. Dean Jeffs et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 26:
Delete *"risk"* and insert in lieu thereof *"probability"*

Page 2, Line 26:
After the word *"of"* at the end of the line insert *"creating a"*

Page 8, Line 5:
Delete *"less than $5,000 nor"*

Page 8, Line 6:
Delete *"less than $10,000 nor"*

Page 8, Line 33:
After *"this"* insert *"chapter"*

Page 9, Line 14:
After *"or"* insert *"to"*

A. Dean Jeffs, Committee Chairman

Committee report, as amended, read and adopted and on motion of Senators Jeffs, circled.

* * *

S.B. No. 141, CONSUMER RELATED LOAN AMENDMENTS, was read the second time. Senators Barlow and Kimball commented.

Mr. President: February 2, 1981

The Judiciary Committee, to which was referred **S.B. No. 141,** CONSUMER RELATED LOAN AMENDMENTS, by Senator Haven J. Barlow et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

A. Dean Jeffs, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 22; Nays, 6; Absent, 1

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Sowards
Barlow	Christensen	Jones	Swan
Barton	Farley	Matheson	Wayment
Black	Finlinson	Peterson, C.	Mr. President (Ferry)
Bullen	Flamm	Pugh	
Bunnell	Halverson	Snow	

Voting in the negative were: Senators

Bennett	Kimball	Peterson, L.	Sandberg
Cornaby	Money		

Absent and not voting was: Senator Bangerter

* * *

S.B. No. 137, UTAH ANTITRUST ACT AMENDMENTS, being circled as the Senate adjourned, was now placed on Second Reading Table.

On motion of Senator Snow, and at 4:00, the Senate adjourned until 9:00 a.m., Monday, February 16, 1981.

THIRTY-SIXTH DAY

MORNING SESSION

The Senate was called to order at 9:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present except Senator Cornaby (excused).

Prayer — Senator Fred W. Finlinson (Salt Lake, Dist. 8).

COMMITTEE TO READ AND REVISE THE JOURNAL

Mr. President: February 16, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATION FROM THE GOVERNOR

Dear President Ferry: February 13, 1981

This is to inform you that on February 13, 1981, Governor Matheson did sign into law the following bills, which have been forwarded to the Lt. Governor's Office for filing.

S.B. No. 4	UNIFORM FIRE-PREVENTION-CODE PANEL
S.B. No. 6	STUDDED TIRES TAX REMOVAL
S.B. No. 19	SMALL TRUCKS LADEN WEIGHT
S.B. No. 20	PAYMENTS OF WITHHOLDING TAXES
S.B. No. 57	UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT AMENDMENTS
S.B. No. 116	BRAND INSPECTION FEES

Tina Falvo, Administrative Aide

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 13, 1981

I am directed to inform the Senate that the House of Representatives has this day passed

H.J.R. No. 9, CHRIS RITZAKIS RESOLUTION, by Representative Taylor, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 91**, OFFICER'S COMMAND TO STOP, by Representative Schmutz, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 118**, CITY ORDINANCE AMOUNT INCREASE, by Representative Richards, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 180**, COUNTY SERVICE AREA ACT AMENDMENTS, by Representative Dahl, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.J.R. No. 9 and **H.B. Nos. 91, 118** and **180** were read the first time and referred to Rules Committee.

* * *

Mr. President: February 13, 1981

I am directed to inform the Senate that the House of Representatives has voted this day to recall from the Senate **Substitute S.B. No. 66**, SHOPLIFTING AMENDMENTS, by Senator Carling, for the purpose of reconsideration by the House.

Allan M. Acomb, Chief Clerk

On motion of Senator Carling, the Senate voted to return **Sub. S.B. No. 66** to the House for reconsideration.

* * *

Mr. President: February 13, 1981

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 15**, HEALTH PLANNING AND RESOURCES DEVELOPMENT herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 28**, REGULATION OF CONTRACTORS, PLUMBERS, AND ELECTRICIANS, by Senator Christensen, et al, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. Nos. 15 and **28** were signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

THIRD READING CALENDAR

H.B. No. 1, REPEAL OF PREVAILING WAGE RATE, was read the third time. Senators Black and Christensen commented. **H.B. No. 1** passed on the following roll call:

Yeas, 18; Nays, 9; Absent, 2

Voting in the affirmative were: Senators

Asay	Christensen	Peterson, C.	Sowards
Bangerter	Finlinson	Peterson, L.	Wayment
Barlow	Flamm	Pugh	Mr. President (Ferry)
Bullen	Jones	Sandberg	
Carling	Matheson	Snow	

Voting in the negative were: Senators

Barton	Bunnell	Halverson	Money
Bennett	Farley	Kimball	Swan
Black			

Absent and not voting were: Senators

Cornaby	Jeffs

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

* * *

S.B. No. 84, OSTEOPATHIC MEDICINE LICENSING ACT, was read the third time and passed on the following roll call:

Yeas, 19; Nays, 8; Absent, 2

Voting in the affirmative were: Senators

Asay	Black	Jones	Sandberg
Bangerter	Carling	Kimball	Snow
Barlow	Farley	Matheson	Sowards
Barton	Finlinson	Money	Wayment
Bennett	Halverson	Pugh	

Voting in the negative were: Senators

Bullen	Christensen	Peterson, C.	Swan
Bunnell	Flamm	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Cornaby	Jeffs

S.B. No. 84 was transmitted to the House.

* * *

Sub. S.B. No. 83, MAIL ORDER SALES ACT, was read the third time. Senators Black, Wayment and Jones commented. **S.B. No. 83** failed on the following roll call: .

Yeas, 12; Nays, 14; Absent, 3

Voting in the affirmative were: Senators

Barlow	Black	Carling	Kimball
Barton	Bullen	Farley	Money
Bennett	Bunnell	Finlinson	Swan

Voting in the negative were: Senators

Asay	Halverson	Peterson, L.	Wayment
Bangerter	Jones	Pugh	Mr. President (Ferry)
Christensen	Matheson	Snow	
Flamm	Peterson, C.	Sowards	

Absent and not voting were: Senators

Cornaby	Jeffs	Sandberg

* * *

S.B. No. 105, BULK REINSURANCE, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Snow
Bangerter	Carling	Kimball	Sowards
Barlow	Christensen	Matheson	Swan
Barton	Farley	Money	Wayment
Bennett	Finlinson	Peterson, C.	Mr. President (Ferry)
Black	Flamm	Peterson, L.	
Bullen	Halverson	Pugh	

Absent and not voting were: Senators

Cornaby	Jeffs	Sandberg

S.B. No. 105 was transmitted to the House.

* * *

Sub S.B. No. 106, ROADSIDE SIGNS AMENDMENTS. was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Snow
Bangerter	Carling	Kimball	Sowards

Barlow	Christensen	Money	Swan
Barton	Farley	Peterson, C.	Wayment
Bennett	Finlinson	Peterson, L.	Mr. President (Ferry)
Black	Flamm	Pugh	
Bullen	Halverson	Sandberg	

Absent and not voting were: Senators

Cornaby	Jeffs	Matheson

Sub. S.B. No. 106 was transmitted to the House.

* * *

On motion of Senator Black, **S.B. No. 146,** MOTOR VEHICLE ACCIDENT REPORT, was read the third time, and circled.

* * *

S.B. No. 141, CONSUMER RELATED LOAN AMENDMENTS, was read the third time and passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Carling	Matheson	Sowards
Barlow	Christensen	Money	Swan
Barton	Farley	Peterson, C.	Wayment
Bennett	Finlinson	Peterson, L.	Mr. President (Ferry)
Black	Flamm	Pugh	
Bullen	Halverson	Sandberg	
Bunnell	Jones	Snow	

Voting in the negative was: Senator
Kimball

Absent and not voting were: Senators

Asay	Cornaby	Jeffs

S.B. No. 141 was transmitted to the House.

CONSENT CALENDAR

S.B. No. 199, UTAH STATE RETIREMENT ACT MODIFICATIONS, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Bunnell	Jones	Pugh

Barlow	Carling	Kimball	Sandberg
Barton	Christensen	Matheson	Snow
Bennett	Farley	Money	Sowards
Black	Flamm	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Asay	Finlinson	Jeffs	Swan
Cornaby			

S.B. No. 199 was transmitted to the House.

S.B. No. 197, MORONI L. JENSEN STATE HOUSE FELLOWS PROGRAM, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Pugh
Barlow	Carling	Kimball	Sandberg
Barton	Christensen	Matheson	Snow
Bennett	Farley	Money	Swan
Black	Flamm	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Bangerter	Finlinson	Jeffs	Sowards
Cornaby			

S.B. No. 197 was transmitted to the House.

* * *

S.B. No. 144, PUBLIC SAFETY RETIREMENT BENEFITS, was read the third time and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barlow	Carling	Kimball	Sandberg
Barton	Christensen	Matheson	Snow
Bennett	Farley	Money	Swan
Black	Flamm	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)
Bunnell	Jones	Pugh	

Absent and not voting were: Senators

Asay	Cornaby	Jeffs	Sowards
Bangerter	Finlinson		

S.B. No. 144 was transmitted to the House.

* * *

H.B. No. 80, MASS MEETING DATE, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 2; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Peterson, L.
Barlow	Carling	Jones	Pugh
Barton	Christensen	Kimball	Sandberg
Bennett	Farley	Matheson	Sowards
Black	Finlinson	Money	Wayment
Bullen	Flamm	Peterson, C.	Mr. President (Ferry)

Voting in the negative were: Senators

Snow	Swan

Absent and not voting were: Senators

Bangerter	Cornaby	Jeffs

H.B. No. 80 was signed by the President in open session of the Senate, and returned to the House for further action.

SECOND READING CALENDAR

S.B. No. 143, JUVENILE COURT ACT AMENDMENTS, was read the second time. Senators Finlinson and Matheson commented.

Mr. President: February 2, 1981

The Judiciary Committee, to which was referred **S.B. No. 143,** JUVENILE COURT ACT AMENDMENTS, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee with a favorable recommendation.

A. Dean Jeffs, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barlow	Carling	Matheson	Snow
Barton	Christensen	Money	Sowards
Bennett	Farley	Peterson, C.	Swan
Black	Finlinson	Peterson, L.	Wayment
Bullen	Flamm	Pugh	Mr. President (Ferry)
Bunnell	Jones	Sandberg	

Absent and not voting were: Senators

Asay	Cornaby	Jeffs	Kimball
Bangerter	Halverson		

* * *

S.B. No. 156, UTILITIES SERVICES — HOSTAGE SITUATION, was read the second time.

Mr. President: February 2, 1981

The Judiciary Committee, to which was referred **S.B. No. 156,** UTILITIES SERVICES — HOSTAGE SITUATION, by Senator Fred W. Finlinson et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

A. Dean Jeffs, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Kimball	Snow
Barlow	Christensen	Matheson	Sowards
Barton	Farley	Money	Swan
Bennett	Finlinson	Peterson, C.	Wayment
Black	Flamm	Peterson, L.	Mr. President (Ferry)
Bullen	Halverson	Pugh	
Bunnell	Jones	Sandberg	

Absent and not voting were: Senators

Bangerter	Cornaby	Jeffs

* * *

S.B. No. 109, PUBLIC CONSTRUCTION — SALES TAX, was read the second time.

Mr. President: February 2, 1981

The Revenue and Taxation Committee, to which was referred **S.B. No. 109,** PUBLIC CONSTRUCTION — SALES TAXES, by Senator Lowell S. Peterson, has carefully considered the bill and reports it out of committee without recommendation and with the following amendments:

Page 1, Line 14:
Delete the period and insert *"AND SCHOOL DISTRICTS."*

Page 2, Line 13:
Delete the semi-colon and insert *", school districts"*

Charles W. Bullen, Committee Chairman

Committee report, as amended, read and adopted and on motion of Senator L. Peterson, circled.

* * *

S.B. No. 80, UTAH COSMETOLOGIST AND BARBER LICENSING ACT, was read the second time. Senator Flamm is presiding.

Mr. President: February 2, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 80,** UTAH COSMETOLOGIST AND BARBER LICENSING ACT, by Senator Wilford R. Black, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 3, Line 7:
Delete *"one"* and insert in lieu thereof *"two"*

Page 3, Line 8:
Delete *"three"* and insert in lieu thereof *"two"*

Arnold Christensen, Committee Chairman

Committee report, as amended, read and adopted and the bill passed on the following roll call:

Yeas, 24; Nays, 2; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jones	Pugh
Bangerter	Christensen	Kimball	Sandberg
Barton	Farley	Matheson	Snow
Bennett	Finlinson	Money	Sowards
Black	Flamm	Peterson, C.	Swan
Bunnell	Halverson	Peterson, L.	Wayment

Voting in the negative were: Senators

Barlow	Jeffs

Absent and not voting were: Senators

Bullen	Cornaby	Mr. President (Ferry)

* * *

S.B. No. 100, MARRIAGE AND FAMILY THERAPIST LICENSING, was read the second time. Senator Carling, Matheson, Asay and Pugh commented.

Mr. President: February 2, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 100,** MARRIAGE AND FAMILY THERAPIST LICENSING, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 14:
Delete *"PROVIDING FOR CONTINUING EDUCATION;"*

Page 10, Line 32:
After *"58-39-7.5."* Delete remainder of line

Page 10, Line 33:
Delete line

Page 11, Lines 2 through 6:
Delete lines

Page 10, Line 32:
After *"58-39-7.5."* insert new language:
"The committee shall promulgate standards for approval and designation of supervising therapists referred to in section 58-39-5 (4) and shall adopt other rules and regulations as may be necessary to carry out the provisions of this chapter."

Arnold Christensen, Committee Chairman

Committee report, as amended, read and adopted and the bill failed on the following roll call:

Yeas, 14; Nays, 10; Absent, 5

Voting in the affirmative were: Senators

Bennett	Farley	Jones	Peterson, L.
Black	Finlinson	Matheson	Wayment
Bunnell	Flamm	Money	
Carling	Jeffs	Peterson, C.	

Voting in the negative were: Senators

Asay	Christensen	Pugh	Sowards
Bangerter	Halverson	Sandberg	
Barlow	Kimball	Snow	

Absent and not voting were: Senators

Barton	Cornaby	Swan	Mr. President (Ferry)
Bullen			

S.B. No. 100 is reconsidered.

S.B. No. 118, INSURANCE INFORMATION AND PRIVACY PROTECTION ACT, was read the second time.

Mr. President: February 2, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 118,** INSURANCE INFORMATION AND PRIVACY PROTECTION ACT, by Senator Karl N. Snow, Jr. et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted and on motion of Senator Snow, circled.

* * *

S.B. No. 151, DIVISION OF REGISTRATION AMENDMENTS, was read the second time. Senators Wayment, Jones, Black, Carling and Kimball commented.

Mr. President: February 2, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 151,** DIVISION OF REGISTRATION AMENDMENTS, by Senator Sherman Wayment, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted.

On motion of Senator Wayment, **S.B. No. 151** was amended as follows:

Page 3, Line 8:
after *"or mix"* delete *"of"* and insert *"or"*

Page 3, Line 20:
delete *"five years"* and insert *"one year"*

Page 3, Line 31:
delete entirely

Page 3, Line 32:
delete all language before *"and"*

Page 4, Line 34:
after *"director"* insert *"if necessary"*

Page 8, Line 18:
after *"committee of"* delete *"seven"* and insert *"six"*

Page 8, Line 19:
after *"act"* insert *"and one lay member"*

Page 14, Line 27:
before *"speech"* delete *"five"* and insert *"four"*

Page 14, Line 27:
before *"audiologists"* insert *"and one lay member"*

Page 15, Line 7:
after *"than"* delete *"three"* and insert *"two"*

Page 15, Line 8:
before *"members"* delete *"three"* and insert *"two"*

On motion of Senator Jones, **S.B. No. 151** was amended as follows:

Page 15, after Line 20:
insert the following language:
"Section 15. Section 58-12-51.5. The representative committee for chiropractors shall consist of three chiropractors; chiropractic is defined as the science of palpating and adjusting the articulation of the spinal column."

Page 15, Line 21:
delete *"15"* and insert *"16"*

S.B. No. 151 passed on the following roll call:

Yeas, 24; Nays, 2; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Sandberg
Barlow	Carling	Kimball	Snow
Barton	Christensen	Matheson	Sowards
Bennett	Farley	Money	Swan
Black	Finlinson	Peterson, L.	Wayment
Bullen	Flamm	Pugh	Mr. President (Ferry)

Voting in the negative were: Senators

Halverson	Jeffs

Absent and not voting were: Senators

Bangerter	Cornaby	Peterson, C.

* * *

Senator Swan, having voted on the prevailing side asked the Senate to reconsider its action on **S.B. No. 100, MARRIAGE AND FAMILY THERAPISTS LICENSING. S.B. No. 100** passed on the following roll call:

Yeas, 18; Nays, 7; Absent, 4

Voting in the affirmative were: Senators

Barton	Farley	Kimball	Snow
Bennett	Finlinson	Peterson, C.	Sowards
Black	Flamm	Peterson, L.	Swan
Bunnell	Jeffs	Pugh	
Carling	Jones	Sandberg	

Voting in the negative were: Senators

Asay	Christensen	Matheson	Mr. President (Ferry)
Barlow	Halverson	Money	

Absent and not voting were: Senators

Bangerter	Bullen	Cornaby	Wayment

S.B. No. 3, CONTRACEPTION OR ABORTION SERVICES OR DEVICES, was read the second time. Senator C. Peterson is presiding.

Mr. President: February 2, 1981

The Social Services Committee to which was referred **S.B. No. 3,** CONTRACEPTION OR ABORTION SERVICES OR DEVICES, by Senator Karl N. Snow, Jr. et al. has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted. Senators Snow, Pugh, Jones, Swan, Farley, Bunnell, Kimball, Matheson, Asay and Jeffs commented.

COMMITTEE OF THE WHOLE

On motion of Senator Farley, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate were:

(Oppose) Arthur Elster, M.D., Department of Pediatrics, U of U
(Favor) Gary T. Wright, Chairman, Committee on Parental Responsibility

On motion of Senator Snow, the Committee of the Whole was dissolved.

Senator Bunnell proposed an amendment which failed.

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

Yeas, 25; Nays, 3; Absent, 1

Voting in the affirmative were: Senators

Asay	Carling	Matheson	Sowards

Bangerter	Christensen	Money	Swan
Barlow	Finlinson	Peterson, C.	Wayment
Barton	Flamm	Peterson, L.	Mr. President (Ferry)
Bennett	Halverson	Pugh	
Black	Jeffs	Sandberg	
Bullen	Jones	Snow	

Voting in the negative were: Senators

Bunnell	Farley	Kimball

Absent and not voting was: Senator Cornaby

* * *

S.B. No. 89, OMBUDSMAN FOR INSTITUTIONALIZED ELDERLY, was read the second time. Senators Carling and Matheson commented.

Mr. President: February 2, 1981

The Social Services Committees, to which was referred **S.B. No. 89,** OMBUDSMAN FOR INSTITUTIONALIZED ELDERLY, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 23:
After *"state"* delete the rest of the line and insert in lieu thereof *"should be assisted in asserting"*

Page 2, Delete Lines 18 through 27 and insert in lieu of:
"(3) "Long term care facility" means any skilled nursing facility, intermediate care facility, nursing home, or any living arrangement in the community, through which room and personal care services are provided for adults 60 years of age or older who because of physical, economic, social or emotional problems, cannot function normally on an independent basis."

Page 2, following Line 27 insert the following:
"(4) "Government agency" means any department, division, office, bureau, board, commission, authority, or any other agency or instrumentality created by the state, or to which the state is a party, or by any county or municipality, which is responsible for the regulation, visitation, inspection, or supervision of facilities, or which provides services to patients, residents or clients of facilities."

Page 2, Line 28:
delete *"(4)"* and insert in lieu of *"(5)"*

Page 2, Line 31:
delete *"(5)"* and insert in lieu of *"(6)"*

Page 4, Line 3:
After *"amendments"* delete the rest of the line and all of lines 4, 5, 6 and 7 and insert in lieu *". "*

Page 5, Line 10:
After *"retained"* delete the rest of the line and Line 11 and insert in lieu of *"by the long term care facility or government agency."*

Page 5, Line 23:
After *"unless"* delete the rest of the line and all of Line 24 and insert in lieu of *"the complainant or resident, or a legal representative of either, consents in writing to the disclosure and specifies to whom the identity may be disclosed or a court orders the disclosure."*

Page 6, Line 5:
After *"faith."* insert *"This sub-section is not intended to infringe on the rights of the employer to supervise, discipline or terminate an employee for other reasons."*

Ronald T. Halverson, Committee Chairman

Committee report, as amended, read and adopted and the bill passed on the following roll call:

Yeas, 22; Nays, 3; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Sandberg
Barlow	Carling	Jones	Snow
Barton	Christensen	Money	Swan
Bennett	Farley	Peterson, C.	Mr. President (Ferry)
Black	Finlinson	Peterson, L.	
Bullen	Flamm	Pugh	

Voting in the negative were: Senators

Jeffs	Matheson	Wayment

Absent and not voting were: Senators

Bangerter	Cornaby	Kimball	Sowards

S.B. No. 90, PLACE OF JUVENILE DETENTION, was read the second time. Senators Bunnell, C. Peterson, Matheson and Jeffs commented.

Mr. President: February 2, 1981

The Social Services Committee, to which was referred **S.B. No. 90,** PLACE OF JUVENILE DETENTION, by Senator Omar B. Bunnell, et al has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 1, Line 27:
after *"state"* delete *"department of public welfare"* and insert in lieu of *"Youth Corrections Agency"*

Page 2, Line 2:
after *"the"* delete *"department of public welfare"* and insert in lieu of *"Youth Corrections Agency"*

Page 2, Line 6:
after *"premises"* insert *"entirely distinct and separate"*

Page 2, Line 7:
after Line 6 insert: *"from the ordinary jails, lockups or police cells; except that in areas characterized by low density population, the State Youth Corrections Agency may promulgate regulations providing for specific approved juvenile holdings accommodations within adult facilities which have acceptable sight and sound separation to be utilized for short-term holding purposes with a maximum confinement of 16 hours to allow adequate time to evaluate needs and circumstances regarding transportation, detention, or release of the youth in custody."*

Ronald T. Halverson, Committee Chairman

Committee report, as amended, read and adopted and **S.B. No. 90** passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Pugh
Bangerter	Carling	Jones	Sandberg
Barlow	Christensen	Kimball	Snow
Barton	Farley	Matheson	Swan
Bennett	Finlinson	Money	Wayment
Black	Flamm	Peterson, C.	Mr. President (Ferry)
Bullen	Halverson	Peterson, L.	

Absent and not voting were: Senators

Cornaby	Sowards

S.B. No. 92, STATE LEVY FOR SCHOOL SUPPORT, was read the second time.

Mr. President: February 3, 1981

The Public Education Committee, to which was referred **S.B. No. 92,** STATE LEVY FOR SCHOOL SUPPORT, by Senator Karl G. Swan, has carefully considered the bill and reports it out of committee with an unfavorable recommendation.

William 'Bill' Barton, Committee Chairman

Committee report read and adopted and the bill was filed.

RULES COMMITTEE REPORT

Mr. President: February 16, 1981

Your Rules Committee, to which were referred:

S.B. No. 188	POWERS OF CITIES AND TOWNS (Business, Labor and Economic Development)
S.B. No. 219	CONDEMNATION AMENDMENTS (Agriculture)
S.B. No. 224	MOTOR VEHICLE SAFETY RESPONSIBILITY (Transportation and Public Safety)
S.B. No. 225	BIG GAME DAMAGE RESTRICTION (Energy and Natural Resources)
S.B. No. 229	KILLING UNBORN CHILD (Judiciary)
S.B. No. 230	SALARY SURVEY REQUISITES (Social Services)
S.B. No. 235	IMPLIED WARRANTIES IN LIVESTOCK SALES (Agriculture)
S.B. No. 237	MOBILE HOME PARK RESIDENCY ACT (Agriculture)
S.B. No. 238	REVENUE STABILIZATION RESERVE FUND (Revenue and Taxation)
S.B. No. 241	ABUSE OF PERSONAL IDENTITY ACT (Judiciary)
S.B. No. 242	UNIFORM TRADE SECRET[illegible]T (Higher Education)
S.B. No. 243	COLLECTION PRACTICES ACT (Public Education)
S.B. No. 247	INSURANCE COVERAGE CHANGES (Higher Education)
S.B. No. 248	FORECLOSURE OF TRUST DEEDS (Judiciary)
S.B. No. 249	CERTIFIED LAY MIDWIFERY PRACTICE ACT (Social Services)
S.B. No. 252	HABITUAL TRUANCY (State and Local Affairs)

reports the same back with a few minor changes assented to by the authors and recommends that they be printed and assigned to the committee indicated, and

Your Rules Committee, to which were referred:

H.J.R. No. 9	CHRIS RITZAKIS RESOLUTION (Social Services)
H.B. No. 91	OFFICER'S COMMAND TO STOP (Transportation and Public Safety)
H.B. No. 96	(**Sub.**) GOVERNMENT EMPLOYEES — NATIONAL GUARD (Agriculture)
H.B. No. 118	CITY ORDINANCE AMOUNT INCREASE (Judiciary)
H.B. No. 180	COUNTY SERVICE AREA ACT AMENDMENTS (Agriculture)

reports the same back and recommends that they be assigned to the committees indicated.

Ronald T. Halverson, Committee Chairman

Committee reports read and adopted.

COMMUNICATION FROM THE HOUSE

Mr. President: February 16, 1981

The House of Representatives has this day voted to show as sponsors of the bill on **Second Substitute H.B. No. 60,** the following House Members: Rob W. Bishop, Lee W. Farnsworth, Kim R. Burningham, Mitchell V. Myers and Gary H. Brockbank.

Please make the necessary adjustments to **Second Substitute H.B. No. 60** to conform with the above action.

Norman H. Bangerter, Speaker

Senator Snow, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action on **S.B. No. 83,** MAIL ORDER SALES ACT, on the next legislative day.

On motion of Senator Snow, **S.B. No. 109,** PUBLIC CONSTRUCTION — SALES TAXES, **S.B. No. 118,** INSURANCE INFORMATION AND PRIVACY PROTECTION ACT, and **S.B. No. 146,** MOTOR VEHICLE ACCIDENT REPORT, were uncircled.

On motion of Senator Snow, and at 12:00, the Senate adjourned until 10:00 a.m., Tuesday, February 17, 1981.

THIRTY-SEVENTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present except Senator Snow (excused).

Prayer — Senator William T. 'Bill' Barton (Salt Lake, Dist. 12).

COMMITTEE TO READ AND REVISE THE JOURNAL

Mr. President: February 17, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF TITLES OF BILLS & RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 16, 1981

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.J.R. No. 19,** KARL A. PETERSON RESOLUTION, by Representative Dmitrich, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in technical amendments and passed **S.B. No. 16,** MOTOR FUELS TESTING AND LABELING, by Senator Money, et al, which has been signed by the Speaker and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

H.J.R. No. 19 was signed by the President in open session of the Senate and returned to the House for further action and

S.B. No. 16 was again signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

* * *

Mr. President: February 16, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 49,** JURY DEMAND — CRIMINAL TRIALS, by Representative Redd, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 70,** ATTORNEY DISCIPLINARY PROCEEDINGS, by Representative Smith, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 123,** DEFENSE OF ENTRAPMENT STANDARD, by Representative Sykes, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **Substitute H.B. No. 130,** DIRECT LEGISLATION PETITION, by Representative McMullin, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 138,** SUPPORTIVE PERSONNEL FOR PHARMACISTS, by Representative Rees, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. Nos. 49, 70 123, Sub. H.B. No. 130 and **H.B. No. 138** were read the first time and referred to Rules Committee.

* * *

Mr. President: February 16, 1981

I am directed to inform the Senate that the House of Representatives has this day refused to recede from its amendments to **Substitute S.B. No. 33,** OIL RE-REFINING AMENDMENTS, by Senator Black, and has appointed a Conference Committee consisting of Representative Harward, Rees and Garr, to act with a like Committee from the Senate on this bill.

Allan M. Acomb, Chief Clerk

President Ferry appointed a Conference Committee comprised of Senators Black, Pugh and Sowards.

* * *

Mr. President: February 16, 1981

I am directed to inform the Senate that the Speaker of the House of Representatives has this day appointed a Conference Committee consisting of Representatives Harrison, McKeachnie and Fox to act with a like Committee from the Senate to consider or amend **H.B. No. 19,** UTILITY FRANCHISE TAX LIMITATIONS, by Representative Harrison.

Allan M. Acomb, Chief Clerk

Communication filed.

* * *

On motion of Senator Black, **S.B. No. 83,** MAIL ORDER SALES ACT, was circled.

THIRD READING CALENDAR

On motion of Senator Black, the Senate adopted **Sub. S.B. No. 146** to replace the original bill.

Sub. S.B. No. 146, MOTOR VEHICLE ACCIDENT REPORT, was before the Senate and passed on the following roll call:

Yeas, 22; Nays, 4; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Matheson	Sowards
Barlow	Cornaby	Money	Swan
Barton	Farley	Peterson, C.	Wayment
Bennett	Flamm	Peterson, L.	Mr. President (Ferry)
Black	Jones	Pugh	
Bullen	Kimball	Sandberg	

Voting in the negative were: Senators

Bangerter	Christensen	Halverson	Jeffs

Absent and not voting were: Senators

Carling	Finlinson	Snow

Sub. S.B. No. 146 was transmitted to the House.

* * *

S.B. No. 143, JUVENILE COURT ACT AMENDMENTS, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Sandberg
Bangerter	Christensen	Kimball	Sowards
Barlow	Cornaby	Matheson	Swan
Barton	Farley	Money	Wayment
Bennett	Flamm	Peterson, C.	Mr. President (Ferry)
Black	Halverson	Peterson, L.	
Bullen	Jeffs	Pugh	

Absent and not voting were: Senators

Carling	Finlinson	Snow

S.B. No. 143 was transmitted to the House.

* * *

S.B. No. 156, UNLIMITED SERVICES – HOSTAGE SITUATION, was read the third time and passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Asay	Cornaby	Kimball	Sowards
Bangerter	Farley	Matheson	Swan
Barlow	Finlinson	Money	Wayment
Barton	Flamm	Peterson, C.	Mr. President (Ferry)
Bennett	Halverson	Peterson, L.	
Bullen	Jeffs	Pugh	
Christensen	Jones	Sandberg	

Voting in the negative was: Senator
Black

Absent and not voting were: Senators

Bunnell	Carling	Snow

S.B. No. 156 was transmitted to the House.

* * *

S.B. No. 80, UTAH COSMETOLOGIST AND BARBERING LICENSING, was read the third time and passed on the following roll call:

Yeas, 23; Nays, 2; Absent, 4

Voting in the affirmative were: Senators

Asay	Bullen	Halverson	Sandberg
Bangerter	Christensen	Matheson	Sowards
Barlow	Cornaby	Money	Swan
Barton	Farley	Peterson, C.	Wayment
Bennett	Finlinson	Peterson, L.	Mr. President (Ferry)
Black	Flamm	Pugh	

Voting in the negative were: Senators

Jeffs	Jones

Absent and not voting were: Senators

Bunnell	Carling	Kimball	Snow

S.B. No. 80 was transmitted to the House.

* * *

On motion of Senator Sowards, **S.B. No. 151,** DIVISION OF REGISTRATION AMENDMENTS, read the third time and circled.

* * *

On motion of Senator Bangerter, **S.B. No. 100,** MARRIAGE AND FAMILY THERAPIST LICENSING, and **S.B. No. 3,** CONTRACEPTION OR ABORTION SERVICES OR DEVICES, were read the third time and circled.

* * *

S.B. No. 89, OMBUDSMAN FOR INSTITUTIONALIZED ELDERLY, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 3; Absent, 2

Voting in the affirmative were: Senators

Asay	Bullen	Finlinson	Peterson, C.
Bangerter	Bunnell	Flamm	Pugh
Barlow	Carling	Halverson	Sandberg
Barton	Christensen	Jones	Sowards
Bennett	Cornaby	Kimball	Swan
Black	Farley	Money	Mr. President (Ferry)

Voting in the negative were: Senators

Jeffs	Matheson	Wayment

Absent and not voting were: Senators

Peterson, L.	Snow

S.B. No. 89 was transmitted to the House.

* * *

S.B. No. 90, PLACE OF JUVENILE DETENTION, was read the third time and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Peterson, L.
Bangerter	Carling	Jeffs	Pugh
Barlow	Christensen	Jones	Sandberg
Barton	Cornaby	Kimball	Sowards
Bennett	Farley	Matheson	Swan
Black	Finlinson	Money	Wayment
Bullen	Flamm	Peterson, C.	Mr. President (Ferry)

Absent and not voting was: Senator

Snow

S.B. No. 90 was transmitted to the House.

* * *

On motion of Senator Carling, the circle was removed from **S.B. No. 100**, MARRIAGE AND FAMILY THERAPIST LICENSING.

On motion of Senator Carling, **S.B. No. 100** was amended as follows:

Page 6, Line 26:
delete *""Marital and family therapy" means"*

Page 6, Lines 27 through 34:
delete entirely

Page 7, Lines 2, 3 and 4:
delete entirely

Page 6 and 7 in lieu of above deleted material insert:
""Marital and family therapy" means the process of providing professional marital and family psychotherapy to individuals, married couples, and family groups, either singly or in groups. The practice of marital and family therapy utilizes established principles that recognize the interrelated nature of individual problems and dysfunctions in family members to assess, understand and treat emotional and mental problems. Marital and family therapy includes premarital, marital, divorce, and family therapy, and is a specialized mode of treatment for the purpose of resolving emotional problems and modifying intrapersonal and interpersonal dysfunction."

S.B. No. 100 passed on the following roll call:

Yeas, 22; Nays, 5; Absent, 2

Voting in the affirmative were: Senators

Asay	Cornaby	Kimball	Sowards
Bangerter	Farley	Money	Swan
Bennett	Finlinson	Peterson, C.	Wayment
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)
Bunnell	Jeffs	Pugh	
Carling	Jones	Sandberg	

Voting in the negative were: Senators

Barlow	Christensen	Halverson	Matheson
Barton			

Absent and not voting were: Senators

Black	Snow

S.B. No. 100 was transmitted to the House.

On motion of Senator Sowards, **S.B. No. 151,** DIVISION OF REGISTRATION AMENDMENTS, was uncircled and passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Pugh
Bangerter	Carling	Kimball	Sandberg
Barlow	Christensen	Matheson	Sowards
Barton	Cornaby	Money	Swan
Bennett	Flamm	Peterson, C.	Wayment
Bullen	Jeffs	Peterson, L.	Mr. President (Ferry)

Voting in the negative was: Senator
Halverson

Absent and not voting were: Senators

Black	Farley	Finlinson	Snow

S.B. No. 151 was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator Bangerter, **S.B. No. 59,** REVENUE AND APPROPRIATION LIMITATION AMENDMENTS, and **H.B. No. 60,** STATE AND LOCAL REVENUE AND APPROPRIATIONS LIMITATIONS, were lifted from Second Reading Calendar, and placed on a Special Order of Business for Friday, February 20, 1981 at 2:45 p.m.

* * *

On motion of Senator Swan, **S.B. No. 91,** COMMITTEE ON CONSUMER SERVICES CONTINUATION, was placed as a Special Order of Business for Friday, February, 20, 1981 at 11:30 a.m.

* * *

On motion of Senator Sandberg, **S.B. No. 109,** PUBLIC CONSTRUCTION — SALES TAXES, and on motion of Senator Bangerter, **S.B. No. 118,** INSURANCE INFORMATION AND PRIVACY PROTECTION ACT, were circled.

* * *

S.B. No. 132, CRITICAL SCHOOL BUILDING PROJECTS, was read the second time. Senator Bullen is presiding.

Mr. President: February 3, 1981

The Public Education Committee, to which was referred **S.B. No. 132,** CRITICAL SCHOOL

BUILDING PROJECTS, by Senator Cary G. Peterson, has carefully considered the bill and reports it out of committee favorably and with the following amendment:

Page 3, Line 31:
Delete *"is entitled to"* and insert in lieu thereof *"may be granted"*

William 'Bill' Barton, Committee Chairman

Committee report, as amended, read and adopted. Senator C. Peterson, Bunnell and Pugh commented.

On motion of Senator Barlow, **S.B. No. 132** was amended as follows:

Page 3, Line 31:
After the committee amendment *"may be granted"* add *"by the state board of education"*

Page 3, Line 33:
After *"event shall"* insert *"all grants"*

Page 3, Line 34:
delete *"entitlements"* and delete *"$2,000,000"* and insert in lieu thereof *"$1,500,000"*

S.B. No. 132 passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Pugh
Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Kimball	Sowards
Barton	Farley	Matheson	Swan
Bennett	Finlinson	Money	Wayment
Bullen	Flamm	Peterson, C.	Mr. President (Ferry)
Bunnell	Halverson	Peterson, L.	

Absent and not voting were: Senators

Black	Snow

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S.B. No. 149, HUMANE TREATMENT OF ANIMALS, was read the second time.

Mr. President: February 3, 1981

The Agriculture Committee, to which was referred **S.B. No. 149,** HUMANE TREATMENT OF ANIMALS, by Senator Charles E. Bennett et al, has considered the bill and reports it out of committee without recommendation and with the following amendments:

Page 2, Line 7:
Following *"activity"* insert: *", but does not include rodeo or horse racing events"*

Page 2, Line 27:
After *"(9)"* delete entire sentence and renumber remaining paragraphs

Page 3, Line 12:
After *"shall"* delete *"not"*

Page 3, Line 13:
After *"person"* delete "," and insert ". " and delete the remainder of sentence

Page 3, Line 29:
After *"animal"* insert *", however, this shall not apply to normal acts of animal husbandry"*

Page 4, beginning on Line 11:
After *"any"* delete the words *"live animal in or "* and insert in lieu thereof: *"domestic animal or livestock"*

Page 4, Line 22:
After *"this"* delete *"part"* and insert in lieu thereof *"act"*

Page 4, Lines 30 and 31:
After *"(c)"* delete remainder of the subsection and insert in lieu thereof the following: *"Prohibits the hunting, fishing, or trapping activities conducted in conformity with state laws and regulations."*

Page 4, following Line 34:
Insert the following:
"(e) Prohibits the Division of Wildlife Resources from capturing, marking, transporting, holding or releasing wild animals."

The committee requested that the sponsor of the bill have the bill reprinted in the form of a Substitute Bill including the new amendments.

Ivan M. Matheson, Committee Chairman

Committee report, as amended, read and adopted. On motion of Senator Matheson, **Sub. S.B. No. 149** replaced the original bill and includes the committee amendments. Senator Bennett, Matheson, Jones, Flamm, Barton, Christensen, Kimball, C. Peterson, Swan, Pugh and Farley commented. On motion of Senator Bennett, **Sub. S.B. No. 149** was circled.

* * *

S.B. No. 163, TRANSIT DISTRICT ESTABLISHMENT LIMITATIONS, was read the second time.

Mr. President: February 3, 1981

The Transportation and Public Safety Committee, to which was referred **S.B. No. 163,** TRANSIT DISTRICT ESTABLISHMENT LIMITATIONS, by Senator Fred W. Finlinson et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted and on motion of Senator Bangerter, the bill was circled.

* * *

S.B. No. 140, WASTEWATER TREATMENT FACILITIES FUND, was read the second time.

Mr. President: February 4, 1981

The Energy and Natural Resources Committee, to which was referred **S.B. No. 140,** WASTEWATER TREATMENT FACILITIES FUND, by Senator Fred W. Finlinson, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 12:
After *"BY THE"* insert *"DEPARTMENT OF HEALTH AND THE"*

Page 1, Line 25:
After *"by the"* insert *"Department of Health and the"*

Page 3, Lines 24 and 25:
Delete *"committee on water pollution control"* and insert in lieu thereof *"Department of Health"*

Fred W. Finlinson, Committee Chairman

Committee report, as amended, read and adopted and on motion of Senator Bangerter, the bill was tabled.

* * *

S.B. No. 166, JUVENILE COURT SUBPOENAS AND WARRANTS, was read the second time. Senators Wayment and Jeffs commented.

Mr. President: February 4, 1981

The Judiciary Committee, to which was referred **S.B. No. 166,** JUVENILE COURT SUBPOENAS AND WARRANTS, by Senator Sherman A. Wayment, has carefully considered the bill and reports it out of committee with a favorable recommendation.

A. Dean Jeffs, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Bangerter	Farley	Jones	Pugh
Barlow	Finlinson	Matheson	Sandberg
Bullen	Flamm	Money	Sowards
Christensen	Halverson	Peterson, C.	Wayment
Cornaby	Jeffs	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Asay	Black	Carling	Snow
Barton	Bunnell	Kimball	Swan
Bennett			

* * *

S.B. No. 167, NEGLECT OR DELINQUENCY OF CHILDREN, was read the second time. Senators Wayment, Farley, Jeffs and Swan commented.

Mr. President; February 4, 1981

The Judiciary Committee, to which was referred **S.B. No. 167,** NEGLECT OR DELINQUENCY OF CHILDREN, by Senator Sherman A. Wayment, has carefully considered the bill and reports it out of committee with a favorable recommendation.

A. Dean Jeffs, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Sandberg
Bangerter	Christensen	Jones	Sowards
Barlow	Cornaby	Matheson	Swan
Barton	Farley	Money	Wayment
Bennett	Finlinson	Peterson, C.	Mr. President (Ferry)
Bullen	Halverson	Peterson, L.	

Voting in the negative was: Senator
Kimball

Absent and not voting were: Senators

Black	Flamm	Pugh	Snow
Carling			

RULES COMMITTEE REPORTS

Mr. President: February 17, 1981

Your Rules Committee, to which were referred:

S.B. No. 195	OCCASIONAL SALES OF MOBILE HOMES SALES TAX EXEMPTION (Agriculture)
S.B. No. 228	BUSINESS ENTERPRISES FOR VISUALLY HANDICAPPED (Public Education)
S.B. No. 231	AGRICULTURAL FUNDS (Agriculture)
S.B. No. 232	UTAH FIRE EMPLOYEE RELATIONS ACT (State and Local Affairs)
S.B. No. 234	SCHOOL DISTRICT BOUNDARY CHANGES (Public Education)
S.B. No. 240	STATE BOARD OF EDUCATION PERSONNEL (Public Education)
S.B. No. 244	DIVISION OF EXPOSITIONS TRANSFER (Business, Labor and Economic Development)
S.B. No. 267	SUBDIVISION STANDARDS (State and Local Affairs)
S.C.R. No. 5	ALCOHOL WARNING LABEL RESOLUTION (Higher Education)

reports the same back with a few minor changes assented to by the authors and recommends that they be printed and assigned to the committees indicated, and

Your Rules Committee, to which were referred:

H.B. No. 49	JURY DEMAND — CRIMINAL TRIALS (Judiciary)
H.B. No. 70	ATTORNEY DISCIPLINARY PROCEEDINGS (Judiciary)
H.B. No. 123	DEFENSE OF ENTRAPMENT STANDARDS (Judiciary)
H.B. No. 130	(**Sub.**) DIRECT LEGISLATION PETITION (State and Local Affairs)
H.B. No. 138	SUPPORTIVE PERSONNEL FOR PHARMACISTS (Social Services)

reports the same back and recommends that they be assigned to the committees indicated.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

H.B. No. 84	SCHOOL COMPLIANCE OFFICERS (Public Education)
H.B. No. 96	GOVERNMENT EMPLOYEES – NATIONAL GUARD (Agriculture)
H.B. No. 180	COUNTY SERVICE AREA ACT AMENDMENTS (Agriculture)
S.B. No. 181	UTAH REFUNDING BOND ACT (Revenue and Taxation)
S.B. No. 182	GRANT ANTICIPATION NOTES (Revenue and Taxation)
S.B. No. 209	MANUFACTURED HOUSING AND RECREATIONAL VEHICLES STANDARDS (Agriculture)
S.B. No. 219	CONDEMNATION AMENDMENTS (Agriculture)

H.B. No. 84, 96 and **180** and **S.B. Nos. 157, 181, 182, 209** and **219** were placed on Second Reading Calendar.

STANDING COMMITTEE REPORT

Mr. President: February 17, 1981

The Agriculture Committee to which was referred **S.B. No. 235,** IMPLIED WARRANTIES IN LIVESTOCK SALES, by Senator Eldon A. Money, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted and **S.B. No. 235** was read the second time and placed on Consent Calendar.

* * *

Mr. President: February 17, 1981

The Revenue and Taxation Committee, to which was referred **S.B. No. 157,** SALES AND USE TAX JURISDICTION STANDARD, Senator Charles W. Bullen, et al., has carefully considered the bill and reports it out of committee with a favorable recommendation and that it be placed on the Consent Calendar.

Charles W. Bullen, Committee Chairman

Committee report read and adopted and **S.B. No. 157** was read the second time and placed on Consent Calendar.

* * *

On motion of Senator Bangerter the circles were removed from **S.B. Nos. 118, 109, 163, 83** and **3.**

* * *

Senator Bennett's motion to uncircle **Sub. S.B. No. 149,** HUMANE TREATMENT OF ANIMALS, failed and the bill was placed on Second Reading Table.

* * *

On motion of Senator Halverson, **S.B. No. 205,** STATE LAND TRUST INVESTMENTS, was reassigned to Energy and Natural Resources Committee.

On motion of Senator Bangerter, and at 12:00, the Senate adjourned until 10:00 a.m., Wednesday, February 18, 1981.

THIRTY-EIGHTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present.

Prayer — Commissioner Robert O. Bowen, Utah Tax Commission (Former Senator).

COMMITTEE TO READ AND REVISE THE JOURNAL

Mr. President: February 18, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 17, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 15,** WAGE CLAIM LIMITATION, by Representative Rogers, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 134,** DIVORCE PAYMENTS AUTHORITY, by Representative Pace, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 137,** SUBSEQUENT PROSECUTION ALLOWANCES, by Representative Richards, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 155,** INTEREST ON PERSONAL PROPERTY TAXES, by Representative Harmer, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 143,** WILDLIFE ARREST PROCEDURES, by Representative McKeachnie, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 148,** DENTAL HYGIENIST AMENDMENTS, by Representative Considine, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **Substitute H.B. No. 185,** RESERVE ACCOUNT AMENDMENTS, by Representative Rogers, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. Nos. 15, 134, 137, 155, 143, 148 and **Sub. H.B. No. 185** were read the first time and referred to Rules Committee.

JOINT CONFERENCE COMMITTEE REPORT
(H.B. No. 19, Utility Franchise Tax Limitation)

Mr. Speaker and Mr. President: February 17, 1981

Your Conference Committee consisting of Senators Jeffs, Sowards and Money and Representatives Harrison, McKeachnie and Fox to which was referred **H.B. No. 19,** by Mr. Harrison, et al, UTILITY FRANCHISE TAX LIMITATION, unanimously recommends the following changes in **H.B. No. 19:**

Page 1, Line 33:
after *"election"* add a period and delete remainder of line.

Page 1, Line 34:
delete entirely.

Senator A. Dean Jeffs
Chairman, Senate Committee

Representative Orval C. Harrison
Chairman, House Committee

The Senate adopted the Joint Conference Committee Report on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Sandberg
Bangerter	Carling	Kimball	Snow
Barlow	Christensen	Matheson	Sowards
Barton	Cornaby	Money	Swan
Bennett	Farley	Peterson, C.	Wayment
Black	Finlinson	Peterson, L.	Mr. President (Ferry)
Bullen	Flamm	Pugh	

Absent and not voting were: Senators
Halverson Jones

H.B. No. 19 was returned to the House.

THIRD READING CALENDAR

S.B. No. 83, MAIL ORDER SALES ACT, was before the Senate on reconsideration and passed on the following roll call:

Yeas, 21; Nays, 7; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Flamm	Sowards
Bangerter	Carling	Kimball	Swan
Barlow	Christensen	Matheson	Wayment
Barton	Cornaby	Money	
Bennett	Farley	Sandberg	
Black	Finlinson	Snow	

Voting in the negative were: Senators

Bullen	Jones	Peterson, L.	Mr. President (Ferry)
Jeffs	Peterson, C.	Pugh	

Absent and not voting was: Senator
Halverson

S.B. No. 83 was transmitted to the House.

* * *

On motion of Senator Snow, **S.B. No. 3,** CONTRACEPTION OR ABORTION SERVICES OR DEVICES, was circled.

* * *

S.B. No. 166, JUVENILE COURT SUBPOENAS AND WARRANTS, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Kimball	Sandberg
Barlow	Christensen	Matheson	Snow
Bennett	Cornaby	Money	Sowards
Black	Farley	Peterson, C.	Swan
Bullen	Flamm	Peterson, L.	Wayment

Bunnell	Jones	Pugh	Mr. President (Ferry)

Absent and not voting were: Senators

Bangerter	Finlinson	Halverson	Jeffs
Barton			

S.B. No. 166, was transmitted to the House.

* * *

S.B. No. 132, CRITICAL SCHOOL BUILDING PROJECTS, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 2; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Kimball	Sandberg
Bangerter	Carling	Matheson	Snow
Barlow	Christensen	Money	Sowards
Barton	Cornaby	Peterson, C.	Swan
Bennett	Flamm	Peterson, L.	Wayment
Black	Jones	Pugh	Mr. President (Ferry)

Voting in the negative were: Senators

Farley	Jeffs

Absent and not voting were: Senators

Bullen	Finlinson	Halverson

S.B. No. 132 was transmitted to the House.

* * *

S.B. No. 167, NEGLECT OR DELINQUENCY OF CHILDREN, was read the third time. Senators Wayment, Kimball and Black commented and on motion of Senator Wayment, the bill was circled.

INTRODUCTION OF BILL

On motion of Senator Sowards, and under suspension of the rules, the Senate voted to allow introduction of the following bill:

AIRPORT SECURITY OFFICERS

S.B. No. 302 Glade M. Sowards

AN ACT RELATING TO POWERS OF POLITICAL SUBDIVISIONS REGARDING AIRPORTS; PROVIDING AUTHORITY FOR THE APPOINTMENT OF OFFICERS FOR SECURITY AND LAW ENFORCEMENT AT AIRPORTS; AND DEFINING SUCH OFFICERS AS

CLASS III PEACE OFFICERS. THIS ACT AMENDS SECTION 2-2-7, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 199, LAWS OF UTAH 1969, was read the first time and referred to Rules Committee.

SECOND READING CALENDAR

On motion of Senator Bennett, **S.B. No. 149,** HUMANE TREATMENT OF ANIMALS, was lifted from Second Reading Table and placed at the top of Second Reading Calendar.

* * *

H.B. No. 17, ALTERNATIVE MORTGAGE INSTRUMENTS, was uncircled and before the Senate. Senators Pugh, Asay, Farley and Jeffs commented.

On motion of Senator Jeffs, **H.B. No. 17** was amended as follows:

Page 2, Line 30:
delete *"secured by a first lien against a dwelling, one"*

COMMITTEE OF THE WHOLE

On motion of Senator Farley, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

John C. Putvin, Realtor Broker, Putvin & Associates

Senators Pugh, L. Peterson and Jones commented. On motion of Senator Farley, the Committee of the Whole was dissolved. Senators Asay, Finlinson and Swan commented.

On motion of Senator Finlinson, **H.B. No. 17** was amended as follows:

Page 3, after Line 13:
Insert: *"The provisions of this act shall not apply to existing non-variable mortgages, trustees or equivalent security instruments."*

Note: The Certified Senate Journal corrects the Daily Minutes by noting that the word *"trustees"* should be *"trust deeds"*

H.B. No. 17, as amended, passed on the following roll call:

Yeas, 16; Nays, 11; Absent, 2

Voting in the affirmative were: Senators

Barlow	Cornaby	Jones	Pugh
Barton	Finlinson	Money	Sandberg
Bullen	Flamm	Peterson, C.	Sowards
Carling	Jeffs	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Asay	Black	Kimball	Swan
Bangerter	Farley	Matheson	Wayment
Bennett	Halverson	Snow	

Absent and not voting were: Senators

Bunnell	Christensen

* * *

On motion of Senator Snow, and at 11:05 a.m., the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Miles 'Cap' Ferry presiding.

COMMUNICATION FROM THE GOVERNOR

Dear President Ferry: February 17, 1981

This is to inform you that on February 17, 1981, Governor Matheson did sign into law the following bill, which has been forwarded to the Lt. Governor's Office for filing.

S.B. No. 26 MASSAGE PRACTICE ACT

Tina Falvo, Administrative Aide

Communication filed.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 18, 1981

I am directed to inform the Senate that the House of Representatives has this day passed on the Consent Calendar, as amended, **H.B. No. 175,** CONTROLLED SUBSTANCES ACT AMENDMENTS, by Representative Rector, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed on the Consent Calendar **H.B. No. 192,** MOVING FARM MACHINERY, by Representative J. White, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. Nos. 175 and **192** were read the first time and referred to Rules Committee.

* * *

Mr. President: February 18, 1981

I am directed to inform the Senate that the House of Representatives has this day passed on

the Consent Calendar **S.B. No. 23,** CEMETERY COMMISSIONER APPOINTMENTS, by Senator Finlinson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. No. 23 was signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

H.J.R. No. 9	CHRIS RITZAKIS RESOLUTION (Social Services)
H.B. No. 107	SOCIAL SERVICES SUBPOENAS (Social Services)
S.B. No. 201	PHYSICAL THERAPY REGISTRATION AMENDMENTS (Business, Labor and Economic Development)
S.B. No. 202	JOINT APPRENTICESHIP COMMITTEES (Business, Labor and Economic Development)
S.B. No. 210	PUBLIC ACCOUNTANTS LICENSING ACT (Business, Labor and Economic Development)
S.B. No. 217	OPTOMETRIC REFERRALS MODIFICATIONS (Social Services)
S.B. No. 230	SALARY SURVEY REQUISITS (Social Services)
S.B. No. 249	CERTIFIED LAY MIDWIFERY PRACTICE ACT (Social Services)

H.J.R. No. 9, H.B. No. 107 and **S.B. Nos. 201, 202, 210, 217, 230** and **249** were placed on Second Reading Calendar. Senator Finlinson is presiding.

SECOND READING CALENDAR

H.B. No. 18, UTILITIES RATE STRUCTURE, was before the Senate. Senators Bunnell, Matheson, Jones, Flamm, Farley, C. Peterson, Sowards and Cornaby commented.

Senator Bunnell proposed an amendment which failed.

On motion of Senator Matheson, **H.B. No. 18** was amended as follows:

Page 1, Line 24:
following *"to"* delete remainder of line and insert *"electrical, gas and water customers shall not be based upon, or vary as a result of, (1) differing dates upon which service was commenced, or (2) any rate structure designed to reflect*

incremental costs rather than actual average costs of supplying electricity, gas or water."

Page 1, Line 25 and 26:
delete entirely

Page 1, Line 27:
delete *"service was commenced."*

H.B. No. 18 failed on the following roll call:

Yeas, 14; Nays, 12; Absent, 3

Voting in the affirmative were: Senators

Barlow	Finlinson	Money	Wayment
Carling	Flamm	Peterson, C.	Mr. President (Ferry)
Christensen	Jeffs	Peterson, L.	
Cornaby	Matheson	Sandberg	

Voting in the negative were: Senators

Barton	Bunnell	Jones	Snow
Bennett	Farley	Kimball	Sowards
Black	Halverson	Pugh	Swan

Absent and not voting were: Senators

Asay	Bangerter	Bullen

Senator Sowards, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action on the bill tomorrow.

* * *

H.B. No. 126, RESIDENTIAL FACILITY ZONING LIMITATION, was before the Senate. Senator Finlinson explained the bill, and on motion of Senator Finlinson, **Sub. H.B. No. 126,** GROUP HOME ZONING LIMITATION, replaced the original bill. Senators Black, Cornaby, Jones, L. Peterson, Farley, Kimball and Money commented.

Sub. H.B. No. 126 passed on the following roll call:

Yeas, 19; Nays, 5; Absent, 5

Voting in the affirmative were: Senators

Asay	Christensen	Kimball	Sowards
Barlow	Farley	Matheson	Swan
Bennett	Finlinson	Money	Wayment
Black	Jeffs	Sandberg	Mr. President (Ferry)
Bunnell	Jones	Snow	

Voting in the negative were: Senators

Cornaby	Halverson	Peterson, C.	Peterson, L.
Flamm			

Absent and not voting were: Senators

Bangerter	Bullen	Carling	Pugh
Barton			

* * *

Sub. H.B. No. 51, MECHANICS' LIEN MODIFICATIONS, was read the second time.

Mr. President: February 12, 1981

The Judiciary Committee, to which was referred **Substitute H.B. No. 51,** MECHANICS' LIEN MODIFICATIONS, by Representative Dix H. McMullin, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Lines 32 and 33:
Delete *"a statement that the claimant has sent a copy of the claim to the record owner of the liened"*

Page 2, Lines 3 through 8:
Delete entirely and delete *"property is located."* on line 8

Page 2, Line 9:
After *"the"* at the end of the line, insert *"reputed"*

Page 2, Line 10:
After *"owner."* insert *"if known or if not known, the name of the record owner"*

Page 2, Line 17:
After *"person."* insert *"Within 30 days after filing said notice of lien, the lien claimant shall deliver or mail by ceritified mail to either the reputed owner or record owner of the real property a copy of the said notice of lien. Where the record owner's current address is not readily available, the copy of the claim may be mailed to the last known address of the record owner using for such purpose the names and addresses appearing on the last completed real property assessment rolls of the county where the affected property is located. Failure to deliver or mail the notice of lien to the reputed owner or record owner shall prevent the lien claimant from collection of interest or costs and attorneys' fees against the reputed owner or record owner in an action to enforce the lien."*

A. Dean Jeffs, Committee Chairman

Committee report, as amended, read and adopted and the bill passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Asay	Christensen	Money	Swan
Barlow	Farley	Peterson, C.	Wayment
Barton	Flamm	Peterson, L.	Mr. President (Ferry)
Black	Jeffs	Sandberg	
Bullen	Jones	Snow	
Bunnell	Matheson	Sowards	

Voting in the negative was: Senator
Halverson

Absent and not voting were: Senators

Bangerter	Carling	Finlinson	Pugh
Bennett	Cornaby	Kimball	

* * *

H.B. No. 100, ATTORNEY'S FEES IN CIVIL CASES, was read the second time. Senator Jeffs explained the bill. Senator Wayment is presiding.

Mr. President: February 12, 1981

The Judiciary Committee, to which was referred **H.B. No. 100,** ATTORNEY'S FEES IN CIVIL CASES, by Representative Richard L. Maxfield, has carefully considered the bill and reports it out of committee with a favorable recommendation.

A. Dean Jeffs, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Sandberg
Barlow	Christensen	Matheson	Snow
Barton	Cornaby	Money	Sowards
Bennett	Farley	Peterson, C.	Wayment
Black	Flamm	Peterson, L.	

Absent and not voting were: Senators

Bangerter	Finlinson	Kimball	Swan
Bunnell	Halverson	Pugh	Mr. President (Ferry)
Carling	Jones		

* * *

H.B. No. 84, SCHOOL COMPLIANCE OFFICERS, was read the second time. Senator Barton explained the bill. Senators Barton, Black, Bunnell, Swan, Asay, Flamm, Farley and Kimball commented.

Mr. President: February 17, 1981

The Public Education Committee, to which was referred **H.B. No. 84,** SCHOOL COMPLIANCE OFFICERS, by Representative Robert B. Sykes, has carefully considered the bill and reports it out of committee with a favorable recommendation.

William T. 'Bill' Barton, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 18; Nays, 6; Absent, 5

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Sowards
Bangerter	Bunnell	Matheson	Swan
Barlow	Christensen	Peterson, C.	Wayment
Barton	Flamm	Sandberg	
Bennett	Halverson	Snow	

Voting in the negative were: Senators

Black	Kimball	Peterson, L.	Mr. President (Ferry)
Farley	Money		

Absent and not voting were: Senators

Carling	Finlinson	Jones	Pugh
Cornaby			

* * *

H.B. No. 72, FLOOD CONTROL AMENDMENTS, was read the second time.

Mr. President: February 13, 1981

The Energy and Natural Resources Committee, to which was referred **H.B. No. 72,** FLOOD CONTROL AMENDMENTS, by Representative John Hollinghaus et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 3, Line 9:
Delete all material on Lines 9 through 12 and insert:
"To consider such project in the same manner, and apply such procedures, rules, and investigation, as the board would consider or apply to any other project within its statutory authority; if water resources funds are to be used for the project, the planning by the commission shall be subject to the review of the board of water resources; and if the project is authorized for construction, the plans and specifications and construction supervision shall be undertaken as prescribed by the board of water resources."

Page 3, Line 17:
After *"corporations."* delete the rest of Line 17 and all of Line 18.

Page 6, Line 10 on the cherry copy:
After *"4-18-5.5" delete all material in the section and insert:*

"If a flood control project provided for under subsection 4-18-5 (9) is partially or wholly funded from the water resources conservation and development fund created under section 73-10-24, the commission shall cooperate with the board and division of water resources, which shall plan, design, and construct the project, as provided in section 73-10-26."

Fred W. Finlinson, Committee Chairman

Committee report, as amended, read and adopted and the bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Christensen	Matheson	Sowards
Barlow	Farley	Money	Swan
Barton	Flamm	Peterson, C.	Wayment
Bennett	Halverson	Peterson, L.	Mr. President (Ferry)
Black	Jeffs	Sandberg	
Bullen	Jones	Snow	

Absent and not voting were: Senators

Asay	Carling	Finlinson	Pugh
Bunnell	Cornaby	Kimball	

* * *

H.B. No. 96, GOVERNMENT EMPLOYEES — NATIONAL GUARD, was read the second time.

Mr. President: February 17, 1981

The Agriculture Committee to which was referred **Substitute H.B. No. 96,** GOVERNMENT EMPLOYEES — NATIONAL GUARD, by Representative Lee W. Farnsworth, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted and on motion of Senator Snow, was circled.

* * *

H.B. No. 180, COUNTY SERVICE AREA ACT AMENDMENTS, was read the second time.

Mr. President: February 17, 1981

The Agriculture Committee to which was referred **H.B. No. 180,** COUNTY SERVICE AREA ACT AMENDMENTS, by Representative Donna M. Dahl, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted and on motion of Senator Snow, was circled.

* * *

On motion of Senator Bennett, **Sub. S.B. No. 149,** HUMANE TREATMENT OF ANIMALS, was circled.

S.B. No. 109, PUBLIC CONSTRUCTION — SALES TAX, was before the Senate. Senators L. Peterson, Halverson, Pugh and Christensen commented.

S.B. No. 109 failed on the following roll call:

Yeas, 9; Nays, 18; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Flamm	Peterson, C.	Sowards
Barton	Money	Peterson, L.	Mr. President (Ferry)
Cornaby			

Voting in the negative were: Senators

Barlow	Carling	Jones	Snow
Bennett	Christensen	Kimball	Swan
Black	Farley	Matheson	Wayment
Bullen	Halverson	Pugh	
Bunnell	Jeffs	Sandberg	

Absent and not voting were: Senators

Asay	Finlinson

S.B. No. 109 was filed.

* * *

On motion of Senator Snow the circle was removed from **H.B. No. 96,** GOVERNMENT EMPLOYEES — NATIONAL GUARD, and the bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Sandberg
Bangerter	Carling	Kimball	Snow
Barlow	Christensen	Matheson	Sowards
Barton	Cornaby	Money	Swan
Bennett	Farley	Peterson, C.	Wayment
Black	Flamm	Peterson, L.	Mr. President (Ferry)
Bullen	Halverson	Pugh	

Absent and not voting were: Senators

Finlinson	Jones

COMMUNICATION FROM THE HOUSE

Mr. President: February 18, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House **S.B. No. 21**, INTEREST RATES INCREASE, by Senator Carling, and the same is transmitted herewith for Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Carling the Senate voted to concur in the House amendments on the following roll call:

Yeas, 25; Nays, 2; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Kimball	Sowards
Bangerter	Christensen	Matheson	Swan
Barlow	Cornaby	Peterson, C.	Wayment
Barton	Farley	Peterson, L.	Mr. President (Ferry)
Black	Flamm	Pugh	
Bullen	Halverson	Sandberg	
Bunnell	Jeffs	Snow	

Voting in the negative were: Senators

Money	Bennett

Absent and not voting were: Senators

Finlinson	Jones

S.B. No. 21 was returned to the House.

* * *

On motion of Senator Bangerter, who voted on the prevailing side, the Senate voted to return **S.B. No. 51**, UTAH DRUG PARAPHERNALIA ACT, from Legal Services for technical correction, and to place it at the top of Third Reading Calendar.

* * *

On motion of Senator Wayment, the circles were removed from **S.B. No. 167** and **S.B. No. 3.** On motion of Senator Snow, the circles were removed from **S.B. No. 149** and **H.B. No. 180.**

On motion of Senator Snow, and at 4:00 p.m., the Senate adjourned until 10:00 a.m., Thursday, February 19, 1981.

THIRTY-NINTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present except Senator Sandberg (excused).

Prayer — Mark Vincent, Senate Intern.

COMMITTEE TO READ AND REVISE THE JOURNAL

Mr. President: February 19, 1981

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

Bryce C. Flamm, Committee Member

Committee report read and adopted.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 18, 1981

I am directed to inform the Senate that on February 11, 1981, the House of Representatives struck the enacting clause on **S.B. No. 31**, PORTS OF ENTRY FINES, by Senator Bangerter, and on reconsideration failed to re-instate the enacting clause. The bill is returned for filing.

Allan M. Acomb, Chief Clerk

S.B. No. 31 is filed.

* * *

Mr. President: February 18, 1981

I am directed to inform the Senate that the House of Representatives has this day adopted the Joint Conference Committee Report as of February 17, 1981, and passed **H.B. No. 19**, UTILITY FRANCHISE TAX LIMITATION, by Representative Harrison, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

H.B. No. 19 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

Mr. President: February 18, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, **Substitute S.B. No. 25,** ATHLETIC EVENTS AMENDMENTS, by Senator Swan, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Swan, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Farley	Money	Swan
Barlow	Finlinson	Peterson, C.	Wayment
Barton	Flamm	Peterson, L.	Mr. President (Ferry)
Black	Jeffs	Pugh	
Bullen	Jones	Snow	
Cornaby	Matheson	Sowards	

Absent and not voting were: Senators

Asay	Bunnell	Christensen	Kimball
Bennett	Carling	Halverson	Sandberg

Sub. S.B. No. 25 was returned to the House.

* * *

Mr. President: February 18, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, as amended, **Substitute S.B. No. 66,** SHOPLIFTING AMENDMENTS, by Senator Carling, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Carling, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Carling	Jones	Sowards
Barlow	Christensen	Matheson	Swan

Barton	Cornaby	Money	Wayment
Bennett	Farley	Peterson, C.	Mr. President (Ferry)
Black	Finlinson	Peterson, L.	
Bullen	Flamm	Pugh	
Bunnell	Jeffs	Snow	

Voting in the negative was: Senator
Asay

Absent and not voting were: Senators

Halverson	Kimball	Sandberg

Sub. S.B. No. 66 was returned to the House.

* * *

Mr. President: February 18, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, **Substitute S.B. No. 69,** DISASTER RESPONSE AND RECOVERY ACT, by Senator Black, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Black, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Christensen	Jones	Pugh
Barton	Cornaby	Kimball	Snow
Bennett	Farley	Matheson	Sowards
Black	Finlinson	Money	Swan
Bullen	Flamm	Peterson, C.	Wayment
Bunnell	Jeffs	Peterson, L.	Mr. President (Ferry)

Voting in the negative was: Senator
Asay

Absent and not voting were: Senators

Barlow	Carling	Halverson	Sandberg

Sub. S.B. No. 69 was returned to the House.

Mr. President: February 18, 1981

I am directed to inform the Senate that the House of Representatives has this day passed as

amended by the Senate and House, **S.B. No. 70,** EMERGENCY ACT, by Senator Black, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Black, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jones	Snow
Bangerter	Christensen	Kimball	Sowards
Barlow	Cornaby	Matheson	Swan
Barton	Farley	Money	Wayment
Bennett	Finlinson	Peterson, C.	Mr. President (Ferry)
Black	Flamm	Peterson, L.	
Bullen	Jeffs	Pugh	

Absent and not voting were: Senators

Bunnell	Halverson	Sandberg

S.B. No. 70 was returned to the House.

* * *

Mr. President: February 18, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the House, **S.B. No. 88,** MEDICAL EXAMINER JURISDICTION, by Senator Bangerter, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Bangerter, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jones	Snow
Bangerter	Christensen	Kimball	Sowards
Barlow	Cornaby	Matheson	Swan
Barton	Farley	Money	Wayment
Bennett	Finlinson	Peterson, C.	Mr. President (Ferry)
Bullen	Flamm	Peterson, L.	
Bunnell	Jeffs	Pugh	

Absent and not voting were: Senators

Black Halverson Sandberg

S.B. No. 88 was returned to the House.

JOINT CONFERENCE COMMITTEE REPORT
(S.B. No. 33, Oil Re-Refining Amendments)

Mr. President: February 18, 1981

I am directed to inform the Senate that the House of Representatives has this day adopted the Joint Conference Committee Report as of February 18, 1981, and passed **S.B. No. 33**, OIL RE-REFINING AMENDMENTS, by Senator Black, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

Mr. President and Mr. Speaker: February 18, 1981

Your Conference Committee, consisting of Senators Black, Sowards and Pugh and Representatives Harward, Garr and Rees, to which was referred **S.B. No. 33**, OIL REFINING AMENDMENTS, by Mr. Wilford R. Black, begs leave to report as follows:

Page 1, Line 20:
following *"SECTION"* remove bracket from letter *"s"* and remove bracket from *"40-9-2"*

Page 1, Line 21:
remove brackets from *"AND"*

Page 1, Line 24, 25, and 26:
remove brackets and restore original language

Page 1, Line 27:
remove brackets from *"40-9-2."* and insert:
"(1) It is in the interest of the state to assure that used oil will be recycled in a manner which does not constitute a threat to public health and preserves the quality of air, water and land.
(2) Inform the public that used oil is collected, treated and reused in a manner which conserves energy and does not present a hazzard to public health or the environment."

Page 2, Line 29:
following *"Section"* delete *"1"* and insert *"2."*

Page 4, Line 12:
following *"Section"* delete *"2"* and insert *"3."*

Page 4, Line 32:
following *"Section"* delete *"3"* and insert *"4."*

Page 5, Line 29:
following *"Section"* delete *"4"* and insert *"5."*

Page 6, Line 4:
following *"Section"* delete *"5"* and insert *"6."*

Senator Wilford R. Black, Chairman, Senate Committee
and Senators Pugh and Sowards

Representative Merrill Harward, Chairman, House Committee
and Representatives Garr and Rees

On motion of Senator Black, the Senate voted to adopt the Joint Conference Committee Report on the following roll call:

Yeas, 21; Nays, 2; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Cornaby	Matheson	**Swan**
Barlow	Farley	Money	**Wayment**
Barton	Finlinson	Peterson, C.	**Mr. President (Ferry)**
Bennett	Flamm	Pugh	
Black	Jones	Snow	
Bullen	Kimball	Sowards	

Voting in the negative were: Senators

Jeffs	Peterson, L.

Absent and not voting were: Senators

Asay	Carling	Halverson	Sandberg
Bunnell	Christensen		

S.B. No. 33 was returned to the House.

SECRETARY OF SENATE REPORT

The committee report has been received on **S.B. No. 134,** FINANCIAL INSTITUTIONS ACT OF 1981, and it is placed on Second Reading Calendar.

THIRD READING CALENDAR

S.B. No. 51, UTAH DRUG PARAPHERNALIA ACT, is before the Senate on reconsideration.

On motion of Senator Finlinson, the following amendments, which was on the committee report but not included on the goldenrod copy considered by the House, was again adopted

Page 5, Line 18:
after *"place"* insert *"in this state"*

S.B. No. 51 passed on reconsideration and on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bullen	Flamm	Peterson, L.
Bangerter	Bunnell	Jeffs	Snow
Barlow	Carling	Jones	Sowards
Barton	Christensen	Matheson	Swan
Bennett	Cornaby	Money	Wayment
Black	Finlinson	Peterson, C.	Mr. President (Ferry)

Absent and not voting were: Senators

Farley	Kimball	Pugh	Sandberg
Halverson			

S.B. No. 51 was returned to the House.

* * *

On motion of Senator Snow, **S.B. No. 3,** CONTRACEPTION OR ABORTION SERVICES OR DEVICES, is circled.

* * *

S.B. No. 167, NEGLECT OR DELINQUENCY OF CHILDREN, was before the Senate and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jones	Snow
Bangerter	Christensen	Kimball	Sowards
Barlow	Cornaby	Matheson	Swan
Barton	Farley	Money	Wayment
Bennett	Finlinson	Peterson, C.	Mr. President (Ferry)
Black	Flamm	Peterson, L.	
Bullen	Jeffs	Pugh	

Absent and not voting were: Senators

Bunnell	Halverson	Sandberg

S.B. No. 167 was returned to the House.

* * *

H.B. No. 17, ALTERNATIVE MORTGAGE INSTRUMENTS, was read the third time and passed on the following roll call:

Yeas, 20; Nays, 5; Absent, 4

Voting in the affirmative were: Senators

Barlow	Christensen	Jeffs	Peterson, L.
Barton	Cornaby	Jones	Pugh
Bullen	Finlinson	Kimball	Snow
Bunnell	Flamm	Matheson	Sowards
Carling	Halverson	Peterson, C.	Mr. President (Ferry)

Voting in the negative were: Senators

Bangerter	Black	Farley	Swan
Bennett			

Absent and not voting were: Senators

Asay	Money	Sandberg	Wayment

H.B. No. 17, as amended, was returned to the House.

* * *

COMMITTEE OF THE WHOLE

On motion of Senator Snow, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate were:

Arch L. Madsen, Chairman, Executive Reorganization Committee
Kristine Strachan, Member, Executive Reorganization Committee

On motion of Senator Snow, the Committee of the Whole was dissolved.

* * *

On motion of Senator Snow, the Senate voted to ask the House to return **H.B. No. 93,** CONSTRUCTION OCCUPANCY EFFECT, to the Senate for technical correction.

* * *

Senator Sowards, having served notice that he might ask the Senate to reconsider its action on **H.B. No. 18,** UTILITIES RATE STRUCTURE, on this day, now asked, under suspension of the rules, that it be reconsidered. Senators Bunnell, Pugh, Matheson and Cornaby commented.

COMMITTEE OF THE WHOLE

On motion of Senator Bunnell, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate were:

Robert Gordon, representing Utah and Power and Light
David R. Irvine, Commissioner, Public Service Commission

On motion of Senator Bunnell, the Committee of the Whole was dissolved.

On motion of Senator Cornaby, the bill was circled.

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On motion of Senator Finlinson, **Sub. H.B. No. 126,** GROUP HOME ZONING LIMITATION, was circled.

* * *

Sub. H.B. No. 51, MECHANICS' LIEN MODIFICATIONS, was read the third time. Senator Sowards is presiding. The bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Bullen	Halverson	Pugh
Bangerter	Bunnell	Jeffs	Snow
Barlow	Carling	Matheson	Sowards
Barton	Cornaby	Money	
Bennett	Farley	Peterson, C.	
Black	Flamm	Peterson, L.	

Absent and not voting were: Senators

Christensen	Jones	Sandberg	Wayment
Finlinson	Kimball	Swan	Mr. President (Ferry)

Sub. H.B. No. 51, as amended, was returned to the House.

* * *

H.B. No. 100, ATTORNEY'S FEES IN CIVIL CASES, was read the third time. Senator Jeffs explained the bill and it passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Pugh
Bangerter	Carling	Jones	Snow

Barlow	Cornaby	Kimball	Sowards
Barton	Farley	Matheson	Swan
Bennett	Finlinson	Money	Mr. President (Ferry)
Black	Flamm	Peterson, C.	
Bullen	Halverson	Peterson, L.	

Absent and not voting were: Senators

Christensen	Sandberg	Wayment

H.B. No. 100 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Snow, **S.B. No. 3,** CONTRACEPTION OR ABORTION SERVICES OR DEVICES, was uncircled and before the Senate. Senator Snow proposed amendments. Senator Jeffs offered substitute amendments. Senators Flamm, Jones and Swan commented.

COMMITTEE OF THE WHOLE

On motion of Senator Snow, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate were:

Peter C. VanDyck, MD, Director, Division of Family Health Services in the Utah Department of Health

Susan Roylance, representing United Families of America

On motion of Senator Snow, the Committee of the Whole was dissolved. **S.B. No. 3** will remain as Unfinished Business.

On motion of Senator Snow and at 12:10 p.m., the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Miles 'Cap' Ferry presiding.

* * *

S.B. No. 3, CONTRACEPTION OR ABORTION SERVICES OR DEVICES, was before the Senate as Unfinished Business. Previous amendments were withdrawn. Senator Snow proposed amendments. Senator Farley proposed substitute amendments. Senators Pugh, Farley, Swan, Kimball, Flamm and Asay commented. The proposed Farley amendments failed, and the original Snow amendments were before the Senate.

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

Page 1, Line 24:
delete *"contraception"* and insert in lieu thereof *"contraceptive services"*

Page 1, Line 31:
delete *"contraception"* and insert in lieu thereof *"contraceptive services"*

Page 1, Line 14:
delete *"CONTRACEPTION"* and insert in lieu thereof *"CONTRACEPTIVE SERVICES"*

Page 1, Line 19:
delete *"CONTRACEPTION"* and insert in lieu thereof *"CONTRACEPTIVE SERVICES"*

Page 1, Line 33:
after the period insert *"Nothing in this act shall be construed, however, to prohibit individual health care providers or hopsitals from providing such services, devices, or information to minors who pay for such services with private funds and who do not have the prior written consent of their parents, nor shall the fact that a private provider or hospital makes such services available disqualify any institution with which such provider or hospital is affiliated from receiving federal or state funds under relevant provisions of law."*

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

Yeas, 24; Nays, 3; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Pugh
Bangerter	Christensen	Jones	Snow
Barlow	Cornaby	Matheson	Sowards
Barton	Finlinson	Money	Swan
Bennett	Flamm	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Black	Farley	Kimball

Absent and not voting were: Senators

Bunnell	Sandberg

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

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 19, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, **Substitute S.B. No. 56**, PEACE OFFICERS' AMEND-

MENTS, by Senator Cornaby, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Cornaby, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Pugh
Bangerter	Christensen	Jones	Snow
Barlow	Cornaby	Kimball	Swan
Barton	Farley	Matheson	Wayment
Bennett	Finlinson	Money	Mr. President (Ferry)
Black	Flamm	Peterson, C.	
Bullen	Halverson	Peterson, L.	

Absent and not voting were: Senators

Bunnell	Sandberg	Sowards

Sub. S.B. No. 56 was transmitted to the House. Senator Halverson is presiding.

* * *

Mr. President: February 19, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, **S.B. No. 36,** JUSTICE OF PEACE PRECINCTS, by Senator Finlinson, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Finlinson, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Peterson, L.
Bangerter	Cornaby	Jones	Pugh
Barlow	Farley	Kimball	Snow
Barton	Finlinson	Matheson	Sowards
Bennett	Flamm	Money	Swan
Bullen	Halverson	Peterson, C.	Wayment

Absent and not voting were: Senators

Black	Christensen	Sandberg	Mr. President (Ferry)
Bunnell			

S.B. No. 36 was transmitted to the House.

* * *

Mr. President: February 19, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, **S.B. No. 39,** STATE LANDS AMENDMENTS, by Senator Finlinson, et al, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Finlinson, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 17; Nays, 6; Absent, 6

Voting in the affirmative were: Senators

Asay	Finlinson	Kimball	Snow
Barlow	Flamm	Matheson	Sowards
Bullen	Halverson	Peterson, C.	
Carling	Jeffs	Peterson, L.	
Cornaby	Jones	Pugh	

Voting in the negative were: Senators

Bangerter	Bunnell	Swan	Wayment
Bennett	Farley		

Absent and not voting were: Senators

Barton	Christnensen	Sandberg	Mr. President (Ferry)
Black	Money		

S.B. No. 39 was transmitted to the House.

* * *

Mr. President: February 19, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, **S.B. No. 101,** INDUSTRIAL FACILITIES DEVELOPMENT ACT AMENDMENT, by Senator Finlinson, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

Senator Finlinson moved to concur in the House amendments. Senator Snow's substitute motion to refuse to concur in the House amendments and to ask the House to recede from its amendments carried.

* * *

Senator Kimball's motion to have **H.B. No. 17**, ALTERNATIVE MORTGAGE INSTRUMENTS, returned for reconsideration failed. President Ferry resumes presiding.

* * *

Senator Snow, having voted on the prevailing side, now asked that previous Senate action on **S.B. No. 101**, INDUSTRIAL FACILITIES DEVELOPMENT ACT AMENDMENTS, be reconsidered. Senators Halverson, Flamm, Matheson, Bullen, Jones, Finlinson, Jeffs and Pugh commented. Senator Barlow's motion to concur in the House amendments failed. Senator Finlinson's motion to refuse to concur in the House amendments and to ask the House to recede from its amendments carried.

S.B. No. 101 was returned to the House.

* * *

Mr. President: February 19, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 114**, AUDITS OF POLITICAL SUBDIVISIONS, by Senator Bullen, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. No. 114 was signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

* * *

Mr. President: February 19, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 15**, WILD GAME FEED RESOLUTION, by Representative Myrin, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **Substitute H.B. No. 34**, RESTRICTION OF PUBLIC FUNDS IN ELECTIONS, by Representative Harrison, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.J.R No. 15 and **Sub. H.B. No. 34** were read the first time and referred to Rules Committee.

STANDING COMMITTEE REPORT

Mr. President: February 19, 1981

The Agriculture Committee to which was referred **S.B. No. 231**, AGRICULTURAL FUNDS, by Senator Ivan M. Matheson, has carefully considered the bill and reports it out of

committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Ivan M. Matheson, Committee Chairman

S.B. No. 231 was read the second time and placed on Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

S.C.R. No. 5	ALCOHOL WARNING LABEL RESOLUTION (Higher Education)
S.B. No. 67	CORRUPT PRACTICES AMENDMENTS (State and Local Affairs)
S.B. No. 160	BURGLAR ALARM SECURITY (Transportation and Public Safety)
S.B. No. 185	TAX EQUIVALENT PROPERTY (Revenue and Taxation)
S.B. No. 216	MOTOR FUEL SALES (Transportation and Public Safety)
S.B. No. 242	UNIFORM TRADE SECRETS ACT (Higher Education)
S.B. No. 243	COLLECTION PRACTICES ACT (Public Education)

S.C.R No. 5 and **S.B. Nos. 67, 160, 185, 216, 242** and **243** were placed on Second Reading Calendar.

RULES COMMITTEE REPORTS

Mr. President: February 19, 1981

Your Rules Committee, to which were referred:

S.B. No. 261	POWER GENERATION BY TOWNS (State and Local Affairs)
S.B. No. 262	TRAMWAY REGISTRATIONS (Transportation and Public Safety)
S.B. No. 299	UTAH UNIFORM PROBATE CODE AMENDMENTS (Judiciary)
S.B. No. 301	MATERIAL ON CABLE TELEVISION (Judiciary)
S.B. No. 220	WORKMAN'S COMPENSATION TIME LIMITATIONS AND DEFINITIONS (Business, Labor and Economic Development)

S.B. No. 129	IN LIEU PAYMENTS TO LOCAL SUBDIVISIONS (Agriculture)
S.B. No. 239	TITLES OF BOATS AND VESSELS (Energy and Natural Resources)
S.B. No. 250	OCCUPATION TAX INCREASE (Revenue and Taxation)
S.B. No. 263	DISPOSITION OF RECEIPTS FROM SOVEREIGN LANDS (Energy and Natural Resources)
S.B. No. 264	BOAT OPERATOR'S LICENSURE (Energy and Natural Resources)
S.B. No. 275	BAIL FOREFEITURES (Judiciary)
S.B. No. 280	PROFESSIONAL CORPORATION ACT AMENDMENTS (Business, Labor and Economic Development)
S.B. No. 285	PRIVATE CLUB NONPROFIT CORPORATION ACT (Business, Labor and Economic Development)
S.B. No. 286	HOME IMPROVEMENTS TAX INCENTIVE (Revenue and Taxation)
S.B. No. 293	STATE WATERFOWL STAMP (Energy and Natural Resources)

reports the same back with a few minor changes assented to by the authors and recommends that they be printed and assigned to the committees indicated, and

Your Rules Committee, to which were referred:

H.B. No. 15	WAGE CLAIM LIMITATION (Business, Labor and Economic Development)
H.B. No. 134	DIVORCE PAYMENTS AUTHORITY (Judiciary)
H.B. No. 137	SUBSEQUENT PROSECUTION ALLOWANCE (Judiciary)
H.B. No. 143	WILDLIFE ARREST PROCEDURES (Energy and Natural Resources)
H.B. No. 148	DENTAL HYGIENIST AMENDMENTS (Business, Labor and Economic Development)
H.B. No. 155	INTEREST ON PERSONAL PROPERTY TAXES (Revenue and Taxation)
H.B. No. 185	(**Sub.**) RESERVE ACCOUNT AMENDMENTS (Revenue and Taxation)
H.B. No. 192	MOVING FARM MACHINERY (Agriculture)

H.B. No. 175 CONTROLLED SUBSTANCES ACT AMENDMENTS
(Judiciary)

reports the same back and recommends that they be assigned to the committees indicated.

Ronald T. Halverson, Committee Chairman

Committee reports read and adopted.

* * *

H.B. No. 84, SCHOOL COMPLIANCE OFFICERS, was read the third time. Senators Barton, Jeffs, Bennett, Swan, Flamm, Asay and Kimball commented.

H.B. No. 84 passed on the following roll call:

Yeas, 18; Nays, 7; Absent, 4

Voting in the affirmative were: Senators

Asay	Christensen	Matheson	Sowards
Bangerter	Finlinson	Peterson, C.	Swan
Barlow	Flamm	Pugh	Wayment
Barton	Halverson	Sandberg	
Bullen	Jeffs	Snow	

Voting in the negative were: Senators

Bennett	Farley	Money	Peterson, L.
Carling	Kimball	Mr. President (Ferry)	

Absent and not voting were: Senators

Black	Bunnell	Cornaby	Jones

H.B. No. 84 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Snow, the circles were removed from **H.B. Nos. 18,and 146** and **Sub. H.B. No. 126.**

On motion of Senator Snow, and at 4:00 p.m., the Senate adjourned until 10:00 a.m., Friday, February 20, 1981.

FORTIETH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present.

Prayer by — Senator Ronald T. Halverson (Weber, Dist. 18).

COMMITTEE TO READ AND REVISE THE JOURNAL

Mr. President: February 20, 1981

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

Bryce C. Flamm, Committee Member

Committee report read and adopted.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 19, 1981

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **Substitute H.B. No. 51,** MECHANICS' LIEN MODIFICATIONS, by Representative McMullin, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 5,** SCHOOL BUILDINGS AND CODE WAIVERS, by Senator Asay, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 21,** INTEREST RATES INCREASE, by Senator Carling, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **Substitute S.B. No. 25,** ATHLETIC EVENTS AMENDMENTS, by Senator Swan, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate, **S.B. No. 32,** MEETINGS OF PUBLIC BODIES, by Senator L. Peterson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **Substitute S.B. No. 33,** OIL REREFINING AMENDMENTS, by Senator Black, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate, **S.B. No. 51,** UTAH DRUG PARAPHERNALIA ACT, by Senator Finlinson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **Substitute S.B. No. 66,** SHOPLIFTING AMENDMENTS, by Senator Carling, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **Substitute S.B. No. 69,** DISASTER RESPONSE AND RECOVERY ACT, by Senator Black, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 70,** EMERGENCY MANAGEMENT ACT, by Senator Black, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 88,** MEDICAL EXAMINER JURISDICTION, by Senator Bangerter, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 197,** MORONI L. JENSEN STATE HOUSE FELLOWS PROGRAM, by Senator Bunnell, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

Sub. H.B. No. 51 was signed by the President in open session of the Senate and returned to the House for further action, and

S.B. Nos. 5, 21, Sub. 25, 32, Sub. 33, 51, Sub. 66, Sub. 69, 70, 88 and **197** were signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

* * *

Mr. President: February 19, 1981

I am directed to inform the Senate that the House of Representatives corrected a technical error in **H.B. No. 93,** CONSTRUCTION OCCUPANCY EFFECT, by Representative Richards,

et al, and the bill is being transmitted herewith with corrected amendments for reconsideration by the Senate.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, the Senate voted to concur in the correction on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Kimball	Snow
Barton	Farley	Matheson	Sowards
Bennett	Flamm	Money	Mr. President (Ferry)
Bullen	Halverson	Peterson, L.	
Carling	Jeffs	Pugh	

Absent and not voting were: Senators

Asay	Bunnell	Peterson, C.	Wayment
Black	Finlinson	Swan	

H.B. No. 93 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

Mr. President: February 19, 1981

I am directed to inform the Senate that the House of Representatives has this day adopted the Joint Conference Committee Report as of February 18, 1981, and passed **S.B. No. 12,** PROPOSED INCORPORATION CITY AMENDMENTS, by Senator Barton, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

JOINT CONFERENCE COMMITTEE REPORT
(S.B. No. 12, Proposed Incorporation City Amendments)

Mr. Speaker and Mr. President: February 18, 1981

Your Conference Committee, consisting of Senators Barton, Flamm, and Swan and Representatives Farnsworth, Palmer, and Williams to which was referred **S.B. No. 12,** PROPOSED INCORPORATION CITY AMENDMENTS, by Senator Barton, begs leave to report as follows:

Page 2, Line 2:
Restore the original language and delete the period and insert the following: ", *except that there must be at least ten signatures from each of at least 50% of the voting districts within the area.*"

Page 2, Line 5:
Delete the word *"city"* and insert the word *"municipal"*

Senator William T. 'Bill' Barton, Chairman, Senate Committee

Representative Lee W. Farnsworth, Chairman, House Committee

On motion of Senator Barton, the Senate voted to adopt the Joint Conference Committee Report on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Cornaby	Kimball	Sandberg
Barton	Farley	Matheson	Snow
Bennett	Flamm	Money	Sowards
Bullen	Halverson	Peterson, C.	Swan
Carling	Jeffs	Peterson, L.	Wayment
Christensen	Jones	Pugh	Mr. President (Ferry)

Absent and not voting were: Senators

Asay	Black	Bunnell	Finlinson
Bangerter			

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

* * *

Mr. President: February 19, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the House, **S.B. No. 136,** PUBLIC TRANSIT ACT AMENDMENTS, by Senator Finlinson, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Finlinson, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sandberg
Bangerter	Cornaby	Kimball	Snow
Barlow	Farley	Matheson	Sowards
Barton	Finlinson	Money	Swan
Bennett	Flamm	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)
Bunnell	Jeffs	Pugh	

Absent and not voting were: Senators
Black Carling

S.B. No. 136 was transmitted to the House.

* * *

Mr. President: February 19, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **Substitute H.B. No. 5,** AUDIT OF PUBLIC TRANSIT DISTRICTS, by Representative Taylor, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 106,** COURSE OF STUDY COMMITTEE, by Representative Walker, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 144,** AIR CONDITIONING SCHOOL BUILDINGS, by Representative Garff, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 145,** SCHOOL BUILDING UTILIZATION PILOT PROGRAM, by Representative Garff, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 164,** REASONABLE FAIR CASH VALUE COMPONENTS, by Representative F. Knowlton, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

Sub. H.B. No. 5 and **H.B. Nos. 106, 144, 145,** and **164** were read the first time and referred to Rules Committee.

SECOND READING CALENDAR

On motion of Senator Pugh, **S.B. No. 72,** WEIGHING OF MOTOR VEHICLES, was lifted from Third Reading Table, placed at the top of Third Reading Calendar and before the Senate on reconsideration.

S.B. No. 72 passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Jones	Sandberg
Bangerter	Christensen	Kimball	Snow
Barlow	Cornaby	Matheson	Sowards
Barton	Farley	Money	Swan
Bennett	Finlinson	Peterson, C.	Wayment

Bullen	Flamm	Peterson, L.	Mr. President (Ferry)
Bunnell	Jeffs	Pugh	

Absent and not voting were: Senators

Black	Halverson

S.B. No. 72 was transmitted to the House.

* * *

On motion of Senator Finlinson, **Sub. H.B. No. 126,** RESIDENTIAL FACILITY ZONING LIMITATION, was circled.

THIRD READING CALENDAR

H.B. No. 72, FLOOD CONTROL AMENDMENTS, was read the third time and passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Asay	Christensen	Kimball	Sowards
Barlow	Cornaby	Money	Swan
Barton	Farley	Peterson, C.	Wayment
Bennett	Finlinson	Peterson, L.	Mr. President (Ferry)
Bullen	Flamm	Pugh	
Bunnell	Jeffs	Sandberg	
Carling	Jones	Snow	

Voting in the negative was: Senator
Matheson

Absent and not voting were: Senators

Bangerter	Black	Halverson

H.B. No. 72, as amended, was returned to the House.

* * *

Sub. H.B. No. 96, GOVERNMENT EMPLOYEES — NATIONAL GUARD, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 2; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jones	Pugh
Barlow	Christensen	Kimball	Sandberg
Barton	Cornaby	Matheson	Snow
Bennett	Farley	Money	Sowards
Bullen	Finlinson	Peterson, C.	Swan
Bunnell	Flamm	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Jeffs	Wayment	

Absent and not voting were: Senators

Bangerter	Black	Halverson

At the direction of President Ferry, the bill is to be held in the Senate.

CONSENT CALENDAR

S.B. No. 235, IMPLIED WARRANTS IN LIVESTOCK SALES, was read the third time and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Carling	Kimball	Sandberg
Bangerter	Christensen	Matheson	Snow
Barton	Farley	Money	Wayment
Bennett	Flamm	Peterson, C.	Mr. President (Ferry)
Black	Jeffs	Peterson, L.	
Bullen	Jones	Pugh	

Absent and not voting were: Senators

Barlow	Cornaby	Halverson	Swan
Bunnell	Finlinson	Sowards	

S.B. No. 235 was transmitted to the House.

* * *

S.B. No. 157, SALES AND USE TAX JURISDICTION STANDARDS, was read the third time and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	Jones	Snow
Bangerter	Christensen	Kimball	Sowards
Barlow	Cornaby	Money	Swan
Barton	Farley	Peterson, C.	Mr. President (Ferry)
Bennett	Flamm	Peterson, L.	
Black	Halverson	Pugh	
Bullen	Jeffs	Sandberg	

Absent and not voting were: Senators

Bunnell	Finlinson	Matheson	Wayment

S.B. No. 157 was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator Halverson, the Senate voted to lift **S.B. No. 217,** OPTOMETRIC REFERRALS MODIFICATION, from Second Reading Calendar, and return it to Social Services Committee.

* * *

Sub. S.B. No. 149, HUMANE TREATMENT OF ANIMALS, was before the Senate. On motion of Senator Bennett, **Second Sub. S.B. No. 149,** HUMANE TREAMENT OF ANIMALS, replaces **Sub. S.B. No. 149.** On motion of Senator Farley **Second Sub. S.B. No. 149** was amended as follows:

Page 5, Line 6:
after *"Prohibits"* insert *"or restricts"*

On motion of Senator Jeffs, **Second Sub. S.B. No. 149** was amended as follows:

Page 3, Line 13:
delete *"shall"* and insert in lieu thereof *"may"*

Senator Bennett proposed an amendment which failed.

On motion of Senator Black, **Second Sub. S.B. No. 149** was amended as follows:

Page 4, Lines 26, 27, 28, 29, and 30:
delete entirely

Page 4, Line 31:
delete *"(h)"* and insert in lieu thereof *"(g)"*

On motion of Senator Flamm, **Second Sub. S.B. No. 149** was amended as follows:

Page 5, Line 4:
after *"another,"* insert *"unless they are causing damage to property"*

Page 5, Line 7:
delete *"and secondary"*

Page 5, Lines 33 and 34:
delete on each line the words *"or secondary"*

On motion of Senator L. Peterson, **Second Sub. S.B. No. 149** was amended as follows:

Page 5, Lines 16 and 17:
delete *"animals running at large upon the range"* and insert in lieu thereof *"livestock"*

Page 5, after Line 22:
insert *"(g) Prohibit destruction of an animal that is causing injury or death to another animal or to a human being."*

On motion of Senator Jones, **Second Sub. S.B. No. 149** was amended as follows:

Page 5, after Line 22 and the subsection (g) inserted by L. Peterson:
"(h) Prohibits humane destruction of unwanted pets by owner."

Second Sub. S.B. No. 149 passed on the following roll call:

Yeas, 15; Nays, 7; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Bunnell	Flamm	Pugh
Barton	Carling	Kimball	Sandberg
Bennett	Christensen	Money	Swan
Black	Farley	Peterson, L.	

Voting in the negative were: Senators

Barlow	Jones	Sowards	Mr. President (Ferry)
Bullen	Peterson, C.	Wayment	

Absent and not voting were: Senators

Asay	Finlinson	Jeffs	Snow
Cornaby	Halverson	Matheson	

SPECIAL ORDER — SECOND READING CALENDAR

S.B. No. 91, COMMITTEE ON CONSUMER SERVICES CONTINUATION, was read the second time. Senator Carling is presiding.

Mr. President: February 9, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 91,** COMMITTEE ON CONSUMER SERVICES CONTINUATION, by Senator Karl G. Swan, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 10:
Delete *"APRIL 1"* and insert in lieu thereof *"JUNE 30"*

Page 1, Line 18:
Delete *"April 1"* and insert in lieu thereof *"June 30"*

Page 1, After Line 19:
Add the following new section:
"Section 2. This bill shall take effect April 1, 1981."

Arnold Christensen, Committee Chairman

Committee report, as amended, read and adopted.

COMMITTEE OF THE WHOLE

On motion of Senator Swan, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate were:

Milly O. Bernard, Chairman, Public Service Commission
H. Patricia Hartman, Citizen

On motion of Senator Swan, the Committee of the Whole was dissolved.

S.B. No. 91 passed on the following roll call:

Yeas, 24; Nays, 3; Absent, 2

Voting in the affirmative were: Senators

Asay	Bullen	Halverson	Sandberg
Bangerter	Bunnell	Jeffs	Snow
Barlow	Carling	Kimball	Sowards
Barton	Christensen	Money	Swan
Bennett	Farley	Peterson, C.	Wayment
Black	Flamm	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Cornaby	Finlinson	Matheson

Absent and not voting were: Senators

Jones	Pugh

On motion of Senator Snow and at 12:00, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Miles 'Cap' Ferry presiding

STANDING COMMITTEE REPORT

Mr. President: February 20, 1981

The State and Local Affairs Committee, to which was referred **S.B. No. 221**, STATE VETERANS' CEMETERY, by Senator Wilford R. Black et al, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted and **S.B. No. 221** was read the second time and placed on Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

H.C.R. No. 1	NATIONAL FORENSICS LEAGUE (Judiciary)
H.B. No. 49	JURY DEMAND — CRIMINAL TRIALS (Judiciary)
H.B. No. 70	ATTORNEY DISCIPLINARY PROCEEDINGS (Judiciary)
H.B. No. 112	LIBRARY THEFT (Sub.) (Judiciary)
S.B. No. 171	JUVENILE COURT JURISDICTION EXTENSION (Judiciary)
S.B. No. 187	WORKEN'S COMPENSATION MODIFICATIONS (Business, Labor and Economic Development)
S.B. No. 198	COUNTY ORDINANCE COMPLIANCE (State and Local Affairs)
S.B. No. 207	STATE LAND SALES (Energy and Natural Resources)
S.B. No. 241	ABUSE OF PERSONAL IDENTITY ACT (Judiciary)

H.C.R. No. 1 and **H.B. Nos. 49, 70** and **112** and **S.B. Nos. 171, 187, 198, 207** and **241** were placed on Second Reading Calendar.

SECOND READING CALENDAR

S.B. No. 118, INSURANCE INFORMATION AND PRIVACY PROTECTION ACT, was before the Senate.

On motion of Senator Snow, **S.B. No. 118** was amended as follows:

Page 3, Line 29:
Delete *"or"* insert in lieu thereof, *"and in the case of property or casualty insurance."*

Page 3, Line 30:
Delete entire line

Page 3, Line 31:
Delete *"(i)"* and insert in lieu thereof, *"(iv)"*

Page 4, Line 2:
Delete *"(ii)"* and *"Charging"* and insert in lieu thereof, *"charging"*

Page 4, Line 3:
Delete the semi-colon

Page 4, Line 4:
Delete *"or"* and insert in lieu thereof *"and"*

Page 4, Line 5:
Delete *"(c)"* and insert in lieu thereof, *"(v)"*

Page 4, Line 6:
Delete the semi-colon and insert in lieu thereof, *", an offer to insure at higher than standard rates; but an adverse underwriting decision does not include a declination by an insurer to provide insurance coverage if such coverage is not available on a class or statewide basis or to terminate coverage on an individual policy form on a class or statewide basis, if disclosure of the reason for such action is given the applicant or policyholder."*

Page 4, Line 7:
Delete entire Lines 7, 8, 9, 10 and 11

Page 9, Line 4:
Delete *"about an individual"*

Page 9, Line 5:
Delete *"individual"* and insert in lieu thereof, *"applicant"*

Page 9, Line 9:
Delete *"about an applicant"*

Page 9, Line 10:
Delete *"individual"* and insert in lieu thereof, *"applicant"*

Page 14, Line 13:
Delete the comma after *"agency"* and insert a period and Delete Lines 14, 15 and 16

Page 15, Line 33:
Delete the comma after *"agency"* and insert a period and Delete Line 34

Page 16,
Delete Lines 2 and 3

Page 17, Line 25:
Delete *"If"* and insert in lieu thereof, *"Except as provided in subsections (2) through (10) of this section, if"*

S.B. No. 118 passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Christensen	Matheson	Snow
Bangerter	Cornaby	Money	Sowards
Barlow	Farley	Peterson, C.	Swan
Bennett	Flamm	Peterson, L.	Wayment
Bullen	Halverson	Pugh	Mr. President (Ferry)
Bunnell	Jeffs	Sandberg	

Absent and not voting were: Senators

Barton	Carling	Jones	Kimball
Black	Finlinson		

* * *

S.B. No. 163, TRANSIT DISTRICT ESTABLISHMENT LIMITATIONS, was before the Senate.

Senator Kimball proposed that on Page 2 (fifth and sixth lines from bottom of page) the words "final and binding" be restored and the words "advisory only" be deleted. Senator Kimball's motion failed on the following roll call:

Yeas, 8; Nays, 18; Absent, 3

Voting in the affirmative were: Senators

Asay	Black	Farley	Money
Bennett	Bunnell	Kimball	Swan

Voting in the negative were: Senators

Bangerter	Finlinson	Matheson	Sowards
Barlow	Flamm	Peterson, C.	Wayment
Barton	Halverson	Peterson, L.	Mr. President (Ferry)
Christensen	Jeffs	Sandberg	
Cornaby	Jones	Snow	

Absent and not voting were: Senators

Bullen	Carling	Pugh

On motion of Senator Bennett, **S.B. No. 163** was amended as follows:

Page 2, Line 2:
Delete *"complete"* and insert in lieu thereof, *"compete"*

Page 3, Lines 5 and 6:
Restore *"or within as close a proximity to the local areas as possible"*

S.B. No. 163 passed on the following roll call:

Yeas, 20; Nays, 6; Absent, 3

Voting in the affirmative were: Senators

Baugerter	Christensen	Jeffs	Pugh
Barlow	Cornaby	Jones	Sandberg
Barton	Finlinson	Matheson	Snow
Bullen	Flamm	Peterson, C.	Sowards
Carling	Halverson	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Bennett	Farley	Money	Swan
Black	Kimball		

Absent and not voting were: Senators

Asay	Bunnell	Wayment

RULES COMMITTEE REPORT

Mr. President: February 20, 1981

Your Rules Committee, to which were referred:

S.B. No. 251	COMMUNITY IMPACT ACCOUNT AMENDMENTS (Revenue and Taxation)
S.B. No. 256	COMPARATIVE NEGLIGENCE (Judiciary)
S.B. No. 276	SEXUAL EXPLOITATION OF MINORS (Judiciary)
S.B. No. 295	SCHOOL PROXIMITY TO LIQUOR STORES (Judiciary)
S.B. No. 296	GROUNDWATER RECHARGE TEST APPROPRIATION (Energy and Natural Resources)
S.B. No. 203	PROVO-JORDAN RIVER STATE PARKWAY (Energy and Natural Resources)
S.B. No. 281	SCHOOL AND PUBLIC EMPLOYEES' RETIREMENT BENEFITS (State and Local Affairs)

reports the same back with a few minor changes assented to by the authors and recommends that they be printed and assigned to the committees indicated, and

Your Rules Committee, to which were referred:

H.J.R. No. 15	WILD GAME FEED RESOLUTION (Agriculture)
H.B. No. 5	(**Sub.**) AUDIT OF PUBLIC TRANSIT DISTRICTS (Transportation and Public Safety)

H.B. No. 34	(**Sub.**) RESTRICTION OF PUBLIC FUNDS IN ELECTIONS (State and Local Affairs)
H.B. No. 106	(**Sub.**) COURSE OF STUDY COMMITTEE (Public Education)
H.B. No. 144	AIR CONDITIONING SCHOOL BUILDINGS (Public Education)
H.B. No. 145	SCHOOL BUILDING UTILIZATION PILOT PROGRAM (Public Education)
H.B. No. 164	REASONABLE FAIR CASH VALUE COMPONENTS (Revenue and Taxation)

reports the same back and recommends that they be assigned to the committees indicated.

Ronald T. Halverson, Committee Chairman

Committee reports read and adopted.

SECRETARY OF SENATE REPORT

A committee report has been received on **S.B. No. 263**, DISPOSITION OF RECEIPTS FROM SOVERIGN LANDS, has been returned from Energy and Natural Resources and the bill is placed at the bottom of Second Reading Calendar.

SPECIAL ORDER — SECOND READING CALENDAR (2:45 p.m.)

(S.B. No. 59, Revenue and Appropriations Limitation and H.B. No. 60, State and Local Revenue and Appropriations Limitations)

S.B. No. 59, REVENUE AND APPROPRIATION LIMITATION AMENDMENTS, was read the second time.

Mr. President: January 30, 1981

The State and Local Affairs Committee, to which was referred **S.B. No. 59**, REVENUE AND APPROPRIATION LIMITATION AMENDMENTS, by Senator William T. Barton, has considered the bill and reports it out of committee favorably with the following amendments:

Page 10, Line 8:
After Line 7 insert the following:

"(12) If a local entity, through a unanimous vote of the governing body, chooses to adopt a project which entails utilizing tax incurement financing, that entity becomes exempt from limitation requirements in this act for a period of five years, starting with the year when the first bond payment is due and payable. The limitation base after the sixth year after the bond payment is due will be computed in the same manner set forth in this act, using population and income figures from the base year."

Page 2, Line 14:
After *"state"* insert *"for state limitation figures"*

Page 2, Line 21:
After *"unit"* delete the period and insert in lieu thereof, *"for limitation figures for that unit."*

Bryce C. Flamm, Committee Chairman

Committee report, as amended, read and adopted and on motion of Senator Snow placed on Second Reading Table; and at 2:50 p.m., the Senate recessed for party caucus. The Senate reassembled at 3:25 p.m.

H.B. No. 60, STATE AND LOCAL REVENUE AND APPROPRIATIONS LIMITATIONS, was read the second time.

Mr. President: February 10, 1981

The Revenue and Taxation Committee, to which was referred **Second Sub. H.B. No. 60,** STATE AND LOCAL REVENUE AND APPROPRIATIONS LIMITATION, by Representative Gary H. Brockbank, et al, has carefully considered the bill and reports it out of committee without recommendation.

Charles W. Bullen, Committee Chairman

Committee report read and adopted and on motion of Senator Finlinson, the Senate voted to replace **Second Sub. H.B. No. 60** with **Third Sub. H.B. No. 60.**

On motion of Senator Matheson, **Third Sub. H.B. No. 60** was amended as follows:

Page 6, Line 6:
After *"(2) No"* insert *"mayor"* and after *"charge"* insert *"impact or utility"* and after *"fee"* delete *"fine or other charge"*

Senator Barton moved that the body and title of **Third Sub. H.B. No. 60** be replaced with the body and title of **Substitute S.B. No. 59.** Senators Bunnell, Farley, Kimball and Money commented.

Senator Swan moved the following amendments to **Third Sub. H.B. No. 60.**

Page 1, Line 9:
After the *":"* delete the remainder of the line and delete Lines 10, 11, and 12 and insert in lieu thereof, *"REPEALING REVENUE AND EXPENDITURE LIMITATIONS ON STATE AND LOCAL GOVERNMENT."*

Page 1, Lines 13 and 17:
Delete all language and insert in lieu thereof, *"THIS ACT REPEALS CHAPTER 27 TITLE 59, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 197, LAWS OF UTAH 1979.or"*

Page 1, Line 19:
After *"Section 1."* delete all language in the bill and insert in lieu thereof the follow:

"Chapter 27 of Title 59, Utah Code Annotated 1953, as enacted by Chapter 197, Laws of Utah 1979 is repealed."

Senator Swan's proposed amendments failed on the following roll call:

Yeas, 5; Nays, 22; Absent, 2

Voting in the affirmative were: Senators

Black	Farley	Kimball	Swan
Bunnell			

Voting in the negative were: Senators

Asay	Carling	Jeffs	Snow
Bangerter	Christensen	Jones	Sowards
Barlow	Cornaby	Matheson	Wayment
Barton	Finlinson	Peterson, C.	Mr. President (Ferry)
Bennett	Flamm	Pugh	
Bullen	Halverson	Sandberg	

Absent and not voting were: Senators

Money	Peterson, L.

Senator Barton's motion failed on a voice vote and **Third Sub. H.B. No. 60** remains before the Senate.

Senator Matheson proposed the following amendment:

Page 7, after Line 11 insert:
"(5) Units of local government under 2,500 the population shall not be required to comply with the provisions of subsections (2) and (3) of this section."

Senator Black's substitute motions to change the number to 10,000 and to 5,000 both failed Senator Matheson's amendment including the number 2,500 was adopted.

On motion of Senator Bennett, **Third Sub. H.B. No. 60** was amended as follows:

Page 3, Line 3:
delete *"1981"* and insert in lieu thereof *"1982"*

Third Sub. H.B. No. 60 passed on the following roll call:

Yeas, 23; Nays, 3; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Carling	Jones	Snow
Barlow	Christensen	Matheson	Sowards
Bennett	Cornaby	Peterson, C.	Swan
Black	Finlinson	Peterson, L.	Wayment
Bullen	Flamm	Pugh	Mr. President (Ferry)
Bunnell	Halverson	Sandberg	

Voting in the negative were: Senators

Asay	Farley	Kimball

Absent and not voting were: Senators

Barton	Jeffs	Money

On motion of Senator Snow, and at 4:25 p.m., the Senate adjourned until 9:00 a.m., Monday, February 23, 1981.

FORTY-THIRD DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present except Senator Black who is ill.

Prayer — Senator Charles W. Bullen (Cache, Rich, Dist. 25)

COMMITTEE TO READ AND REVISE THE JOURNAL

Mr. President: February 23, 1981

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

Bryce C. Flamm, Committee Member

Committee report read and adopted.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 20, 1981

I am directed to inform the Senate that the Speaker has signed in open session. **Substitute S.B. No. 56**, PEACE OFFICERS' AMENDMENTS, by Senator Cornaby, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

Sub. S.B. No. 56 was signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

* * *

Mr. President: February 20, 1981

I am directed to inform the Senate that the House of Representatives has this day rejected, as amended by the House and Senate, **S.B. No. 113**, USE OF CORPORATION NAMES, by Senator Cornaby, and the same is returned herewith.

Allan M. Acomb, Chief Clerk

S.B. No. 113 is filed.

Mr. President: February 20, 1981

I am directed to inform the Senate that the House of Representatives has this day refused to recede from its amendments to **S.B. No. 101,** INDUSTRIAL FACILITIES DEVELOPMENT ACT AMENDMENT, by Senator Finlinson, and has appointed a Conference Committee consisting of Representatives Harmer, Harward, and Dmitrich, to act with a like Committee from the Senate on this bill.

Allan M. Acomb, Chief Clerk

President Ferry appointed a Conference Committee comprised of Senators Finlinson, Bullen and Bennett.

* * *

Mr. President: February 20, 1981

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.B. No. 72,** FLOOD CONTROL AMENDMENTS, by Representative Hollingshaus, et al, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

H.B. No. 72 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

Mr. President: February 20, 1981

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 12,** PROPOSED INCORPORATION CITY AMENDMENTS, by Senator Barton, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 36,** JUSTICE OF PEACE PRECINCTS, by Senator Finlinson, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session **S.B. No. 39,** STATE LANDS AMENDMENTS, by Senator Finlinson, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 136,** PUBLIC TRANSIT ACT AMENDMENTS, by Senator Finlinson, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. No. 12, 36, 39 and **136** were signed by the President in open session of the Senate, then referred by the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

Sub. H.B. No. 96, GOVERNMENT EMPLOYEES — NATIONAL GUARD, was signed by the President in open session of the Senate and returned to the House for further action.

* * *

Mr. President: February 20, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 25,** STATE PAYMENT OF CLAIMS, by Representative Selleneit, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, as amended, **H.B. No. 81,** COUNTY PERSONNEL MANAGEMENT ACT, by Representative Sykes, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 104,** PROPERTY TAX INCREASE LIMITATIONS, by Representative Knowlton, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 110,** VOLUNTEER WORKERS IN THE DEPARTMENT OF NATURAL RESOURCES, by Representative Hollingshaus, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 171,** EXECUTION BY INJECTION, by Representative Christensen, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 25, 81, 104, 110 and **171** were read the first time and referred to Rules Committee.

THIRD READING CALENDAR

On motion of Senator Finlinson, **Second Sub. H.B. No. 126,** RESIDENTIAL FACILITY ZONING LIMITATION was circled.

Second Sub. S.B. No. 149, HUMANE TREATMENT OF ANIMALS, was read the third time. Senator Bennett proposed amendments. On motion of Senator L. Peterson the bill was circled.

S.B. No. 91, COMMITTEE ON CONSUMER SERVICES CONTINUATION, was read the third time. Senator Matheson withdrew his motion to table the bill. Senators Swan, Matheson, Jones, Cornaby and Sowards commented.

Senator Kimball, with the aid of five senators requested a Call of the Senate. On motion of Senator Snow, the Call of the Senate was lifted.

Senator Matheson moved, again, to table the bill and the motion carried on the following roll call. The roll call was requested by Senator Kimball:

Yeas, 17; Nays, 11; Absent, 1

Voting in the affirmative were: Senators

Bullen	Halverson	Peterson, C.	Wayment
Christensen	Jeffs	Peterson, L.	Mr. President (Ferry)
Cornaby	Jones	Pugh	
Finlinson	Matheson	Snow	
Flamm	Money	Sowards	

Voting in the negative were: Senators

Asay	Barton	Carling	Sandberg
Bangerter	Bennett	Farley	Swan
Barlow	Bunnell	Kimball	

Absent and not voting was: Senator
Black

S.B. No. 91 is placed on Third Reading Table.

* * *

S.B. No. 118, INSURANCE INFORMATION AND PRIVACY PROTECTION ACT, was read the third time and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Christensen	Kimball	Snow
Bangerter	Cornaby	Matheson	Sowards
Barlow	Farley	Money	Swan
Barton	Finlinson	Peterson, C.	Mr. President (Ferry)
Bennett	Flamm	Peterson, L.	
Bullen	Halverson	Pugh	
Carling	Jeffs	Sandberg	

Absent and not voting were: Senators

Black	Bunnell	Jones	Wayment

S.B. No. 118 was transmitted to the House.

S.B. No. 163, TRANSIT DISTRICT ESTABLISHMENT LIMIT, was read the third time. Senators Finlinson, Kimball and Swan commented and the bill passed on the following roll call:

Yeas, 20; Nays, 4; Absent, 5

Voting in the affirmative were: Senators

Asay	Christensen	Matheson	Snow
Barlow	Cornaby	Peterson, C.	Sowards
Barton	Finlinson	Peterson, L.	Swan
Bullen	Flamm	Pugh	Wayment
Carling	Jeffs	Sandberg	Mr. President (Ferry)

Voting in the negative were: Senators

Bennett	Farley	Kimball	Money

Absent and not voting were: Senators

Bangerter	Bunnell	Halverson	Jones
Black			

S.B. No. 163 was transmitted to the House.

* * *

On motion of Senator L. Peterson, the circle was removed from **Second Sub. S.B. No. 149,** HUMANE TREATMENT OF ANIMALS. Senator L. Peterson proposed an amendment. Senator Bennett's substitute amendment to return Section 76-9-302 to present Utah Code language failed. Senator Christensen's substitute amendment to delete Lines 3 through 29 on the goldenrod copy failed. Senators Bennett, Christensen, Jeffs, L. Peterson, Pugh, Farley and Flamm commented.

On motion of Senator L. Peterson, **Second Sub. S.B. No. 149** was amended as follows:

> Page 3, Lines 8 and 9:
> delete *"not more than three persons throughout"* and insert in lieu thereof *"one person in each county of"*

Second Sub. S.B. No. 149 passed on the following roll call:

Yeas, 22; Nays, 5; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Flamm	Pugh
Bangerter	Carling	Halverson	Sandberg
Barlow	Christensen	Kimball	Swan
Barton	Cornaby	Money	Mr. President (Ferry)
Bennett	Farley	Peterson, C.	
Bullen	Finlinson	Peterson, L.	

Voting in the negative were: Senators

Jeffs	Snow	Sowards	Wayment
Matheson			

Absent and not voting were: Senators

Black Jones

Second Sub. S.B. No. 149 was transmitted to the House.

* * *

Third Sub. H.B. No. 60, STATE AND LOCAL REVENUE AND APPROPRIATIONS LIMITATIONS, was read the third time. Senator Finlinson proposed amendments and on motion of Senator Finlinson circled.

COMMUNICATION FROM THE HOUSE

Mr. President: February 23, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 18,** MAESTRO VARUJAN KOJIAN RESOLUTION, by Representative Sykes, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.J.R. No. 18 was read the first time and on motion of Senator Snow and under suspension of the rules, read the second and third times and up for final passage. **H.J.R. No. 18** passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Farley	Kimball	Sowards
Barlow	Finlinson	Matheson	Swan
Bullen	Flamm	Money	Wayment
Bunnell	Halverson	Peterson, L.	Mr. President (Ferry)
Carling	Jeffs	Sandberg	
Christensen	Jones	Snow	

Absent and not voting were: Senators

Bangerter	Bennett	Cornaby	Pugh
Barton	Black	Peterson, C.	

H.J.R. No. 18 was signed by the President in open session of the Senate and returned to the House for further action. Maestro Varujan Kojian spoke before the Senate in Committee of the Whole.

THIRD READING CALENDAR

On motion of Senator Finlinson, the circle was removed from **Third Sub. H.B. No. 60,** STATE AND LOCAL REVENUE AND APPROPRIATIONS LIMITATION. On motion of Senator Finlinson, **Third Sub. H.B. No. 60** was amended as follows:

Page 6, Line 6:
After *"(2)"* delete the remainder of the line
Delete all of Lines 7, 8, and 9 and insert in lieu thereof:
"No mill levy, local option sales and use tax, franchise tax, user charge or connection fee for electrical power, culinary water or waste water treatment, or impact fee imposed by a local unit of government, shall be increased until the governing body proposing to increase the mill levy, charge or rate has complied with the following provisions:"

Page 6, Line 10:
After *"increase the"* insert *"mill levy,"*

Page 6, Line 11:
Delete *"of levy"*

Page 6, Line 18:
After *"be"* delete *"boxes"* and insert *"boxed"*

Page 6, Line 26:
After *"increase the"* delete *"levy or charge"* and insert in lieu thereof *"mill levy, charge or rate"*

Page 6, Line 27:
After *"current"* delete *"level or charge"* and insert in lieu thereof *"mill levy, charge or rate"*

Senator Barton moved again that the body and title of **Third Sub. H.B. No. 60** be replaced by the body and title of **Substitute S.B. No. 59.** Senators Finlinson, Jeffs, Asay, Bunnell, Matheson, C. Peterson, Swan, Kimball and Barton commented. Senator Barton's motion failed on the following roll call:

Yeas, 8; Nays, 19; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Sandberg
Barton	Halverson	Peterson, L.	Wayment

Voting in the negative were: Senators

Barlow	Cornaby	Kimball	Snow
Bennett	Farley	Matheson	Sowards
Bullen	Finlinson	Money	Swan
Bunnell	Flamm	Peterson, C.	Mr. President (Ferry)
Christensen	Jones	Pugh	

Absent and not voting were: Senators

Bangerter	Black

Senators Carling and Bullen proposed amendments which failed. **Third Sub. H.B. No. 60** passed on the following roll call:

Yeas, 20; Nays, 8; Absent, 1

Voting in the affirmative were: Senators

Bangerter	Christensen	Jones	Snow
Barlow	Cornaby	Matheson	Sowards
Bennett	Finlinson	Peterson, C.	Swan
Bullen	Flamm	Peterson, L.	Wayment
Bunnell	Halverson	Pugh	Mr. President (Ferry)

Voting in the negative were: Senators

Asay	Carling	Jeffs	Money
Barton	Farley	Kimball	Sandberg

Absent and not voting was: Senator

Black

Third Sub. H.B. No. 60, as amended, was transmitted to the House.

CONSENT CALENDAR

S.B. No. 231, AGRICULTURAL FUNDS, was read the third time and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Farley	Jones	Sandberg
Bangerter	Finlinson	Kimball	Sowards
Bennett	Flamm	Matheson	Swan
Carling	Halverson	Peterson, C.	Wayment
Christensen	Jeffs	Pugh	Mr. President (Ferry)

Absent and not voting were: Senators

Barlow	Bullen	Cornaby	Peterson, L.
Barton	Bunnell	Money	Snow
Black			

S.B. No. 231 was transmitted to the House.

* * *

S.B. No. 221, STATE VETERANS' CEMETERY, was read the third time and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Farley	Kimball	Snow
Bangerter	Finlinson	Matheson	Swan
Barlow	Flamm	Money	Mr. President (Ferry)
Bennett	Halverson	Peterson, C.	
Bunnell	Jeffs	Pugh	
Carling	Jones	Sandberg	

Absent and not voting were: Senators

Barton	Bullen	Cornaby	Sowards
Black	Christensen	Peterson, L.	Wayment

S.B. No. 221 was transmitted to the House.

SECOND READING CALENDAR

S.B. No. 117, WATER CONDITIONER INSTALLERS REPEAL, was read the second time.

Mr. President: February 4, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 117,** WATER CONDITIONER INSTALLERS REPEAL, by Senator Ivan M. Matheson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted and on motion of Senator Matheson, the bill was tabled.

S.B. No. 133, COVERAGE OF PROFESSIONAL CORPORATION ACT, was read the second time.

Mr. President: February 4, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 133,** COVERAGE OF PROFESSIONAL CORPORATION ACT, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Finlinson	Peterson, C.	Swan
Barlow	Flamm	Peterson, L.	Wayment

Barton	Halverson	Pugh	Mr. President (Ferry)
Bennett	Jeffs	Sandberg	
Carling	Matheson	Snow	
Farley	Money	Sowards	

Absent and not voting were: Senators

Asay	Bullen	Christensen	Jones
Black	Bunnell	Cornaby	Kimball

* * *

S.B. No. 152, SUNSET ACT AMENDMENTS, was read the second time.

Mr. President: February 4, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 152,** SUNSET ACT AMENDMENTS, by Senator Richard J. Carling et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted. Senator Soward is presiding. Senators Finlinson, Halverson, Carling, Christensen, Jeffs, Snow, Asay, Matheson and Bunnell commented. On motion of Senator Carling, **S.B. No. 152** was amended as follows:

Page 3, Line 31:
delete *"1981"* and insert in lieu thereof *"1987"*

On motion of Senator Snow, **S.B. No. 152** was amended as follows:

Page 2, Line 25:
delete entirely

Page 2, Line 33:
delete entirely

COMMITTEE OF THE WHOLE

On motion of Senator Halverson, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

Avard Booth, Sprinkler Fitter
Irvin W. Eastham, Sunrise Sprinkler's Inc.

On motion of Senator Finlinson, the Committee of the Whole was dissolved. **S.B. No. 152** will remain as Unfinished Business.

On motion of Senator Snow, and at 12:00, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Miles 'Cap' Ferry presiding.

COMMUNICATION FROM THE GOVERNOR

Dear President Ferry: February 20, 1981

This is to inform you that on February 20, 1981, Governor Scott M. Matheson did sign into law the following bills, which have been forwarded to the Lt. Governor's Office for filing.

S.C.R. No. 2	FAIR COMPETITION IN STEEL INDUSTRY
S.B. No. 14	TAXATION OF CERTAIN MOBILE HOMES
S.B. No. 53	SALES TAX EXEMPTION FOR OXYGEN
S.B. No. 45	SHORT TERM YOUTH COMMITMENT
S.B. No. 76	ANIMAL DISEASE INVESTIGATION
S.B. No. 85	UNAUTHORIZED USE OF MUNICIPAL PROPERTY
S.B. No. 43	GEOTHERMAL RESOURCE CONSERVATION ACT

Tina Falvo, Administrative Aide

Communication Filed.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

H.B. No. 91	OFFICER'S COMMAND TO STOP (Transportation and Public Safety)
S.B. No. 98	HIGHWAY REVENUE AMENDMENTS (Transportation and Public Safety)
H.B. No. 106	COURSE OF STUDY COMMITTEE (Public Education)
H.B. No. 144	AIR CONDITIONING SCHOOL BUILDING (Public Education)
H.B. No. 145	SCHOOL BUILDING UTILIZATION PILOT PROGRAM (Public Education)
S.B. No. 222	VEHICLE REGISTRATION FEE INCREASE (Transportation and Public Safety)
S.B. No. 234	SCHOOL DISTRICT BOUNDARY CHANGES (Public Education)
S.B. No. 240	STATE BOARD EDUCATION PERSONNEL (Public Education)
S.B. No. 262	TRAMWAY REGISTRATIONS (Transportation and Public Safety)

S.B. No. 267 SUBDIVISION STANDARDS
(State and Local Affairs)

H.B. No. 91, S.B. No. 98, H.B. Nos. 106, 144 and 145, S.B. Nos. 222, 234, 240, 262 and 267 were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President: February 23, 1981

The State and Local Affairs Committee, to which was referred **S.B. No. 226**, NUISANCES IN MANUFACTURING ACTIVITIES, by Senator William T. "Bill" Barton, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The State and Local Affairs Committee, to which was referred **H.B. No. 23**, MUNICIPAL GOVERNMENT AMENDMENTS, by Representative Orval Harrison, has carefully considered the bill and reports it out favorably, with the recommendation that the original bill be deleted in body and title and **Substitute H.B. No. 23** be inserted in lieu thereof and **Substitute H.B. No. 23** be placed on the Consent Calendar with the following amendments:

Page 2, Line 24:
After *"necessary."* insert *"Any member of the council violating the provisions of this section shall upon conviction in court of competent jurisdiction forfeit his office."*

Page 3, Line 35:
Delete Line 35

Page 4, Delete entirely, and

The State and Local Affairs Committee, to which was referred **S.B. No. 252**, HABITUAL TRUANCY, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee favorably with the following amendment and asks that it be placed on the Consent Calendar:

Page 3, Line 14:
After *"programs"* insert *"if available"*

Bryce C. Flamm, Committee Chairman

Committee reports, as amended, read and adopted **S.B. No. 226, Sub. H.B. No. 23** and **S.B. No. 252** were read the second time and placed on Consent Calendar.

* * *

Mr. President: February 23, 1981

The Agriculture Committee to which was referred **S.B. No. 129**, IN LIEU PAYMENTS TO LOCAL SUBDIVISIONS, by Senator Ivan M. Matheson, has carefully considered the bill and reports it out favorably, with the recommendation that the original bill be deleted in body and title and **Substitute S.B. No. 129** be inserted in lieu thereof and that **Substitute S.B. No. 129** be placed on Consent Calendar, and

The Agriculture Committee to which was referred **H.B. No. 192**, MOVING FARM MACHINERY, by Representative James J. White, has carefully considered the bill and reports it out of committee favorably with the following amendment and asks that it be placed on the Consent Calendar:

Page 2, Line 9:
After *"husbandry"* insert *"and other vehicles"*

Ivan M. Matheson, Committee Chairman

Committee reports, as amended, read and adopted. **S.B. No. 129** and **H.B. No. 192** were read the second time and placed on Consent Calendar.

SECOND READING CALENDAR

S.B. No. 152, SUNSET ACT AMENDMENTS, was before the Senate as Unfinished Business. Senator Halverson's proposed amendment failed. **S.B. No. 152** passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Carling	Kimball	Sandberg
Barlow	Christensen	Matheson	Snow
Barton	Farley	Money	Sowards
Bennett	Flamm	Peterson, C.	Swan
Bullen	Jeffs	Peterson, L.	Mr. President (Ferry)
Bunnell	Jones	Pugh	

Voting in the negative was: Senator
Halverson

Absent and not voting were: Senators

Asay	Cornaby	Finlinson	Wayment
Black			

* * *

On motion of Senator Jeffs, **S.B. No. 137**, UTAH ANTITRUST ACT AMENDMENTS, was lifted from Second Reading Table, placed at the top of Second Reading Calendar, and before the Senate. Senators Jeffs, Barton, Sandberg, Pugh and Kimball commented.

On motion of Senator Jeffs, **Substitute S.B. No. 137** replaced the original bill and makes the committee amendments obsolete.

On motion of Senator Jeffs, **Sub. S.B. No. 137** was amended as follows:

Pages 1, 2 and 3:
delete all of Section 1 and Section 2. and renumber subsequent sections accordingly

Page 9, Line 23:
delete *"action"* and insert in lieu thereof *"section"*

Page 10, Line 6:
after *"have"* insert *"willfully or recklessly"*

Page 10, Line 7:
delete *"shall"* and insert in lieu thereof *"may"*

Page 13, Line 17:
delete *"less than $10.000 nor"*

Page 13, Lines 21 and 22:
delete *"less than $20.000 nor"*

Sub. S.B. No. 137 passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Asay	Carling	Money	Sowards
Bangerter	Christensen	Peterson, C.	Swan
Barlow	Cornaby	Peterson, L.	Mr. President (Ferry)
Barton	Flamm	Pugh	
Bennett	Jeffs	Sandberg	
Bullen	Matheson	Snow	

Voting in the negative was: Senator
Kimball

Absent and not voting were: Senators

Black	Farley	Halverson	Wayment
Bunnell	Finlinson	Jones	

THIRD READING CALENDAR

On motion of Senator Money, and under suspension of the rules, the circle was removed from **Sub. H.B. No. 126,** RESIDENTIAL FACILITY ZONING LIMITATION, it was read the third time, and **Second Sub. H.B. No. 126** replaced **Sub. H.B. No. 126.** Senator Farley proposed amendments which failed. Senators Money, Cornaby, Farley, Matheson, Flamm and Jones commented.

On motion of Senator Money, **Second Sub. H.B. No. 126** was amended as follows:

Page 1, Line 22:
delete *"may"* and insert in lieu thereof *"shall"*
and delete *"established and maintained"* and insert in lieu thereof *"permitted"*

Page 1, Line 23:
After *"district"* insert *", subject to the conditional review process"*

Page 3, Line 19:
delete *"may"* and insert in lieu thereof *"shall"* and delete *"established and maintained"* and insert in lieu thereof *"permitted"*

Page 3, Line 20:
After *"district"* insert *", subject to the conditional review process"*

Representative Charles L. Doane, sponsor, explained the bill in Committee of the Whole. On motion of Senator Carling, the bill is circled.

COMMITTEE OF THE WHOLE

On motion of Senator Snow, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

The Honorable Elliott G. Richardson
(United States Attorney General; Secretary of Defense; Secretary of Health/Education and Welfare; Secretary of Commerce and United States Ambassador to the United Nations)

On motion of Senator Snow, the Committee of the Whole was dissolved.

SECOND READING CALENDAR

S.B. No. 127, KINDERGARTEN ENTRANCE DATE, was read the second time. Senators Carling, Matheson, Pugh, Swan, Barton, Farley and Asay commented.

On motion of Senator Pugh, **S.B. No. 127** was amended as folows:

Page 2, Line 2:
Delete *"1982"* and insert in lieu thereof "1981"

Mr. President: February 5, 1981

The Public Education Committee, to which was referred **S.B. No. 127,** KINDERGARTEN ENTRANCE DATE, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee with a favorable recommendation.

William 'Bill' Barton, Committee Chairman

Committee report read and adopted. Senator Barton proposed an amendment which failed. The bill passed on the following roll call:

Yeas, 20; Nays, 2; Absent, 7

Voting in the affirmative were: Senators

Asay	Bullen	Flamm	Pugh
Bangerter	Bunnell	Halverson	Sandberg
Barlow	Carling	Jeffs	Sowards
Barton	Christensen	Jones	Swan
Bennett	Cornaby	Peterson, C.	Mr. President (Ferry)

Voting in the negative were: Senators

Kimball	Money

Absent and not voting were: Senators

Black	Finlinson	Peterson, L.	Wayment
Farley	Matheson	Snow	

* * *

S.B. No. 184, INDEBTEDNESS OF SCHOOL DISTRICT AMENDMENTS, was read the second time.

Mr. President: February 5, 1981

The Public Education Committee, to which was referred **S.B. No. 184,** INDEBTEDNESS OF SCHOOL DISTRICT AMENDMENTS, by Senator Haven J. Barlow et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 30:
After *"expended"* delete the period and insert *". not in excess of the taxes and other estimated revenues of the school district for the current school year. Such indebtedness shall bear interest at the lowest obtainable rate or rates and may be incurred prior to the imposition or collection of such tax or the receipt of such revenues."*

William 'Bill' Barton, Committee Chairman

Committee report, as amended, read and adopted and the bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Carling	Kimball	Snow
Barlow	Christensen	Matheson	Sowards
Barton	Cornaby	Money	Swan
Bennett	Flamm	Peterson, C.	Wayment

Bullen	Jeffs	Peterson, L.	Mr. President (Ferry)
Bunnell	Jones	Sandberg	

Absent and not voting were: Senators

Asay	Farley	Halverson	Pugh
Black	Finlinson		

S.B. No. 162, TAX FORMS ELIMINATION, was read the second time. Senators Swan and Bullen commented.

Mr. President: February 6, 1981

The Revenue and Taxation Committee, to which was referred **S.B. No. 162,** TAX FORMS ELIMINATION, by Senator Charles W. Bullen, has carefully considered the bill and reports it out of committee favorably and with the following amendment:

Page 6, Line 30:
After *"effect"* delete *"upon approval."* and insert *"January 1, 1982."*

Charles W. Bullen, Committee Chairman

On motion of Senator Bullen, the Senate voted to adopt **Substitute S.B. No. 162** to replace the original bill.

Committee report, as amended, read and adopted and the bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Pugh
Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Matheson	Snow
Barton	Farley	Money	Swan
Bennett	Flamm	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Black	Finlinson	Kimball	Sowards
Bunnell			

RULES COMMITTEE REPORTS

Mr. President: February 23, 1981

Your Rules Committee, to which were referred:

S.B. No. 289 UNFAIR TRADE PRACTICES AMENDMENTS
(Business, Labor and Economic Development)

S.B. No. 253	MUNICIPAL GOVERNMENT (State and Local Affairs)
S.B. No. 272	UTAH MUNICIPAL BUILDING AUTHORITY ACT (State and Local Affairs)
S.B. No. 284	INTERSTATE CORRECTION COMPACT (Judiciary)
S.B. No. 294	WATER AND SEWAGE DISTRICT FEE DELINQUENCIES (State and Local Affairs)
S.B. No. 297	PROPERTY TRANSFER TO WEBER STATE (Higher Education)
S.B. No. 257	REASSESSMENT AND SCHOOL DISTRICT LEVIES (Public Education)
S.B. No. 292	MINIMUM BASIC SCHOOL DISTRICT TAX LEVY (Public Education)

reports the same back with a few minor changes assented to by the authors and recommends that they be printed and assigned to the committee indicated. and

Your Rules Committe. to which were referred:

H.B. No. 25	STATE PAYMENT OF CLAIMS (Judiciary)
H.B. No. 81	COUNTY PERSONNEL MANAGEMENT ACT (State and Local Affairs)
H.B. No. 104	PROPERTY TAX INCREASE LIMITATIONS (Revenue and Taxation)
H.B. No. 110	VOLUNTEER WORKERS IN THE DEPARTMENT OF NATURAL RESOURCES (Energy and Natural Resources)
H.B. No. 171	EXECUTION BY INJECTION (Judiciary)

reports the same back and recommends that they be assigned to the committees indicated.

Ronald T. Halverson, Rules Committee Chairman

Committee report read and adopted.

On motion of Senator Money, the circle was removed from **Second Sub. H.B. No. 126.**

* * *

On motion of Senator Snow, and at 4:00 p.m., the Senate adjourned until 9:00 a.m., Tuesday, February 24, 1981.

Pg. 592

FORTY-FOURTH DAY

MORNING SESSION

The Senate was called to order at 9:00 a.m. with Senator Karl N. Snow, Jr., Majority Leader, presiding.

Roll Call – All senators present except Senator Black who is ill, and Senator C. Peterson (excused).

Prayer – Senator Miles 'Cap' Ferry, President, Utah State Senate.

COMMITTEE TO READ AND REVISE JOURNAL

Mr. President: February 24, 1981

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

Bryce C. Flamm, Committee Member

Committee report read and adopted.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 23, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, as amended, **H.B. No. 111,** BEEF PROMOTION AMOUNTS, by Representative Myrin, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

The Senate voted to concur in the House amendments on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Finlinson	Matheson	Snow
Barton	Halverson	Money	Sowards
Bennett	Jeffs	Peterson, L.	Swan
Bullen	Jones	Pugh	Wayment
Farley	Kimball	Sandberg	Mr. President (Ferry)

Absent and not voting were: Senators

Bangerter	Bunnell	Christensen	Flamm
Barlow	Carling	Cornaby	Peterson, C.
Black			

H.B. No. 111 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

Mr. President: February 23, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 112,** FOOD DONATIONS-GOOD SAMARITAN, by Senator Bullen, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. No. 112 was signed by the President in open session of the Senate, then referred by the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

* * *

Mr. President: February 23, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, as amended, **Substitute H.B. No. 32,** FAIR GASOLINE PRICING ACT, by Representative Harmer, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **Substitute H.B. No. 83,** INFORMED CONSENT TO ABORTION, by Representative Sykes, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 116,** FOURTH AMENDMENT ENFORCEMENT ACT — 1981, by Representative McKeachnie, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 163,** FIREMEN'S RETIREMENT BENEFIT OFFSET, by Representative Harmer, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 168,** INCOME TAX RATE CHANGES, by Representative B. White, and the same is transmitted herewith for the Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as

amended, **H.B. No. 172**, PUBLIC TRANSPORTATION LIMITATIONS, by Representative Brown, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

Sub. H.B. No. 32, Sub. H.B. No. 83, H.B. Nos. 116, 163, 168 and **172** were read the first time and referred to Rules Committee.

INTRODUCTION OF BILL

On motion of Senator Snow, the Senate voted, under suspension of rules, to allow introduction of the following bill:

TAX CREDIT FOR HOMEOWNERS AND RENTERS REPEAL

S.B. No. 303 Senators Snow, Bangerter, Pugh, Ferry

AN ACT RELATING TO REVENUE AND TAXATION; AND PROVIDING FOR REPEAL OF THE HOMEOWNERS' AND RENTERS' TAX CREDIT. THIS ACT REPEALS SECTION 59-14A-8.5, UTAH CODE ANNOTATED 1953, AS REPEALED AND REENACTED BY CHAPTER 4, LAWS OF UTAH 1980, FIRST SPECIAL SESSION, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

Second Sub. H.B. No. 126, RESIDENTIAL FACILITY ZONING LIMITATION, was before the Senate and passed on the following roll call:

Yeas, 17; Nays, 6; Absent, 6

Voting in the affirmative were: Senators

Asay	Christensen	Money	Wayment
Barton	Cornaby	Peterson, L.	Mr. President (Ferry)
Bennett	Finlinson	Pugh	
Bullen	Halverson	Sowards	
Carling	Kimball	Swan	

Voting in the negative were: Senators

Farley	Jones	Sandberg	Snow
Jeffs	Matheson		

Absent and not voting were: Senators

Bangerter	Black	Flamm	Peterson, C.
Barlow	Bunnell		

Senator Carling, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action on **Second Sub. H.B. No. 126** tomorrow.

* * *

S.B. No. 133, COVERAGE OF PROFESSIONAL CORPORATION ACT, was read the third time. On motion of Senator Finlinson, **S.B. No. 133** was amended as follows:

Page 2, Line 34:
Insert a new subsection as follows:
"(o) A psychologist holding a license under chapter 25 of title 58, Utah Code Annotated 1953, and any subsequent laws regulating the practice of psychology."

S.B. No. 133 passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Cornaby	Kimball	Sowards
Barton	Farley	Matheson	Swan
Bennett	Finlinson	Peterson, L.	Wayment
Bullen	Halverson	Pugh	Mr. President (Ferry)
Carling	Jeffs	Sandberg	
Christensen	Jones	Snow	

Absent and not voting were: Senators

Bangerter	Black	Flamm	Peterson, C.
Barlow	Bunnell	Money	

S.B. No. 133 was transmitted to the House.

* * *

S.B. No. 152, SUNSET ACT AMENDMENTS, was read the third time. Senator Matheson proposed amendments which failed. Senators Carling, Matheson, Kimball and Pugh commented. The bill passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Snow
Barlow	Cornaby	Kimball	Sowards
Bennett	Farley	Money	Swan
Bullen	Finlinson	Peterson, L.	Wayment
Bunnell	Halverson	Pugh	Mr. President (Ferry)
Carling	Jeffs	Sandberg	

Voting in the negative was: Senator
Matheson

Absent and not voting were: Senators

Bangerter	Black	Flamm	Peterson, C.
Barton			

S.B. No. 152 was transmitted to the House.

* * *

On motion of Senator Jeffs, **Sub. S.B. No. 137,** UTAH ANTITRUST ACT AMENDMENTS, is read the third time and circled.

* * *

Sub. S.B. No. 127, KINDERGARTEN ENTRANCE DATE, is read the third time and passed on the following roll call:

Yeas, 19; Nays, 4; Absent, 6

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Snow
Barlow	Christensen	Jones	Swan
Bennett	Cornaby	Matheson	Wayment
Bullen	Finlinson	Pugh	Mr. President (Ferry)
Bunnell	Halverson	Sandberg	

Voting in the negative were: Senators

Farley	Kimball	Money	Peterson, L.

Absent and not voting were: Senators

Bangerter	Black	Peterson, C.	Sowards
Barton	Flamm		

Sub. S.B. No. 127 was transmitted to the House.

* * *

S.B. No. 184, INDEBTEDNESS OF SCHOOL DISTRICT AMENDMENTS, was read the third time and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Christensen	Kimball	Snow
Barlow	Cornaby	Matheson	Sowards
Bennett	Farley	Money	Swan
Bullen	Finlinson	Peterson, L.	Wayment
Bunnell	Halverson	Pugh	Mr. President (Ferry)
Carling	Jeffs	Sandberg	

Absent and not voting were: Senators

Bangerter	Black	Jones	Peterson, C.
Barton	Flamm		

S.B. No. 184 was transmitted to the House.

* * *

S.B. No. 162, TAX FORMS ELIMINATION, was read the third time. Senators Bullen, Finlinson, and Swan commented and the bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Christensen	Matheson	Sowards
Barlow	Farley	Money	Swan
Bennett	Finlinson	Peterson, L.	Wayment
Bullen	Halverson	Pugh	Mr. President (Ferry)
Bunnell	Jeffs	Sandberg	
Carling	Jones	Snow	

Absent and not voting were: Senators

Bangerter	Black	Flamm	Peterson, C.
Barton	Cornaby	Kimball	

S.B. No. 162 was transmitted to the House.

SECOND READING CALENDAR

S.B. No. 148, CONDEMNED PROPERTY USES, was read the second time. Senator Farley is presiding.

Mr. President: February 5, 1981

The State and Local Affairs Committee, to which was referred **S.B. No. 148,** CONDEMNED PROPERTY USES, by Senator Cary G. Peterson, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted and on motion of Senator C. Peterson, circled.

* * *

S.B. No. 159, COUNTY SURVEYOR—COUNTY ENGINEER, was read the second time.

Mr. President: February 5, 1981

The State and Local Affairs Committee, to which was referred **S.B. No. 159,** COUNTY SURVEYOR — COUNTY ENGINEER, by Senator A. Dean Jeffs, has considered the bill and reports it out of committee favorably with the following amendment:

Page 2, Line 8:
After *"surveyor"* insert *"after the effective day of this act"*

Bryce C. Flamm, Committee Chairman

Committee report, as amended, read and adopted. Senator Jeffs, Matheson, Pugh, Christensen, Swan and Wayment commented.

On motion of Senator Jeffs, **S.B. No. 159** was amended as follows:

Page 7, Line 15:
After *"subdivision"* insert *"land survey"*

Page 7, Line 21:
After *"and"* insert *"unless otherwise provided"*

Page 7, Line 29:
After *"engineering"* insert *"and related surveys"*

Page 8, Line 2:
After *"and"* insert *"unless otherwise provided"*

S.B. No. 159 passed on the following roll call:

Yeas, 22; Nays, 2; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Halverson	Sandberg
Bangerter	Christensen	Jeffs	Snow
Barlow	Cornaby	Matheson	Sowards
Barton	Farley	Money	Mr. President (Ferry)
Bennett	Finlinson	Peterson, L.	
Bunnell	Flamm	Pugh	

Voting in the negative were: Senators

Swan	Wayment

Absent and not voting were: Senators

Black	Jones	Kimball	Peterson, C.
Bullen			

* * *

S.B. No. 121, EDUCATION OF YOUTH IN CUSTODY, was read the second time.

Mr. President: February 6, 1981

The Social Services Committee, to which was referred **S.B. No. 121,** EDUCATION OF YOUTH IN CUSTODY, by Senator Ronald T. Halverson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Cornaby	Jones	Sandberg
Bangerter	Farley	Kimball	Snow
Barlow	Finlinson	Matheson	Sowards
Bennett	Flamm	Money	Swan
Bunnell	Halverson	Peterson, L.	Wayment
Christensen	Jeffs	Pugh	Mr. President (Ferry)

Absent and not voting were: Senators

Barton	Bullen	Carling	Peterson, C.
Black			

* * *

S.B. No. 97, ANATOMICAL GIFT ACT AMENDMENTS, was read the second time.

Mr. President: February 6, 1981

The Social Services Committee, to which was referred **S.B. No. 97,** ANATOMICAL GIFT ACT AMENDMENTS, by Senator William T. "Bill" Barton, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 1, Line 22:
Delete Lines 22 through 33

Page 2, Line 2:
Delete Lines 2 through 19

Page 2, Line 20:
After *"Section"* delete *"2"* and insert in lieu of *"1"*

Ronald T. Halverson, Committee Chairman

Committee report, as amended, read and adopted.

On motion of Senator Snow and at 10:36 a.m. the Senate recessed until 10:50 a.m. President Ferry is presiding.

S.B. No. 97 passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Christensen	Kimball	Sowards
Barlow	Farley	Money	Swan
Barton	Finlinson	Peterson, C.	Wayment
Bennett	Flamm	Peterson, L.	Mr. President (Ferry)
Bullen	Halverson	Pugh	
Bunnell	Jeffs	Sandberg	
Carling	Jones	Snow	

Absent and not voting were: Senators

Asay	Black	Cornaby	Matheson

* * *

On motion of Senator Snow, the circle was removed from **S.B. No. 148,** CONDEMNED PROPERTY USES, and the bill passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Pugh
Bangerter	Cornaby	Kimball	Snow
Barton	Farley	Matheson	Sowards
Bennett	Flamm	Money	Swan
Builen	Halverson	Peterson, C.	Wayment
Bunnell	Jeffs	Peterson, L.	Mr. President (Ferry)

Voting in the negative was: Senator
Sandberg

Absent and not voting were: Senators

Barlow	Black	Carling	Finlinson

THIRD READING CALENDAR

On motion of Senator Jeffs, and under suspension of the rules, the circle was removed from **Sub. S.B. No. 137,** UTAH ANTITRUST ACT AMENDMENTS.

On motion of Senator Jeffs, **Sub. S.B. No. 137** was amended as follows:

Page 1, Lines 11 and 12:
Delete *"PROVIDING A STANDARD OF PROOF FOR ATTEMPTS TO MONOPOLIZE:"*

Page 1, Line 20:
Delete *"76-10-913, 76-10-914."*

Page 10, Line 33:
After *"state"* insert *", with the exception of a parens patriae action brought under section 76-10-919.5."*

Page 12, after Line 25 insert:
"(8) Monetary relief recovered in an action under subsection (1) of this section shall be either distributed in such a manner as the court in its discretion may authorize or be, by order of the court, deposited in the antitrust suspense fund."

Page 13, Line 5:
After *"between"* insert *"or among"* and after *"a"* insert *"single"*

Page 13, Line 8:
After *"only"* delete *"the"* and insert in lieu thereof *"a single"*

Page 13, Lines 8 through 10:
Delete *", where the manufacturer is in competition with these distributors or subdistributors in the market for the commodity or service:"*

COMMITTEE OF THE WHOLE

On motion of Senator Kimball, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

Wallace H. Ring, MD, Administrator
Salt Lake Surgical Center

Senator Jones commented. On motion of Senator Kimball, the Committee of the Whole was dissolved. Senator Snow is presiding. Senators Pugh, Cornaby, Bunnell, Wayment and Swan commented.

Senator Kimball's motion to delete Section "G" from the bill failed and the bill passed on the following roll call:

Yeas, 20; Nays, 3; Absent, 6

Voting in the affirmative were: Senators

Asay	Christensen	Jeffs	Pugh
Bangerter	Cornaby	Jones	Sandberg
Barlow	Finlinson	Matheson	Snow
Bullen	Flamm	Peterson, C.	Sowards
Bunnell	Halverson	Peterson, L.	Swan

Voting in the negative were: Senators

Bennett	Kimball	Money

if060 **Absent and not voting were:** Senators

Barton	Carling	Wayment	Mr. President (Ferry)
Black	Farley		

Sub. S.B. No. 137 was transmitted to the House.

On motion of Senator Bangerter, and at 12:00, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Miles 'Cap' Ferry in the chair.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 23, 1981

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.B. No. 17**, ALTERNATIVE MORTGAGE INSTRUMENTS, by Representative Harmer, and the same is transmitted herewith for the signature of the President, and

Mr. President: February 24, 1981

I am directed to inform the Senate that the House of Representatives has this day passed on

the Consent Calendar, **S.C.R. No. 4,** ACORD RESOLUTION, by Senator Barton, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

H.B. No. 17 was signed by the President in open session of the Senate and returned to the House for further action and

S.C.R. No. 4 was signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

* * *

Mr. President: February 23, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **Substitute H.B. No. 21,** FUEL CONSERVATION SPEED LIMIT, by Representative Selleneit, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 64,** EXEMPTION FROM EXECUTION, by Representative Harrison, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **Substitute H.B. No. 90,** SOCIAL SERVICES PROVIDING, by Representative Doane, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 131,** MODIFICATIONS OF FIREMEN'S RETIREMENT BENEFITS, by Representative Gardner, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

Sub. H.B. No. 21 and **H.B. No. 64, Sub. H.B. No. 90** and **H.B. No. 131** were read the first time and referred to Rules Committee.

* * *

The Senate recessed for party Republican caucus at 2:10 p.m.
The Senate reassembled at 2:40 p.m.

SECOND READING CALENDAR

S.B. No. 74, HEALTH CODE REVISION, was read the second time.

Mr. President: February 9, 1981

The Social Services Committee, to which was referred **S.B. No. 74,** HEALTH CODE

REVISION by Senator Karl N. Snow., Jr. et al. has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 2, Line 17:
After *"1953."* insert *"SECTION 55-15a-3. UTAH CODE ANNOTATED 1953. AS LAST AMENDED BY CHAPTERS 211 AND 212. LAWS OF UTAH 1977."*

Page 3, Line 27:
After *"1953."* insert *"Section 55-15a-3. Utah Code Annotated 1953. as last amended by Chapters 211 and 212. Laws of Utah 1977."*

Page 4, after Line 31: Insert
"(4) 'Council' means the Utah health advisory council."

Page 6, after Line 13 insert new section *"(26-1-7.5)"*:
"26-1-7.5. (1) There is created within the department the Utah health advisory council which shall be comprised of seven persons appointed by the governor with the advise and consent of the senate. The membership of the council shall be broadly representative of the public interest and shall be selected with due regard to their interest in or knowledge of public health, environmental health, health planning, health care financing or health care delivery systems. The council shall include health professionals; however, the majority of the membership shall be non-health professionals. No more than four persons shall be from the same political party and consideration for membership shall take into account balance in terms of geography, sex and ethnicity.

"(2) Members of the council shall be appointed to four year terms except that of the initial council: two shall be appointed to terms of four years; two to terms of three years; two to terms of two years and one to a term of one year. The terms of office for the initial council shall commence July 1, 1981 and thereafter terms of office for subsequent appointments shall commence on July 1 of the year in which the appointment occurs.

"(3) Vacancies on the council shall be filled by the governor, with the advise and consent of the senate, for the unexpired term of the person whose office was vacated. No person shall be appointed to the council for more than two consecutive terms. The chairman of the council shall be appointed by the governor from the membership of the council.

"(4) The council shall meet at least quarterly or more frequently as determined necessary by the chairman. A quorum for conducting business shall consist of four members of the council.

"(5) The members of the council shall each receive a per diem allowance as established by the governor and all actual and necessary expenses incurred in the performance of their official duties.

"(6) The council shall be empowered to advise the department on any subject deemed to be appropriate by the council except that the council shall not

become involved in administrative matters. The council shall also advise the department as requested by the executive director.

"(7) The executive director shall insure that the council has adequate staff support and shall provide any available information requested by the council necessary for their deliberations. The council shall observe confidential requirements placed on the department in the use of such information."

Page 11, Line 27:
After *"state"* insert *"except that such programs shall not be established if adequate programs exist in the private sector"*

Page 13, Line 31:
After *"state"* insert *"pursuant to the provisions of chapter 21 of this title"*

Page 15, Line 8:
Delete *"deliver"* and insert in lieu of *"delivery"*

Page 29, Delete Line 24 and insert in lieu of *"with application forms for marriage licenses. Completed applications shall be transmitted by the"*

Page 29, Line 28:
After *"on"* delete *"the"* and insert in lieu of *"a"*

Page 31, Line 28:
After *"may"* insert *"on a voluntary basis, except when there is specific legal authority to compel reporting of health data"*

Page 32, Line 11:
Delete *"26-3-2"* and insert in lieu of *"26-3-2.5"*

Page 32, Line 17:
After *"whether"* insert *"or not"*

Page 32, Line 18:
After *"noncompliance"* insert *"if submission of the data is mandatory"*

Page 34, Line 16:
After *"in"* delete *"26-3-7(3)"* and insert in lieu of *"26-3-7(4)"*

Page 47,
Delete Line 3 and insert in lieu of *"a patient who is in need of an organ or other tissue for transplant purpose."*

Page 47, Line 4:
After *"bank."* insert *"organ bank or medical facility."*

Page 47,
Delete Line 5 and insert in lieu of *"provide an organ or other tissue if:"*

Page 47,
Delete Line 6 and insert in lieu of *"(a) A decedent who may provide a suitable organ or other tissue for the"*

Page 47,
Delete Line 12 and insert in lieu of *"(c) The removal of the organ or other tissue will not interfere with the"*

Page 47, after Line 14 insert new subsection *"(2)"*:

"(2) when the medical examiner is in custody of a decedent who may provide a suitable organ or other tissue for transplant purposes, he may contact the appropriate eye bank, organ bank or medical facility and notify them concerning the suitability of the organ or other tissue. In such contact the medical examiner may disclose the name of the decedent so that necessary clearances can be obtained."

Page 47, Line 15:
Delete *"(2)"* and insert in lieu of *"(3)"*

Page 58, Line 7:
After *"factors"* insert *"except that such programs shall not be established if adequate programs exist in the private sector"*

Page 63, Line 2:
After *"facilities"* insert *"and designate trauma, burn, spinal cord and poison care facilities"*

Page 64, Line 24:
After *"patients"* delete rest of sentence and insert in lieu thereof *"who use or have used the emergency medical services system:"*

Page 66, Line 14:
After *"licensed"* insert *"designated."*

Page 94, Line 14:
Delete *"26-1-3"* and insert in lieu of *"26-1-7"*

Page 102, Line 24:
Delete *"26-13-20 through 26-13-24"* and insert in lieu of *"26-13-26 through 26-13-29"*

Page 111, Line 14:
After *"request"* insert ". "

Page 114, Line 6:
Delete *"26-13-12. (1)"* and insert in lieu of *"(5)"*

Page 114, Line 6:
After *"under"* delete *"26-13-12 (1)"* and insert in lieu of *"subsection (1) of this section"*

Page 114, Line 16:
Delete *"(2)"* and insert in lieu of *"(6)"*

Page 141, Line 32:
After *"rules"* insert *"of sanitation"*

Page 147, Line 26:
After *"misdemeanor."* insert

"26-18-10. (1) The department shall develop standards and administer policies relating to eligibility for medical assistance. Medical assistance furnished an applicant may be limited to particular types of care or services or to payment of part or all costs of care medically determined to be necessary.

(2) The department shall relieve county governments from responsibility for making medical, hospital, or other medical expenditures or medical services available to eligible persons under the state plan under Title XIX of the Social Security Act and Title XVIII of Medicare.

(3) The department shall relieve county governments, at their option, from responsibility for making medical, hospital, or other medical expenditures or medical services to persons not eligible under the state plan under Title XIX of the Social Security Act and Title XVIII of Medicare, subject to the condition that counties making this election shall pay the equivalent of 1/4 mill to the department for the service provided.

(4) The department shall develop a medical program for the indigent sick, transient, dependent poor, migrant, and low income persons not able to qualify under the state plan under Title XIX or Title XVII and not receiving institutional care from any governmental agency and who have exhausted all resources for payment of services under the medical assistance program.

(5) The department shall develop policy for the payment of medical claims for indigent persons under unusual or extenuating circumstances and consult community health representatives in developing medical assistance policy and in establishing an appropriate definition of "medically needy."

(6) The department shall not provide any public assistance for medical, hospital or other medical expenditures or medical services to otherwise eligible persons where the purpose of such assistance is for the performance of an abortion, unless the life of the mother would be endangered if an abortion is not performed.

(7) The department may establish rules to carry out the duties imposed on it by this section."

Page 159, Line 32:
After *"rule"* insert *"Health facility does not include the offices of private physicians or dentists, whether for individual or group practice."*

Page 172, Line 13:
After *"Massachusetts"* insert *"or the offices of private physicians or dentists, whether for individual or group practice"*

Page 175, Line 6:
After *"located:"* insert *"other providers of similar services:"*

Page 233, Line 9:
Delete *"26-17-10"* and insert in lieu of *"26-27-10"*

Page 288, Line 33:
After *"the"* delete *"department"* and insert in lieu of *"division"*

Page 289, Line 15:
After *"fee"* insert *"or other consideration of value"*

Page 289:
Delete Line 28 and insert in lieu of *"therapy, nursing, psychology or other licensed profession to the extent authorized by his"*

Page 289, Line 31:
After *"the"* delete *"department"* and insert in lieu of *"division"*

Page 290, Line 4:
Delete *"department"* and insert in lieu of *"division"*

Page 290, Line 6:
After *"the"* delete *"department"* and insert in lieu of *"division"*

Page 290, Line 12:
Delete Line 12 and insert in lieu of *"States, the District of Columbia or, Canada or from a foreign medical"*

Page 290, Line 13:
After *"educational"* delete *"council"* and insert in lieu of *"commission"*

Page 290, Line 15:
Delete *"council"* and insert in lieu of *"commission"*

Page 291, insert a new subsection after Line 18:
"(12) Levies made to fund the purchase of paramedic or ambulance facilities and equipment and to defray administration, personnel and other costs of providing emergency medical and paramedic services. This exception shall only apply to those counties in which a resolution setting forth the intention to make such levies has been duly adopted by the Board of County Commissioners and approved by a majority of the voters of the county voting at a special or general election."

Ronald T. Halverson, Committee Chairman

Committee report, as amended, read and adopted.

COMMITTEE OF THE WHOLE

On motion of Senator Barton, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

Earl Van Fleet, American Party

On motion of Senator Snow, the Committee of the Whole was dissolved.

On motion of Senator Snow, **S.B. No. 74** was amended as follows:

Page 32, Line 18:
After *"respond."* insert *"the citation of the specific legal authority requiring the health data."*

Page 41, Line 16:
After *"found"* insert *". or in such cases where the cause of death is clearly due to natural causes. The body can under direction of a licensed physician or the medical examiner or his designated representative be moved to a place specified by a funeral director or the attending physician, the medical examiner or his representative"*

Page 41, Line 17:
After *"body"* insert *". where referred to the medical examiner."*

Page 41, after Line 20 insert new subsection *"(3)"*

"(3) When the medical examiner assumes lawful custody of a body under 26-4-7(3) solely because the death was unattended, an autopsy shall not be performed unless requested by the county attorney, law enforcement agency having jurisdiction of the place where the body is found, or a licensed physician, or a spouse, child, parent or guardian of the deceased and a licensed physician. In any such case concerning unattended deaths qualifying as exempt from autopsy, a death certificate may be certified by a licensed physician. In this case the physician may be established as the medical examiner's designated representative. Requested autopsies shall not be performed when the medical examiner or his designated representative deem the autopsy unnecessary."

Page 73, Line 10:
After the word *"children:"* insert the following:
". provided that any program of prenatal diagnosis for the purpose of detecting the possible disease or handicaps of an unborn child will not be used for screening, but rather will be utilized only when there are medical or genetic indications which warrant diagnosis."

Page 165,
Delete Line 24 and insert in lieu thereof *"engaged in the lawful practice of medicine and surgery."*

On motion of Senator Sowards, **S.B. No. 74** was amended as follows:

Page 72, Line 33:
Following *"children"* delete the semi-colon and insert *", provided, however, that nothing in this section shall be construed to allow any agency of the State to interfere with the rights of the parent of an unmarried minor in decisions about the providing of health information or services"*

On motion of Senator Jeffs, **S.B. No. 74** was amended as follows:

Page 179, Line 12:
After *"hospital"* delete the semi-colon and insert *"or if the equipment is a medical imaging device that will be used for either inpatients or outpatients;"*

Senator Matheson proposed an amendment which failed.

On motion of Senator C. Peterson, **S.B. No. 74** was amended as follows:

Page 39, Line 28:
After *"deaths"* delete the semi-colon and insert *"of a suspicious nature;"*

S.B. No. 74 passed on the following roll call:

Yeas, 23; Nays, 2; Absent, 4

Voting in the affirmative were: Senators

Asay	Christensen	Jeffs	Sandberg
Bangerter	Cornaby	Jones	Snow
Barlow	Farley	Kimball	Swan
Bullen	Finlinson	Matheson	Wayment
Bunnell	Flamm	Peterson, C.	Mr. President (Ferry)
Carling	Halverson	Pugh	

Voting in the negative were: Senators

Barton	Bennett

Absent and not voting were: Senators

Black	Money	Peterson, L.	Sowards

On motion of Senator Carling, **Second Sub. H.B. No. 126**, RESIDENTIAL FACILITY ZONING LIMITATIONS, was placed at the top of Third Reading Calendar for reconsideration tomorrow.

COMMUNICATION FROM THE HOUSE

Mr. President: February 24, 198

I am directed to inform the Senate that the House of Representatives has this day refused to

concur in the Senate amendments to **Third Substitute H.B. No. 60**, STATE AND LOCAL REVENUE AND APPROPRIATIONS LIMITATION, by Representative Bishop and requests the Senate to recede from its amendments.

Allan M. Acomb, Chief Clerk

On motion of Senator Finlinson, the Senate voted to refuse to recede from its amendments. President Ferry appointed a Conference Committtee comprised of Senators Finlinson, Barton and Bunnell.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

S.B. No. 7	RADAR USE PROHIBITION (Business, Labor and Economic Development)
S.B. No. 188	POWERS OF CITIES AND TOWNS (Business, Labor and Economic Development)
S.B. No. 206	STATE AGENCIES' LAND LEASING (Energy and Natural Resources)
S.B. No. 217	OPTOMETRIC REFERRALS MODIFICATIONS (Social Services)
S.B. No. 239	(**Sub.**) TITLES OF BOATS AND VESSELS (Energy and Natural Resources)
H.B. No. 148	DENTAL HYGIENIST AMENDMENTS (Business, Labor and Economic Development)

S.B. Nos. 7, 188, 206, 217, Sub. S.B. No. 239 and **H.B. No. 148** were placed on Second Reading Calendar.

STANDING COMMITTEES REPORT

Mr. President: February 24, 1981

The Energy and Natural Resources Committee, to which was referred **H.B. No. 143**, WILDLIFE ARREST PROCEDURES, by Representative Gayle F. McKeachnie, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it placed on the Consent Calendar.

Fred W. Finlinson, Committee Chairman

* * *

Mr. President: February 24, 1981

The State and Local Affairs Committee, to which was referred **S.B. No. 261**, POWER GENERATION BY TOWNS, by Senator Cary Peterson, et al, has carefully considered the bill

and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Bryce C. Flamm, Committee Chairman

H.B. No. 143 and **S.B. No. 261** were read the second time and placed on Consent Calendar.

RULES COMMITTEE REPORTS

Mr. President: February 24, 1981

Your Rules Committee, to which were referred:

S.B. No. 233	RETIREMENT PROGRAMS FOR PERSONNEL OF HIGHER EDUCATION INSTITUTIONS (State and Local Affairs)
S.B. No. 254	PROCUREMENT CODE AMENDMENTS (State and Local Affairs)
S.B. No. 255	SCHOOL LUNCH FUNDING (Public Education)
S.B. No. 259	NOISE EXPOSURE (Social Services)
S.B. No. 271	STATE PERSONNEL MANAGEMENT ACT AMENDMENTS (State and Local Affairs)
S.B. No. 279	DEPARTMENT OF BUSINESS REGULATION FEES (Business, Labor and Economic Development)
S.B. No. 300	REPEAL OF HIGHWAY PATROL MANPOWER STANDARD (Judiciary)
S.B. No. 191	ADMINISTRATIVE SERVICES ACT (State and Local Affairs)
S.B. No. 274	PENSION DISTRIBUTIONS TAXING (Revenue and Taxation)
S.B. No. 298	PEACE OFFICER CLASSIFICATIONS (Transportation and Public Safety)
S.B. No. 302	AIRPORT SECURITY OFFICERS (Transportation and Public Safety)

reports the same back with a few minor changes assented to by the authors and recommends that they be printed and assigned to the committee indicated, and

Your Rules Committee, to which were referred:

H.B. No. 32	**(Sub.)** FAIR GASOLINE PRICING ACT (Energy and Natural Resources)
H.B. No. 21	**(Sub.)** FUEL CONSERVATION SPEED LIMIT (Transportation and Public Safety)

H.B. No. 64	EXEMPTION FROM EXECUTION (Judiciary)
H.B. No. 83	(**Sub.**) INFORMED CONSENT TO ABORTION (Social Services)
H.B. No. 90	(**Sub.**) SOCIAL SERVICES PROVIDING (Social Services)
H.B. No. 116	FOURTH AMENDMENT ENFORCEMENT ACT — 1981 (Judiciary)
H.B. No. 131	MODIFICATION OF FIREMEN'S RETIREMENT BENEFITS (State and Local Affairs)
H.B. No. 163	FIREMEN'S RETIREMENT BENEFIT OFFSET (State and Local Affairs)
H.B. No. 168	INCOME TAX RATE CHANGES (Revenue and Taxation)
H.B. No. 172	PUBLIC TRANSPORTATION LIMITATIONS (Transportation and Public Safety)

reports the same back and recommends that they be assigned to the committees indicated.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted.

On motion of Senator Snow, **S.J.R. No. 1,** TAX ARTICLE REVISION, was lifted from Second Reading Table and placed at the top of Second Reading Calendar.

S.B. No. 134, FINANCIAL INSTITUTIONS ACT OF 1981, was placed as a Special Order of Business, Monday, March 2, 1981 at 10:00 a.m.

On motion of Senator Snow, and at 4:20 p.m., the Senate adjourned until Wednesday, February 25, 1981.

FORTY-FIFTH DAY

MORNING SESSION

The Senate was called to order at 9:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call – All senators present except Senator Pugh (excused).

Prayer – Martha Dyner (Director – Constitutional Revision Commission).

COMMITTEE TO READ AND REVISE JOURNAL

Mr. President: February 25, 1981

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

Charles E. Bennett, Sr., Committee Member

Committee report read and adopted.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 24, 1981

This is to inform you that on February 20, 1981, Governor Scott M. Matheson did sign into law the following bills, which have been forwarded to the Lt. Governor's Office for filing.

H.B. No. 2	WITHDRAWAL OF CONSENT TO FEDERAL JURISDICTION OVER STATE LANDS
H.B. No. 4	REPEAL OF STATE CONSENT
H.B. No. 58	LICENSING OF OUTFITTERS
H.B. No. 59	CHAUFFEUR'S LICENSE AMENDMENTS
H.B. No. 68	CATTLE TUBERCULOSIS CERTIFICATES
H.B. No. 69	SALE OF ESTRAYS
H.B. No. 73	NOTICE OF TAX SALE
H.B. No. 85	RESISTING LAWFUL ARREST
H.B. No. 87	UTAH CHILD ABUSE ACT

Allan M. Acomb, Chief Clerk

Communication Filed.

* * *

Mr. President: February 24, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Joint Conference Committee Report as of February 19, 1981, **S.B. No. 58,** ACCRUAL OF INCIDENCIES OF FRAUD, by Senator Cornaby, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

JOINT CONFERENCE COMMITTEE REPORT

(S.B. No. 58, Accrual of Incidencies of Fraud)

Mr. Speaker and Mr. President: February 19, 1981

Your Conference Committee consisting of Senators Farley, Cornaby and Sandberg and Representatives Sykes, Johnson and Doane to which was referred **S.B. No. 58,** by Mr. Cornaby, ACCRUAL OF INCIDENCES OF FRAUD, begs leave to report as follows:

Page 2, Line 21:
after *"section"* insert *"by an assistance recipient"*

Page 2, Line 22:
after *"is"* delete *"by the assistance recipient"*

Page 2, Line 25:
the sentence beginning *"The punishment..."* should be the beginning of a new paragraph, rather than a continuation of the preceding paragraph. Before *"The punishment"*, insert *"(7)"*

Page 2, Lines 10 and 11:
delete *"any false claim"*, and insert in lieu thereof *"knowingly file or falsify any claim, report, or documents required by state or federal law, rule, or provider agreement"*

Page 2, Line 28:
after *"received"* add a comma and insert *"misappropriated, claimed, or applied for"*

Page 2, Line 30:
after *"received"* add a comma and insert *"misappropriated, claimed, or applied for"*

Page 2, Line 33:
after *"received"* add a comma and insert *"misappropriated, claimed, or applied for"*

Page 3, Line 3:
after *"received"* add a comma and insert *"misappropriated, claimed, or applied for"*

Senator K.S. Cornaby, Chairman, Senate Committee

Representative Charles L. Doane, Chairman, House Committee

On motion of Senator Cornaby, the Senate voted to accept the Joint Conference Committee Report on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sandberg
Bangerter	Cornaby	Kimball	Snow
Barlow	Farley	Matheson	Sowards
Barton	Flamm	Money	Swan
Bennett	Halverson	Peterson, C.	Mr. President (Ferry)
Bunnell	Jeffs	Peterson, L.	

Absent and not voting were: Senators

Black	Carling	Pugh	Wayment
Bullen	Finlinson		

S.B. No. 58 was returned to the House.

Mr. President: February 24, 1981

I am directed to inform the Senate that **H.J.R. No. 21,** SALT LAKE ART CENTER RESOLUTION, by Representative Garff, et al, was recalled from Legal Services for correcting technical amendments. **H.J.R. No. 21** was renumbered **H.C.R. No. 11** to conform to the content of the resolution, was passed under suspension of the rules, and transmitted for Senate reconsideration.

Allan M. Acomb, Chief Clerk

The Senate voted to concur in the House correction and **H.J.R. No. 21** became **H.C.R. No. 11** on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Cornaby	Matheson	Sowards
Barlow	Farley	Money	Swan
Bennett	Flamm	Peterson, C.	Mr. President (Ferry)

Black	Jeffs	Peterson, L.	
Bunnell	Jones	Sandberg	
Christensen	Kimball	Snow	

Absent and not voting were: Senators

Asay	Bullen	Finlinson	Pugh
Barton	Carling	Halverson	Wayment

H.C.R. No. 11 was signed by the President in open session of the Senate and returned to the House for further action.

Mr. President: February 24, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 20,** BUDGETS OF JUDICIAL BRANCH, by Representative Selleneit, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 129,** MUNICIPAL FINANCES, by Representative Gardner, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed on the Consent Calendar, **H.B. No. 149,** TOWING RECREATION VEHICLES, by Representative Christensen, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 156,** ACCESS TO DEATH CERTIFICATES, by Representative Fox, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 179,** UNAPPROPRIATED FEDERAL FUNDS REVIEW, by Representative McAllister, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 188,** PORNOGRAPHIC MATERIAL DISTRIBUTION PENALTY, by Representative Richards, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 218,** PROPERTY DESTRUCTION AMENDMENT, by Representative Sykes, and the same is transmitted herewith for Senate consideration, and.

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 223,** BIDDING REQUIREMENT LIMITS, by Representative McKeachnie, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 353,** GOVERNMENTAL IMMUNITY FOR CLINICAL CARE STUDENTS, by Representative Richards, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 248,** MENTAL HEALTH SERVICE AMENDMENTS, by Representative Rogers, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 125,** STATE HOLIDAY CHANGE, by Representative Sykes, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. Nos. 20, 129, 149, 156, 179, 188, 218, 223, 353, 248 and **125** were read the first time and referred to Rules Committee.

THIRD READING CALENDAR

On motion of Senator Bangerter, **Second Sub. H.B. No. 126,** RESIDENTIAL FACILITY ZONING LIMITATION, was circled.

* * *

S.B. No. 159, COUNTY SURVEYOR — COUNTY ENGINEER, was read the third time. Senator Jeffs, Swan, Christensen, Black, Jones and Farley commented.

COMMITTEE OF THE WHOLE

On motion of Senator Swan, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate were:

Clair Gardner, (Salt Lake County),
Joe Urbank (Tooele County), and
Richard P. Sorensen, (Consulting Engineering Council, Governmental Affairs)

On motion of Senator Jeffs, the Committee of the Whole was dissolved. Senators Christensen and Swan proposed amendments. Senator Barton is presiding.

Senator Jeffs' substitute motion amended the bill as follows:

> Page 2, Line 15 (goldenrod):
> After *"(2)"* insert *"Counties shall determine by ordinance whether the office of county surveyor and county engineer shall be an elected office."*

Senator Swan moved to table the bill.

Senator Swan, with the aid of five senators, requested a Call of the Senate. On motion of Senator Swan, the Call of the Senate was lifted. The motion to table failed.

S.B. No. 159 passed on the following roll call:

Yeas, 17; Nays, 8; Absent, 4

Voting in the affirmative were: Senators

Asay	Cornaby	Matheson	Sowards
Bangerter	Finlinson	Money	Mr. President (Ferry)
Barlow	Halverson	Peterson, C.	
Black	Jeffs	Peterson, L.	
Bullen	Jones	Snow	

Voting in the negative were: Senators

Barton	Bunnell	Farley	Sandberg
Bennett	Christensen	Kimball	Swan

Absent and not voting were: Senators

Carling	Flamm	Pugh	Wayment

S.B. No. 159 was returned to the House.

* * *

S.B. No. 121, EDUCATION OF YOUTH IN CUSTODY, was read the third time and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Sowards
Bangerter	Christensen	Kimball	Swan
Barlow	Cornaby	Matheson	Wayment
Barton	Farley	Money	Mr. President (Ferry)
Bennett	Finlinson	Peterson, C.	
Black	Halverson	Sandberg	
Bullen	Jeffs	Snow	

Absent and not voting were: Senators

Carling	Flamm	Peterson, L.	Pugh

S.B. No. 121 was transmitted to the House.

* * *

S.B. No. 148, CONDEMNED PROPERTY USER, was read the third time. Senators C. Peterson, Christensen and Sandberg commented.

S.B. No. 148 passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Christensen	Kimball	Snow
Barlow	Farley	Matheson	Sowards
Barton	Finlinson	Money	Swan
Bennett	Halverson	Peterson, C.	Wayment
Bullen	Jeffs	Peterson, L.	Mr. President (Ferry)
Bunnell	Jones	Sandberg	

Voting in the negative was: Senator

Black

Absent and not voting were: Senators

Asay	Cornaby	Flamm	Pugh
Carling			

S.B. No. 148 was transmitted to the House.

* * *

S.B. No. 97, ANATOMICAL GIFT ACT AMENDMENTS. was read the third time and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Bunnell	Matheson	Sowards
Barlow	Christensen	Money	Wayment
Barton	Farley	Peterson, C.	Mr. President (Ferry)
Bennett	Halverson	Peterson, L.	
Black	Jeffs	Sandberg	
Bullen	Jones	Snow	

Absent and not voting were: Senators

Asay	Cornaby	Flamm	Pugh
Carling	Finlinson	Kimball	Swan

S.B. No. 97 was transmitted to the House.

* * *

S.B. No. 74, HEALTH CODE REVISION, was read the third time. Senator Jones, Cornaby, Snow, Black, Sowards, Kimball and Flamm commented.

COMMITTEE OF THE WHOLE

On motion of Senator Jeffs, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

Bruce McIff, M.D., President,
Utah State Radiological Society

On motion of Senator Jeffs, the Committee of the Whole was dissolved.

On motion of Senator Matheson, **S.B. No. 74** was amended as follows:

Page 179, Lines 5 through 31 (goldenrod):
delete entirely

COMMITTEE OF THE WHOLE

On motion of Senator Snow, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

Michael J. Stapley, Director,
Health Planning and Policy Development,
Utah State Department of Health

On motion of Senator Snow, the Committee of the Whole was dissolved.

On motion of Senator Sowards, **S.B. No. 74** was amended as follows:

Page 73, Line 14 (goldenrod):
After *"diagnosis"* delete the period and insert *"and a currently available treatment or cure for the suspected disease, disorder or handicap other than an abortion of the child."*

On motion of Senator Halverson, **S.B. No. 74** is circled.

* * *

On motion of Senator Carling, the circle was removed from **Second Sub. H.B. No. 126.** Senators Carling, Farley, Jones, Finlinson, Cornaby, Money, Flamm and Black commented.

On motion of Senator Carling, **Second Sub. H.B. No. 126** was amended as follows:

Page 1, Line 24:
After *"permit."* delete *"exclusively."* and insert in lieu thereof *"predominantly."*

Page 1, Line 30:
After *"permit"* delete *"exclusively"* and insert in lieu thereof *"predominantly"*

Page 1, Line 32:
After *"than"* delete *"one family"* and insert in lieu thereof *"two families"*

Page 2, Line 16:
After *"permit"* delete *"exclusively"* and insert in lieu thereof *"predominantly"*

Page 2, Line 23:
After *"be"* insert *"a part of or "*

Page 3, Line 21:
After *"permit."* delete *"exclusively"* and insert in lieu thereof *"predominantly"*

Page 3, Line 27:
After *"permit"* delete *"exclusively"* and insert in lieu thereof *"predominantly"*

Page 3, Line 29:
After *"than"* delete *"one family"* and insert in lieu thereof *"two families"*

Page 4, Line 10:
After *"permit"* delete *"exclusively"* and insert in lieu thereof *"predominantly"*

Page 4, Line 17:
After *"be"* insert *"a part of or "*

Second Sub. H.B. No. 126, as amended, passed on the following roll call:

Yeas, 17; Nays, 8; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Cornaby	Peterson, C.	Wayment
Barlow	Finlinson	Pugh	Mr. President (Ferry)
Black	Flamm	Sandberg	
Carling	Kimball	Snow	
Christensen	Matheson	Sowards	

Voting in the negative were: Senators

Bunnell	Halverson	Jones	Peterson, L.
Farley	Jeffs	Money	Swan

Absent and not voting were: Senators

Asay	Barton	Bennett	Bullen

Second Sub. H.B. No. 126, as amended, was returned to the House.

On motion of Senator Snow, and at 12:00, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reassembled at 1:45 p.m. with President Miles 'Cap' Ferry presiding.

COMMUNICATION FROM THE HOUSE

Mr. President: February 24, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as

amended. **H.B. No. 243,** COST OF LIVING CHANGE AMENDMENTS, by Representative Gardner, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 243 was read the first time and referred to Rules Committee.

STANDING COMMITTEE REPORT

Mr. President: February 24, 1981

The Revenue and Taxation Committee, to which was referred **H.B. No. 155,** INTEREST ON PERSONAL PROPERTY TAXES, by Representative Sherman D. Harmer, Jr. et al, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on Consent Calendar.

Charles W. Bullen, Committee Chairman

Committee report read and adopted and **H.B. No. 155** was read the second time and placed on Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

H.J.R. No. 12	DISABLED VETERANS' EXEMPTION (Revenue and Taxation)
H.J.R. No. 15	WILD GAME FEED RESOLUTION (Agriculture)
H.B. No. 185	RESERVE ACCOUNT AMENDMENTS (Sub.) (Revenue and Taxation)
S.B. No. 158	CIRCUIT BREAKER MODIFICATIONS (Revenue and Taxation)
S.B. No. 237	MOBILE HOME PARK RESIDENCY ACT (Agriculture)
S.B. No. 250	OCCUPATION TAX INCREASE (Revenue and Taxation)
S.B. No. 297	PROPERTY TRANSFER TO WEBER STATE (Higher Education)

H.J.R. Nos. 12 and **15** and **H.B. No. 185** and **S.B. Nos. 158, 237, 250** and **297** were placed on Second Reading Calendar.

THIRD READING CALENDAR

On motion of Senator Cornaby, **H.B. No. 18,** UTILITIES RATE STRUCTURE, was circled.

On motion of Senator L. Peterson, **H.B. No. 180,** COUNTY SERVICE AREA ACT AMENDMENTS, was circled.

* * *

H.B. No. 107, SOCIAL SERVICES SUBPOENAS, was read the second time.

Mr. President: February 18, 1981

The Social Services Committee, to which was referred **H.B. No. 107,** SOCIAL SERVICES SUBPOENAS, by Representative Charles L. Doane, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barlow	Christensen	Jeffs	Sandberg
Barton	Cornaby	Jones	Snow
Bennett	Farley	Matheson	Sowards
Black	Flamm	Peterson, C.	Wayment
Bunnell	Halverson	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Asay	Carling	Kimball	Pugh
Bangerter	Finlinson	Money	Swan
Bullen			

* * *

On motion of Senator Black, the rules were suspended with no dissenting votes, and **H.J.R. No. 9** CHRIS RITZAKIS RESOLUTION, was read the second and third times and placed on final passage.

Mr. President: February 18, 1981

The Social Services Committee, to which was referred **H.J.R. No. 9,** CHRIS RITZAKIS RESOLUTION, by Representative Samuel S. Taylor, et al, has carefully considered the resolution and reports it out of committee with a favorable recommendation.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted and the resolution passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barlow	Christensen	Jeffs	Sandberg
Barton	Cornaby	Jones	Snow

Bennett	Farley	Matheson	Sowards
Black	Flamm	Peterson, C.	Wayment
Bunnell	Halverson	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Asay	Carling	Kimball	Pugh
Bangerter	Finlinson	Money	Swan
Bullen			

H.J.R. No. 9 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

H.B. No. 49, JURY DEMAND — CRIMINAL TRIALS, was read the second time.

Mr. President: February 19, 1981

The Judiciary Committee, to which was referred **H.B. No. 49,** JURY DEMAND — CRIMINAL TRIALS, by Representative C. Hardy Redd, has carefully considered the bill and reports it out of committee with a favorable recommendation.

A. Dean Jeffs, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 12

Voting in the affirmative were: Senators

Barton	Farley	Kimball	Sowards
Bennett	Flamm	Matheson	Mr. President (Ferry)
Black	Halverson	Peterson, C.	
Bunnell	Jeffs	Peterson, L.	
Cornaby	Jones	Snow	

Absent and not voting were: Senators

Asay	Bullen	Finlinson	Sandberg
Bangerter	Carling	Money	Swan
Barlow	Christensen	Pugh	Wayment

* * *

H.B. No. 112, LIBRARY THEFT, was read the second time.

Mr. President: February 19, 1981

The Judiciary Committee, to which was referred **Substitute H.B. No. 112,** LIBRARY THEFT, by Representative Rob W. Bishop, has carefully considered the bill and reports it out of committee with a favorable recommendation.

A. Dean Jeffs, Committee Chairman

Committee report read and adopted and on motion of Senator Halverson, Rules Committee Chairman, returned to Judiciary Committee.

* * *

On motion of Senator L. Peterson, the rules were suspended with no dissenting votes, and **H.C.R. No. 1** was read the second and third times and placed on final passage.

Mr. President: February 19, 1981

The Judiciary Committee, to which was referred **H.C.R. No. 1**, NATIONAL FORENSICS LEAGUE RESOLUTION, by Representative Rob W. Bishop, has carefully considered the resolution and reports it out of committee with a favorable recommendation.

A. Dean Jeffs, Committee Chairman

Committee report read and adopted and the resolution passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Barlow	Christensen	Jeffs	Snow
Bennett	Cornaby	Jones	Sowards
Black	Farley	Matheson	Wayment
Bullen	Flamm	Peterson, C.	Mr. President (Ferry)
Bunnell	Halverson	Peterson, L.	

Absent and not voting were: Senators

Asay	Carling	Money	Sandberg
Bangerter	Finlinson	Pugh	Swan
Barton	Kimball		

H.C.R. No. 1 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

H.B. No. 70, ATTORNEY DISCIPLINARY PROCEEDINGS, was read the second time.

Mr. President: February 19, 1981

The Judiciary Committee, to which was referred **H.B. No. 70**, ATTORNEY DISCIPLINARY PROCEEDINGS, by Representative John E. Smith, has carefully considered the bill and reports it out of committee favorably and with the following amendment:

Page 2, Line 8:
Renumber *"Section 2." "Section 1"*

A. Dean Jeffs, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 20; Nays, 1; Absent, 8

Voting in the affirmative were: Senators

Barlow	Christensen	Kimball	Snow
Bennett	Flamm	Matheson	Sowards
Black	Halverson	Peterson, C.	Swan
Bullen	Jeffs	Pugh	Wayment
Bunnell	Jones	Sandberg	Mr. President (Ferry)

Voting in the negative was: Senator
Cornaby

Absent and not voting were: Senators

Asay	Barton	Farley	Money
Bangerter	Carling	Finlinson	Peterson, L.

* * *

H.B. No. 144, AIR CONDITIONING SCHOOL BUILDINGS, was read the second time.

Mr. President: February 23, 1981

The Public Education Committee, to which was referred **H.B. No. 144,** AIR CONDITIONING SCHOOL BUILDINGS, by Representative Robert H. Garff, has carefully considered the bill and reports it out of committee favorably with the understanding it be held until the appropriation on Page 1, Line 15 is determined, and with the following amendments:

Page 1, Line 11:
Delete *"REGULAR"* and insert in lieu thereof *"STAGGERED"*

Page 1, Line 12:
After *"NEED"* insert *"ARISING FROM YEAR ROUND USE"*

William T. "Bill" Barton, Committee Chairman

Committee report read and adopted. Representative Robert H. Garff, sponsor, explained the bill and **H.B. No. 145,** in Committee of the Whole. The bill passed on the following roll call:

Yeas, 19; Nays, 1; Absent, 9

Voting in the affirmative were: Senators

Barlow	Farley	Matheson	Snow
Bennett	Flamm	Money	Swan
Black	Halverson	Peterson, C.	Wayment
Bullen	Jones	Peterson, L.	Mr. President (Ferry)
Bunnell	Kimball	Pugh	

Voting in the negative was: Senator
Carling

Absent and not voting were: Senators

Asay	Christensen	Finlinson	Sandberg

Bangerter	Cornaby	Jeffs	Sowards
Barton			

H.B. No. 145, SCHOOL BUILDING UTILIZATION PILOT PROGRAM. was read the second time. Senators Halverson, Bunnell, Barlow and Black commented.

Mr. President: February 23, 1981

The Public Education Committee, to which was referred **H.B. No. 145,** SCHOOL BUILDING UTILIZATION PILOT PROGRAM, by Representative Robert H. Garff, has carefully considered the bill and reports it out of committee with a favorable recommendation.

William T. "Bill" Barton, Committee Chairman

Committee report read and adopted. Senator Halverson proposed amendments which failed. The bill passed on the following roll call:

Yeas, 20; Nays, 1; Absent, 8

Voting in the affirmative were: Senators

Barlow	Farley	Matheson	Snow
Bennett	Flamm	Money	Sowards
Bullen	Jeffs	Peterson, C.	Swan
Bunnell	Jones	Peterson, L.	Wayment
Cornaby	Kimball	Pugh	Mr. President (Ferry)

Voting in the negative was: Senator
Halverson

Absent and not voting were: Senators

Asay	Barton	Carling	Finlinson
Bangerter	Black	Christensen	Sandberg

* * *

On motion of Senator L. Peterson, the circle was removed from **H.B. No. 180,** COUNTY SERVICE AREA ACT AMENDMENTS, and the bill was before the Senate. The bill passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barlow	Farley	Kimball	Pugh
Bennett	Flamm	Matheson	Snow
Bullen	Halverson	Money	Sowards
Bunnell	Jeffs	Peterson, C.	Wayment
Cornaby	Jones	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Asay	Black	Christensen	Sandberg
Bangerter	Carling	Finlinson	Swan
Barton			

* * *

Sub. H.B. No. 106, COURSE OF STUDY COMMITTEE. was read the second time.

Mr. President: February 23, 1981

The Public Education Committee, to which was referred **Substitute H.B. No. 106,** COURSE OF STUDY COMMITTEE, by Representative Olene S. Walker, has carefully considered the bill and reports it out of committee with a favorable recommendation.

William T. "Bill" Barton, Committee Chairman

Sub. H.B. No. 106 passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barlow	Cornaby	Jones	Pugh
Barton	Farley	Matheson	Snow
Bennett	Flamm	Money	Sowards
Bullen	Halverson	Peterson, C.	Swan
Bunnell	Jeffs	Peterson, L.	Wayment

Absent and not voting were: Senators

Asay	Carling	Finlinson	Sandberg
Bangerter	Christensen	Kimball	Mr. President (Ferry)
Black			

* * *

H.B. No. 91, OFFICER'S COMMAND TO STOP. was read the second time.

Mr. President: February 20, 1981

The Transportation and Public Safety Committee, to which was referred **H.B. No. 91,** OFFICER'S COMMAND TO STOP, by Representative Ray S. Schmutz, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Cornaby	Matheson	Sowards
Barlow	Farley	Money	Swan

Barton	Flamm	Peterson, C.	Wayment
Bennett	Halverson	Peterson, L.	
Bullen	Jeffs	Pugh	
Bunnell	Jones	Snow	

Absent and not voting were: Senators

Bangerter	Carling	Finlinson	Sandberg
Black	Christensen	Kimball	Mr. President (Ferry)

* * *

H.B. No. 148, DENTAL HYGIENIST AMENDMENTS, was read the second time. Senator C. Peterson is presiding.

Mr. President: February 24, 1981

The Business, Labor and Economic Development Committee, to which was referred **H.B. No. 148,** DENTAL HYGIENIST AMENDMENTS, by Representative James F. Considine et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted. Representative James F. Considine, sponsor, explained the bill in Committee of the Whole. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sandberg
Barlow	Cornaby	Kimball	Snow
Barton	Farley	Matheson	Sowards
Bennett	Flamm	Money	Swan
Bullen	Halverson	Peterson, C.	Wayment
Bunnell	Jeffs	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Bangerter	Carling	Finlinson	Pugh
Black			

* * *

On motion of Senator Flamm, the Senate voted to lift **Sub. H.B. No. 23,** MUNICIPAL GOVERNMENT AMENDMENTS, from Consent Calendar to the top of Second Reading Calendar and further to adopt **Second Sub. H.B. No. 23** to replace **Sub. H.B. No. 23.** Senators Flamm, Swan, Snow, Cornaby, Wayment and Bunnell commented.

On motion of Senator Flamm, **Second Sub. H.B. No. 23** was amended as follows:

Page 1, Line 7:
Before *"SUBSTITUTE"* insert *"SECOND"*

Page 1, Line 13:
After the semicolon insert *"AND"*

Page 1, Line 14:
After *"REQUIREMENTS"* delete the semicolon and insert a period

Page 1:
delete all of Lines 15 and 16

Page 1, Line 17:
After *"10-3-1217"* insert *"AND"*

Page 1, Line 17:
After *"10-3-1219"* delete *"AND"*

Page 1, Line 18:
Delete *"10-3-1222,"*

Page 3, Lines 18, 19 and 20:
Restore *"Any member of the council violating the provisions of this section shall"* and then insert *"be guilty of a class b misdemeanor"*

Page 4, Line 15:
Restore *"the right to take part in all discussions and"*

Page 5, Lines 13 through 33:
delete entirely

Second Sub. H.B. No. 23 passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Peterson, L.
Barlow	Carling	Jones	Pugh
Barton	Cornaby	Kimball	Sandberg
Bennett	Farley	Matheson	Snow
Black	Flamm	Money	Wayment
Bullen	Halverson	Peterson, C.	Mr. President (Ferry)

Absent and not voting were: Senators

Bangerter	Finlinson	Sowards	Swan
Christensen			

* * *

The Senate recessed at 3:05 p.m. The Senate reassembled at 3:30 p.m.

* * *

On motion of Senator Matheson, the circle was removed from **H.B. No. 18,** UTILITIES RATE STRUCTURE, and the bill was before the Senate on reconsideration. The bill passed on the following roll call:

Yeas, 17; Nays, 11; Absent, 1

Voting in the affirmative were: Senators

Asay	Cornaby	Matheson	Wayment
Barlow	Flamm	Money	Mr. President (Ferry)
Bullen	Halverson	Peterson, C.	
Carling	Jeffs	Peterson, L.	
Christensen	Jones	Sandberg	

Voting in the negative were: Senators

Bangerter	Black	Kimball	Sowards
Barton	Bunnell	Pugh	Swan
Bennett	Farley	Snow	

Absent and not voting was: Senator Finlinson

* * *

On motion of Senator Pugh, the Senate voted to reconsider its action on **S.B. No. 5,** SCHOOL BUILDING CODE WAIVERS, and further to replace the bill with **Sub. S.B. No. 5,** SCHOOL BUILDING CODES AND WAIVERS. On motion of Senator Pugh, **Sub. S.B. No. 5** was amended as follows:

Page 6, Lines 14 and 15:
After *"districts."* restore the original language *"except those cities of the first class."*

Page 7, Lines 25 and 26:
After *"alteration."* restore the original language *"except those of cities of first class."*

Sub. S.B. No. 5 failed on reconsideration and on the following roll call:

Yeas, 13; Nays, 11; Absent, 5

Voting in the affirmative were: Senators

Asay	Flamm	Peterson, C.	Sowards
Barlow	Jones	Pugh	Wayment
Bullen	Matheson	Sandberg	Mr. President (Ferry)
Christensen			

Voting in the negative were: Senators

Bangerter	Cornaby	Jeffs	Snow
Bennett	Farley	Kimball	Swan
Bunnell	Halverson	Money	

Absent and not voting were: Senators

Barton	Carling	Finlinson	Peterson, L.
Black			

Senator Snow, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action on **Sub. S.B. No. 5** tomorrow.

* * *

On motion of Senator Snow, and at 4:00 p.m., the Senate adjourned until 9:00 a.m., Thursday, February 26, 1981.

FORTY-SIXTH DAY

MORNING SESSION

The Senate was called to order at 9:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present except Senator Halverson and Bennett (excused).

Prayer — Ken Fineran, Executive Director, Crossroads Urban Center.

On motion of Senator Frances Farley, the opening prayer by Mr. Fineran is printed in the Senate Journal.

"O Lifegiving God, whose children are all of earth's people, and under whose vigil come those with great burdens.

We ask your presence to bring this day —
COMPASSION for those whose silence muffles greatest suffering.
COURAGE to act with justice.
STEWARDSHIP in visioning the future.
GRACE to REASON for sound answers.

Keep before us the prophet's care for the needy
And the servant's urge for healing.

Jar us, as a people, to have the same care and charity for the interests of our less fortunate brothers and sisters as we expect for ourselves.

Make us GLOBAL IN OUR VISION, and set before us the development of human possibility as your children's mission to one another.

In the midst of the fantastic gift and beauty given us in the State of Utah, help us to set before the people an example of hope and peace that reigns with justice, that our children may rejoice.

And grant us grace to live under the commands of your forgiving love where the choices we must make are difficult to seeming impossible.

We ask, through the Christ who came near, that we might truly live. Amen."

COMMITTEE TO READ AND REVISE JOURNAL

Mr. President: February 26, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATION FROM THE HOUSE

Mr. President: February 25, 1981

I am directed to inform the Senate that the House of Representatives has this day adopted the Joint Conference Committee Report as of February 25, 1981, and passed **S.B. No. 101,** INDUSTRIAL FACILITIES DIVISION ACT AMENDMENTS, by Senator Finlinson, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

JOINT CONFERENCE COMMITTEE REPORT

(S.B. No. 101, Industrial Facilities Division Act Amendments)

Mr. Speaker and Mr. President: February 25, 1981

Your Conference Committee consisting of Senators Finlinson, Bennett, and Bullen and Representatives, Harmer, Harward, and Dmitrich, to which was referred **S.B. No. 101,** INDUSTRICAL FACILITIES DIVISION ACT AMENDMENTS, by Senator Finlinson, begs leave to report that the recommendation is that all the House amendments be accepted.

Senator Fred Finlinson, Chairman, Senate Committee

Representative Sherman D. Harmer, Chairman, House Committee

On motion of Senator Finlinson, the Senate voted to concur in the House amendments and the bill passed on the following roll call:

Yeas, 17; Nays, 6; Absent, 6

Voting in the affirmative were: Senators

Asay	Bunnell	Kimball	Sowards
Bangerter	Christensen	Money	Mr. President (Ferry)
Barlow	Farley	Peterson, C.	
Barton	Finlinson	Peterson, L.	
Black	Flamm	Sandberg	

Voting in the negative were: Senators

Cornaby	Jones	Snow	Wayment
Jeffs	Matheson		

Absent and not voting were: Senators

Bennett	Carling	Pugh	Swan
Bullen	Halverson		

S.B. No. 101 was transmitted to the House.

Mr. President: February 25, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, **Substitute S.B. No. 106,** ROADSIDE SIGNS AMENDMENTS, by Senator Christensen, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Christensen, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Christensen	Matheson	Sowards
Bangerter	Cornaby	Money	Wayment
Barlow	Farley	Peterson, C.	Mr. President (Ferry)
Barton	Jeffs	Peterson, L.	
Black	Jones	Sandberg	
Bunnell	Kimball	Snow	

Absent and not voting were: Senators

Bennett	Carling	Flamm	Pugh
Bullen	Finlinson	Halverson	Swan

Sub. S.B. No. 106 was returned to the House.

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Mr. President: February 25, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **Substitute S.B. No. 65,** INTEREST LIMITATION INCREASE, by Senator Carling, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 157,** SALES AND USE TAX JURISDICTION STANDARD, by Senator Bullen, et al, which has been signed by the Speaker in open session and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

Sub. S.B. No. 65 and S.B. No. 157 were signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

Mr. President: February 25, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as

amended by the Senate and House, **S.B. No. 130**, BOARD OF REGENTS INCREASE, by Senator C. Peterson, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator C. Peterson, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Cornaby	Matheson	Snow
Barlow	Farley	Money	Sowards
Barton	Finlinson	Peterson, C.	Wayment
Black	Flamm	Peterson, L.	Mr. President (Ferry)
Bunnell	Jeffs	Pugh	
Christensen	Kimball	Sandberg	

Absent and not voting were: Senators

Bangerter	Bullen	Halverson	Swan
Bennett	Carling	Jones	

RULES COMMITTEE REPORTS

Mr. President: February 25, 1981

Your Rules Committee, to which were referred:

S.B. No. 214	COURT REPORTER ACT (Judiciary)
S.B. No. 245	STANDARD VALUATION AND NONFOREITURE (Business, Labor and Economic Development)
S.B. No. 246	SCHOOL BUILDING REVOLVING ACCOUNT (Public Education)
S.B. No. 258	HAZARDOUS WASTE FACILITY SITING ACT (Energy and Natural Resource)
S.B. No. 260	REASSESSMENT LIMITATIONS (Revenue and Taxation)
S.B. No. 268	HOSPITAL STATEMENTS OF CHARGES (Social Services)
S.B. No. 273	STATE BUILDING OWNERSHIP AUTHORITY AMENDMENTS (Revenue and Taxation)
S.B. No. 277	STATE LIQUOR STORES BEER SALES (Judiciary)
S.B. No. 278	HAZARDOUS WASTE FACILITIES MANAGEMENT ACT (Energy and Natural Resource)

S.B. No. 282	JUNKYARD CONTROL ACT AMENDMENT (State and Local Affairs)
S.B. No. 290	SPECIAL SERVICE DISTRICT ACT AMENDMENTS (State and Local Affairs)
S.B. No. 303	TAX CREDIT FOR HOMEOWNERS AND RENTERS REPEAL (Revenue and Taxation)
S.C.R. No. 6	TOXICANTS FOR PREDATOR CONTROL RESEARCH (Agriculture)

reports the same back with a few minor changes assented to by the authors and recommends that they be printed and assigned to the committee indicated, and

Your Rules Committee, to which were referred:

H.B. No. 20	BUDGETS OF JUDICIAL BRANCH (Judiciary)
H.B. No. 125	STATE HOLIDAY CHANGE (State and Local Affairs)
H.B. No. 129	(**Sub.**) MUNICIPAL FINANCE MODIFICATION (State and Local Affairs)
H.B. No. 149	TOWING RECREATION VEHICLES (Transportation and Public Safety)
H.B. No. 156	ACCESS TO DEATH CERTIFICATES (Social Services)
H.B. No. 179	UNAPPROPRIATED FEDERAL FUNDS REVIEW (Revenue and Taxation)
H.B. No. 188	PORNOGRAPHIC MATERIAL DISTRIBUTION PENALTY (Judiciary)
H.B. No. 218	PROPERTY DESTRUCTION ENDMENTS (Judiciary)
H.B. No. 223	BIDDING REQUIREMENT LIMITS (State and Local Affairs)
H.B. No. 248	MENTAL HEALTH SERVICE AMENDMENTS (Social Services)
H.B. No. 353	GOVERNMENTAL IMMUNITY FOR CLINICAL CARE STUDENTS (State and Local Affairs)
H.B. No. 243	COST OF LIVING CHANGE AMENDMENTS (State and Local Affairs)

reports the same back and recommends that they be assigned to the committees indicated.

Ronald T. Halverson, Rules Committee Chairman

Committee reports read and adopted.

On motion of Senator Snow, **S.B. No. 303**, TAX CREDIT FOR HOMEOWNERS AND RENTAL REPEAL, was not sent to Revenue and Taxation, but placed at the bottom of Second Reading Calendar.

THIRD READING CALENDAR

S.B. No. 74, HEALTH CODE REVISION, was uncircled and before the Senate. On motion of Senator Matheson, **S.B. No. 74** was amended as follows:

Page 179:
Restore Lines 5 through 31 except the underlined language in italic.

Senator Jeffs motion to also restore the underlined language in italic *"or if the equipment is a medical imaging device that will be used for either inpatients or outpatients:"*, failed.

On motion of Senator Jeffs, **S.B. No. 74** was amended as follows:

Page 179, Line 31:
After *"provision."* insert *"Equipment purchases not subject to review under this Act shall not be included in determing the need for equipment purchases which are subject to review."*

Page 203, Line 13:
After *"1983"*, delete the period and add *"or at such earlier date as federal health planning funding to the state to support certificate of need terminates."*

On motion of Senator Snow, **S.B. No. 74** was amended as follows:

Page 57, Line 3:
After *"syphillis."* insert *"The provisions of this section shall not apply to any female who objects thereto on the grounds that she is a bonafide member of a special, well recognized religious organization whose teachings are contrary to such tests."*

Page 74, Line 21:
After *"26-1-6."* insert *"The provisions of this section shall not apply to any infant whose parents object thereto on the grounds that they are members of a specified, well recognized religious organization whose teachings are contrary to such tests."*

On motion of Senator Snow, **S.B. No. 74** was amended as follows:

Page 73, Line 14:
After *"diagnosis"* insert the period and delete *"and a currently available treatment or cure for the suspected disease, disorder or handicap other than an abortion of the child."*

On motion of Senator Kimball, **S.B. No. 74** was amended as follows:

Page 188, Lines 7, 8, 9, 10 and 11:
delete entirely and insert
"(6) The Department may appoint a hearing examiner[.] to make recommendations to the department. The Department shall, upon the request of any applicant, affected person, or the committee appoint a hearing examiner. Anything to the contrary in this Act not withstanding, a hearing before a hearing examiner shall be in lieu of review by the committee.
(7) There shall be a hearing examiner request fee in an amount determined by the Department by rule, paid by the person requesting the hearing examiner."

On motion of Senator Farley, **S.B. No. 74** was amended as follows:

Page 17, Line 19:
following *"physician"* insert *"or nurse midwife"*

S.B. No. 74 passed on the following roll call:

Yeas, 21; Nays, 2; Absent, 6

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sowards
Bangerter	Cornaby	Kimball	Swan
Barlow	Farley	Money	Mr. President (Ferry)
Black	Finlinson	Peterson, C.	
Bullen	Flamm	Sandberg	
Bunnell	Jeffs	Snow	

Voting in the negative were: Senators

Barton	Matheson

Absent and not voting were: Senators

Bennett	Halverson	Pugh	Wayment
Carling	Peterson, L.		

S.B. No. 74 was transmitted to the House.

* * *

H.B. No. 107, SOCIAL SERVICES SUBPOENAS. was read the third time and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Sandberg
Bangerter	Cornaby	Kimball	Snow
Barlow	Farley	Matheson	Sowards
Barton	Finlinson	Money	Wayment
Black	Flamm	Peterson, C.	Mr. President (Ferry)
Bullen	Jeffs	Pugh	

Absent and not voting were: Senators

Bennett	Christensen	Peterson, L.	Swan
Carling	Halverson		

H.B. No. 107 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

H.B. No. 49, JURY DEMAND — CRIMINAL TRIALS, was read the third time and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Sandberg
Bangerter	Cornaby	Jones	Snow
Barlow	Farley	Matheson	Sowards
Barton	Finlinson	Money	Swan
Black	Flamm	Peterson, C.	Mr. President (Ferry)

Absent and not voting were: Senators

Bennett	Christensen	Kimball	Pugh
Bullen	Halverson	Peterson, L.	Wayment
Carling			

H.B. No. 49 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

H.B. No. 70, ATTORNEY DISCIPLINARY PROCEEDINGS, was read the third time and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Cornaby	Matheson	Sowards
Bangerter	Farley	Money	Wayment
Barlow	Finlinson	Peterson, C.	Mr. President (Ferry)
Black	Flamm	Pugh	
Bullen	Jeffs	Sandberg	
Bunnell	Kimball	Snow	

Absent and not voting were: Senators

Barton	Carling	Halverson	Peterson, L.
Bennett	Christensen	Jones	Swan

H.B. No. 70, as amended, was returned to the House.

H.B. No. 145, SCHOOL BUILDING UTILIZATION PILOT PROGRAM. was read the third time and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Bunnell	Matheson	Sowards
Bangerter	Cornaby	Money	Swan
Barlow	Farley	Peterson, C.	Wayment
Barton	Finlinson	Pugh	Mr. President (Ferry)
Black	Flamm	Sandberg	
Bullen	Jeffs	Snow	

Absent and not voting were: Senators

Bennett	Christensen	Jones	Peterson, L.
Carling	Halverson	Kimball	

H.B. No. 145 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

H.B. No. 144, AIR CONDITIONING SCHOOL BUILDINGS. was read the third time and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Cornaby	Kimball	Snow
Barlow	Farley	Matheson	Sowards
Barton	Finlinson	Money	Swan
Black	Flamm	Peterson, C.	Mr. President (Ferry)
Bullen	Jeffs	Pugh	
Bunnell	Jones	Sandberg	

Absent and not voting were: Senators

Asay	Carling	Halverson	Wayment
Bennett	Christensen	Peterson, L.	

On motion of Senator Barlow, the Senate voted to reconsider its action. Senators Bunnell, C. Peterson, Barlow, Jeffs and Finlinson commented. Senator Barlow moved that on Page 4, Line 17 the following be inserted *"$17,000,000, of which $3,968,100 be appropriated from the mineral leasing fund and the balance from the uniform school fund."*

On motion of Senator Finlinson, **H.B. No. 144** was tabled.

* * *

H.B. No. 180, COUNTY SERVICE AREA ACT AMENDMENTS. was read the third time and passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 6

Voting in the affirmative were: Senators

Asay	Christensen	Kimball	Sowards
Barlow	Cornaby	Matheson	Swan
Barton	Farley	Peterson, C.	Wayment
Black	Finlinson	Pugh	Mr. President (Ferry)
Bullen	Flamm	Sandberg	
Bunnell	Jeffs	Snow	

Voting in the negative was: Senator

Money

Absent and not voting were: Senators

Bangerter	Carling	Jones	Peterson, L.
Bennett	Halverson		

H.B. No. 180 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

Sub. H.B. No. 106, COURSE OF STUDY COMMITTEE, was read the third time and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Carling	Jones	Sandberg
Bangerter	Christensen	Kimball	Snow
Barton	Cornaby	Matheson	Sowards
Black	Farley	Money	Swan
Bullen	Flamm	Peterson, C.	Wayment
Bunnell	Jeffs	Pugh	

Absent and not voting were: Senators

Barlow	Finlinson	Peterson, L.	Mr. President (Ferry)
Bennett	Halverson		

Sub. H.B. No. 106 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

H.B. No. 91, OFFICER'S COMMAND TO STOP, was read the third time. Senator Matheson explained the bill. Senators Black and Swan commented and the bill passed on the following roll call:

Yeas, 19; Nays, 2; Absent, 8

Voting in the affirmative were: Senators

Asay	Christensen	Kimball	Snow
Bangerter	Cornaby	Matheson	Sowards
Barton	Farley	Money	Swan
Bunnell	Flamm	Peterson, C.	Wayment
Carling	Jones	Pugh	

Voting in the negative were: Senators

Black	Bullen

Absent and not voting were: Senators

Barlow	Finlinson	Jeffs	Sandberg
Bennett	Halverson	Peterson, L.	Mr. President (Ferry)

H.B. No. 91 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

H.B. No. 148, DENTAL HYGIENIST AMENDMENTS, was read the third time. Senator Kimball commented.

On motion of Senator Cornaby, **H.B. No. 148** was amended as follows:

Page 2, Line 9:
delete *"seven"* and restore *"five"*

H.B. No. 148 passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Asay	Carling	Kimball	Sowards
Bangerter	Cornaby	Matheson	Swan
Barton	Farley	Money	Wayment
Black	Flamm	Peterson, C.	Mr. President (Ferry)
Bullen	Jeffs	Snow	

Absent and not voting were: Senators

Barlow	Christensen	Jones	Pugh
Bennett	Finlinson	Peterson, L.	Sandberg
Bunnell	Halverson		

H.B. No. 148, as amended, was returned to the House.

* * *

Second Sub. H.B. No. 23, MUNICIPAL GOVERNMENT AMENDMENTS, was read the third time. Senator Snow and Matheson commented.

Senator Barton moved to delete on Page 3, Lines 21 and 22: *"Any member of the council violating the provisions of this section shall be guilty of a class b misdemeanor"*.

Second Sub. H.B. No. 23 will remain as Unfinished Business.

On motion of Senator Snow, and at 11:45, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Miles 'Cap' Ferry presiding.

* * *

Second Sub. H.B. No. 23, MUNICIPAL GOVERNMENT AMENDMENTS, was before the Senate as Unifinished Business.

On motion of Senator Barton, **Second Sub. H.B. No. 23** was amended as follows:

> Page 3, Lines 21 and 22:
> delete *"any member of the council violating the provisions of this section shall be guilty of a class b misdemeanor."*

Second Sub. H.B. No. 23 passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Christensen	Money	Sowards
Barlow	Cornaby	Peterson, C.	Swan
Barton	Flamm	Peterson, L.	Mr. President (Ferry)
Bullen	Jeffs	Pugh	
Bunnell	Jones	Sandberg	
Carling	Matheson	Snow	

Absent and not voting were: Senators

Bangerter	Black	Finlinson	Kimball
Bennett	Farley	Halverson	Wayment

Second Sub. H.B. No. 23 was transmitted to the House.

* * *

Senator Snow, having served notice that he might ask the Senate to reconsider its action on **Sub. S.B. No. 5,** SCHOOL BUILDING CODES AND WAIVERS, on this day, now asked that it be reconsidered. Senators Asay, Matheson, Barlow and Sandberg commented.

Sub. S.B. No. 5 passed on reconsideration and on the following roll call:

Yeas, 17; Nays, 7; Absent, 5

Voting in the affirmative were: Senators

Asay	Christensen	Peterson, C.	Wayment
Barlow	Flamm	Pugh	Mr. President (Ferry)
Barton	Jones	Sandberg	
Bullen	Matheson	Snow	
Carling	Money	Sowards	

Voting in the negative were: Senators

Bangerter	Farley	Kimball	Swan
Cornaby	Jeffs	Peterson, L.	

Absent and not voting were: Senators

Bennett	Bunnell	Finlinson	Halverson
Black			

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

* * *

H.B. No. 18, UTILITIES RATE STRUCTURE, was read the third time and passed on the following roll call:

Yeas, 19; Nays, 5; Absent, 5

Voting in the affirmative were: Senators

Asay	Christensen	Matheson	Sandberg
Barlow	Cornaby	Money	Sowards
Barton	Flamm	Peterson, C.	Wayment
Bullen	Jeffs	Peterson, L.	Mr. President (Ferry)
Carling	Jones	Pugh	

Voting in the negative were: Senators

Bunnell	Kimball	Snow	Swan
Farley			

Absent and not voting were: Senators

Bangerter	Black	Finlinson	Halverson
Bennett			

H.B. No. 18, as amended, was returned to the House.

* * *

On motion of Senator Swan, **S.B. No. 91,** COMMITTEE ON CONSUMER SERVICES CONTINUATION, was lifted from Third Reading Table and before the Senate. Senator Swan commented.

On motion of Senator Barlow, **S.B. No. 91** was amended as follows:

Page 1, Line 10:
After the semicolon insert *"PROHIBITING THE COMMITTEE OF CONSUMER SERVICES FROM REPRESENTING, ASSISTING, OR BEING AN ADVOCATE ON BEHALF OF ANY CITY OR MUNICIPAL ELECTRIC POWER UTILITY; AND"*.

Page 1, between Lines 14 and 15 insert:
"Section 1. Section 54-10-4.5, Utah Code Annotated 1953, is enacted to read:
54-10-4.5. The committee of consumer services shall not represent, assist, or be an advocate on behalf of any city or municipal electric power utility."

Page 1, Line 15:
delete after *"Section"* the number *"1"* and insert in lieu thereof *"2"*

S.B. No. 91 passed on the following roll call:

Yeas, 18; Nay, 4; Absent, 7

Voting in the affirmative were: Senators

Barlow	Carling	Peterson, C.	Swan
Barton	Christensen	Peterson, L.	Wayment
Black	Farley	Sandberg	Mr. President (Ferry)
Bullen	Jeffs	Snow	
Bunnell	Matheson	Sowards	

Voting in the negative were: Senators

Cornaby	Jones	Money	Pugh

Absent and not voting were: Senators

Asay	Bennett	Flamm	Kimball
Bangerter	Finlinson	Halverson	

S.B. No. 91 was transmitted to the House.

Sub. S.B. No. 129, IN LIEU PAYMENTS TO LOCAL SUBDIVISIONS, was read the third time and passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 12

Voting in the affirmative were: Senators

Bangerter	Bunnell	Money	Wayment
Barlow	Carling	Peterson, C.	Mr. President (Ferry)
Barton	Christensen	Sandberg	
Black	Farley	Snow	
Bullen	Matheson	Sowards	

Absent and not voting were: Senators

Asay	Finlinson	Jeffs	Peterson, L.
Bennett	Flamm	Jones	Pugh
Cornaby	Halverson	Kimball	Swan

Sub. S.B. No. 129 was transmitted to the House.

* * *

H.B. No. 192, MOVING FARM MACHINERY, was read the third time and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Bunnell	Matheson	Sowards
Bangerter	Carling	Money	Wayment
Barlow	Christensen	Peterson, C.	Mr. President (Ferry)
Barton	Farley	Peterson, L.	
Black	Jones	Sandberg	
Bullen	Kimball	Snow	

Absent and not voting were: Senators

Bennett	Finlinson	Halverson	Pugh
Cornaby	Flamm	Jeffs	Swan

H.B. No. 192 was transmitted to the House.

* * *

S.B. No. 226, NUISANCES IN MANUFACTURING, was read the third time and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Peterson, L.
Barlow	Carling	Jones	Sandberg
Barton	Christensen	Matheson	Sowards
Black	Cornaby	Money	Wayment
Bullen	Farley	Peterson, C.	Mr. President (Ferry)

Absent and not voting were: Senators

Bangerter	Flamm	Kimball	Snow
Bennett	Halverson	Pugh	Swan
Finlinson			

S.B. No. 226 was transmitted to the House.

* * *

S.B. No. 252, HABITUAL TRUANCY, was read the third time and passed on the following roll call:

Yeas, 22; Nay, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Carling	Kimball	Snow
Barlow	Christensen	Matheson	Sowards
Barton	Cornaby	Money	Wayment
Black	Farley	Peterson, C.	Mr. President (Ferry)
Bullen	Jeffs	Peterson, L.	
Bunnell	Jones	Sandberg	

Absent and not voting were: Senators

Bangerter	Finlinson	Halverson	Swan
Bennett	Flamm	Pugh	

S.B. No. 252 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 26, 1981

I am directed to inform the Senate that the Speaker of the House has this day appointed a Conference Committee consisting of Representatives Brockbank, Bishop, and Mecham to act with a like Committee from the Senate to consider or amend **Third Substitute H.B. No. 60,** STATE AND LOCAL REVENUE AND APPROPRIATIONS LIMITATION, by Representative Bishop.

Allan M. Acomb, Chief Clerk

Communication filed.

* * *

Mr. President: February 26, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the House, **S.B. No. 11,** OFF DUTY POLICE OFFICERS, by Senator Carling, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Carling, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Sandberg

Bangerter	Carling	Kimball	Snow
Barlow	Christensen	Matheson	Sowards
Barton	Cornaby	Money	Wayment
Black	Farley	Peterson, C.	Mr. President (Ferry)
Bullen	Jeffs	Peterson, L.	

Absent and not voting were: Senators

Bennett	Flamm	Pugh	Swan
Finlinson	Halverson		

S.B. No. 11 was transmitted to the House.

* * *

Mr. President: February 26, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, **S.B. No. 72,** WEIGHING OF MOTOR VEHICLES, by Senator Pugh, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Pugh, the Senate voted to refuse to concur in the House amendments and to ask the House to recede from its amendments.

* * *

Mr. President: February 26, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, **S.B. No. 107,** REAL ESTATE LICENSE AMENDMENTS, by Senator Barlow, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Barlow, the Senate voted to not concur in the House amendments and to ask the House to recede from its amendments.

* * *

Mr. President: February 26, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, **S.B. No. 146,** MOTOR VEHICLE SAFETY AMENDMENTS, by Senator Black, et al, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Black, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Kimball	Sandberg
Bangerter	Carling	Matheson	Snow
Barlow	Cornaby	Money	Sowards
Barton	Farley	Peterson, C.	Swan
Black	Finlinson	Peterson, L.	Wayment
Bullen	Jones	Pugh	Mr. President (Ferry)

Voting in the negative was: Senator
Jeffs

Absent and not voting were: Senators

Bennett	Christensen	Flamm	Halverson

S.B. No. 146 was transmitted to the House.

* * *

Mr. President: February 26, 1981

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 58,** ACCRUAL OF INCIDENCES OF FRAUD, by Senator Cornaby, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. No. 58 was signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

* * *

Mr. President: February 26, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Joint Conference Committee Report as of February 24, 1981, **S.B. No. 40,** DIVISION OF FAMILY SERVICES FEES, by Senator Cornaby, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

JOINT CONFERENCE COMMITTEE REPORT
S.B. No. 40, Division of Family Services Fees)

Mr. Speaker and Mr. President: February 24, 1981

Your Conference Committee, consisting of Senators Cornaby, Jeffs and Farley and Representatives Doan, Pace and Johnson, to which was referred **S.B. No. 40,** DIVISION OF FAMILY SERVICES FEES, by Senator K.S. Cornaby, begs leave to report as follows:

Page 1, Line 14:
Delete *"REPEALS"* and insert in lieu thereof *"AMENDS"*

Page 1, Line 18:
Delete *"REPEALED."* and insert in lieu thereof *"amended to read."*

Page 1, Lines 20 through 33:
Restore original language

Page 2, Lines 2 through 35:
Restore original language

Page 2, Line 4:
After *"supervision"* insert *"if requested by the court."*

Senator K.S. Cornaby, Chairman, Senate Committee

Representative Charles L. Doane, Chairman, House Committee

On motion of Senator Cornaby, the Senate voted to adopt the Joint Conference Committee report on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Snow
Bangerter	Christensen	Kimball	Sowards
Barlow	Cornaby	Matheson	Swan
Barton	Farley	Peterson, C.	Wayment
Black	Finlinson	Peterson, L.	Mr. President (Ferry)
Bullen	Jeffs	Sandberg	

Absent and not voting were: Senators

Bennett	Flamm	Money	Pugh
Carling	Halverson		

S.B. No. 40 was transmitted to the House.

STANDING COMMITTEE REPORTS

Mr. President: February 24, 1981

The Judiciary Committee, to which was referred **S.B. No. 248,** FORECLOSURE OF TRUST DEEDS, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The Judiciary Committee, to which was referred **H.B. No. 118,** CITY ORDINANCE AMOUNT INCREASE, by Representative G. LaMont Richards, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

A. Dean Jeffs, Committee Chairman

Committee reports read and adopted. **S.B. No. 248** and **H.B. No. 118** were read the second time and placed on Consent Calendar.

* * *

Mr. President: February 26, 1981

The State and Local Affairs Committee, to which was referred **S.B. No. 254,** PROCUREMENT CODE AMENDMENTS, by Senator Karl N. Snow, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted and **S.B. No. 254** was read the second time and placed on Consent Calendar.

* * *

Mr. President: February 26, 1981

The Energy and Natural Resources Committee, to which was referred **H.B. No. 110,** VOLUNTEER WORKERS IN THE DEPARTMENT OF NATURAL RESOURCES, by Representative John Hollingshaus, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it placed on the Consent Calendar.

Fred W. Finlinson, Committee Chairman

Committee report read and adopted. **H.B. No. 110** was read the second time and placed on the Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

S.B. No. 289	UNFAIR TRADE PRACTICES AMENDMENTS (Business, Labor and Economic Development)
S.B. No. 218	TITLE INSURANCE RATES (Business, Labor and Economic Development)
S.B. No. 285	PRIVATE CLUB NONPROFIT CORPORATION ACT (Business, Labor and Economic Development)
S.B. No. 194	U.C.C.C. EXEMPTION PROVISIONS (Business, Labor and Economic Development)
S.B. No. 293	STATE WATERFOWL STAMP (Energy and Natural Resources)
S.B. No. 229	KILLING UNBORN CHILD (Judiciary)
S.B. No. 212	LIGHT BEER ADVERTISING (Judiciary)
S.B. No. 301	MATERIAL ON CABLE TELEVISION (Judiciary)

S.B. No. 189	JUVENILES TRIED AS ADULTS (Judiciary)
H.B. No. 123	DEFENSE OF ENTRAPMENT STANDARD (Judiciary)
S.B. No. 281	SCHOOL AND PUBLIC EMPLOYEES' RETIREMENT BENEFITS (State and Local Affairs)
S.B. No. 272	UTAH MUNICIPAL BUILDING AUTHORITY ACT (State and Local Affairs)
S.B. No. 271	STATE PERSONNEL MANAGEMENT ACT AMENDMENTS (State and Local Affairs)
S.B. No. 253	MUNICIPAL GOVERNMENT (State and Local Affairs)
S.B. No. 191	ADMINISTRATION SERVICES ACT (State and Local Affairs)
S.B. No. 298	PEACE OFFICER CLASSIFICATIONS (Transportation and Public Safety)
S.B. No. 302	AIRPORT SECURITY OFFICERS (Transportation and Public Safety)
H.B. No. 102	AUTOMOBILE INSPECTIONS REPEAL (Transportation and Public Safety)

S.B. Nos. 289, 218, 285, 194, 293, 229, 212, 301, 189 and **H.B. No. 123** and **S.B. Nos. 281, 272, 271, 253, 191, 298, 302** and **H.B. No. 102** were placed on Second Reading Calendar.

SECOND READING CALENDAR

H.J.R. No. 12, DISABLED VETERANS' EXEMPTION, was read the second time. Senators Matheson and Snow commented.

Mr. President: February 24, 1981

The Revenue and Taxation Committee, to which was referred **H.J.R. No. 12,** DISABLED VETERANS' EXEMPTION, by Representative Beverly J. White, has carefully considerd the resolution and reports it out of committeee with a favorable recommendation.

Charles W. Bullen, Committee Chairman

Committee report read and adopted and on motion of Senator Snow, the resolution was circled.

* * *

H.J.R. No. 15, WILD GAME FEED RESOLUTION, was read the second time.

Mr. President: February 25, 1981

The Agriculture Committee, to which was referred **H.J.R. No. 15,** WILD GAME FEED

RESOLUTION, by Representative Alarik Myrin, has carefully considered the resolution and reports it out of committee with a favorable recommendation.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted. On motion of Senator Finlinson, and under suspension of the rules, **H.J.R. No. 15** was read the third time and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Carling	Matheson	Sowards
Bangerter	Christensen	Money	Swan
Barlow	Farley	Peterson, C.	Wayment
Black	Finlinson	Peterson, L.	Mr. President (Ferry)
Bullen	Jeffs	Sandberg	
Bunnell	Jones	Snow	

Absent and not voting were: Senators

Barton	Cornaby	Halverson	Pugh
Bennett	Flamm	Kimball	

H.J.R. No. 15 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

Sub. H.B. No. 185, RESERVE ACCOUNT AMENDMENTS, was read the second time.

Mr. President: February 24, 1981

The Revenue and Taxation Committee, to which was referred **Sub. H.B. No. 185,** RESERVE ACCOUNT AMENDMENTS, by Representative Paul Rogers, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Charles W. Bullen, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Barlow	Cornaby	Matheson	Sowards
Black	Farley	Money	Swan
Bullen	Finlinson	Peterson, C.	Wayment
Bunnell	Flamm	Peterson, L.	Mr. President (Ferry)
Carling	Jeffs	Sandberg	
Christensen	Jones	Snow	

Absent and not voting were: Senators

Asay	Barton	Halverson	Pugh
Bangerter	Bennett	Kimball	

* * *

S.J.R. No. 1, TAX ARTICLE REVISION, was read the second time.

Mr. President: January 22, 1981

The Revenue and Taxation Committee, to which was referred **S.J.R. No. 1,** TAX ARTICLE REVISION, by Senator Glade M. Sowards, et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 25:
Delete *"HOMES, HOMESTEADS"* and insert in lieu thereof *"PRIMARY RESIDENCES"*

Page 2, Line 19:
Following *"following"* delete *"are"* and insert in lieu thereof *"shall be exempt from the"*. Following *"tax"* delete *"exemptions"*

Page 2, Line 32:
Following *"used"* insert *"exclusively:"*

Page 2, Line 34:
Following *"purposes"* insert *"and"*

Page 3, Line 3:
After *"taxation**]"* delete *": and"* and insert a period.

Page 3, Line 4:
Delete *"(e)"* and insert *"(3)"*

Page 3, Line 12:
Delete *"(f)"* and insert *"(4)"*

Page 3, Line 17:
Delete *"(g)"* and insert *"(5)"*

Page 3, Line 25:
Delete *"(h)"* and insert *"(6)"*

Page 4, Line 2:
Delete *"(i)"* and insert *"(7)"*

Page 4, Line 5:
Delete *"(j)"* and insert *"(8)"*

Page 4, Line 7:
Delete *"homes[**,**]and homesteads[**,**]:"and insert in lieu thereof"primary residences"*

Page 4, Lines 15 and 16:
Following *"to"*delete *"homes and homesteads"*and insert in lieu thereof *"primary residences"*

Page 4, Line 17:
Delete *"(k)"*and insert *"(9)"*

Page 4, Line 25:
Delete *"(l)"*and insert *"(10)"*

Page 4, Line 32:
Delete *"(m)"*and insert *"(11)"*

Page 5, Line 2:
Delete *"(3)"*and insert *"(12)"*

After *"any"*delete *"there be"*

Charles W. Bullen, Committee Chairman

Committee report, as amended, read and adopted.

On motion of Senator Snow, **S.J.R. No. 1,** TAX ARTICLE REVISION, was circled.

* * *

S.B. No. 147, BOARD OF REGENTS' MEMBERS, was read the second time. Senators Matheson, Black, Swan, Bullen, Bunnell, Pugh, Finlinson and Barlow commented.

Mr. President: February 10, 1981

The Higher Education Committee, to which was referred **S.B. No. 147,** BOARD OF REGENTS' MEMBERS, by Senator Ivan M. Matheson, et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 3, Line 34:
After *"governor"*delete the period and insert in lieu thereof *", of the new acting or permanent chairman or a designee of the Institutional Council from whence the retiring member vacated and"*

Page 3, Line 34:
Delete *"The appointee"*

Page 4, Line 2:
After *"term"* add a period and delete *". subject to"*

Page 4, Line 3:
Delete entire line

Lowell S. Peterson, Committee Chairman

Committee report, as amended read and adopted.

On motion of Senator Matheson, **S.B. No. 147** was amended as follows:

Page 1, Line 29:
After *"president."* insert *"Other than this student body appointee, not more than five members shall, at any time, be from one political party."*

Page 1, Line 23:
Delete *"their"* and insert in lieu thereof *"a"*

S.B. No. 147 failed on the following roll call:

Yeas, 8; Nays, 18; Absent, 3

Voting in the affirmative were: Senators

Asay	Barton	Money	Wayment
Bangerter	Matheson	Peterson, C.	Mr. President (Ferry)

Voting in the negative were: Senators

Barlow	Christensen	Jeffs	Snow
Black	Cornaby	Jones	Sowards
Bullen	Farley	Kimball	Swan
Bunnell	Finlinson	Peterson, L.	
Carling	Flamm	Pugh	

Absent and not voting were: Senators

Bennett	Halverson	Sandberg

S.B. No. 147 is filed.

* * *

S.B. No. 177, CAMPUS BUILDINGS ACT AMENDMENTS, was read the second time.

Mr. President: February 10, 1981

The Higher Education Committee, to which was referred **S.B. No. 177,** CAMPUS BUILDING ACT AMENDMENTS, by Senator Haven J. Barlow et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 25:
After *"rate"* insert *"or rates"*

Page 3, Line 20:
After *"to"* insert *"income"*

Lowell S. Peterson, Committee Chairman

Committee report, as amended, read and adopted and the bill passed on the following roll call:

Yeas, 19; Nays, 4; Absent, 6

Voting in the affirmative were: Senators

Asay	Bullen	Flamm	Pugh
Bangerter	Carling	Jeffs	Sowards
Barlow	Christensen	Matheson	Swan
Barton	Cornaby	Peterson, C.	Mr. President (Ferry)
Black	Finlinson	Peterson, L.	

Voting in the negative were: Senators

Farley	Kimball	Money	Snow

Absent and not voting were: Senators

Bennett	Halverson	Sandberg	Wayment
Bunnell	Jones		

* * *

S.B. No. 150, ONE LICENSE PLATE, was read the second time.

Mr. President: February 9, 1981

The Transportation and Public Safety Committee, to which was referred **S.B. No. 150,** ONE LICENSE PLATE, by Senator Jack M. Bangerter, et al, has carefully considered the bill and reports it out of committee favorably and with the following amendment:

Page 2, Line 12:
After *"of"* delete *"$1."* and insert in lieu of *"$2."*

E. Verl Asay, Committee Chairman

Committee report, as amended, read and adopted and on motion of Senator Bangerter, the bill was circled.

* * *

S.B. No. 161, DRINKING IN MOTOR VEHICLES, was read the second time. Senators Jeffs, Farley, Kimball, Asay, Pugh and Swan commented.

Mr. President: February 9, 1981

The Transportation and Public Safety Committee, to which was referred **S.B. No. 161,** DRINKING IN MOTOR VEHILCES, by Senator A. Dean Jeffs, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 28:
After *"consumed"* delete the period and insert *"or removed."*

Page 1, Line 33:
After *"separate"* insert *"front or rear"*

E. Verl Asay, Committee Chairman

Committee report, as amended, read and adopted.

On motion of Senator Jeffs, **S.B. No. 161** was amended as follows:

Page 2, Line 11:
After *"subsection"* delete *"(1)"* and insert in lieu thereof *"(2)"*

On motion of Senator Pugh, **S.B. No. 161** was amended as follows:

Page 2, Line 2:
Delete *"towards the rear"*

S.B. No. 161 passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 11

Voting in the affirmative were: Senators

Asay	Christensen	Kimball	Snow
Barlow	Farley	Matheson	Swan
Barton	Flamm	Money	Mr. President (Ferry)
Black	Jeffs	Peterson, C.	
Bullen	Jones	Peterson, L.	

Absent and not voting were: Senators

Bangerter	Carling	Halverson	Sowards
Bennett	Cornaby	Pugh	Wayment
Bunnell	Finlinson	Sandberg	

COMMUNICATION FROM THE HOUSE

Mr. President: February 26, 1981

I am directed to inform the Senate that the House of Representatives has this day refused to concur in the Senate amendments to **Second Substitute H.B. No. 126,** RESIDENTIAL FACILITY ZONING LIMITATION, by Representative Doane, and requests the Senate to recede from its amendments.

Allan M. Acomb, Chief Clerk

On motion of Senator Finlinson, the Senate voted to refuse to recede from its amendments. President Ferry appointed a Conference Committee comprised of Senators Farley, Finlinson and Money.

* * *

On motion of Senator Snow, the circles were removed from **H.J.R. No. 12** and **S.J.R. No. 1.**

* * *

S.B. No. 150, ONE LICENSE PLATE, being circled as the Senate adjourned, was placed on Second Reading Table.

On motion of Senator Snow, and at 4:10 p.m., the Senate adjourned until 9:00 a.m., Friday, February 27, 1981.

Pg. 660

FORTY-SEVENTH DAY

MORNING SESSION

The Senate was called to order at 9:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present except Senators Bennett and Halverson (excused).

Prayer — Brother Gary Jewkes, Practitioner/Teacher, Christian Science Church.

COMMITTEE TO READ AND REVISE THE JOURNAL

Mr. President: February 27, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 26, 1981

I am directed to inform the Senate that the House of Representatives has this day rejected, as amended by the Senate **S.B. No. 115,** LEGISLATORS' RETIREMENT, by Senator Bullen, et al, and the same is returned herewith.

Allan M. Acomb, Chief Clerk

S.B. No. 115 is filed.

* * *

Mr. President: February 26, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, **S.B. No. 9,** PROCEDURE FOR FILLING LOCAL VACATED ELECTED OFFICE, by Senator Matheson, et al, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Matheson, the Senate voted to not concur in the House amendments and to ask the House to recede from its amendments.

* * *

Mr. President: February 26, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 198,** EXCESS APPROPRIATION EXPENDITURES, by Representative McAllister, and the same is transmitted herewith for Senate further consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 262,** FILLING VACANCIES — ELECTED OFFICIALS, by Representative Farnsworth, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 224,** JUDICIAL SELECTION, by Representative Garff, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 198 was read the first time and referred to Rules Committee and on motion of Senator Snow, under suspension of the rules, **H.B. Nos. 262** and **224** were read the first time and placed at the top of Second Reading Calendar.

* * *

Mr. President: February 26, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the House, **S.B. No. 38,** ELECTION REGISTRATION AMENDMENTS, by Senator Finlinson, et al, and the same is transmitted herewith for consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Finlinson, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 18; Nays, 0; Absent, 11

Voting in the affirmative were: Senators

Asay	Cornaby	Peterson, C.	Sowards
Barlow	Jeffs	Peterson, L.	Wayment
Bullen	Jones	Pugh	Mr. President (Ferry)
Bunnell	Matheson	Sandberg	
Christensen	Money	Snow	

Absent and not voting were: Senators

Bangerter	Black	Finlinson	Kimball
Barton	Carling	Flamm	Swan
Bennett	Farley	Halverson	

S.B. No. 38 was transmitted to the House.

* * *

Mr. President: February 26, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, **S.B. No. 44,** AUTOMOBILE INSURANCE AMENDMENTS, by Senator Cornaby, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Cornaby, the Senate voted to refuse to concur in the House amendments and to ask the House to recede from its amendments.

* * *

Mr. President: February 26, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 105,** BULK REINSURANCE, by Senator Flamm, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 156,** UTILITIES SERVICES — HOSTAGE SITUATION, by Senator Finlinson, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 143,** JUVENILE COURT ACT AMENDMENTS, by Senator Cornaby, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 166,** JUVENILE COURT SUBPOENAS AND WARRANTS, by Senator Wayment, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 54,** MEDICAL RESPONSIBILITIES, by Senator Cornaby, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. Nos. 105, 156, 143 and **54** were signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

* * *

Mr. President: February 26, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, **S.B. No. 138,** SIGNAL LIGHTS — VOLUNTEER FIREMEN, by Senator Bangerter, et al, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Bangerter, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 15; Nays, 3; Absent, 11

Voting in the affirmative were: Senators

Asay	Christensen	Matheson	Sowards
Bangerter	Cornaby	Pugh	Wayment
Barlow	Jeffs	Sandberg	Mr. President (Ferry)
Bullen	Jones	Snow	

Voting in the negative were: Senators

Money	Peterson, C.	Peterson, L.

Absent and not voting were: Senators

Barton	Bunnell	Finlinson	Kimball
Bennett	Carling	Flamm	Swan
Black	Farley	Halverson	

S.B. No. 138 was transmitted to the House.

* * *

Mr. President: February 26, 1981

I am directed to inform the Senate that the House of Representatives has voted to recall **S.B. No. 44,** AUTOMOBILE INSURANCE AMENDMENTS, by Senator Cornaby, for reconsideration by the House.

Allan M. Acomb, Chief Clerk

On motion of Senator Cornaby, the Senate voted to return **S.B. No. 44** to the House for reconsideration.

THIRD READING CALENDAR

H.B. No. 185, RESERVE ACCOUNT AMENDMENTS, was read the tird time. Senators Jeffs and Bunnell commented and the bill passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Asay	Christensen	Matheson	Sandberg
Bangerter	Cornaby	Money	Snow
Barlow	Finlinson	Peterson, C.	Sowards
Black	Jeffs	Peterson, L.	Wayment
Bunnell	Jones	Pugh	

Absent and not voting were: Senators

Barton	Carling	Halverson	Swan
Bennett	Farley	Kimball	Mr. President (Ferry)
Bullen	Flamm		

H.B. No. 185 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

S.B. No. 177, CAMPUS BUILDINGS' ACT AMENDMENTS, was read the third time. Senators Barlow, Farley and Bullen commented and the bill passed on the following roll call:

Yeas, 20; Nays, 3; Absent, 6

Voting in the affirmative were: Senators

Asay	Bullen	Jones	Sandberg
Bangerter	Bunnell	Matheson	Snow
Barlow	Carling	Peterson, C.	Sowards
Barton	Christensen	Peterson, L.	Wayment
Black	Cornaby	Pugh	Mr. President (Ferry)

Voting in the negative were: Senators

Farley	Kimball	Money

Absent and not voting were: Senators

Bennett	Flamm	Jeffs	Swan
Finlinson	Halverson		

S.B. No. 177 was transmitted to the House.

* * *

S.B. No. 161, DRINKING IN MOTOR VEHICLES, was read the third time. Senators Jeffs, Bunnell and Jones commented. On motion of Senator Bunnell, **S.B. No. 161** was amended as follows:

Page 1, Line 28:
delete *"or removed"*

S.B. No. 161 passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Pugh
Bangerter	Bunnell	Jones	Sandberg
Barlow	Christensen	Kimball	Snow
Barton	Farley	Matheson	Wayment
Black	Finlinson	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Bennett	Flamm	Money	Sowards
Carling	Halverson	Peterson, C.	Swan
Cornaby			

S.B. No. 161 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 26, 1981

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 101,** INDUSTRIAL FACILITIES DIVISION ACT AMENDMENTS, by Senator Finlinson, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **Substitute S.B. No. 106,** ROADSIDE SIGNS AMENDMENTS, by Senator Christensen, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed on the Consent Calendar **S.B. No. 120,** TRANSFER OF LICENSE PLATES, by Senator Cornaby, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 130,** BOARD OF REGENTS' INCREASE, by Senator C. Peterson, et al. and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. No. 101, Sub S.B. No. 106, S.B. Nos. 120 and **130** were signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

SECOND READING CALENDAR

H.B. No. 224, JUDICIAL SELECTION, having been placed directly on Second Reading Calendar, was read the second time, and on motion of Senator Snow, and under suspension of the rules, read the third time and before the Senate. Senators Snow, Asay, Black, Bunnell and Jones commented and the bill passed on the following roll call:

Yeas, 20; Nays, 5; Absent, 4

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sandberg
Bangerter	Cornaby	Matheson	Snow
Barlow	Finlinson	Peterson, C.	Sowards
Bullen	Flamm	Peterson, L.	Wayment
Carling	Jeffs	Pugh	Mr. President (Ferry)

Voting in the negative were: Senators

Black	Farley	Kimball	Money
Bunnell			

Absent and not voting were: Senators

Barton	Bennett	Halverson	Swan

H.B. No. 224 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

H.B. No. 262, FILLING VACANCIES — ELECTED OFFICIALS, having been placed directly on Second Reading Calendar, was read the second time and on motion of Senator Finlinson, and under suspension of the rules, read the third time. Senator Finlinson, Matheson and Bunnell commented. On motion of Senator Finlinson, **H.B. No. 262** was amended as follows:

Page 1, Line 32:
After *"vacancy exists"* delete remainder of sentence

Page 1, Line 33:
delete entirely

Page 2, Lines 2 and 3:
delete entirely

H.B. No. 262 passed on the following roll call:

Yeas, 20; Nays, 5; Absent, 4

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sandberg
Bangerter	Cornaby	Matheson	Snow
Barlow	Finlinson	Peterson, C.	Sowards
Barton	Flamm	Peterson, L.	Wayment
Bullen	Jeffs	Pugh	Mr. President (Ferry)

Voting in the negative were: Senators

Black	Farley	Kimball	Money
Bunnell			

Absent and not voting were: Senators

Bennett	Carling	Halverson	Swan

H.B. No. 262, as amended, was returned to the House.

* * *

On motion of Senator Matheson, **S.B. No. 220,** MOTOR FUEL MARKETING, was circled as a Special Order.

CONSENT CALENDAR

On motion of Senator Bunnell, **S.B. No. 261,** POWER GENERATION BY TOWNS, was lifted from Consent Calendar and placed at the bottom of Second Reading Calendar.

* * *

H.B. No. 143, WILDLIFE ARREST PROCEDURES, was read the third time and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Christensen	Matheson	Snow
Bangerter	Farley	Money	Wayment
Barlow	Finlinson	Peterson, C.	Mr. President (Ferry)
Black	Flamm	Peterson, L.	
Bullen	Jeffs	Pugh	
Bunnell	Jones	Sandberg	

Absent and not voting were: Senators

Barton	Carling	Halverson	Sowards
Bennett	Cornaby	Kimball	Swan

H.B. No. 143 was signed by the President in open session of the Senate and returned to the House for further action.

The Senate recessed for Republican party caucus at 10:15 a.m. The Senate reassembled at 11:55 a.m.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 26, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as

amended, **H.B. No. 251,** ELECTRICIAN AND PLUMBING APPRENTICE CHANGES, by Representative Myers, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, **H.B. No. 251,** ELECTRICIAN AND PLUMBING APPRENTICE CHANGES, was read the first time, and under suspension of the rules, placed at the top of Second Reading Calendar and read the second and third times. Senators Christensen and Black commented and the bill passed on the following roll call:

Yeas, 22; Nays, 4, Absent, 3

Voting in the affirmative were: Senators

Asay	Christensen	Matheson	Sowards
Bangerter	Cornaby	Peterson, C.	Swan
Barlow	Finlinson	Peterson, L.	Wayment
Barton	Flamm	Pugh	Mr. President (Ferry)
Bullen	Jeffs	Sandberg	
Carling	Jones	Snow	

Voting in the negative were: Senators

Black	Bunnell	Kimball	Money

Absent and not voting were: Senators

Bennett	Farley	Halverson

Senator Swan, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action on **H.B. No. 251** on the next legislative day.

* * *

Mr. President: February 26, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 329,** FAIR CONSTRUCTION BIDDING PROCEDURE, by Representative Haddow, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, **H.B. No. 329,** FAIR CONSTRUCTIONBIDDING PROCEDURE, was read the first time, and under suspension of the rules, placed at the top of Second Reading Calendar and read the second time. Senators Black, Bunnell, Kimball, C. Peterson, Swan, Money and Pugh commented.

Senator Pugh's motion to rule Senator Kimball's remarks out of order carried on the following roll call vote, which was requested by Senator Kimball:

Yeas, 19; Nays, 7; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Matheson	Snow

Bangerter	Christensen	Peterson, C.	Sowards
Barlow	Flamm	Peterson, L.	Wayment
Barton	Jeffs	Pugh	Mr. President (Ferry)
Bullen	Jones	Sandberg	

Voting in the negative were: Senators

Black	Farley	Kimball	Swan
Bunnell	Finlinson	Money	

Absent and not voting were: Senators

Bennett	Cornaby	Halverson

On motion of Senator Snow, the bill was circled.

* * *

Senator Snow's motion to transfer **H.B. No. 251,** ELECTRICIAN AND PLUMBING APPRENTICE CHANGES, to the House carried on a voice vote.

H.B. No. 251 was transmitted to the House.

* * *

Senator Bunnell's motion to place **H.B. No. 329** on Second Reading Table failed. President Ferry's ruling that a circled bill is Tabled, was upheld on the following roll call, which was requested by Senator Bunnell:

Yeas, 22; Nays, 5; Absent, 2

Voting in the affirmative were: Senators

Asay	Christensen	Matheson	Snow
Bangerter	Cornaby	Money	Sowards
Barlow	Finlinson	Peterson, C.	Wayment
Barton	Flamm	Peterson, L.	Mr. President (Ferry)
Bullen	Jeffs	Pugh	
Carling	Jones	Sandberg	

Voting in the negative were: Senators

Black	Farley	Kimball	Swan
Bunnell			

Absent and not voting were: Senators

Bennett	Halverson

H.B. No. 329 remains circled.

On motion of Senator Snow, and at 12:50, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Miles 'Cap' Ferry presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 25, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, **S.B. No. 102,** TENANTS' RENT DEPOSITS, by Senator Barton, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Barton, the Senate voted to concur in the House amendments and the bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Pugh
Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Kimball	Snow
Barton	Farley	Matheson	Sowards
Black	Finlinson	Money	Wayment
Bullen	Flamm	Peterson, C.	Mr. President (Ferry)

Absent and not voting were: Senators

Bennett	Halverson	Peterson, L.	Swan
Carling			

S.B. No. 102 was transmitted to the House.

Mr. President: February 26, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the House, **S.B. No. 167,** NEGLECT OR DELINQUENCY OF CHILDREN, by Senator Wayment, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Wayment, the Senate voted to concur in the House amendments and the bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sandberg
Barlow	Cornaby	Kimball	Snow

Barton	Farley	Matheson	Sowards
Black	Finlinson	Money	Wayment
Bullen	Flamm	Peterson, C.	Mr. President (Ferry)
Bunnell	Jeffs	Pugh	

Absent and not voting were: Senators

Bangerter	Carling	Peterson, L.	Swan
Bennett	Halverson		

S.B. No. 167 was transmitted to the House.

* * *

Mr. President: February 26, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, as amended, **S.B. No. 128,** OWNER-TENANT REMEDIES, by Senator Barlow, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Barlow, the Senate voted to concur in the House amendments and the bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Christensen	Kimball	Snow
Bangerter	Cornaby	Matheson	Sowards
Barlow	Farley	Money	Swan
Barton	Flamm	Peterson, C.	Wayment
Black	Jeffs	Pugh	Mr. President (Ferry)
Bullen	Jones	Sandberg	

Absent and not voting were: Senators

Bennett	Carling	Halverson	Peterson, L.
Bunnell	Finlinson		

S.B. No. 128 was transmitted to the House.

Mr. President: February 26, 1981

I am directed to inform the Senate that the Speaker of the House has this day appointed a Conference Committee consisting of Representatives Doane, Walker, and Fox to act with a like Committee from the Senate to consider or amend **Second Substitute H.B. No. 126,** RESIDENTIAL FACILITY ZONING LIMITATION, by Representative Doane.

Allan M. Acomb, Chief Clerk

STANDING COMMITTEE REPORTS

Mr. President: February 26, 1981

The Revenue and Taxation Committee, to which was referred **S.B. No. 211**, ENERGY SAVING SYSTEM TAX CREDIT AMENDMENTS, by Senator Frances Farley, has carefully considered the bill and reports it out of committee favorably with the following amendment and asks that it be placed on the Consent Calendar:

Page 4, Line 9:
Delete the period and insert *"through 1985."*

Charles W. Bullen, Committee Chairman

Committee report, as amended, read and adopted. **S.B. No. 211** was read the second time and placed on Consent Calendar.

* * *

Mr. President: February 27, 1981

The Agriculture Committee, to which was referred **S.C.R. No. 6**, TOXICANTS FOR PREDATOR CONTROL RESEARCH, by Senator Ivan M. Matheson, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted. **S.C.R. No. 6** was read the second time and placed on Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

S.B. No. 228	BUSINESS ENTERPRISES FOR VISUALLY HANDICAPPED (Public Education)
S.B. No. 251	COMMUNITY IMPACT ACCOUNT AMENDMENTS (Revenue and Taxation)
S.B. No. 274	PENSION DISTRIBUTIONS TAXING (Revenue and Taxation)

S.B. Nos. 228, 251 and **274** were placed on Second Reading Calendar.

SECOND READING CALENDAR

S.J.R. No. 1, TAX ARTICLE REVISION, was before the Senate. Senator Sowards explained the bill. On motion of Senator Finlinson the bill is circled.

COMMUNICATION FROM THE HOUSE

Mr. President: February 27, 1981

I have been directed to return **H.B. No. 262**, FILLING VACANCIES IN ELECTED OFFICES, by Representative Farnsworth, et al. for reconsideration in the Senate.

Allan M. Acomb, Chief Clerk

On motion of Senator Finlinson, the Senate voted to reconsider its action on **H.B. No. 262.**

On motion of Senator Finlinson. **H.B. No. 262** was amended as follows:

Page 2, Lines 13, 14, 15 and 16
Delete entirely

H.B. No. 262 passed on reconsideration and on the following roll call:

Yeas, 26, Nay, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Christensen	Kimball	Snow
Bangerter	Cornaby	Matheson	Sowards
Barlow	Farley	Money	Swan
Barton	Finlinson	Peterson, C.	Wayment
Black	Flamm	Peterson, L.	Mr. President (Ferry)
Bullen	Jeffs	Pugh	
Bunnell	Jones	Sandberg	

Absent and not voting were: Senators

Bennett	Carling	Halverson

H.B. No. 262, as amended was returned to the House.

On motion of Senator Bunnell, and under suspension of the rules, **S.B. No. 261**, POWER GENERATIONS BY TOWNS, was again placed on Consent Calendar, read the third time and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Christensen	Matheson	Snow
Bangerter	Farley	Peterson, C.	Sowards
Black	Flamm	Peterson, L.	Swan
Bullen	Jones	Pugh	Wayment
Bunnell	Kimball	Sandberg	Mr. President (Ferry)

Absent and not voting were: Senators

Barlow	Carling	Finlinson	Jeffs
Barton	Cornaby	Halverson	Money
Bennett			

S.B. No. 261 was transmitted to the House.

On motion of Senator Bunnell, and under suspension of the rules, **S.J.R. No. 2,** SCHOOL PROGRAM SUPPORT LIMITATION, was lifted from Second Reading Table and placed beneath **S.J.R. No. 1** for package consideration.

On motion of Senator Snow, the circle was removed from **S.J.R. No. 1,** TAX ARTICLE REVISION, and the bill was before the Senate.

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

Page 2, Line 35:
after *"purposes"* add a period and delete *"and:"*

Page 3, Line 3:
After *"benefit"* insert *"and:"*

Page 3, between Lines 3 and 4:
Insert *"(e) Livestock held in the state."*

Page 4, Lines 32, 33 and 34:
delete entirely

Page 5, Line 2:
delete *"(12)"* and insert in lieu thereof *"(11)"*

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

Page 4, Line 6:
delete *"50%"* and insert in lieu thereof *"30%"*

Senator Pugh's motion to delete *"exclusively"* on Page 3, Line 33 failed.

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

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Jones	Sandberg
Bangerter	Christensen	Kimball	Snow
Barlow	Cornaby	Matheson	Sowards
Barton	Farley	Money	Swan

Black	Finlinson	Peterson, C.	Wayment
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)
Bunnell	Jeffs	Pugh	

Absent and not voting were: Senators

Bennett	Halverson

S.J.R. No. 2, SCHOOL PROGRAM SUPPORT LIMITATION, was before the Senate and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Cornaby	Kimball	Snow
Barlow	Farley	Matheson	Sowards
Black	Finlinson	Money	Swan
Bunnell	Flamm	Peterson, C.	Wayment
Carling	Jeffs	Peterson, L.	Mr. President (Ferry)
Christensen	Jones	Sandberg	

Absent and not voting were: Senators

Bangerter	Bennett	Halverson	Pugh
Barton	Bullen		

* * *

S.B. No. 178, UTAH COMMUNITY REDEVELOPMENT LAW AMENDMENTS, was read the second time.

Mr. President: February 9, 1981

The State and Local Affairs Committee, to which was referred **S.B. No. 178,** UTAH COMMUNITY REDEVELOPMENT LAW AMENDMENTS, by Senator Haven J. Barlow, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 18; Nays, 1; Absent, 10

Voting in the affirmative were: Senators

Barlow	Christensen	Matheson	Sowards
Barton	Cornaby	Peterson, C.	Swan
Black	Farley	Peterson, L.	Mr. President (Ferry)
Bullen	Jeffs	Sandberg	
Bunnell	Jones	Snow	

Voting in the negative was: Senator Kimball

Absent and not voting were: Senators

Asay	Carling	Halverson	Pugh
Bangerter	Finlinson	Money	Wayment
Bennett	Flamm		

S.B. No. 180, HOUSING AUTHORITY ACT AMENDMENTS, was read the second time.

Mr. President: February 9, 1981

The State and Local Affairs Committee, to which was referred **S.B. No. 180,** HOUSING AUTHORITY ACT AMENDMENTS, by Senator Haven J. Barlow, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted. Senator Farley proposed on Page 2, Line 2 after *"at."* insert *"or"* and delete *". or below"*. On motion of Senator Snow the bill will remain as Unfinished Business.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 27, 1981

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **Second Substitute H.B. No. 23,** MUNICIPAL GOVERNMENT AMENDMENTS, by Representative Harrison, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.B. No. 18,** UTILITIES RATE STRUCTURE, by Representative Harrison, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.B. No. 70,** ATTORNEY DISCIPLINARY PROCEEDINGS, by Representative Smith, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, **Substitute S.B. No. 5,** SCHOOL BUILDINGS AND CODE WAIVERS, by Senator Asay, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

Second Sub. H.B. No. 23, H.B. Nos. 18 and **70** were signed by the President in open session of the Senate and returned to the House for further action and

Sub S.B. No. 5 was signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

Mr. President: February 27, 1981

I am directed to inform the Senate that the House of Representatives has this day passed on the Consent Calendar, **H.J.R. No. 38,** J. McKINNON SMITH RESOLUTION, by Representative Selleneit, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed on the Consent Calendar **H.B. No. 236,** PHYSICAL THERAPIST — PROFESSIONAL CORPORATION, by Representative Anderson, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed on the Consent Calendar **H.B. No. 212,** MUNICIPAL BOND ELECTIONS, by Representative Farnsworth, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.J.R. No. 38, H.B. No. 236 and **212** were read the first time and referred to Rules Committee.

Mr. President: February 27, 1981

I am directed to inform the Senate that the House of Representatives has this day refused to concur in the Senate amendments to **H.B. No. 148,** DENTAL HYGIENIST AMENDMENTS, by Representative Considine, et al, and requests the Senate to recede from its amendments.

Allan M. Acomb, Chief Clerk

On motion of Senator Kimball, the Senate voted to refuse to recede from its amendments. President Ferry appointed a Conference Committee comprised of Senators Cornaby, Kimball and Wayment.

Mr. President: Feburary 27, 1981

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.B. No. 262,** FILLING VACANCIES IN ELECTED OFFICES, by Representative Farnsworth, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

H.B. No. 262 was signed by the President in open session of the Senate and returned to the House for further action.

On motion of Senator Snow, the circle was removed from **H.B. No. 329**, FAIR CONSTRUCTION BIDDING PROCEDURE, and further it was referred to the Business, Labor and Economic Development Committee.

On motion of Senator Money, the circle was removed from **S.B. No. 200**, MOTOR FUEL MARKETING, as a Special Order and it was placed at the top of Second Reading Calendar.

S.B. No. 134, FINANCIAL INSTITUTION ACT — 1981, was rescheduled as a Special Order of Business at 9:30 a.m. Monday, March 2, 1981.

On motion of Senator Snow, and at 4:00 p.m., the Senate adjourned until 9:00 a.m., Monday, March 2, 1981.

FIFTIETH DAY

MORNING SESSION

The Senate was called to order at 9:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present.

Prayer — Reverend France Davis, Pastor, Calvary Baptist Church.

COMMITTEE TO READ AND REVISE THE JOURNAL

Mr. President: March 2, 1981

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

Charles E. Bennett, Sr., Committee Member

Committee report read and adopted.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATION FROM THE GOVERNOR

Dear President Ferry: February 27, 1981

This is to inform you that on February 27, 1981, Governor Scott M. Matheson did sign into law the following bill, which has been forwarded to the Lt. Governor's Office for filing.

S.C.R. No. 4 ACORD RESOLUTION

Tina Falvo, Administrative Aide

Communication filed.

COMMUNICATIONS FROM THE HOUSE

Dear President Ferry: February 27, 1981

This is to inform you that on February 19, 1981, Governor Matheson did sign into law the following bills, which have been forwarded to the Lt. Governor's Office for filing.

H.C.R. No. 2	HOSTAGE RETURN RESOLUTION
H.B. No. 7	LABEL GUARANTEES PROVISIONS
H.B. No. 24	RETURN OF ATTORNEY'S FEES AMOUNTS
H.B. No. 28	RECORDS OF LEGAL ACTIONS

H.B. No. 36	INSTRUMENT RECORDATION REQUISITE
H.B. No. 42	COUNTY REFERENDUM AND INITIATIVE
H.B. No. 45	MILK AND CREAM ASSESSMENT
H.B. No. 53	SMALL CLAIMS COURT HOURS
H.B. No. 55	COLLECTOR ROADS SYSTEM DESIGNATIONS
H.B. No. 56	STATE HIGHWAYS DESIGNATIONS
H.B. No. 47	RIGHTS OF DEAF AND BLIND PERSONS
H.B. No. 66	COAL MINING AND RECLAMATION ACT AMENDMENTS

Allan M. Acomb, Chief Clerk

Communication filed.

* * *

Mr. President: February 27, 1981

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 11,** OFF DUTY POLICE OFFICERS, by Senator Carling, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 40,** DIVISION OF FAMILY SERVICES FEES, by Senator Cornaby, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **Substitute S.B. No. 146,** MOTOR VEHICLE SAFETY AMENDMENTS, by Senator Black, et al, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. Nos. 11, 40 and **Sub. S.B. No. 146** were signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

* * *

Mr. President: February 27, 1981

I am directed to inform the Senate that the House of Representatives has this day refused to recede from its amendments to **S.B. No. 72,** WEIGHING OF MOTOR VEHICLES, by Senator Pugh, and has appointed a Conference Committee consisting of Representatives Pace, Richards and Johnson, to act with a like Committee from the Senate on this bill.

Allan M. Acomb, Chief Clerk

President Ferry appointed a Conference Committee comprised of Senator Pugh, Bangerter and Money.

* * *

Mr. President: February 27, 1981

I am directed to inform the Senate that the House of Representatives has this day refused to recede from its amendments to **S.B. No. 107,** REAL ESTATE LICENSE AMENDMENTS, by Senator Barlow, and has appointed a Conference Committee consisting of Representatives Dahl, Harmer, and Smith to act with a like committee from the Senate on this bill.

Allan M. Acomb, Chief Clerk

President Ferry appointed a Conference Committee comprised of Senators Barlow, Christensen and Bunnell.

* * *

On motion of Senator Snow, **S.B. No. 180,** HOUSING AUTHORITY ACT AMENDMENTS, was circled as Unfinished Business.

THIRD READING CALENDAR

On motion of Senator Snow, **S.J.R. No. 1** and **S.J.R. No. 2** and **S.B. No. 178** were circled on Third Reading Calendar.

CONSENT CALENDAR

H.B. No. 155, INTEREST ON PERSONAL PROPERTY TAXES, was read the third time and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	Kimball	Sowards
Bangerter	Christensen	Matheson	Swan
Barlow	Cornaby	Money	Wayment
Barton	Farley	Peterson, C.	Mr. President (Ferry)
Bennett	Flamm	Peterson, L.	
Bullen	Jeffs	Sandberg	
Bunnell	Jones	Snow	

Absent and not voting were: Senators

Black	Finlinson	Halverson	Pugh

H.B. No. 155 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

H.B. No. 110, VOLUNTEER WORKERS IN THE DEPARTMENT OF NATURAL RESOURCES, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jones	Snow
Bangerter	Christensen	Kimball	Sowards
Barlow	Cornaby	Matheson	Swan
Barton	Farley	Money	Wayment
Bennett	Finlinson	Peterson, C.	Mr. President (Ferry)
Bullen	Halverson	Pugh	
Bunnell	Jeffs	Sandberg	

Absent and not voting were: Senators

Black	Flamm	Peterson, L.

H.B. No. 110 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

S.B. No. 248, FORECLOSURE OF TRUST DEEDS, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jones	Snow
Bangerter	Christensen	Kimball	Sowards
Barlow	Cornaby	Matheson	Swan
Barton	Farley	Money	Wayment
Bennett	Finlinson	Peterson, C.	Mr. President (Ferry)
Bullen	Halverson	Pugh	
Bunnell	Jeffs	Sandberg	

Absent and not voting were: Senators

Black	Flamm	Peterson, L.

S.B. No. 248 was transmitted to the House.

* * *

H.B. No. 118, CITY ORDINANCE AMOUNT INCREASE, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Kimball	Snow
Bangerter	Christensen	Matheson	Sowards
Barlow	Farley	Money	Swan

Barton	Finlinson	Peterson, C.	Wayment
Bennett	Halverson	Peterson, L.	Mr. President (Ferry)
Bullen	Jeffs	Pugh	
Bunnell	Jones	Sandberg	

Absent and not voting were: Senators

Black	Cornaby	Flamm

H.B. No. 118 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

S.B. No. 254, PROCUREMENT CODE AMENDMENTS, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Sandberg
Bangerter	Carling	Jones	Snow
Barlow	Christensen	Matheson	Sowards
Barton	Farley	Money	Swan
Bennett	Finlinson	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Black	Flamm	Kimball	Pugh
Cornaby			

S.B. No. 254 was transmitted to the House.

* * *

S.C.R. No. 6, TOXICANTS FOR PREDATOR CONTROL RESEARCH, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	Jones	Snow
Bangerter	Christensen	Kimball	Sowards
Barlow	Cornaby	Matheson	Swan
Barton	Farley	Money	Wayment
Bennett	Finlinson	Peterson, C.	Mr. President (Ferry)
Bullen	Halverson	Peterson, L.	
Bunnell	Jeffs	Sandberg	

Absent and not voting were: Senators

Black	Flamm	Pugh

S.C.R. No. 6 was transmitted to the House.

* * *

S.B. No. 211, ENERGY SAVING SYSTEM TAX CREDIT AMENDMENTS, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Sandberg
Bangerter	Carling	Jones	Snow
Barlow	Christensen	Matheson	Sowards
Barton	Cornaby	Money	Swan
Bennett	Farley	Peterson, C.	Wayment
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Black	Halverson	Kimball	Pugh
Finlinson			

S.B. No. 211 was transmitted to the House.

SECOND READING CALENDAR

S.B. No. 134, FINANCIAL INSTITUTIONS ACT OF 1981, was read the second time and before the Senate as a Special Order of Business at 9:30 a.m.

Mr. President: February 18, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 134,** FINANCIAL INSTITUTIONS ACT OF 1981, by Senator Kay S. Cornaby, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 24:
After *"7,"* insert *"AND SECTION 78-12-34,"*

Page 1, Line 29:
After *"Title 7,"* insert *"and Section 78-12-34,"*

Page 21, Line 6:
After "," insert *"and"*

Page 32, Line 18:
Delete *"fees"* and insert in lieu thereof *"fee"*

Page 35, Line 22:
After *"chapter 16"* delete the semicolon and insert *", except that such persons and*

institutions shall not be subject to the jurisdiction, supervision and examination of the department, except as provided in chapter 16"

Page 35, Line 29:
After *"(e)"* insert *"(i)"*

Page 35, Line 30:
After ";" insert *"and"*

Page 35, Line 31:
Delete *"f"* and insert in lieu thereof *"(ii)"*

Page 35, Line 32:
After ";" insert *"and"*

Page 35, Line 33:
Delete *"(g)"* and insert in lieu thereof *"(iii)"*

Page 36, Line 5:
Delete *"(h)"* and insert in lieu thereof *"(f)"*

Page 36, Line 10:
Delete *"(i)"* and insert in lieu thereof *"(g)"*

Page 36, Line 21:
Delete *"(10(h), (10(i),"*

Page 36, Line 30:
After "." insert *"Subsidiaries of bank holding companies and savings and loan holding companies subject to federal jurisdiction shall be deemed wholly regulated under subsection 7-1-502 (1)(b)."*

Page 37, after Line 6: Insert:

"(3) The jurisdiction of the department over those persons or institutions described in section 7-1-501(9)(f) shall be limited to the transaction account aspect of such business as provided in subsection 7-1-616(8). Section 7-1-501(9)(f) shall not be construed to authorize the department to supervise or regulate by setting interest rates or otherwise, the operation of money market mutual funds or similar investments which are subject to supervision and regulation by another department or agency of this state or of the United States.

(4) Nothing in this title may be construed to give the department jurisdiction over accounts in which the customer has the right to make drafts payable to the customer so long as the customer is not permitted to effect third party payments from the account."

Page 40, Line 19:
After *"commissioner."* insert *"However, issuers of seller credit cards as defined in section 70B-1-301(16) shall not be subject to the provisions of this chapter by virtue of their issuance of those cards."*

Page 50, Line 22:
Delete *"affect"* and insert in lieu thereof *"effect"*

Page 51, Line 16:
After *"may"* insert *"then"*

Page 53, Line 23:
After *"words"* delete *"savings"* and insert in lieu thereof *"saving"*

Page 53, Line 26:
Delete *"institutions"* and insert in lieu thereof *"institution"*

Page 55:
Delete Lines 22 through 29 and insert in lieu thereof the following:

"(C) A depository institution with its designated principal place of business outside this state if:

(i) The laws of the United States expressly authorize a federally chartered depository institution of that class having its principal office in this state to establish an office in the state, territory, or foreign country in which the depository institution has its principal place of business; and

(ii) The laws of the state, territory, or foreign country in which the depository institution has its principal place of business, expressly authorize a depository institution of the same class organized under the laws of the State of Utah to establish or maintain an office to conduct a depository institution business in that other state, territory, or foreign country; and"

Page 56:
Delete Lines 30 through 34

Page 57:
Delete Lines 1 through 18

Page 57, Line 19:
Delete *"(4)"* and insert in lieu thereof *"(3)"*

Page 61, Line 3:
Delete *"employement"* and insert in lieu thereof *"employment"*

Page 62, Line 33:
After *"from"* insert *"the"*

Page 62, Line 34:
After *"insolvency"* insert *"of"*

Page 63, Line 5:
After *"(1)"* insert *"Except bank holding companies and savings and loan holding companies subject to federal regulation and with their principal place of business of this state,"*

Page 63, Line 34:
Delete *"No"* and insert in lieu thereof *"no"*

Page 65, Line 27:
Delete *"commission"* and insert in lieu thereof *"commissioner"*

Page 70, Line 3:
Delete *"may"* and insert in lieu thereof *"shall"*

Page 70, Line 17:
After *"matter"* delete the period and insert *"and shall issue such order as it finds appropriate in the circumstances."*

Page 85, Line 20:
After *"laws"* delete *"of"*

Page 90, Line 32:
Before *"may"* delete *"branch"* and insert in lieu thereof *"bank"*

Page 92, Line 26:
After *"amount"* delete the period and insert *"or an amount equal to its capital."*

Page 97, Line 9:
Before *"equal"* delete *"the"*

Page 100, Line 17:
Delete *"of San Francisco"*

Page 105, Line 5:
Delete *"chapter 6"* and insert in lieu thereof *"chapters 6 or 10"*

Page 105, Line 5:
After *"Title 16"* insert *"from"*

Page 109, Line 17:
Delete *"No"* and insert in lieu thereof *"Unless expressly permitted in the trust instrument, no"*

Page 110, Line 20:
After *"request."* insert *"An examination of the federal reserve bank or the federal deposit insurance corporation made during the same period may be substituted for this audit."*

Page 189, Line 2:
Delete *"members'"* and insert in lieu thereof *"member's"*

Page 190, Line 6:
After *"issued"* delete *"an"* and insert in lieu thereof *"and"*

Page 190, Line 7:
Delete *"certificate"* and insert in lieu thereof *"certificates"*

Page 190, Line 8:
Delete *"obligation"* and insert in lieu thereof *"obligations"*

Page 196, Line 12:
Delete *"1"* and insert in lieu thereof *"2"*

Page 200, Line 19:
Delete *"and"* and insert in lieu thereof *"or"*

Page 203, Line 3:
Delete *"or"* and insert in lieu thereof *"of"*

Page 204, Line 21:
Delete *"7-1-304(3)"* and insert in lieu thereof *"7-1-301(3)"*

Page 206, Line 14:
Delete *"corporate"*

Page 219, Line 2:
Delete *"central"* and insert in lieu thereof *"corporate"*

Page 219, Line 3:
Delete *"7-9-42"* and insert in lieu thereof *"7-9-44"*

Page 224, Line 26:
After *"majority"* insert *"vote"*

Page 238: Delete Lines 16 through 33 and insert in lieu thereof

"7-15-1. (1) Any person who makes, draws, signs or issues any check, draft, order, or other instrument upon any depository institution, whether as corporate agent or otherwise, for the purpose of obtaining from any person, firm, partnership or corporation any money, merchandise, property or other thing of value or paying for any service, wages, salary or rent, which check, draft, order, or other instrument is not honored upon presentment and is marked "refer to maker" or the account with the depository upon which the check, draft, order, or other instrument has been made or drawn, does not exist, has been closed or does not have sufficient funds or sufficient credit with such depositary for payment of the check, draft, or other instrument in full, shall be liable to the holder thereof.

(2) The holder of the check, draft, order, or other instrument which has been dishonored may give written or verbal notice thereof to the person making, drawing, signing, or issuing the check, draft, order, or other instrument and may impose a service charge not to exceed $5 in addition to any contractual agreement between the parties. Prior to filing an action based upon this section, the holder of a dishonored check, draft, order or other instrument shall give the person making, drawing, siging, or issuing the dishonored check, draft, order, or other instrument written notice of intent to file civil action, allowing the person seven days from the date on which the notice was mailed to tender payment in full, plus a service charge if imposed, for the dishonored check, draft, order, or other instrument.

(3) In a civil action the person making, drawing, signing or issuing the check, draft, order, or other instrument shall be liable to the holder of it for the amount thereon, for interest and all costs of collection, including all court costs and reasonable attorney's fees.

7-15-2 (1) "Notice" means notice given to the person making, drawing, or issuing the check, draft, order, or other instrument either in person or in writing. Such notice in writing shall be conclusively presumed to have been given when properly deposited in the United States mails, postage prepaid, by certified or registered mail, return receipt requested, and addressed to such signer at his address as it appears on the check, draft, order, or other instrument or at his last-known address.

(2) Written notice as applied in subsection 7-15-1(2) shall take the following form:

Date _____

To _____

You are hereby notified that check(s) described below issued by you has been returned to us unpaid.

Instrument date _____

Instrument number _____

Originating institution _____

Amount _____

Reason for dishonor (marked on instrument) _____

The foregoing instrument together with a service charge of $5 must be paid to the undersigned within seven days from the date of this notice in accordance with Section 7-15-1, Utah Code Annotated 1953, or appropriate civil legal action may be filed against you for the amount due and owing together with service charges, interest, court costs, and attorney fees as provided by law.

In addition, the criminal code provides in Section 76-6-505, Utah Code Annotated 1953: Any person who issues or passes a check for the payment of money, for the purpose of obtaining from any person, firm, partnership, or corporation, any money, property, or other thing of value or paying for any services, wages, salary, labor, or rent, knowing it will not be paid by the drawee and payment is refused by the drawee, is guilty of issuing a bad check. The foregoing civil action does not preclude the right to prosecute under the criminal code of the State of Utah.

(Signed) _____

Name of Holder _____

Address of Holder _____

Telephone Number _____"

Page 239:

Delete Lines 2 through 30

Arnold Christensen, Committee Chairman

Committee report, as amended, read and adopted.

COMMITTEE OF THE WHOLE

On motion of Senator Cornaby, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate were:

Mirvin D. Borthick, Commissioner of Financial Institutions
Richard A. Van Winkle, President, The Lockhart Company
LeRoy P. Taylor, Ex. V.P., American Savings and Loan
J. Michael Holt, Branch V.P., Tracy Collins Bank
Bruce Blackburn, V.P., Utah Credit Union League
Peter W. Billings, Attorney, Utah Banking Association
William G. Gibbs, Special Asst. Attorney General and Counsel to Commissioner Borthick
Bob Raven, State and Federal Association
Kenneth W. Duncan, Partner, Tremco Consultants
Glenn C. Lewis, Ex. Director, Utah Council of Small Business
Richard B. Larsen, Owner, Larsen Financial Services In.
Harold W. Dance, Pres. Harold Dance Brokerage, Logan, Utah
George A. Hunt, Legal Counsel for Avco Corporation
James B. Lee, Attorney, Parson, Behle & Latimer, "Money Market Funds"
Donald E. Farrar, Professor of Finance, U of U
Edward G. Johnson III, Pres. Fidelity Daily Income, Boston, Mass.

Senators Cornaby, Swan, Snow, Matheson, Bunnell, Jones, Farley, Halverson, Pugh, Wayment and Finlinson commented.

On motion of Senator Snow, the Committee of the Whole was dissolved. **S.B. No. 134** will remain as Unfinished Business.

On motion of Senator Snow and at 12:05 p.m., the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Miles 'Cap' Ferry presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 2, 1981

I am directed to inform the Senate that the Speaker of the House has this day appointed a Conference Committee consisting of Representatives Considine, Bishop, and Saunders to act with a like Committee from the Senate to consider or amend **H.B. No. 148,** DENTAL HYGIENIST AMENDMENTS, by Representative Considine, et al.

Allan M. Acomb, Chief Clerk

Communication filed.

JOINT CONFERENCE COMMITTEE REPORT

Mr. Speaker and Mr. President: February 27, 1981

Your Conference Committee, consisting of Senators Richard J. Carling, Fred W. Finlinson, and Eldon A. Money, and Representatives Charles L. Doane, Olene S. Walker, and Jeff Fox, to which was referred **Second Substitute H.B. No. 126,** RESIDENTIAL FACILITY ZONING LIMITATION, by Representative Doane, begs leave to report as follows:

Accept all House Amendments and all Senate Amendments except as follows:

Page 1, Line 24:
Reinstate the word *"exclusively"* and delete the word *"predominantly"*

Page 1, Line 30:
Reinstate the word *"exclusively"* and delete the word *"predominantly"*

Page 10, Line 32:
Reinstate the words *"one family"* and delete the words *"two families"*

Page 2, Line 16:
Reinstate the word *"exclusively"* and delete the word *"predominantly"*

Page 3, Line 21:
Reinstate the word *"exclusively"* and delete the word *"predominantly"*

Page 3, Line 27:
Reinstate the word *"exclusively"* and delete the word *"predominantly"*

Page 3, Line 29:
Reinstate the words *"one family"* and delete the words *"two families"*

Page 4, Line 10:
Reinstate the word *"exclusively"* and delete the word *"predominantly"*

Richard J. Carling, Chairman, Senate Committee

Charles L. Doane, Chairman, House Committee

On motion of Senator Finlinson, the Senate voted to accept the Joint Conference Committee report, and the bill passed on the following roll call:

Yeas, 21; Nays, 3; Absent, 5

Voting in the affirmative were: Senators

Asay	Bunnell	Matheson	Sowards
Barlow	Farley	Money	Swan
Barton	Finlinson	Peterson, C.	Mr. President (Ferry)
Bennett	Flamm	Pugh	
Black	Jones	Sandberg	
Bullen	Kimball	Snow	

Voting in the negative were: Senators

Carling	Cornaby	Peterson, L.

Absent and not voting were: Senators

Bangerter	Halverson	Jeffs	Wayment
Christensen			

Second Sub. H.B. No. 126 was returned to the House.

* * *

Mr. President: March 2, 1981

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 102,** RENTERS' DEPOSITS, by Senator Barton, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 128,** OWNER-TENANT REMEDIES, by Senator Barlow, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 138,** SIGNAL LIGHTS — VOLUNTEER FIREMEN, by Senator Bangerter, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 167,** NEGLECT OR DELINQUENCY OF CHILDREN, by Senator Wayment, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.B. No. 192,** MOVING FARM MACHINERY, by Representative J. White, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed on the Consent Calendar, **S.B. No. 199,** UTAH STATE RETIREMENT ACT MODIFICATIONS, by Senator Flamm, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. Nos. 102, 128, 138, 167, and **199** were signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

H.B. No. 192 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

Mr. President: February 27, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 141,** CONSUMER RELATED LOAN AMENDMENTS, by Senator Barlow, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. No. 141 was signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

* * *

Mr. President: February 27, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 183,** PUBLIC INTOXICATION TREATMENT ACT, by Representative LeFevre, and the same is transmitted herewith for Senate consideration, and

Mr. President: March 2, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 194,** LOCAL SALES TAX FOR MINIMUM SCHOOL PROGRAM, by Representative Pace, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 10,** YEAR OF DISABLED PERSONS RESOLUTION, by Representative Brandt, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. Nos. 183, 194 and **H.C.R. No. 10** were read the first time and referred to Rules Committee.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

H.B. No. 5	AUDIT OF PUBLIC TRANSIT DISTRICTS (Transportation and Public Safety)
H.B. No. 21	FUEL CONSERVATION SPEED LIMIT (Transportation and Public Safety)
S.B. No. 203	PROVO-JORDAN RIVER STATE PARKWAY (Energy and Natural Resources)
S.B. No. 205	STATE LANDS TRUST INVESTMENTS (Energy and Natural Resources)
S.B. No. 258	HAZARDOUS WASTE FACILITY SITING ACT (Energy and Natural Resources)
S.B. No. 278	HAZARDOUS WASTE FACILITIES MANAGEMENT ACT (Energy and Natural Resources)
S.B. No. 145	UTAH COMMUNITY FINANCE ACT (State and Local Affairs)
S.B. No. 233	RETIREMENT PROGRAMS FOR PERSONNEL OF HIGHER EDUCATION INSTITUTIONS (State and Local Affairs)
H.B. No. 138	SUPPORTIVE PERSONNEL FOR PHARMACISTS (Social Services)
H.B. No. 157	(Sub.) INSURANCE CODE RECODIFICATION (Business, Labor and Economic Development)
H.B. No. 158	(Sub.) INSURANCE INDUSTRY-REGULATORY FEES (Business, Labor and Economic Development)

H.B. Nos. 5 and **21, S.B. Nos. 203, 205, 258, 278, 145** and**233** and **H.B. Nos. 138, 157** and **158** were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President: February 27, 1981

The State and Local Affairs Committee, to which was referred **S.B. No. 282,** JUNKYARD CONTROL ACT AMENDMENTS, by Senator Jack M. Bangerter, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar, and

Mr. President: March 2, 1981

The State and Local Affairs Committee, to which was referred **S.B. No. 290,** SPECIAL SERVICE DISTRICT ACT AMENDMENTS, by Senator Ivan M. Matheson, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The State and Local Affairs Committee, to which was referred **S.B. No. 294,** WATER AND SEWAGE DISTRICT FEE DELINQUENCIES, by Senator Fred W. Finlinson, has carefully considered the fill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The State and Local Affairs Committee, to which was referred **H.B. No. 353,** GOVERNMENTAL IMMUNITY FOR CLINICAL CARE STUDENTS, by Representative G. LaMont Richards, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted and **S.B. Nos. 282, 290, 294** and **H.B. No. 353** were read the second time and placed on Consent Calendar.

* * *

Mr. President: March 2, 1981

The Business, Labor and Economic Development Committee, to which was referred **H.B. No. 191,** MECHANIC'S LIENS — ITEMS COVERED, by Representative G. LaMont Richards et al, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Arnold Christensen, Committee Chairman

Committee report read and adopted and **H.B. No. 191** was read the second time and placed on Consent Calendar.

* * *

On motion of Senator Black, the Senate voted to lift **S.B. No. 224,** MOTOR VEHICLE SAFETY RESPONSIBILITY, from Transportation and Public Safety Committee, and strike its enacting clause. **S.B. No. 224** is filed.

SECOND READING CALENDAR

On motion of Senator Snow, the Senate voted to lift **S.B. No. 303,** TAX CREDIT FOR HOMEOWNERS AND RENTERS REPEAL, and **S.B. No. 169,** COUNCIL ON SCIENCE AND TECHNOLOGY, to the top of Second Reading Calendar.

* * *

S.B. No. 134, FINANCIAL INSTITUTIONS ACT OF 1981, was before the Senate as Unfinished Business.

COMMITTEE OF THE WHOLE

On motion of Senator Snow, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate were:

Mirvin D. Borthick, Commissioner of Financial Institutions,
William G. Gibbs, Special Asst. Attorney General and Counsel to Commissioner Borthick
Peter W. Billings, Attorney, Utah Banking Assoc.

Senators Finlinson, Kimball, Flamm, Swan and Bunnell commented.

On motion of Senator Snow, the Committee of the Whole was dissolved. **S.B. No. 134** will remain as Unifinished Business.

RULES COMMITTEE REPORTS

Mr. President: March 2, 1981

Your Rules Committee, to which were referred:

H.B. No. 183	PUBLIC INTOXICATION TREATMENT ACT (Social Services)
H.B. No. 194	LOCAL SALES TAX FOR MINIMUM SCHOOL PROGRAM (Public Education)
H.B. No. 198	EXCESS APPROPRIATION EXPENDITURES (State and Local Affairs)
H.B. No. 212	MUNICIPAL BOND ELECTIONS (State and Local Affairs)
H.B. No. 236	PHYSICAL THERAPIST – PROFESSIONAL CORPORATION (Business, Labor and Economic Development)

reports the same back and recommends that they be assigned to the committees indicated, and asks that:

H.J.R. No. 38	J. McKINNON SMITH RESOLUTION

under suspension of the rules, be placed on Second Reading Calendar, and

Your Rules Committee, to which were referred:

S.B. No. 269	PRENATAL DIAGNOSIS FUNDING (Social Services)
S.B. No. 270	URANIUM TAILINGS RESTRICTIONS (Energy and Natural Resources)
S.B. No. 283	UTAH DRAM SHOP ACT (Judiciary)
S.B. No. 287	UTAH CHILDREN IN HOUSING (Social Services)

reports the same back with a few minor changes assented to by the authors and recommends that they be printed and assigned to the committees indicated.

Ronald T. Halverson, Committee Chairman

Committee reports read and adopted.

INTRODUCTION OF BILL

On motion of Senator Sowards, and under suspension of the rules, the Senate voted to allow introduction of the following bill:

FUEL COST INCREASE—PUBLIC UTILITY RATES

S.B. No. 304 Glade M. Sowards

AN ACT RELATING TO RATES, FARES, TOLLS, RENTALS, AND CHARGES OF COMMON MOTOR CARRIERS; REQUIRING COMPLIANCE WITH CERTAIN PROCEDURES IN ORDER TO EFFECT ANY INCREASE TO COMPENSATE FOR INCREASED FUEL COSTS. THIS ACT AMENDS SECTION 54-7-12, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 188, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

* * *

On motion of Senator Snow, the circles were removed from **S.B. No. 180, S.J.R. Nos. 1** and and **S.B. No. 178**.

* * *

Senator Snow advised that prior to adjournment tomorrow evening, all bills and resolutions on Second Reading Calendar will be lifted from the calendar and returned to Rules (Sifting) Committee. Bills and Resolutions in Standing Committees will be 'sifted' in committee.

On motion of Senator Snow, and at 4:00 p.m., the Senate ajourned until 9:00 a.m. Tuesday, March 3, 1981.

FIFTY-FIRST DAY

MORNING SESSION

The Senate was called to order at 9:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present.

Prayer — Reverend — Doctor Horace McMullan, Executive Director, Dayspring Program, Westminster College

On motion of Senator Farley the prayer is to be printed in the Senate Journal.

Almighty God,

You have given us a good land and noble dreams; wealth and power are ours and so also are freedom and justice. You have called us to social responsibility in one, and faithfulness in the other. As a people we have proved recreant to your will and purpose.

Forgive us, Lord, for setting national pride above global peace and for thinking that security is purchased by military might. Forgive us for denying fullness of opportunity to minorities and to women and for valuing profits above the needs of the poor. Forgive us for the denial of human rights here and abroad and for our ravenous consumption of resources — while most of the world goes hungry. Forgive us for a social order that breeds crime and oppresses the lowly with violence and injustice.

As we gather here today, grant that we might be sensitive to the deep needs of this state and of our country. Grant us enthusiasm for what is honest and healthy. Enable us to meet our commitment to the welfare of our children and our children's children. Guide and empower us, O'Lord, as we labor for the common good. Teach us, Good Lord, to serve thee as thou deservest. Teach us to give and not to count the cost and to fight and not to keep the wound. Teach us to toil and not to seek for rest and to labor and not ask for any reward, save that of knowing that we do thy will.

AMEN.

COMMITTEE TO READ AND REVISE THE JOURNAL

Mr. President: March 3, 1981

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

Charles E. Bennett, Sr., Committee Member

Committee report read and adopted.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 2, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 5,** SHELDON RISER BREWSTER RESOLUTION, by ALL Members of the House, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.C.R. No. 5 was read the first time. On motion of Senator Snow, and under suspension of the rules, the resolution was read the second and third time. Senator Pugh commented and the resolution passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Sandberg
Bangerter	Christensen	Matheson	Snow
Barlow	Cornaby	Money	Sowards
Barton	Farley	Peterson, C.	Mr. President (Ferry)
Bennett	Flamm	Peterson, L.	
Bullen	Jeffs	Pugh	

Absent and not voting were: Senators

Black	Finlinson	Peterson, L.	Wayment
Carling	Halverson	Swan	

H.C.R. No. 5 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

Mr. President: March 2, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 10,** YEAR OF DISABLED PERSONS RESOLUTION, by Representative Brandt, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.C.R. No. 10 was read the first time and on motion of Senator Snow, and under suspension of the rules, read the second and third times and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Christensen	Kimball	Snow
Bangerter	Cornaby	Matheson	Sowards
Barlow	Farley	Money	Mr. President (Ferry)
Barton	Flamm	Peterson, C.	
Bennett	Jeffs	Pugh	
Bullen	Jones	Sandberg	

Absent and not voting were: Senators

Black	Carling	Halverson	Swan
Bunnell	Finlinson	Peterson, L.	Wayment

H.C.R. No. 10 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

Mr. President: March 2, 1981

I am directed to inform the Senate that the House of Representatives has this day rejected upon reconsideration, under suspension of the rules, as amended by the House and Senate, **S.B. No. 9,** PROCEDURE FOR FILLING LOCAL VACATED ELECTIVE OFFICE, by Senator Matheson, et al, and the same is returned herewith.

Allan M. Acomb, Chief Clerk

S.B. No. 9 is filed.

* * *

Mr. President: March 2, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 132,** UTAH STATE RETIREMENT OFFICE ACT AMENDMENTS, by Representative Gardner, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **Substitute H.B. No. 159,** SCHOOL BASIC TAX LEVY, by Representative McKeachnie, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 193,** BASIC LOCAL SCHOOL SALES AND USE TAX LAW, by Representative Pace, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, as amended, **Substitue H.B. No. 195,** REPEAL OF LOCAL OPTIONAL SALES TAX, by Representative Pace, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 263,** YOUTH CORRECTION AGENCY, by Representative Stratford, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 203,** ASSUMPTION OF REAL ESTATE SECURITY INTERESTS, by Representative Pace, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as substituted by the House, **Substitute H.B. No. 319,** COUNTY PAYMENT-MEDICAL ASSISTANCE, by Representative Rogers, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **Substitute H.B. No. 249,** BILLINGS BY ATTORNEY GENERAL, by Representative Hillyard, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **Second Substitute H.B. No. 228,** SALES AND USE TAX DISTRIBUTION, by Representative Saunders, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 227,** REPEAL OF LOCAL OPTIONAL SALES TAX, by Representative Saunders, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 117,** JUVENILE COURT ACT AMENDMENTS, by Representative Rogers, et al, and the same is transmitted for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 169,** PRIVATE CONTRACTS BONDS, by Representative Hillyard and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 211,** LAND SALES PRACTICES ACT EXEMPTION, by Representative Harmer, Jr., and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 132, Sub. H.B. No. 159, H.B. No. 193, Sub. H.B. No. 195, H.B. Nos. 263, 203, Sub. H.B. Nos. 319 and **249, Second Sub. H.B. No. 228, H.B. No. 227** and **117, 169** and **211** were read the first time and referred to Rules Committee.

SECOND READING CALENDAR

S.B. No. 134, FINANCIAL INSTITUTION ACT OF 1981, was before the Senate as Unfinished Business. Senator Christensen's motion to circle failed on a voice vote.

On motion of Senator Cornaby, **S.B. No. 134** was amended as follows:

Page 7, Line 33:
After *"chapter 5."* insert
"(26) A "bank service corporation" is a corporation owned or controlled by one or more banks or a bank holding company which performs accounting, data processing and other bank related services for the banks which own or control such corporation or for banks owned or controlled by the holding company which owns or controls such service corporation."

Page 40, Line 19:
After *"cards."* insert *"Any person granted exemption shall, as a condition thereto, file annually thereafter with the Commissioner a copy of its certified financial statements for its current accounting year."*

Page 40, Line 24:
Delete *"on a year to year basis"*

Page 6, Line 4:
After *"in this state."* insert *": except to the extent such persons are engaged solely in making or soliciting loans to residents of this state or loans secured by property located in this State or loans secured by property located in this state or are engaged solely in the activities described in subparagraph (k) of Section 16-10-102. Any person claiming exemption from the provisions of this Title under the foregoing proviso shall file with the Commissioner on or before July 1 of each year a request for exemption to be promptly processed as provided in the regulations of the Department."*

Page 85, Line 14:
After *"in this state"* delete the period and insert *"except as provided in Chapter 1."*

Page 85, Line 26:
After *"(3)"* insert *"Except as provided in Chapter 1."*

Page 85, Line 26:
Delete *"No"* and insert *"no"*

Page 35, Line 14:
Delete entirely, and renumber the remaining sections

On motion of Senator Wayment, **S.B. No. 134** was amended as follows:

Page 6, Line 4:
Change the period to a comma and insert *"but excluding institutions engaged solely in those activities which do not constitute doing business as defined in section 16-10-102."*

Page 25, Line 8:
After *"business"* insert *"of depository institutions"*

Page 36, Line 20:
After *"subsections"* insert *"(1), (3),"* after *"(8)"* insert *"(9),"*

Page 36, Line 25:
After the semicolon insert *"and"*

Page 36, Line 30:
After the period insert *"Bank holding companies and savings and loan holding companies and their respective subsidiaries subject to federal agency jurisdiction shall be deemed wholly regulated under subsection 7-1-502 (1) (b)."*

Page 53, Line 14:
Delete the period and insert in lieu thereof *"provided, that the foregoing limitation shall not preclude a bank holding company or a non-banking subsidiary of a bank holding company from using either the words "bank," "banker," or "banking" in the name of such company or subsidiary alone or in combination with other words, if such word is also part of the name of the holding company or used for its group of subsidiaries."*

Page 53, Line 15:
After *"association,"* insert *"or a national bank with one or more of such words as part of its corporate name"*

Page 63, Line 5:
After *"(1)"* insert *"Except bank holding companies and savings and loan holding companies subject to federal regulation,"* and delete *"No"* and insert *"no"*

Page 85, Line 33:
After *"unless"* insert *"permitted by federal statute or by regulation, rule, order, or administrative interpretation of the Federal Reserve Board or other applicable federal agency;"* and delete *"specifically authorized by federal statue;"*

COMMITTEE OF THE WHOLE

On motion of Senator Finlinson, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

Donald O'Connor, V.P. Operations, Investment Company Institute, Wash., D.C.

On motion of Senator Finlinson, the Committee of the Whole was dissolved.

On motion of Senator Flamm, **S.B. No. 134** was amended as follows:

Page 240:
After Line 1 insert

"Section 15. Nothing in this act shall be construed to prevent Money Market Funds from making arrangements with banks to honor two party checks, drafts, or other instruments.

The commissioner shall exert his influence to discourage banks, Money Market Funds and other programs in Utah and throughout the United States from paying interest to two persons at the same time on funds in the process of transfer.

The process or any similar process to the practice referred to as pyramiding shall be prohibited within this state and persons found guilty of these schemes shall be found guilty of a Class C misdemeanor. This shall not preclude more serious punishment under federal law.

Money Market Funds, similar funds and bank regulated institutions shall cooperate with the commissioner to stop these practices."

Page 240, Line 2:
After *"Section"* delete *"15"* and insert *"16"*

Senator Finlinson distributed a substitute bill and moved that it replace the original bill. The Senate on a voice vote, refused to adopt the substitute bill.

Senator Carling proposed the following amendments:

"7-1-104 [new]

This title shall not apply to:

(i) investment companies registered under the Investment Company act of 1940;

(ii) securities brokers and dealers registered pursuant to the Utah Uniform Securities Act or the federal Securities Exchange Act of 1934;

(iii) depository or other institutions performing transaction account services in connection with the purchase and redemption of investment company shares;

(iv) insurance companies selling interests in an investment company or "separate account" and subject to regulation by the Utah Insurance Commission;

(v) All parents and affiliates of the foregoing.

Provided, however, that any such institution, organization or person shall not be exempt from this title if, within this State, it holds itself out to the public as receiving money on deposit from residents of this State, whether evidenced by a certificate, promissory note or otherwise."

Senator Carling's Explanation of above Amendment

This amendment would take out of proposed Bill 134 the power of the Department of Financial Institutions to regulate money market mutual funds. They are now heavily regulated by the Utah Securities Commissioner under the Utah Uniform Securities Act and the Securities and Exchange Commission under the Investment Company Act of 1940, the Securities Exchange Act of 1934 and the Securities Act of 1933.

Securities broker-dealers, which are also heavily regulated by the same state and federal agencies, will be taken out.

Activities of banks in aiding in the purchase and redemption of customers' money market fund shares, including third party payments will also be taken out.

Insurance companies which are already regulated by the Insurance Commissioner will be excluded from the bill.

It is important to note that with this amendment any of these bodies would still be regulated by the Banking Commissioner if it held itself out as accepting deposits from residents of the state. This guarantees that the Department of Financial Institutions will maintain its traditional role of regulating depository institutions, but would not extend its jurisdiction to other business activities, already highly regulated, which do not involve the accepting of deposits.

Senator Carling's proposed amendments failed on the following roll call:

Yeas, 11; Nays, 15; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Carling	Finlinson	Sandberg
Barton	Christensen	Halverson	Mr. President (Ferry)
Bennett	Farley	Peterson, C.	

Voting in the negative were: Senators

Barlow	Cornaby	Kimball	Pugh
Black	Flamm	Matheson	Sowards
Bullen	Jeffs	Money	Swan
Bunnell	Jones	Peterson, L.	

Absent and not voting were: Senators

Asay	Snow	Wayment

On motion of Senator Finlinson, **S.B. No. 134** as amended as follows:

Page 10, Line 9:
After *"shall"* delete remainder of line and all of Line 10 and insert in lieu thereof *"be subject to chapter 4 of title 52, except for discussion of confidential information pertaining to a particular financial institution."*

Page 10, Line 27:
Delete *"This budget shall include"*

Page 10, Lines 28, 29, 30, 31, 32 and 33:
Delete entirely

Page 15, Lines 17:
Delete *"examiners, assistants, and other"*

Page 72, Lines 29 and 30:
Delete *"Class C misdemeanor"* and insert in lieu thereof *"third degree felony"*

Senators Cornaby, Swan, Wayment, Flamm, Finlinson, Bunnell, Halverson, Kimball, Farley, C. Peterson, Carling, Christensen, Money, Barlow, Pugh, Snow and Jeffs commented.

S.B. No. 134 passed second reading, as amended, on the following roll call:

Yeas, 22; Nays, 6; Absent, 1

Voting in the affirmative were: Senators

Bangerter (expln.)	Cornaby	Matheson (expln.)	Sowards (expln.)
Barlow	Flamm	Money	Swan (expln.)
Barton	Halverson	Peterson, L.	Wayment
Black (expln.)	Jeffs (expln.)	Pugh (expln.)	Mr. President (Ferry)
Bullen (expln.)	Jones	Sandberg (expln.)	
Bunnell (expln.)	Kimball (expln.)	Snow (expln.)	

Voting in the negative were: Senators

Bennett	Christensen	Farley	Peterson, C.
Carling (expln.)	Finlinson (expln.)		

Absent and not voting was: Senator
Asay

* * *

On motion of Senator Snow, and at 12:20 p.m., the Senate recessed until 2:00 p.m.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

S.B. No. 191	ADMINISTRATIVE SERVICES ACT (State and Local Affairs)
S.B. No. 246	SCHOOL BUILDING REVOLVING ACCOUNT (Public Education)
S.B. No. 255	SCHOOL LUNCH FUNDING (Public Education)
S.B. No. 164	HEARING AID COMMITTEE (Revenue and Taxation)
S.B. No. 238	REVENUE STABILIZATION RESERVE FUND (Revenue and Taxation)

H.B. No. 116	FOURTH AMENDMENT ENFORCEMENT ACT — 1981 (Judiciary)
H.B. No. 171	EXECUTION BY INJECTION (Judiciary)
H.B. No. 172	PUBLIC TRANSPORTATION LIMITATIONS (Transportation and Public Safety)
H.B. No. 164	REASONABLE FAIR CASH VALUE COMPONENTS (Revenue and Taxation)

S.B. Nos. 246, 255, 164 and **238** and **H.B. Nos. 116, 171, 172** and **164** were placed on Second Reading Calendar.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Miles 'Cap' Ferry presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 3, 1981

I am directed to inform the Senate that the House of Representatives has this day adopted the Joint Conference Committee Report as of February 27, 1981, and passed **Second Substitute H.B. No. 126,** RESIDENTIAL FACILITY ZONING LIMITATION, by Representative Doane, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

Second Substitute H.B. No. 126 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

Mr. President: March 2, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 144,** PUBLIC SAFETY RETIREMENT BENEFITS, by Senator Carling, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. No. 144 was signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

* * *

Mr. President: March 3, 1981

I am directed to inform the Senate that the House has recalled from Legal Services **S.B. No.**

39, STATE LANDS AMENDMENTS, by Senator Finlinson, et al, for purposes of correcting an amendment and the same is transmitted herewith for your reconsideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Finlinson, the Senate voted to concur in the House amendments and the bill passed on reconsideration and on the following roll call.

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Carling	Jeffs	Sandberg
Barlow	Christensen	Jones	Snow
Barton	Cornaby	Kimball	Sowards
Bennett	Farley	Matheson	Swan
Black	Finlinson	Money	Wayment
Bullen	Flamm	Peterson, C.	Mr. President (Ferry)
Bunnell	Halverson	Peterson, L.	

Absent and not voting were: Senators

Asay Pugh

S.B. No. 39 was transmitted to the House.

* * *

Mr. President: March 3, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 226**, INSURANCE PREMIUM TAXES, by Representative U. Knowlton, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 65**, JUDICIAL SALARIES, by Representative Selleneit, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 46**, MINED LAND RECLAMATION RESOLUTION, by Representative Dmitrich, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 392**, CRIMINAL POSSESSION OF RENTED OR LEASED PROPERTY, by Representative Brockbank, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. Nos. 226, 65, H.J.R. No. 46 and **H.B. No. 392** were read the first time and referred to rules committee.

STANDING COMMITTEE REPORT

Mr. President: March 3, 1981

The Transportation and Public Safety Committee, to which was referred **H.B. No. 149,** TOWING RECREATION VEHICLES, by Representative Tom Christensen, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

E. Verl Asay, Committee Chairman

Committee report read and adopted. **H.B. No. 149** was read the second time and placed on Consent Calendar.

* * *

Mr. President: March 2, 1981

The Judiciary Committee, to which was referred **S.B. No. 276,** SEXUAL EXPLOITATION OF MINORS, by Senator Sherman A. Wayment, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

A. Dean Jeffs, Committee Chairman

Committee report read and adopted. **S.B. No. 276** was read the second time and placed on Consent Calendar.

* * *

Mr. President: March 2, 1981

The Judiciary Committee, to which was referred **H.B. No. 64,** EXEMPTION FROM EXECUTION, by Representative Orval C. Harrison, has carefully considered the bill and reports it out of committee with the following amendments and asks that it be placed on the Consent Calendar.

Page 3, line 5:
Delete *"$10,000"* and insert in lieu thereof *"$8,000"*

Page 3, Line 6:
Delete *"$5,000"* and insert in lieu thereof *"$2,000"*

Page 3, Line 7:
Delte *"$1,000"* and insert in lieu thereof *"$500"*

Page 2, Line 10:
After *"INDIVIDUAL,"* delete *"OR"* and insert in lieu thereof *"and"* and after *"THE" insert "grandchild or the"*, and

The Judiciary Committee, to which was referred **Substitute H.B. No. 112,** LIBRARY THEFT, by Representative Rob W. Bishop, has carefully considered the bill and reports it out of committee favorably with the following amendments and asks that it be placed on the Consent Calendar.

Page 1, Line 19:
After *"use"* insert *"and to deprive the owner thereof"*

Page 2,
Delete Section 4 and Section 5 on lines 7 and 27 and renumber remaining section, and

The Judiciary Committee to which was referred **H.B. No. 137,** SUBSEQUENT PROSECUTION ALLOWANCES, by Representative G. LaMont Richards et al, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

A. Dean Jeffs, Committee Chairman

Committee report, as amended, read and adopted. **H.B. No. 64** and **137** were read the second time and placed on Consent Calendar.

SECOND READING CALENDAR

S.B. No. 180, HOUSING AUTHORITY ACT AMENDMENTS was before the Senate as Unfinished Business and passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Asay	Bullen	Jones	Pugh
Bangerter	Carling	Kimball	Snow
Barlow	Christensen	Matheson	Sowards
Barton	Finlinson	Money	Swan
Bennett	Flamm	Peterson, C.	Wayment
Black	Halverson	Peterson, L.	Mr. President (Ferry)

Voting in the negative was: Senator
Farley

Absent and not voting were: Senators

Bunnell	Cornaby	Jeffs	Sandberg

THIRD READING CALENDAR

S.J.R. No. 1, TAX ARTICLE REVISION, was read the third time. Senators Sowards, Flamm and Matheson commented.

On motion of Senator Flamm **S.J.R. No. 1** was amended as follows:

Page 6, Line 27:
After *"Legislature,"* delete remainder of line.

Page 6, Line 28:
Delete entire line.

Page 6, Line 29:
Delete *"corporation, but"*

Page 6, Line 30:
Delete *"thereof, respectively,"* and insert in lieu thereof *"of any county, city, town, or other municipal corporation"*

Page 6, Line 31:
After *"corporation"* insert *"and may, by law, provide financial assistance to such corporations from any available revenue source for any purpose"*

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

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Pugh
Bangerter	Carling	Jones	Sandberg
Barlow	Christensen	Kimball	Snow
Barton	Cornaby	Matheson	Sowards
Bennett	Farley	Money	Swan
Black	Finlinson	Peterson, C.	Wayment
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)

Absent and not voting was: Senator Halverson

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

* * *

Senator Barton's motion to reconsider previous senate action on **S.B. No. 61**, PUBLIC OFFICIAL'S SALARY INCREASE, failed on a voice vote (the bill failed third reading on January 20, 1981)

* * *

S.J.R. No. 2, SCHOOL PROGRAM SUPPORT LIMITATION, was read the third time and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Bangerter	Carling	Jeffs	Pugh
Barlow	Christensen	Jones	Sandberg
Barton	Cornaby	Kimball	Snow

Bennett	Farley	Matheson	Sowards
Black	Finlinson	Money	Swan
Bullen	Flamm	Peterson, C.	Wayment
Bunnell	Halverson	Peterson, L.	Mr. President (Ferry)

Absent and not voting was: Senator
Asay

S.J.R. No. 2 was transmitted to the House.

* * *

S.B. No. 178, UTAH COMMUNITY RE-DEVELOPMENT LAW AMENDMENTS, was read the third time and passed on the following roll call.

Yeas, 26; Nays, 1; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Kimball	Snow
Bangerter	Christensen	Matheson	Sowards
Barlow	Cornaby	Money	Swan
Barton	Finlinson	Peterson, C.	Wayment
Bennett	Flamm	Peterson, L.	Mr. President (Ferry)
Black	Halverson	Pugh	
Bullen	Jeffs	Sandberg	

Voting in the negative was: Senator
Farley

Absent and not voting were: Senators
Bunnell Jones

S.B. No. 178 was transmitted to the House.

* * *

Mr. President: March 3, 1981

I am directed to inform the Senate that the House of Representatives has this day voted to recall **Substitute S.B. No. 3,** CONTRACEPTION ABORTION SERVICES, by Senator Snow, for purposes of reconsideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, **Sub. S.B. No. 3** was returned to the House for reconsideration.

OVERRIDE OF GOVERNOR MATHESON'S VETO

(H.B. No. 1, REPEAL OF PREVAILING WAGE RATE)

Mr. President: March 3, 1981

I am directed to inform the Senate that on the 2nd day of March, the Governor did veto **H.B. No. 1**, REPEAL OF PREVAILING WAGE RATES, BY Representative Haddow, et al, and the House of Representatives, upon reconsideration of **H.B. No. 1**, by a vote of 50 ayes, 24 nays, 1 absent, overrode the Governor's veto, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, the Senate voted to override Governor Matheson's veto as the bill is reconsidered and passed on the following roll call:

Yeas, 21; Nays, 7; Absent, 1

Voting in the affirmative were: Senators

Asay	Cornaby	Matheson	Sowards
Bangerter	Finlinson	Peterson, C.	Wayment
Barlow	Flamm	Peterson, L.	Mr. President (Ferry)
Bullen	Halverson (expln.)	Pugh	
Carling	Jeffs	Sandberg (expln.)	
Christensen	Jones	Snow	

Voting in the negative were: Senators

Barton (expln.)	Black	Farley	Swan
Bennett (expln.)	Bunnell	Kimball	

Absent and not voting was: Senator
Money

H.B. No. 1, on reconsideration, was returned to the House.

SECOND READING CALENDAR

S.B. No. 303, TAX CREDIT FOR HOMEOWNERS AND RENTERS REPEAL, was read the second time and on motion of Senator Snow, and under suspension of the rules, read the third time and passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Asay (expln.)	Christensen	Kimball	Snow
Bangerter	Farley	Matheson	Sowards
Barlow	Finlinson	Money	Swan
Black	Flamm	Peterson, C.	Mr. President (Ferry)
Bullen	Halverson	Peterson, L.	

Bunnell	Jeffs	Pugh
Carling	Jones	Sandberg

Voting in the negative was: Senator
Bennett

Absent and not voting were: Senators

Barton	Cornaby	Wayment

S.B. No. 303 was transmitted to the House.

* * *

On motion of Senator Snow, **H.J.R. No. 12,** DISABLED VETERAN'S EXEMPTION, was placed on Second Reading Table.

* * *

S.B. No. 169, COUNCIL ON SCIENCE AND TECHNOLOGY, was read the second time and onmotionof Senator Sowards, and under suspension of the rules, read the third time.

Mr. President: February 11, 1981

The Energy and Natural Resources Committee, to which was referred **S.B. No. 169,** COUNCIL ON SCIENCE AND TECHNOLOGY, by Senator Glade M. Sowards, as carefully considered the bill and reports it out of committee with a favorable recommendation.

Fred W. Finlinson, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Pugh
Barlow	Carling	Jones	Sandberg
Barton	Christensen	Kimball	Snow
Bennett	Farley	Matheson	Sowards
Black	Finlinson	Money	Swan
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Bangerter	Flamm	Peterson, C.	Wayment
Cornaby			

S.B. No. 169 was transmitted to the House.

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S.B. No. 200, MOTOR FUEL MARKETING, was read the second time.

Mr. President: February 10, 1981

The Agriculture Committee, to which was referred **S.B. No. 200,** MOTOR FUEL MARKETING, by Senator Eldon A. Money, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted and on motion of Senator Money, the bill was circled.

* * *

Senator Swan's motion to lift **H.B. No. 32,** FAIR GASOLINE PRICING ACT, for consideration with **S.B. No. 200,** failed.

* * *

S.B. No. 165, RACKETEERING ENTERPRISE ACT, was read the second time. Senators Jeffs and Barton commented.

Mr. President: February 10, 1981

The Judiciary Committee, to which was referred **S.B. No. 165,** RACKETEERING ENTERPRISE ACT, by Senator A. Dean Jeffs, has carefully considered the bill and reports it out of committee with a favorable recommendation.

A. Dean Jeffs, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Christensen	Matheson	Sowards
Bangerter	Farley	Money	Swan
Barlow	Finlinson	Peterson, C.	Wayment
Barton	Flamm	Peterson, L.	Mr. President (Ferry)
Bennett	Halverson	Pugh	
Bullen	Jeffs	Sandberg	
Carling	Jones	Snow	

Absent and not voting were: Senators

Black	Bunnell	Cornaby	Kimball

* * *

S.B. No. 172, SKIING COLLISION DUTIES, was read the second time. Senators Carling and Swan commented.

Mr. President: February 10, 1981

The Judiciary Committee, to which was referred **S.B. No. 172,** SKIING COLLISION

DUTIES, by Senator Richard J. Carling, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

A. Dean Jeffs, Committee Chairman

Committee report read and adopted and on motion of Senator Carling, and under suspension of the rules, read the third time and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Pugh
Bangerter	Carling	Jones	Sandberg
Barlow	Christensen	Kimball	Snow
Barton	Farley	Matheson	Sowards
Bennett	Finlinson	Money	Swan
Black	Flamm	Peterson, C. (expln.)	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)

Absent and not voting was: Senator
Cornaby

S.B. No. 172 was transmitted to the House.

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S.B. No. 94, NATUROPATHIC LICENSING AND REGULATION, was read the second time.

Mr. President: February 11, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 94,** NATUROPATHIC LICENSING AND REGULATION, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee favorably and with the following amendment:

Page 1, Line 26:
Delete *"two years"* and insert in lieu thereof *"six months"*

Arnold Christensen, Committee Chairman

Committee report, as amended, read and adopted. Senator Black proposed an amendment which failed. The bill passed on the following roll call:

Yeas, 24; Nays, 2; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Pugh
Bangerter	Carling	Jeffs	Snow
Barlow	Christensen	Kimball	Sowards
Barton	Farley	Matheson	Swan

Black	Finlinson	Peterson, C.	Wayment
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Bennett	Money	

Absent and not voting were: Senators

Cornaby	Jones	Sandberg

* * *

S.B. No. 155, STANDARD STATE BUILDING CODES, was read the second time. Senator Christensen, Black, Matheson, Bunnell and Wayment commented.

Mr. President: February 9, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 155,** STANDARD STATE BUILDING CODES, by Senator Arnold Christensen, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted. On motion of Senator Christensen, the Senate voted to adopt **Substitute S.B. No. 155.**

On motion of Senator Matheson, **Sub. S.B. No. 155** was amended as follows:

Page 4, Line 15:
After *"Section 8."* delete remainder of line

Pages 16 and 17:
Delete entirely

On motion of Senator Christensen, **Sub. S.B. No. 155** was circled.

* * *

S.B. No. 131, CHIROPRACTIC PRACTICE, was read the second time.

Mr. President: February 11, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 131,** CHIROPRACTIC PRACTICE, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted and on motion of Senator Cornaby, the bill was circled.

* * *

S.B. No. 175, INSURANCE GUARANTY ASSOCIATION AMENDMENTS, was read the second time.

Mr. President: February 11, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 175,** INSURANCE GUARANTY ASSOCIATION AMENDMENTS, by Senator Bryce C. Flamm, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted.

On motion of Senator Flamm, **S.B. No. 175** was amended as follows:

Page 10, Line 33:
Add a new Section 7 as follows:
"Section 7. Section 31-40-5, Utah Code Annotated 1953, as enacted by Chapter 68, Laws of Utah 1971, is amended to read:

31-40-5. As used in this act:

(1) The word "account" means any one of the three accounts created by section 31-40-6.

(2) The word "association" means the insurance guaranty association created under section 31-40-6.

(3) The word "commissioner" means the commissioner of insurance of this state.

(4) The words "covered claim" mean an unpaid claim excluding unearned premiums, which arises out of and is within the coverage and not in excess of the applicable limits of an insurance policy to which this act applies issued by an insurer, if such insurer becomes an insolvent insurer after the effective date of this act and (a) the claimant or insured is a resident of this state at the time of the insured event; or, (b) the property from which the claim arises is permanently located in this state. "Covered claim" shall not include: (a) any amount due any reinsurer, insurer, insurance pool, or underwriting association, as subrogation recoveries or otherwise; and (b) supplementary payment obligation, including but not limited to adjustment fees and expenses, attorneys' fees and expenses, court costs, interest and bond premiums, prior to the appointment of a liquidator.

(5) The words "insolvent insurer" mean an insurer (a) licensed *to transact insurance in this state either at the time the policy was issued or when the insured even occurred, and (b) determined to be insolvent by a court of competent jurisdiction.*

(6) The words "member insurer" mean any person who (a) writes any kind of insurance to which this act applies under section 31-40-3, including the exchange of reciprocal or inter-insurance contracts, and (b) is licensed to transact insurance in this state, except assessable mutual companies.

(7) The words "net direct written premiums" mean direct gross premiums written in this state on insurance policies to which this act applies, less return premiums thereon and dividends paid or credited to policyholders on such direct

business. "Net direct written premiums" does not include premiums on contracts between insurers or reinsurers.

(8) The word "person" means any individual, corporation, partnership, association or voluntary organization."

S.B. No. 175 passed on the following roll call:

Yeas, 19; Nays, 1; Absent, 9

Voting in the affirmative were: Senators

Bangerter	Cornaby	Matheson	Snow
Bennett	Finlinson	Money	Sowards
Bullen	Flamm	Peterson, C.	Wayment
Carling	Halverson	Peterson, L.	Mr. President (Ferry)
Christensen	Kimball	Sandberg	

Voting in the negative was: Senator
Jeffs

Absent and not voting were: Senators

Asay	Black	Farley	Pugh
Barlow	Bunnell	Jones	Swan
Barton			

* * *

S.B. No. 125, MEDICAL PROBLEM REFLECTION, was read the second time.

Mr. President: February 11, 1981

The Social Services Committee, to which was referred **S.B. No. 125,** MEDICAL PROBLEM REFLECTION, by Senator William T. "Bill" Barton has carefully considered the bill and reports it out favorably with the recommendation that the original bill be deleted in body and title and that **Substitute S.B. No. 125** replace the original bill.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted and **Substitute S.B. No. 125** replaced the original bill. On motion of Senator Snow, the bill was circled.

* * *

S.B. No. 168, AUTO DEATHS-MEDICAL EXAMINER, was read the second time and on motion of Senator Farley, and under suspension of the rules was read the third time.

Mr. President: February 11, 1981

The Social Services Committee, to which was referred **S.B. No. 168,** AUTO DEATHS-MEDICAL EXAMINER, by Senator Frances Farley, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted. Harry L. Gibbons, M.D., explained the bill in Committee of the Whole. **S.B. No. 168** passed on the following roll call:

Yeas, 20; Nays, 2; Absent, 7

Voting in the affirmative were: Senators

Asay	Cornaby	Jeffs	Sandberg
Bangerter	Farley	Kimball	Snow
Bennett	Finlinson	Matheson	Sowards
Bullen	Flamm	Peterson, C.	Wayment
Christensen	Halverson	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Black	Money

Absent and not voting were: Senators

Barlow	Bunnell	Jones	Swan
Barton	Carling	Pugh	

S.B. No. 168 was transmitted to the House.

* * *

S.B. No. 124, WINTER RECREATION PARKING, was read the second time and on motion of Senator Farley, and under suspension of the rules, read the third time. Senators Farley, Finlinson and L. Peterson commented.

Mr. President: February 11, 1981

The Energy and Natural Resources Committee, to which was referred **S.B. No. 124,** WINTER RECREATION PARKING, by Senator Frances Farley, et al, has carefully considered the bill and reports it out of committee without recommendation.

Fred W. Finlinson, Committee Chairman

Committee report read and adopted. On motion of Senator Farley, **S.B. No. 124** was amended as follows:

Page 2, Line 5:
After *"regulations"* insert *"and penalties"*

Page 2, Lines 24 and 25:
Delete entirely

On motion of Senator Finlinson, **S.B. No. 124** was amended as follows:

Page 2, after Line 25:
"Section 8. Winter recreational parking perits shall be issued to the owner(s) of a currently registered snowmobile(s) pursuant to section 41-22-3, in a manner prescribed by the board."

S.B. No. 124 passed on the following roll call:

Yeas, 19; Nay, 2; Absent, 8

Voting in the affirmative were: Senators

Asay	Christensen	Jeffs	Sandberg
Bangerter	Cornaby	Kimball	Snow
Bennett	Farley	Matheson	Sowards
Black	Finlinson	Peterson, C.	Mr. President (Ferry)
Bullen	Flamm	Peterson, L.	

Voting in the negative were: Senators

Money	Wayment

Absent and not voting were: Senators

Barlow	Bunnell	Halverson	Pugh
Barton	Carling	Jones	Swan

S.B. No. 124 was transmitted to the House.

* * *

S.B. No. 139, STATE NATURAL RESOURCES AND ENERGY FUNCTIONS REORGANIZATION, was read the second time. Senators Sowards and Matheson commented.

Mr. President: February 11, 1981

The Energy and Natural Resources Committee, to which was referred **S.B. No. 139,** STATE NATURAL RESOURCES AND ENERGY FUNCTIONS REORGANIZATION, by Senator Glade M. Sowards, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Fred W. Finlinson, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Christensen	Halverson	Peterson, L.
Bennett	Cornaby	Jeffs	Sandberg
Black	Farley	Matheson	Snow
Bullen	Finlinson	Money	Sowards
Carling	Flamm	Peterson, C.	Mr. President (Ferry)

Absent and not voting were: Senators

Bangerter	Bunnell	Kimball	Swan
Barlow	Jones	Pugh	Wayment
Barton			

RULES COMMITTEE REPORT

Mr. President: March 3, 1981

Your Rules Committee, to which were referred:

H.B. No. 132	UTAH STATE RETIREMENT OFFICE ACT AMENDMENTS (State and Local Affairs)
H.B. No. 117	JUVENILE COURT ACT AMENDMENTS (Judiciary)
H.B. No. 169	PRIVATE CONTRACTS BONDS (Judiciary)
H.B. No. 203	(**Sub.**) ASSUMPTION OF REAL ESTATE SECURITY INTERESTS (Business, Labor and Economic Development)
H.B. No. 211	LAND SALES PRACTICE ACT EXEMPTION (Business, Labor and Economic Development)
H.B. No. 249	(**Sub.**) BILLINGS BY ATTORNEY GENERAL (Judiciary)
H.B. No. 263	YOUTH CORRECTION AGENCY (Social Services)
H.B. No. 319	(**Sub.**) COUNTY PAYMENT — MEDICAL ASSISTANCE (Social Services)
H.B. No. 159	(**Sub.**) SCHOOL BASIC TAX LEVY (Revenue and Taxation)
H.B. No. 193	BASIC LOCAL SCHOOL SALES AND USE TAX LAW (Revenue and Taxation)
H.B. No. 195	(**Sub.**) REPEAL OF LOCAL OPTIONAL SALES TAX (Revenue and Taxation)
H.B. No. 227	REPEAL OF LOCAL OPTIONAL SALES TAX (Revenue and Taxation)
H.B. No. 228	(**Second Sub.**) SALES AND USE TAX DISTRIBUTION (Revenue and Taxation)

reports the same back and recommends that they be assigned to the committees indicated. It also asks that

H.B. No. 194 LOCAL SALES TAX FOR MINIMUM SCHOOL PROGRAM

assigned March 2, Public Education, be reassigned to Revenue and Taxation.

Ronald T. Halverson, Committee Chairman

Committee reports read and adopted.

* * *

On motion of Senator Snow, **S.B. Nos. 98, 222, 223** and **191** were placed beneath the circled bills **S.B. No. 200, 155, 131** and **125**.

* * *

On motion of Senator Snow, the circles were removed from **S.B. Nos. 200, 155, 131** and **125**.

* * *

Senator Snow, having advised the Senate that all bills and resolutions on Second Reading Calendar would be returned to Rules (Sifting) Committee as the Senate adjourns this day, now stated that the bills and resolutions would remain on the calendar tomorrow and be returned to Rules (Sifting) Committee as the Senate adjourns tomorrow.

On motion of Senator Snow, and at 5:00 p.m., the Senate adjourned until 9:00 a.m., Wednesday, March 4, 1981.

Pg. 724

FIFTY-SECOND DAY

MORNING SESSION

The Senate was called to order at 9:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present except Senator Wayment, (excused).

Prayer — Father Gerald Merrill, Our Lady of Guadalaupe Parish

COMMITTEE TO READ AND REVISE THE JOURNAL

Mr. President: March 4, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATION FROM THE GOVERNOR

VETO — S.B. No. 78, Motion Picture Films as Inventory.

Dear President Ferry: March 3, 1981

I am returning **S.B. No. 78,** MOTION PICTURE FILMS AS INVENTORY, disapproved for reasons of constitutionality. A copy of the Attorney General's opinion is attached.

Scott M. Matheson, Governor, State of Utah

* * *

Dear Governor Matheson: March 3, 1981

Pursuant to your request, we have reviewed **S.B. No. 78** for constitutionality.

S.B. 78 presents a constitutional problem. Article XIII, Section 2, of the Utah Constitution provides that all tangible property shall be taxed in proportion to its value, except for a number of exemptions that are enumerated in the section. one of these exemptions reads as follows:

> . . . tangible personal property present in Utah on Janaury 1, m., held for *sale* in the ordinary course of business and which constitutes the inventory of any retailer, or wholesaler or manufacturer or farmer, or livestock raiser may be deemed for purposes of ad valorem property taxation to be exempted. . . . (emphasis added.)

Section 2 is implemented by Section 59-2-25, U.C.A. 1953, which defines "inventory." **S.B. 78** amends Section 59-2-25 by adding the sentence: "Inventory" includes motion picture films and video tapes held for *rent, distribution* or sale. Thus, the question is, do the words "rent" and "distribution" go beyond the constitutional provision that personal property held for "sale" may be deemed exempt from ad valorem taxation?

Exemptions from taxation provided for in a Constitution are to be strictly construed. The rule was stated by the Utah Supreme Court in *State v. Salt Lake County*, 85 P.2d 851, as follows:

> The presumption is that all exemptions intended to be granted were granted in express terms. In such cases the rule of strict construction applies, and, in order to relieve any species of property from its due and just proportion of the burdens of the government, the language relied on as creating the exemption should be so clear as not to admit of reasonable controversy about its meaning, for all doubts must be resolved against the exemption.

In *Salt Lake City v. Tax Comm'n, Ex Rel. Good Shephard*, 548 P.2d 630, the Utah Supreme Court held that a parsonage which was used by the pastor of the church, and which was used for some church functions, could not be classified as being "used exclusively for... religious worship" within the meaning of the exempting provision of the State Constitution, and thus was subject to ad valorem taxation by the county. In so holding, the court said:

> Counsel invites our attention to the provisions of Section 59-2-30 and 31, U.C.A. 1953, which seem to expand exemption spelled out in the Constitution above referred to by adding "incidental to and reasonably necessary for the accomplishment of such religious worship or charitable purposes." It is beyond the constitutional powers of the legislature to amend or to modify the provisions of the Constitution. It appears to us that the problem here involved is one of interpretation rather than implementation.

It is my opinion that **S.B. 78** is unconstitutional in that it amends and enlarges the exemption in Article XIII, Section 2, of the Constitution. Property held in the inventory of a business for "rent" is held for an entirely different transaction than property held for "sale" and would greatly enlarge the constitutional exemption which is clearly limited to property "held for sale in the ordinary course of business."

A further constitutional question raised by **S.B. 78** is whether it violates the equal protection of the law provisions of Utah and United States Constitutions in that on the face of it there appears to be no rational or justifiable basis for exempting motion picture films and video tapes held for rent from ad valorem taxation and not exempting the inventory held for rent of others similarly situated. I don't think that we can say that **S.B. 78** is clearly unconstitutional on this ground because there may be some plausible arguments that could be made to the effect that there is a rational basis for exempting this particular type of property, but the bill does present a constitutional problem on this point.

H. Wright Volker, Assistant Attorney General

Communication filed. The Senate did not move to overrule Governor Matheson's veto.

S.B. No. 78 is filed.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 3, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 207,** MUNICIPAL FISCAL PROCEDURES, by Representative Brockbank, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 287,** COUNTY FISCAL PROCEDURES, by Representative Brockbank, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 269,** SPECIAL TAXING DISTRICT LEVIES, by Representative Brockbank, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. Nos. 305, 207, 287 and **269** were read the first time and referred to rules committee.

THIRD READING CALENDAR

On motion of Senator Snow, **S.B. No. 134,** FINANCIAL INSTITUTION OF UTAH — 1981, was read the third time and circled.

* * *

S.B. No. 180, HOUSING AUTHORITY ACT AMENDMENTS, was read the third time and passed on the following roll call:

Yeas, 17; Nays, 1; Absent, 11

Voting in the affirmative were: Senators

Asay	Bullen	Matheson	Swan
Barlow	Christensen	Money	Mr. President (Ferry)
Barton	Cornaby	Peterson, C.	
Bennett	Jeffs	Snow	
Black	Jones	Sowards	

Voting in the negative was: Senator
Farley

Absent and not voting were: Senators

Bangerter	Finlinson	Kimball	Sandberg
Bunnell	Flamm	Peterson, L.	Wayment
Carling	Halverson	Pugh	

S.B. No. 180 was transmitted to the House.

* * *

S.B. No. 165, RACKETEERING ENTERPRISES ACT, was read the third time and passed on the following roll call.

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Pugh
Barlow	Carling	Jones	Snow
Barton	Christensen	Matheson	Sowards
Bennett	Cornaby	Money	Swan
Black	Farley	Peterson, C.	Mr. President (Ferry)
Bullen	Flamm	Peterson, L.	

Absent and not voting were: Senators

Bangerter	Halverson	Sandberg	Wayment
Finlinson	Kimball		

S.B. No. 165 was transmitted to the House.

* * *

S.B. No. 94, NATUROPATHIC LICENSING AND REGULATION, was read the third time and passed on the following roll call:

Yeas, 20; Nays, 2; Absent, 7

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Pugh
Barlow	Carling	Kimball	Sandberg
Barton	Christensen	Matheson	Snow
Black	Farley	Peterson, C.	Sowards
Bullen	Jeffs	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Bennett	Money

Absent and not voting were: Senators

Bangerter	Finlinson	Halverson	Wayment
Cornaby	Flamm	Swan	

S.B. No. 94 was transmitted to the House.

* * *

S.B. No. 175, INSURANCE GUARANTY ASSOCIATION AMENDMENTS, was read the third time and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Bullen	Jones	Sandberg
Bangerter	Carling	Matheson	Snow
Barlow	Christensen	Money	Sowards
Barton	Farley	Peterson, C.	Mr. President (Ferry)
Bennett	Flamm	Peterson, L.	
Black	Jeffs	Pugh	

Absent and not voting were: Senators

Bunnell	Finlinson	Kimball	Wayment
Cornaby	Halverson	Swan	

S.B. No. 175 was transmitted to the House.

* * *

S.B. No. 139, REORGANIZATION OF NATURAL RESOURCES AND ENERGY FUNCTIONS, was read the third time and passed on the following roll call.

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Carling	Matheson	Sowards
Bangerter	Christensen	Money	Swan
Barlow	Cornaby	Peterson, C.	Mr. President (Ferry)
Barton	Farley	Pugh	
Black	Jeffs	Sandberg	
Bullen	Jones	Snow	

Absent and not voting were: Senators

Bennett	Finlinson	Halverson	Peterson, L.
Bunnell	Flamm	Kimball	Wayment

S.B. No. 139 was transmitted to the House.

SECOND READING CALENDAR

S.B. No. 200, MOTOR FUEL MARKETING, was before the Senate. Senators Money, Black, Sowards, Jones, Jeffs, Bunnell, Bullen, Bangerter, Kimball, Swan and Finlinson commented.

On motion of Senator Money **S.B. No. 200** was amended as follows:

Page 2, Line 24:
following *"gasoline"* insert *", diesel fuel, gasohol and all other fuels of a type designated for use as a motor fuel"*

Page 2, following Line 31:
insert *"Section 3. All refiners engaged in commerce in this state are required to establish and publicly post their "transfer prices" on all grades of motor fuel transferred or sold to itself or an affiliate for resale in this state at another marketing level of distribution. Transfer prices shall be available at all wholesale and retain outlets at which such motor fuel is to be resold."*

Page 2, Line 32:
following *"Section"* delete *"3"* and insert *4*

Page 3, following Line 3:
insert *"Section 5. It is unlawful for a refiner engaged in commerce in this state to sell or transfer motor fuel to itself or an affiliate for resale in this state at another marketing level of distribution at a transfer price lower than the price it charges a person who purchases for resale at the same time and at the same level of distribution."*

Page 3, Line 4:
following *"Section"* delete *"4"* and insert *"6"*

Page 3, Line 25:
following *"Section"* delete *"5"* and insert *"7"*

Page 4, Line 19:
following *"Section"* delete *"6"* and insert *"8"*

Page 4, Line 26:
following *"Section"* delete *"7"* and insert *"9"*

Page 4, Line 31:
following *"The"* insert *"price or"* and following *"each"* delete *"petroleum product"* and insert *"grade of motor fuel"*

Page 4, Line 32:
following *"of"* delete *"operation"* and insert *"distribution"*

S.B. No. 200 passed on the following roll call.

Yeas, 19; Nays, 5; Absent, 5

Voting in the affirmative were: Senators

Barlow	Cornaby	Kimball	Sandberg
Bennett	Farley	Matheson	Sowards
Bullen (expl.)	Halverson	Money	Swan
Carling	Jeffs	Peterson, C.	Mr. President (Ferry)
Christensen	Jones	Peterson, L.	

Voting in the negative were: Senators

Bangerter	Bunnell	Finlinson	Snow
Barton			

Absent and not voting were: Senators

Asay	Flamm	Pugh	Wayment
Black			

* * *

Sub. S.B. No. 155, STANDARD STATE BUILDING CODES, was before the Senate. Senators Christensen, Matheson, Barton, Asay and Bunnell commented.

On motion of Senator Matheson, **Sub. S.B. No. 155,** was amended as follows:

Page 4, Line 15:
After *"Section 8."* restore language

Page 4, Lines 16 and 17:
Restore language

Page 4, Line 19:
After *"approved"* insert *"within reason"*

Page 4, Line 24:
Delete the period and insert *", or to interfere with regulation of local fees."*

On motion of Senator Christensen, **Sub. S.B. No. 155** was amended as follows:

Page 1, Line 20:
After *"building"* delete the comma and insert *"construction,"*

Page 1, Line 21:
Delete *"housing"* and after *"mechanical"* delete the comma and insert *"and"* and after *"electrical,"* delete *"and"*

Page 1, Line 22:
Delete *"fire,"*

On motion of Senator Barton, **Sub. S.B. No. 155** was amended as follows:

Page 3, Line 10:
Delete *"shall"* and insert in lieu thereof *"may"*

Sub. S.B. No. 155 passed on the following roll call:

Yeas, 17; Nays, 7; Absent, 5

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Sowards
Bangerter	Christensen	Matheson	Mr. President (Ferry)

Barlow	Cornaby	Money	
Barton	Halverson	Peterson, C.	
Bullen	Jeffs	Peterson, L.	

Voting in the negative were: Senators

Bennett	Farley	Pugh	Swan
Carling	Kimball	Snow	

Absent and not voting were: Senators

Black	Flamm	Sandberg	Wayment
Finlinson			

* * *

On motion of Senator Snow, **S.B. No. 131,** CHIROPRACTIC PRACTICE, was circled.

* * *

Sub. S.B. No. 125, MEDICAL PROBLEM REFLECTION, was before the Senate and on motion of Senator Barton, and under suspension of the rules, read the third time and passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Asay	Bullen	Jones	Peterson, L.
Bangerter	Christensen	Kimball	Sandberg
Barlow	Finlinson	Matheson	Snow
Barton	Flamm	Money	Mr. President (Ferry)
Bennett	Jeffs	Peterson, C.	

Absent and not voting were: Senators

Black	Cornaby	Pugh	Swan
Bunnell	Farley	Sowards	Wayment
Carling	Halverson		

Sub. S.B. No. 125 was transmitted to the House.

* * *

S.B. No. 98, HIGHWAY REVENUE AMENDMENTS, was read the second time. Senators Sowards, Christensen, Jones, Matheson, Black, Bunnell, Pugh, Swan and Bangerter commented.

Mr. President: February 20, 1981

The Transportation and Public Safety Committee, to which was referred **S.B. No. 98,** HIGHWAY REVENUE AMENDMENTS, by Senator Glade M. Sowards, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted.

On motion of Senator Jones, **S.B. No. 98** was amended as follows:

Page 4, Line 16:
Delete *"twelve"* and insert in lieu thereof *"eleven"*

Page 4, Line 17:
Delete *"and thirteen cents per gallon as of July 1, 1982."*

Page 9, Line 6:
Delete *"twelve"* and insert in lieu thereof *"eleven"*

Page 9, Line 7:
Delete *"and thirteen cents as of July 1, 1982."*

S.B. No. 98 passed on the following roll call:

Yeas, 18; Nays, 8; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Finlinson	Money	Sowards
Barlow	Flamm (expln.)	Peterson, L.	Swan
Black	Halverson	Pugh	Mr. President (Ferry)
Bunnell	Jeffs	Sandberg	
Christensen	Jones	Snow (expln.)	

Voting in the negative were: Senators

Bennett	Carling	Farley (expln.)	Matheson
Bullen	Cornaby	Kimball	Peterson, C. (expln.)

Absent and not voting were: Senators

Asay	Barton	Wayment

* * *

S.B. No. 222, VEHICLE REGISTRATION FEE INCREASE, was read the second time. Senator Cary Peterson is presiding.

Mr. President: February 20, 1981

The Transportation and Public Safety Committee, to which was referred **S.B. No. 222,** VEHICLE REGISTRATION FEE INCREASE, by Senator Wayne L. Sandberg, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted. John F. Tanner, Executive Director, Utah Association of Counties, spoke in Committee of the Whole.

S.B. No. 222 passed on the following roll call:

Yeas, 15; Nays, 13; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Matheson	Snow
Barlow	Finlinson	Peterson, C.	Sowards
Barton	Flamm	Pugh	Swan
Black	Jones	Sandberg	

Voting in the negative were: Senators

Bangerter	Christensen	Jeffs	Peterson, L.
Bennett	Farley	Kimball	Wayment
Bullen	Halverson	Money	Mr. President (Ferry)
Carling			

Absent and not voting was: Senator
Cornaby

* * *

S.B. No. 223, DRIVERS' LICENSE FEES, was read the second time.

Mr. President: February 11, 1981

The Transportation and Public Safety Committee, to which was referred **S.B. No. 223,** DRIVERS' LICENSE FEES, by Senator Wayne L. Sandberg, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted. Robert Parenti, Director, Highway Safety, spoke in Committee of the Whole. The bill passed on the following roll call:

Yeas, 17; Nays, 11; Absent, 1

Voting in the affirmative were: Senators

Asay	Bullen	Money	Sowards
Bangerter	Bunnell	Peterson, C.	Swan
Barlow	Finlinson	Pugh	
Barton	Jones	Sandberg	
Black	Matheson	Snow	

Voting in the negative were: Senators

Bennett	Farley	Jeffs	Wayment
Carling	Flamm	Kimball	Mr. President (Ferry)
Christensen	Halverson	Peterson, L.	

Absent and not voting was: Senator
Cornaby

* * *

S.B. No. 173, DECEPTION DETECTION EXAMINERS, was read the second time, and on motion of Senator Carling, and under suspension of the rules, read the third time.

Mr. President: February 12, 1981

The Judiciary Committee, to which was referred **S.B. No. 173,** DECEPTION DETECTION EXAMINERS, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 6, Line 5:
After *"examination"* insert *"by instrument"*

Page 6, Line 9:
After *"conducted by"* insert *"instrument by"*

A. Dean Jeffs, Committee Chairman

Committee report, as amended, read and adopted and the bill passed on the following roll call:

Yeas, 22; Nays, 3; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Christensen	Kimball	Snow
Barlow	Farley	Matheson	Sowards
Barton	Finlinson	Peterson, C.	Swan
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)
Bunnell	Halverson	Pugh	
Carling	Jeffs	Sandberg	

Voting in the negative were: Senators

Bennett	Jones	Money

Absent and not voting were: Senators

Asay	Black	Cornaby	Wayment

S.B. No. 173 was transmitted to the House.

* * *

S.B. No. 191, ADMINISTRATIVE SERVICES ACT, was read the second time.

Mr. President: February 26, 1981

The State and Local Affairs Committee, to which was referred **S.B. No. 191,** ADMINISTRATIVE SERVICES ACT, by Senator Karl N. Snow, Jr., et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Bryce C. Flamm, Committee Chairman

Committee report read and adotped and on motion of Senator Snow, the bill was circled.

* * *

S.B. No. 192, LIQUOR COMMISSION HEARING AND INVESTIGATION COSTS, was read the second time and on motion of Senator Snow, and under suspension of the rules, read the third time.

Mr. President: February 12, 1981

The Judiciary Committee, to which was referred **S.B. No. 192,** LIQUOR COMMISSION HEARING AND INVESTIGATION COSTS, by Senator A. Dean Jeffs, has carefully considered the bill and reports it out of committee with a favorable recommendation.

A. Dean Jeffs, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay (expln.)	Bunnell	Jones	Sandberg
Bangerter	Christensen	Kimball	Snow
Barlow	Farley	Matheson	Wayment
Barton	Finlinson	Money	Mr. President (Ferry)
Bennett	Flamm	Peterson, C.	
Black	Halverson	Peterson, L.	
Bullen	Jeffs	Pugh	

Absent and not voting were: Senators

Carling	Cornaby	Sowards	Swan

S.B. No. 192 was transmitted to the House.

* * *

On motion of Senator Snow, and at 12:00, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Miles 'Cap' Ferry presiding. All senators present.

COMMUNICATION FROM THE GOVERNOR

Dear President Ferry: March 3, 1981

This is to inform you that on March 3, 1981, Governor Scott M. Matheson did sign into law the following bills, which have been forwarded to the Lt. Governor's Office for filing.

S.B. No. 2	BUSINESS OPPORTUNITY DISCLOSURE DOCUMENTS
S.B. No. 13	MUNICIPAL INCORPORATION AMENDMENTS

S.B. No. 64	ADDITIONAL OPTIONAL FORM FOR COUNTY GOVERNMENT
S.B. No. 79	SALES TAXES — MOTION PICTURE FILMS
S.B. No. 87	COUNSEL FOR INDIGENT DEFENDANTS
S.B. No. 93	REPEAL OF PHARMACY PROVISIONS
S.B. No. 110	NURSE PRACTITIONERS PILOT PROJECT EXTENSION

Tina Falvo, Administrative Aide

Communication filed.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 4, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, upon consideration, as amended, **House Second Substitute S.B. No. 3**, CONTRACEPTION OR DEVICES, by Senator Snow, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, the Senate voted to concur in the House amendments and the bill passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 6

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Pugh
Bangerter	Bunnell	Jones	Snow
Barlow	Carling	Matheson	Wayment
Barton	Christensen	Money	Mr. President (Ferry)
Bennett	Cornaby	Peterson, C.	
Black	Flamm	Peterson, L.	

Voting in the negative was: Senator
Farley

Absent and not voting were: Senators

Finlinson	Kimball	Sowards	Swan
Halverson	Sandberg		

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

* * *

Mr. President: March 4, 1981

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 39**, STATE LANDS AMENDMENTS, by Senator Finlinson, et al, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. No. 39 was signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

* * *

Mr. President: March 3, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 105,** REMOVAL OF PUBLIC OFFICIALS, by Representative Selleneit, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **Substitute H.B. No. 239,** UTAH RIDESHARING ACT, by Representative Dmitrich, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 222,** RETIREMENT SYSTEM CONTRIBUTIONS, by Representative Gardner, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 354,** HIGHER EDUCATION LOANS INTEREST, by Representative Richards, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 247,** MENTAL HEALTH AMENDMENTS, by Representative B. White, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 286,** COMPULSORY ATTENDANCE AGE, by Representative Redd, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 105, Sub. H.B. No. 239, H.B. No. 222, 354, 247 and **286** were read the first time and referred to rules committee.

STANDING COMMITTEE REPORTS

Mr. President: March 3, 1981

The State and Local Affairs Committee, to which were referred **H.B. No. 163,** FIREMEN'S RETIREMENT BENEFIT OFFSET, by Representative Sherman D. Harmer, Jr., et al, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The State and Local Affairs Committee, to which was referred **H.B. No. 131,** MODIFICATION OF FIREMEN'S RETIREMENT BENEFITS, by Representative Willard H. Gardner, has

carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted. **H.B. Nos. 163** and **131** were read the second time and placed on Consent Calendar.

* * *

Mr. President: March 4, 1981

The Business, Labor and Economic Development Committee, to which was referred **H.B. No. 236,** PHYSICAL THERAPIST-PROFESSIONAL CORPORATION, by Representative Carl Anderson, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Arnold Christensen, Committee Chairman

Committee report read and adopted. **H.B. No. 236** was read the second time and placed on Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

S.B. No. 245	STANDARD VALUATION AND NONFORFEITURE LAW (Business, Labor and Economic Development)
S.B. No. 279	DEPARTMENT OF BUSINESS REGULATION FEES (Business, Labor and Economic Development
S.B. No. 268	HOSPITAL STATEMENTS OF CHARGES (Social Services)
S.B. No. 62	SPOUSE ABUSE AMENDMENTS (Social Services)
S.B. No. 273	STATE BUILDING OWNERSHIP AUTHORITY AMENDMENTS (Revenue and Taxation)
S.B. No. 232	UTAH FIRE EMPLOYEE RELATIONS ACT (State and Local Affairs)
H.B. No. 83	ABORTION RESTRICTIONS (Social Services)
H.B. No. 168	INCOME TAX RATE CHANGES (Revenue and Taxation)
H.B. No. 81	COUNTY PERSONNEL MANAGEMENT ACT (State and Local Affairs)

S.B. Nos. 245, 279, 268, 62, 273 and **232** and **H.B. Nos. 83, 168** and **81** were placed on Second Reading Calendar.

* * *

On motion of Senator Snow, the circle was removed from **S.B. No. 191**, ADMINISTRATIVE SERVICES ACT, and on motion of Senator Snow **S.B. No. 191** was amended as follows:

Page 6, After Line 9:
insert *"Institutions of higher education shall be subject to the provisions of this part only to the extent expressly authorized or required by the state board of regents pursuant to the Higher Education Act of 1969."*

Page 7, Line 7:
After *"system"* delete *", recording"* and insert *"in accordance with generally accepted accounting principles, and shall record"*

Page 10, Line 25:
After *"63-1-26."* insert *"An institution of higher education may subscribe to one or more of these services if, and to the extent that, the state board of regents on recommendation by the president of the institution determines that the performance of the service or services by the director of central services will result in substantial cost savings or increased efficiency to the institution."*

Page 14, Line 12:
After *"state government."* insert *"All policies, and related plans, standards, procedures, and regulations, promulgated by the data processing coordinator shall be consistent and harmonized with the master plans for automated data processing, including systems plans and operational and evaluative procedures embraced therein, approved by the state board of regents and the state board of education for the state system of higher educaion and the state system of public instruction, respectively."*

Page 7, Line 3:
After *"state"* insert *"by an officer or employee of the executive branch, except officers or employees of higher education."*

Page 9, Line 18:
After *"legislative"* delete *"auditor"* and insert in lieu thereof *"fiscal analyst"*

Page 12, Line 9:
After *"equitable"* insert *"and"*

S.B. No. 191 passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senator

Asay	Carling	Kimball	Snow
Bangerter	Christensen	Matheson	Sowards
Barton	Cornaby	Money	Swan
Bennett	Farley	Peterson, C.	Wayment
Black	Finlinson	Peterson, L.	Mr. President (Ferry)

Bullen	Flamm	Pugh
Bunnell	Jones	Sandberg

Absent and not voting were: Senators

Barlow	Halverson	Jeffs

* * *

S.B. No. 170, PROPERTY TAX PREPAYMENT, was read the second time. Senator Christensen is presiding. Senators Bunnell, Matheson, Finlinson, L. Peterson, Farley, C. Peterson and Pugh commented.

Mr. President: February 12, 1981

The Revenue and Taxation Committee, to which was referred **S.B. No. 170,** PROPERTY TAX PREPAYMENT, by Senator Omar B. Bunnell, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Charles W. Bullen, Committee Chairman

Committee report read and adopted.

On motion of Senator L. Peterson, **S.B. No. 170** was amended as follows:

Page 4, Line 3:
Delete "*1¢*" and insert in its place "*5¢*".

Page 5, Line 7:
After "*prepay*" insert "*, with the consent of the governing bodies of the units of local government affected,*"

On motion of Senator Pugh **S.B. No. 170** was amended as follows:

Page 2, Line 23:
Delete "*when*"

Page 2, Line 24:
delete "*begins and when*" and insert in lieu thereof "*and the normal beginning of*"

Page 2, Line 25:
change "*receipt*" to "*receipts*"

On motion of Senator Farley **S.B. No. 170** was amended as follows:

Page 5, Line 24:
after "*governor*" delete "*to be included*" and insert "*for his approval and inclusion*"

S.B. No. 170 passed on the following roll call:

Yeas, 21; Nays, 2; Absent, 5

Voting in the affirmative were: Senators

Barlow	Christensen	Jones	Pugh

Barton	Cornaby	Kimball	Sandberg
Bennett	Farley	Matheson	Swan
Bullen	Finlinson	Money	Wayment
Bunnell	Flamm	Peterson, C.	
Carling	Jeffs	Peterson, L.	

Voting in the negative were: Senators

Bangerter	Halverson

Absent and not voting were: Senators

Asay	Snow	Sowards	Mr. President (Ferry)
Black			

* * *

On motion of Senator Kimball the rules were suspended with no dissenting votes, and **S.B. No. 142,** PARKING AND IMPROVEMENT DISTRICT AMENDMENTS, was read the second and third times and placed on final passage.

Mr. President: February 11, 1981

The State and Local Affairs Committee, to which was referred **S.B. No. 142,** PARKING AND IMPROVEMENT DISTRICT AMENDMENTS, by Senator Arthur L. Kimball, has carefully considered the bill and reports the bill out with a favorable recommendation.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 15; Nays, 9; Absent, 5

Voting in the affirmative were: Senators

Barton	Bunnell	Kimball	Sandberg
Bennett	Christensen	Matheson	Sowards
Black	Farley	Money	Swan
Bullen	Flamm	Peterson, L.	

Voting in the negative were: Senators

Asay	Halverson	Jones	Pugh
Carling	Jeffs	Peterson, C.	Snow
Finlinson			

Absent and not voting were: Senators

Bangerter	Cornaby	Wayment	Mr. President (Ferry)
Barlow			

S.B. No. 142 was transmitted to the House.

* * *

On motion of Senator Swan the rules were suspended with no dissenting votes, and **S.B. No.**

204, ATHLETIC COMMISSION REORGANIZATION, was read the second and third times and placed on final passage.

Mr. President: February 11, 1981

The Transportation and Public Safety Committee, to which was referred **S.B. No. 204,** ATHLETIC COMMISSION REORGANIZATION, by Senator Karl G. Swan, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 25; Nays, 2; Absent, 2

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sowards
Barlow	Cornaby	Kimball	Swan
Barton	Farley	Money	Wayment
Bennett	Finlinson	Peterson, C.	Mr. President (Ferry)
Black	Flamm	Peterson, L.	
Bullen	Halverson	Sandberg	
Carling	Jeffs	Snow	

Voting in the negative were: Senators

Bangerter	Pugh

Absent and not voting were: Senators

Bunnell	Matheson

S.B. No. 204 was transmitted to the House.

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S.B. No. 208, LAND SALES EXEMPTION, was read the second time. Senators L. Peterson, Farley, Swan and Pugh commented.

Mr. President: February 12, 1981

The Agriculture Committee, to which was referred **S.B. No. 208,** LAND SALES EXEMPTION, by Senator Lowell S. Peterson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted.

On motion of Senator Pugh, **S.B. No. 208** was amended as follows:

Page 4, Line 2:
After *"which"* insert *"cities and counties have"* and delete *"has"*

S.B. No. 208 passed on the following roll call:

Yeas, 17; Nays, 7; Absent, 5

Voting in the affirmative were: Senators

Asay	Finlinson	Matheson	Sowards
Bangerter	Flamm	Peterson, C.	Mr. President (Ferry)
Barlow	Halverson	Peterson, L.	
Bullen	Jeffs	Pugh	
Christensen	Jones	Sandberg	

Voting in the negative were: Senators

Bennett	Bunnell	Farley	Swan
Black	Carling	Snow	

Absent and not voting were: Senators

Barton	Kimball	Money	Wayment
Cornaby			

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S.B. No. 179, WATER AND SEWER IMPROVEMENT DISTRICT AMENDMENTS, was read the second time.

Mr. President: February 13, 1981

The Energy and Natural Resources Committee, to which was referred **S.B. No. 179,** WATER AND SEWER IMPROVEMENT DISTRICT AMENDMENTS, by Senator Haven J. Barlow, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Fred W. Finlinson, Committee Chairman

Committee report read and adopted and passed on the following roll call:

Yeas, 16; Nays, 6; Absent, 7

Voting in the affirmative were: Senators

Barlow	Bullen	Flamm	Snow
Barton	Carling	Jones	Sowards
Bennett	Christensen	Peterson, L.	Swan
Black	Finlinson	Sandberg	Mr. President (Ferry)

Voting in the negative were: Senators

Farley	Kimball	Money	Peterson, C.
Halverson	Matheson		

Absent and not voting were: Senators

Asay	Bunnell	Jeffs	Wayment
Bangerter	Cornaby	Pugh	

* * *

On motion of Senator Sowards, the rules were suspended with no dissenting votes, and **S.B. No. 213,** SOLAR ENERGY UTILIZATION IN MUNICIPALITIES, was read the second and third times and placed on final passage.

Mr. President: February 13, 1981

The Energy and Natural Resources Committee, to which was referred **S.B. No. 213,** SOLAR ENERGY UTILIZATION IN MUNICIPALITIES, by Senator Glade M. Sowards, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 3, Line 4:
After *"10-9-3.6."* delete the rest of Line 4 and all of Lines 5, 6, 7, and *"renewable resources."* on Line 8.

Page 8, Line 13:
After *"17-27-11.6."* delete the rest of Line 13 and all of Lines 14, 15, 16, and *"renewable resources."* on Line 17.

Fred W. Finlinson, Committee Chairman

Committee report, as amended, read and adopted and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barlow	Christensen	Money	Swan
Barton	Farley	Peterson, C.	Wayment
Bennett	Finlinson	Peterson, L.	Mr. President (Ferry)
Black	Halverson	Sandberg	
Bullen	Jones	Snow	
Carling	Matheson	Sowards	

Absent and not voting were: Senators

Asay	Bunnell	Flamm	Kimball
Bangerter	Cornaby	Jeffs	Pugh

S.B. No. 213 was transmitted to the House.

* * *

On motion of Senator Farley, the rules were suspended with no dissenting votes, and **S.B. No. 215,** RENEWABLE ENERGY USE, was read the second and third times and placed on final passage.

Mr. President: February 13, 1981

The Energy and Natural Resources Committee, to which was referred **S.B. No. 215,** RENEWABLE ENERGY USE, by Senator Frances Farley, et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 15:
After *"conservation"* delete *"a"* and insert *"an independent"*

Page 2, Line 22:
After *"A"* insert *"life-cycle"*

Fred W. Finlinson, Committee Chairman

Committee report, as amended, read and adopted and the bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barlow	Cornaby	Jones	Snow
Barton	Farley	Matheson	Sowards
Bennett	Finlinson	Money	Swan
Black	Flamm	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)
Carling	Jeffs	Sandberg	

Absent and not voting were: Senators

Asay	Bunnell	Kimball	Pugh
Bangerter	Christensen		

S.B. No. 215 was transmitted to the House.

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S.B. No. 181, UTAH REFUNDING BOND ACT, was read the second time.

Mr. President: February 17, 1981

The Revenue and Taxation Committee, to which was referred **S.B. No. 181,** UTAH REFUNDING BOND ACT, by Senator Haven J. Barlow, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Charles W. Bullen, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Christensen	Money	Swan
Barlow	Flamm	Peterson, C.	Wayment
Barton	Halverson	Peterson, L.	Mr. President (Ferry)
Bennett	Jeffs	Sandberg	
Black	Jones	Snow	
Bullen	Matheson	Sowards	

Voting in the negative was: Senator
Farley

Absent and not voting were: Senators

Asay	Carling	Finlinson	Pugh
Bunnell	Cornaby	Kimball	

* * *

On motion of Senator Black, the circle was removed from **S.B. No. 131,** CHIROPRACTIC PRACTICE. On motion of Senator Cornaby, the Senate voted to adopt **Substitute S.B. No. 131** to replace the original bill. Senator Jones' motion to return to the original bill failed on a voice vote. Senators Cornaby, Jones, Black, Kimball, Snow, Farley and Halverson commented.

Note: The Daily Minutes reflected that the following amendment proposed by Senator "Kimball" passed: (Page 32, Line 32: Delete *"places emphasis upon"* and insert in lieu thereof *"is the practice of"*). After reviewing the recording of the proceedings, this Certified Senate Journal corrects an error and notes that the above amendment was proposed by Senator Jones and failed on a 9 yea and 10 nay standing vote.

Sub. S.B. No. 131 passed on the following roll call:

Yeas, 20; Nays, 4; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Carling	Halverson	Snow
Barlow	Christensen	Jeffs	Sowards
Bennett	Cornaby	Matheson	Swan
Black	Finlinson	Money	Wayment
Bunnell	Flamm	Peterson, C.	Mr. President (Ferry)

Voting in the negative were: Senators

Farley	Jones	Kimball	Peterson, L.

Absent and not voting were: Senators

Asay	Bullen	Pugh	Sandberg
Barton			

* * *

S.B. No. 182, GRANT ANTICIPATION NOTES, was read the second time.

Mr. President: February 17, 1981

The Revenue and Taxation Committee, to which was referred **S.B. No. 182,** GRANT ANTICIPATION NOTES, by Senator Haven J. Barlow, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Charles W. Bullen, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 17; Nays, 4; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Carling	Jeffs	Wayment
Barlow	Christensen	Peterson, L.	Mr. President (Ferry)
Barton	Finlinson	Sandberg	
Black	Flamm	Snow	
Bunnell	Halverson	Sowards	

Voting in the negative were: Senators

Farley	Jones	Matheson	Money

Absent and not voting were: Senators

Asay	Bullen	Kimball	Pugh
Bennett	Cornaby	Peterson, C.	Swan

RULES COMMITTEE REPORT

Mr. President: March 4, 1981

Your Rules Committee, to which were referred:

H.B. No. 65	JUDICIAL SALARIES (State and Local Affairs)
H.B. No. 226	INSURANCE PREMIUM TAXES (Business, Labor and Economic Development)
H.B. No. 392	CRIMINAL POSSESSION OF RENTED OR LEASED PROPERTY (Judiciary)
H.B. No. 207	MUNICIPAL FISCAL PROCEDURES (State and Local Affairs)
H.B. No. 269	SPECIAL TAXING DISTRICT LEVIES (State and Local Affairs)
H.B. No. 287	COUNTY FISCAL PROCEDURES (State and Local Affairs)
H.B. No. 105	REMOVAL OF PUBLIC OFFICIALS (State and Local Affairs)
H.B. No. 222	RETIREMENT SYSTEM CONTRIBUTIONS (State and Local Affairs)
H.B. No. 239	(**Sub.**) UTAH RIDESHARING ACT (Transportation and Public Safety)
H.B. No. 247	MENTAL HEALTH AMENDMENTS (Social Services)

H.B. No. 286	COMPULSORY ATTENDANCE AGE (Public Education)
H.B. No. 354	HIGHER EDUCATION LOANS INTEREST (Higher Education)
H.J.R. No. 46	MINED LAND RECLAMATION RESOLUTION (Energy and Natural Resources)

reports the same back and recommends that they be assigned to the committees indicated. It also reports back:

S.B. No. 304	FUEL COST INCREASE – PUBLIC UTILITY RATE (Business, Labor and Economic Development)

with a few minor changes assented to by the authors and recommends that it be printed and assigned to the committee indicated.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted.

RULES (SIFTING) COMMITTEE REPORT

On motion of Senator Ronald T. Halverson, the Senate voted to return the following bills and resolutions on Second Reading Calendar and Second Reading Table to Rules (Sifting) Committee.

SECOND READING CALENDAR

S.B. No. 209, MOBILE HOME AND RECREATIONAL VEHICLE STANDARDS MANUFACTURED HOUSING AND RECREATION VEHICLE STANDARDS (Bunnell)
S.B. No. 219, CONDEMNATION AMENDMENTS (Wayment)
S.B. No. 202, JOINT APPRENTICESHIP COMMITTEES (Christensen)
S.B. No. 201, PHYSICAL THERAPY REGISTRATION AMENDMENTS (Carling)
S.B. No. 210, PUBLIC ACCOUNTANTS LICENSING ACT (Sandberg)
S.B. No. 230, SALARY SURVEY REQUISITES (Sandberg)
S.B. No. 249, CERTIFIED LAY MIDWIFERY PRACTICE ACT (Bangerter)
S.B. No. 243, COLLECTION PRACTICES ACT (Carling)
S.B. No. 67, CORRUPT PRACTICES AMENDMENTS (Finlinson)
S.B. No. 185, TAX EQUIVALENT PROPERTY (Sowards)
S.B. No. 242, UNIFORM TRADE SECRETS ACT (Carling)
S.C.R. No. 5, ALCOHOL WARNING LABEL RESOLUTION (Jeffs)
S.B. No. 160, BURGLAR ALARM SECURITY CERTIFICATION ACT (Christensen)
S.B. No. 216, MOTOR FUEL SALES (Bangerter)
S.B. No. 207, STATE LAND SALES (Finlinson)
S.B. No. 198, COUNTY ORDINANCE COMPLIANCE (Sowards)

S.B. No. 187, WORKMEN'S COMPENSATION MODIFICATIONS (Cornaby)
S.B. No. 171, JUVENILE COURT JURISDICTION EXTENSION (Peterson)
S.B. No. 241, ABUSE OF PERSONAL IDENTITY ACT (Carling)
S.B. No. 263, DISPOSITION OF RECEIPTS FROM SOVEREIGN LANDS (Finlinson)
S.B. No. 234, SCHOOL DISTRICT BOUNDARY CHANGES (Bennett)
S.B. No. 240, STATE BOARD OF EDUCATION PERSONNEL (Carling)
S.B. No. 267, SUBDIVISION STANDARDS (Bangerter)
S.B. No. 262, TRAMWAY REGISTRATIONS (Finlinson)
S.B. No. 188, POWERS OF CITIES AND TOWNS (Halverson)
S.B. No. 7, RADAR USE PROHIBITION (Cornaby)
S.B. No. 239, TITLES OF BOATS AND VESSELS (Sowards)
S.B. No. 206, STATE AGENCIES' LAND LEASING (Finlinson)
S.B. No. 217, OPTOMETRIC REFERRALS MODIFICATIONS (Halverson)
S.B. No. 297, PROPERTY TRANSFER TO WEBER STATE (Halverson)
S.B. No. 158, CIRCUIT BREAKER MODIFICATIONS (Barlow)
S.B. No. 250, OCCUPATION TAX INCREASE (Farley)
S.B. No. 237, MOBILE HOME PARK RESIDENCY ACT (Matheson)
S.B. No. 289, UNFAIR TRADE PRACTICES AMENDMENTS (Flamm)
S.B. No. 218, TITLE INSURANCE RATES (Sandberg)
S.B. No. 285, PRIVATE CLUB NONPROFIT CORPORATIONS ACT (Jeffs)
S.B. No. 194, U.C.C.C. EXEMPTION PROVISIONS (Matheson)
S.B. No. 293, STATE WATERFOWL STAMP (Barlow)
S.B. No. 229, KILLING UNBORN CHILD (Asay)
S.B. No. 212, LIGHT BEER ADVERTISING (Asay)
S.B. No. 301, MATERIAL ON CABLE TELEVISION (Jones)
S.B. No. 189, JUVENILES TRIED AS ADULTS (Barlow)
H.B. No. 123, DEFENSE OF ENTRAPMENT STANDARD (Sykes)
S.B. No. 281, SCHOOL AND PUBLIC EMPLOYEES RETIREMENT BENEFITS (Bennett)
S.B. No. 272, UTAH MUNICIPAL BUILDING AUTHORITY ACT (Cornaby)
S.B. No. 271, STATE PERSONNEL MANAGEMENT ACT AMENDMENTS (Snow)
S.B. No. 253, MUNICIPAL GOVERNMENT (Snow)
S.B. No. 298, PEACE OFFICER CLASSIFICATIONS (Sowards)
S.B. No. 302, AIRPORT SECURITY OFFICERS (Sowards)
H.B. No. 102, AUTOMOBILE INSPECTION REPEAL (Knowlton)
S.B. No. 251, COMMUNITY IMPACT ACCOUNTS AMENDMENTS (Farley)
S.B. No. 274, PENSION DISTRIBUTIONS TAXING (Bullen)
S.B. No. 228, BUSINESS ENTERPRISES FOR VISUALLY HANDICAPPED (Bennett)
H.B. No. 5, AUDIT OF PUBLIC TRANSIT DISTRICT (Taylor)
H.B. No. 21, FUEL CONSERVATION SPEED LIMIT (Selleneit)
S.B. No. 203, PROVO-JORDAN RIVER STATE PARKWAY (Snow)
S.B. No. 205, STATE LANDS TRUST INVESTMENTS (Finlinson)
S.B. No. 258, HAZARDOUS WASTE FACILITY SITING ACT (Finlinson)
S.B. No. 278, HAZARDOUS WASTE FACILITIES MANAGEMENT ACT (Finlinson)

S.B. No. 145, UTAH COMMUNITY FINANCE ACT (Bunnell)
S.B. No. 233, RETIREMENT PROGRAMS FOR PERSONNEL OF HIGHER EDUCATION INSTITUTIONS (Halverson)
H.B. No. 138, SUPPORTIVE PERSONNEL-PHARMACISTS (Rees)
H.B. No. 157, INSURANCE CODE RECODIFICATION (Rector)
H.B. No. 158, INSURANCE INDUSTRY-REGULATION FEE (Rector)
H.J.R. No. 38, J. McKINNON SMITH RESOLUTION (Selleneit)
S.B. No. 246, SCHOOL BUILDING REVOLVING ACCOUNT (C. Peterson)
S.B. No. 255, SCHOOL LUNCH FUNDING (Wayment)
H.B. No. 116, 4TH AMENDMENT ENFORCEMENT ACT — 1981 (McKeachnie)
H.B. No. 171, EXECUTION BY INJECTION (Christensen)
H.B. No. 172, PUBLIC TRANSPORTATION LIMITATIONS (Brown)
S.B. No. 164, HEARING AID COMMITTEE (Barlow)
S.B. No. 238, REVENUE STABILIZATION RESERVE FUND (Bennett)
H.B. No. 164, REASONABLE FAIR CASH VALUE COMPENSATION (Knowlton)
S.B. No. 245, STANDARD VALUATION AND NONFORFEITURE LAWS (Flamm)
S.B. No. 279, DEPARTMENT OF BUSINESS REGULATIONS FEES (Pugh)
S.B. No. 268, HOSPITAL STATEMENTS OF CHARGES (Bangerter)
S.B. No. 62, SALES TAX — PUBLIC TRANSIT ALLOCATION (Finlinson)
H.B. No. 83, ABORTION RESTRICTIONS (Sykes)
S.B. No. 273, STATE BUILDING OWNERSHIP AUTHORITY AMENDMENTS (Bullen)
H.B. No. 168, INCOME TAX RATE CHANGES (B. White)
S.B. No. 232, UTAH FIRE EMPLOYEE RELATIONS ACT (Kimball)
H.B. No. 81, COUNTY PERSONNEL MANAGEMENT ACT (Sykes)

SECOND READING TABLE

S.B. No. 8, UTAH FOREIGN JUDGMENT ACT (Carling)
H.B. No. 3, MINERAL LANDS RENTALS & ROYALTIES (Redd)
S.B. No. 140, WASTEWATER TREATMENT FACILITIES FUND (Finlinson)
S.B. No. 59, REVENUE AND APPROPRIATION LIMITATION AMENDMENTS (Barton)
S.B. No. 117, WATER CONDITIONER INSTALLERS REPEAL (Matheson)
S.B. No. 150, ONE LICENSE PLATE (Bangerter)
H.J.R. No. 12, DISABLED VETERANS' EXEMPTION (B. White)

RULE (SIFTING) COMMITTEE REPORT

Mr. President: March 4, 1981

Your Rules (Sifting) Committee reports that the following bills to be placed on the Second Reading Calendar in this order:

S.B. No. 187 WORKMEN'S COMPENSATION MODIFICATIONS

S.B. No. 209	MOBILE HOME AND RECREATIONAL VEHICLE STANDARDS MANUFACTURED HOUSING AND RECREATION VEHICLE STANDARDS
S.B. No. 237	MOBILE HOME PARK RESIDENCY ACT
S.B. No. 219	CONDEMNATION AMENDMENTS
S.B. No. 301	MATERIAL ON CABLE TELEVISION
S.B. No. 272	UTAH MUNICIPAL BUILDING AUTHORITY ACT
S.B. No. 67	CORRUPT PRACTICES AMENDMENTS
S.B. No. 228	BUSINESS ENTERPRISES FOR VISUALLY HANDICAPPED
S.B. No. 160	BURGULAR ALARM SECURITY CERTIFICATION ACT
S.B. No. 7	RADAR USE PROHIBITION

Ronald T. Halverson, Committee Chairman

Committee report read and adopted.

* * *

S.B. No. 134, FINANCIAL INSTITUTION ACT OF 1981, being circled as the Senate adjourned, was now placed on Third Reading Table.

* * *

On motion of Senator Snow, and at 5:10 p.m., the Senate adjourned until 9:00 a.m., Thursday, March 5, 1981.

Pg 152

FIFTY-THIRD DAY

MORNING SESSION

The Senate was called to order at 9:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present.

Prayer — Reverend Richard Henry, Unitarian Church

COMMITTEE TO READ AND REVISE THE JOURNAL

Mr. President: March 5, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 4, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 375,** COUNTY IMPROVEMENT DISTRICT ACT AMENDMENT, by Representative Schmutz, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 293,** VOTER INFORMATION PAMPHLETS, by Representative Farnsworth, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 301,** MUNICIPAL IMPROVEMENT DISTRICT ACT AMENDMENTS, by Representative Schmutz, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 245,** FISCAL IMPACT ESTIMATIONS, by Representative McAllister and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 375, 293, 301 and **245** were read the first time and referred to Rules Committee.

THIRD READING CALENDAR

On motion of Senator Money, **S.B. No. 200,** MOTOR FUEL MARKETING and **Sub. S.B. No. 155,** STANDARD STATE BUILDING CODES, were read the third time and circled.

* * *

S.B. No. 98, HIGHWAY REVENUE AMENDMENTS, was read the third time and passed on the following roll call:

Yeas, 18; Nays, 8; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Snow
Bangerter	Christensen	Money	Sowards
Barlow	Finlinson	Peterson, L.	Mr. President (Ferry)
Barton	Halverson	Pugh	
Black	Jeffs	Sandberg	

Voting in the negative were: Senators

Bennett	Carling	Farley	Peterson, C.
Bullen	Cornaby	Matheson	Wayment

Absent and not voting were: Senators

Flamm	Kimball	Swan

* * *

Senator Bangerter, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action on **S.B. No. 98** on the next legislative day.

Senator Bunnell's motion that the bill not be held in the Senate but immediately transmitted to the House carried.

S.B. No. 98 was transmitted to the House.

* * *

S.B. No. 222, VEHICLE REGISTRATION FEE INCREASE, was read the third time and passed on the following roll call:

Yeas, 15; Nays, 10; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Sandberg
Barlow	Cornaby	Matheson	Snow
Barton	Farley	Peterson, C.	Sowards
Black	Halverson	Pugh	

Voting in the negative were: Senators

Bangerter	Carling	Money	Wayment
Bennett	Christensen	Peterson, L.	Mr. President (Ferry)
Bullen	Jeffs		

Absent and not voting were: Senators

Finlinson	Flamm	Kimball	Swan

S.B. No. 222 was transmitted to the House.

* * *

S.B. No. 223, DRIVER'S LICENSE FEES, was read the third time and failed on the following roll call:

Yeas, 11; Nays, 15; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Sandberg (expln.)
Barton	Christensen	Matheson	Sowards
Black	Cornaby	Pugh	

Voting in the negative were: Senators

Bangerter (expln.)	Farley	Jeffs	Snow
Barlow	Finlinson	Money	Wayment
Bennett	Flamm	Peterson, C.	Mr. President (Ferry)
Bullen	Halverson	Peterson, L.	

Absent and not voting were: Senators

Carling	Kimball	Swan

Senator Bullen, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action on **S.B. No. 223** on the next legislative day. The bill was not reconsidered and was filed.

* * *

S.B. No. 191, ADMINISTRATIVE SERVICES ACT, was read the third time and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Farley	Matheson	Sowards
Bangerter	Finlinson	Money	Wayment
Barlow	Flamm	Peterson, C.	Mr. President (Ferry)
Bennett	Halverson	Peterson, L.	
Bullen	Jeffs	Sandberg	
Cornaby	Jones	Snow	

Absent and not voting were: Senators

Barton	Bunnell	Christensen	Pugh
Black	Carling	Kimball	Swan

S.B. No. 191 is reconsidered.

* * *

S.B. No. 170, PROPERTY TAX PREPAYMENT — IMPACT DEVELOPMENT, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Pugh
Bangerter	Bunnell	Jones	Sandberg
Barlow	Carling	Matheson	Snow
Barton	Cornaby	Money	Sowards
Bennett	Flamm	Peterson, C.	Wayment
Black	Halverson	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Christensen	Finlinson	Kimball	Swan
Farley			

S.B. No. 170 was transmitted to the House.

* * *

S.B. No. 208, LAND SALES EXEMPTION, was read the third time. Senators L. Peterson and Farley commented.

Senator L. Peterson, with the aid of five senators, requested a Call of the Senate. On motion of Senator L. Peterson, the Call of the Senate was lifted.

On motion of Senator L. Peterson, **S.B. No. 208** was amended as follows:

Page 4, Line 2:
Delete *"cities and counties have"* and insert in lieu thereof *"city or county has"*

S.B. No. 208 passed on the following roll call:

Yeas, 19; Nays, 2; Absent, 8

Voting in the affirmative were: Senators

Asay	Cornaby	Matheson	Snow
Barlow	Flamm	Money	Sowards
Barton	Halverson	Peterson, C.	Wayment
Bullen	Jeffs	Peterson, L.	Mr. President (Ferry)
Bunnell	Jones	Sandberg	

Voting in the negative were: Senators

Carling	Farley

Absent and not voting were: Senators

Bangerter	Black	Finlinson	Pugh
Bennett	Christensen	Kimball	Swan

S.B. No. 208 was transmitted to the House.

* * *

On motion of Senator Money, the circle was removed from **S.B. No. 200**, MOTOR FUEL MARKETING, and the bill was before the Senate.

On motion of Senator Money, **S.B. No. 200** was amended as follows:

Page 2a, Line 3:
Following *"publicly"* delete *"post"* and insert *"disclose upon request"*

Page 2a, Line 5:
Following *"distribution."* delete *"Transfer prices shall be available at all wholesale and retail outlets at which such motor fuel is to be resold."*

Page 3, Line 9:
Following *"section"* delete *"3"* and insert in lieu thereof *"4 or 5"*

Page 3, Line 10:
Following *"price"* insert *"or sales price"*

Page 3, Line 18:
Following *"method"* delete *"distance,"* and insert in lieu thereof *"transportation, marketing, sale,"*

Page 3, Line 20:
Following *"section"* delete *"3"* and insert in lieu thereof *"4 or 5"*

Page 3, Line 21:
Following *"sales prices"* insert *"or between sales prices"*

Page 3, Line 25:
Following *"section"* delete *"3"* and insert in lieu thereof *"4 or 5"*

Page 3, Line 26:
Following *"sale prices"* insert *"or between sales prices"*

Page 3, Line 33:
Following *"section"* delete *"3"* and insert in lieu thereof *"4 or 5"*

Page 3a, Line 6:
Following *"section"* delete *"3"* and insert in lieu thereof *"4 or 5"*

Page 4, Line 5:
Following *"section"* delete *"3"* and insert in lieu thereof *"4 or 5"*

Page 4, Line 9:
Following *"section"* delete *"3"* and insert in lieu thereof *"4 or 5"*

Page 4, Line 19:
Following *"section"* delete *"5"* and insert in lieu thereof *"7"*

Page 4, Line 28:
Following *"section"* delete *"3"* and insert in lieu thereof *"4 or 5"*

S.B. No. 200 passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jones	Sowards
Bangerter	Christensen	Matheson	Swan
Barlow	Cornaby	Money	Wayment
Barton	Farley	Peterson, C.	Mr. President (Ferry)
Bennett	Flamm	Peterson, L.	
Black	Halverson	Sandberg	
Bullen	Jeffs	Snow	

Voting in the negative was: Senator
Bunnell

Absent and not voting were: Senators

Finlinson	Kimball	Pugh

S.B. No. 200 was transmitted to the House.

* * *

S.B. No. 179, WATER AND SEWER IMPROVEMENT DISTRICT AMENDMENTS, was read the third time and passed on the following roll call:

Yeas, 18, Nays, 4; Absent, 7

Voting in the affirmative were: Senators

Asay	Cornaby	Matheson	Swan
Barlow	Finlinson	Peterson, L.	Wayment
Bullen	Flamm	Sandberg	Mr. President (Ferry)
Bunnell	Jeffs	Snow	
Carling	Jones	Sowards	

Voting in the negative were: Senators

Bennett	Black (expln.)	Money	Peterson, C.

Absent and not voting were: Senators

Bangerter	Christensen	Halverson	Pugh
Barton	Farley	Kimball	

S.B. No. 179 was transmitted to the House.

* * *

S.B. No. 181, UTAH REFUNDING BOND ACT, was read the third time. Senators Barlow and Black commented and the bill passed on the following roll call:

Yeas, 21; Nays, 2; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Carling	Jones	Swan
Barlow	Cornaby	Matheson	Wayment
Bennett	Finlinson	Money	Mr. President (Ferry)
Black	Flamm	Peterson, L.	
Bullen	Halverson	Sandberg	
Bunnell	Jeffs	Snow	

Voting in the negative were: Senators

Farley	Peterson, C.

Absent and not voting were: Senators

Asay	Christensen	Pugh	Sowards
Barton	Kimball		

S.B. No. 181 was transmitted to the House.

* * *

Sub. S.B. No. 131, CHIROPRACTIC PRACTICE, was read the third time and passed on the following roll call:

Yeas, 23; Nays, 3; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Bunnell	Halverson	Snow
Barlow	Carling	Jeffs	Sowards
Barton	Christensen	Matheson	Swan
Bennett	Cornaby	Money	Wayment
Black	Finlinson	Peterson, C.	Mr. President (Ferry)
Bullen	Flamm	Sandberg	

Voting in the negative were: Senators

Farley	Jones	Peterson, L.

Absent and not voting were: Senators

Asay	Kimball	Pugh

Sub. S.B. No. 131 as transmitted to the House.

* * *

S.B. No. 182, GRANT ANTICIPATION NOTES, was read the third time. Senators Barlow and Matheson commented.

COMMITTEE OF THE WHOLE

On motion of Senator Barlow, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

D. Kent Michie, Vice President, Burrows, Smith & Co.

On motion of Senator Barlow, the Committee of the Whole was dissolved.

S.B. No. 182 passed on the following roll call:

Yeas, 17; Nays, 7; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Peterson, C.	Swan
Bangerter	Christensen	Peterson, L.	Mr. President (Ferry)
Barlow	Cornaby	Sandberg	
Barton	Flamm	Snow	
Bunnell	Jeffs	Sowards	

Voting in the negative were: Senators

Bennett	Jones	Matheson	Wayment
Farley	Kimball	Money	

Absent and not voting were: Senators

Black	Finlison	Halverson	Pugh
Bullen			

S.B. No. 182 was transmitted to the House.

CONSENT CALENDAR

S.B. No. 282, JUNKYARD CONTROL ACT AMENDMENT, was read the third time and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Finlinson	Matheson	Swan
Barlow	Flamm	Money	Wayment
Barton	Halverson	Peterson, C.	Mr. President (Ferry)
Bennett	Jeffs	Peterson, L.	

Carling	Jones	Sandberg	
Farley	Kimball	Sowards	

Absent and not voting were: Senators

Asay	Bullen	Christensen	Pugh
Black	Bunnell	Cornaby	Snow

S.B. No. 282 is reconsidered.

* * *

S.B. No. 290, SPECIAL SERVICE DISTRICT ACT AMENDMENTS, was read the third time and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Bullen	Kimball	Snow
Bangerter	Carling	Matheson	Sowards
Barlow	Finlinson	Money	Swan
Barton	Halverson	Peterson, C.	Wayment
Bennett	Jeffs	Peterson, L.	Mr. President (Ferry)
Black	Jones	Sandberg	

Absent and not voting were: Senators

Bunnell	Cornaby	Flamm	Pugh
Christensen	Farley		

S.B. No. 290 was transmitted to the House.

* * *

S.B. No. 294, WATER AND SEWAGE DISTRICT FEE DELINQUENCIES, was read the third time and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Kimball	Sowards
Bangerter	Carling	Matheson	Swan
Barlow	Christensen	Money	Wayment
Barton	Finlinson	Peterson, C.	Mr. President (Ferry)
Bennett	Halverson	Peterson, L.	
Black	Jeffs	Sandberg	
Bullen	Jones	Snow	

Absent and not voting were: Senators

Cornaby	Farley	Flamm	Pugh

S.B. No. 294 was transmitted to the House.

* * *

On motion of Senator Sandberg, the Senate voted to reconsider its action on **S.B. No. 282,** JUNKYARD CONTROL ACT AMENDMENTS. Senators Sandberg, Christensen, Wayment, Bunnell and C. Peterson commented.

On motion of Senator Sandberg, **S.B. No. 282** was amended as follows:

Line 11:
Delete the *": AND"*

Line 12:
Delete the period and insert a semicolon and insert *"AND REQUIRING OPERATORS TO KEEP RECORDS CONTAINING DESCRIPTION OF ITEMS RECEIVED BY THEM."*

Line 14:
Delete the period and insert a comma and add *"AND ENACTS SECTION 27-12-137.14, UTAH CODE ANNOTATED 1953."*

At end of bill, insert the following section:

"Section 2. Section 27-12-137.14, Utah Code Annotated 1953, is enacted to read:

27-12-137.14. Operators of junkyards shall keep records containing a description of all articles received by them, the amounts paid therefor or advanced thereon, a general description of the person from whom received, together with his name and address, driver's license number or other means of positive identification, and the date of the transaction. Such records shall at all reasonable times be accessible to any peace officer who demands an inspection therof, and any futher information regarding such transaction that he may require shall be given by operators to the best of their ability. In cities of the first and second class at the close of each day's business operators shall mail a copy of such records to the sheriff of the county in which they are located."

S.B. No. 282 passed, on reconsideration and on the following roll call:

Yeas, 20; Nays, 3; Absent, 6

Voting in the affirmative were: Senators

Asay	Black	Finlinson	Peterson, L.
Bangerter	Bullen	Flamm	Sandberg
Barlow	Carling	Halverson	Snow
Barton	Christensen	Jeffs	Sowards
Bennett	Cornaby	Peterson, C.	Mr. President (Ferry)

Voting in the negative were: Senators

Matheson	Money	Wayment

Absent and not voting were: Senators

Bunnell	Jones	Pugh	Swan
Farley	Kimball		

S.B. No. 282 was transmitted to the House.

* * *

H.B. No. 353, GOVERNMENTAL IMMUNITY FOR CLINICAL CARE STUDENTS, was read the third time and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Kimball	Sowards
Bangerter	Carling	Matheson	Swan
Barlow	Christensen	Money	Wayment
Barton	Finlinson	Peterson, C.	Mr. President (Ferry)
Bennett	Halverson	Peterson, L.	
Black	Jeffs	Sandberg	
Bullen	Jones	Snow	

Absent and not voting were: Senators

Cornaby	Farley	Flamm	Pugh

H.B. No. 353 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

H.B. No. 191, MECHANIC'S LIENS — ITEMS COVERED, was read the third time and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Bunnell	Matheson	Sowards
Barlow	Carling	Money	Swan
Barton	Christensen	Peterson, C.	Wayment
Bennett	Farley	Peterson, L.	Mr. President (Ferry)
Black	Halverson	Sandberg	
Bullen	Jeffs	Snow	

Absent and not voting were: Senators

Bangerter	Finlinson	Jones	Pugh
Cornaby	Flamm	Kimball	

H.B. No. 191 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Barton, the Senate voted to reconsider its action on **S.B. No. 61,** PUBLIC OFFICIAL'S SALARY INCREASES, and it was placed on Third Reading Calendar.

The Senate recessed at 10:50 a.m. The Senate reassembled at 11:25 a.m.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 5, 1981

I am directed to inform the Senate that the Speaker has signed in open session, **House 2nd Substitute** to **S.B. No. 3,** CONTRACEPTION OR ABORTION SERVICES OR DEVICES, by Senator Snow, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

House Second Sub. S.B. No. 3 was signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

* * *

Mr. President: March 4, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 88,** EXPEDITING CRIMINAL TRIALS, by Representative Sykes, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **Substitute H.B. No. 176,** MEDICARE SUPPLEMENT INSURANCE ACT, by Representative Gardner, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, as amended, **H.B. No. 217,** FEES ON DELINQUENT TAXES, by Representative Myrin, and the same is transmitted herewith for the Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 230,** MEDICAL EXAMINER'S FINDINGS, by Representative Taylor, and the same is transmitted herewith for the Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed on the Consent Calendar **H.B. No. 250,** FINANCIAL IMPACT OF REGULATIONS, by Representative Brown, et al, and the same is transmitted herewith for the Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **Substitute H.B. No. 256,** UTAH EXECUTIVE AND JUDICIAL SALARY ACT, by

Representative Harward, and the same is transmitted herewith for the Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed on the Consent Calendar **H.B. No. 273,** BIRD DAY REPEAL, by Representative Redd, and the same is transmitted herewith for the Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, as amended, **H.B. No. 275,** PUBLIC SERVICE COMMISSION HEARING PROCEDURES, by Representative Harward, and the same is transmitted herewith for the Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 305,** ANTELOPE ISLAND CONDEMNATION, by Representative Hollingshaus, et al, and the same is transmitted herewith for the Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 328,** FEDERAL PLANS IMPLEMENTATION APPROVAL, by Representative Redd, et al, and the same is transmitted herewith for the Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 348,** RESIDENCY FOR HUNTING AND FISHING LICENSES, by Representative McKeachnie, and the same is transmitted herewith for the Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. Nos. 88, Sub. H.B. No. 176, H.B. Nos. 217, 230, 250, Sub. H.B. No. 256, H.B. Nos. 273, 275, 305, 328 and **348** were read the first time and referred to Rules Committee.

THIRD READING CALENDAR

On motion of Senator Cornaby, the Senate voted to lift **S.B. No. 134,** FINANCIAL INSTITUTION ACT OF 1981, from Third Reading Table and to the top of Third Reading Calendar and the bill was before the Senate.

On motion of Senator Cornaby, **S.B. No. 134** was amended as follows:

Page 6, Line 4 thru 8:
Restore the semicolon at the end of Line 4 and restore all language on Lines 5, 6, 7 and 8

Page 6, Line 9:
Restore *"described in subparagraph (k) of Section 16-10-102"*

Page 6, Line 9:
Delete *"Any person"*

Page 6, Lines 10, 11, 12, 13, 14 and 15
Delete entirely

Page 40, Line 16:
After *"money orders"* insert *", and consumer funds transfer facilities which are related to such activities or make use of such credit, charge or debit cards or travelers checks or money orders"*

Page 40, Line 19:
After *"commissioner"* delete the period and insert *", provided, however, that"* and delete *"However"*

Page 40, Line 20:
Capitalize *"Sections"*

Page 40, Line 21:
Delete *"those"* and insert in lieu thereof *"such"*

At the request of Senator Finlinson, the following remarks by him, which were made during the debate, are to be recorded in the Senate Journal:

Mr. President: *"Are there other amendments?"*
Senator Finlinson: *"I passed out an amendment to S.B. No. 134 and if the Senators would like to turn to Page 39 of the bill they will see where the amendment is. The way the bill reads, as it is now drafted on the yellow goldenrod copies on Page 39 in Sections 7-1-506 and on Page 40, Section 7-1-510, there was concern expressed by representatives of Merrill Lynch to Senator Cornaby in a letter dated March 4, 1981 and I would like to have these remarks put in the Journal.*

March 4, 1981

"We and our legal counsel have examined the current (3/4/81) text of Senate Bill 134. We conclude and are advised by legal counsel that should this bill pass, and not be overturned by the courts, we shall have to withdraw our Cash Management Account financial service from Utah.

Paul A. Stein, Vice President
Merrill Lynch Pierce, Fenner & Smith

That language has caused problems, and we have prepared an amendment which is acceptable to the Utah Banker's Association and to Merrill Lynch. The amendment we have prepared today, if adopted by the Senate, would allow the cash management account of Merrill Lynch to issue two party checks, and also allow the cash management account to use the credit card for a transaction account. This was the position adopted by the Senate previously. This amendment would not allow the Merrill Lynch group to use third party checks. That is the intent of the amendment which I propose today and with the adoption of this amendment the Merrill Lynch statement of March 4, 1981 to Senator Cornaby becomes inoperable."

On motion of Senator Finlinson, **S.B. No. 134** was amended as follows:

Page 39, Lines 4 thru 9:
Delete entirely and insert in lieu thereof
"7-1-506. Other than loan participation agreements, and agreements between or among brokers and dealers registered under the Securities Exchange Act of 1934, and/or investment companies registered under the Investment Company Act of 1940 with investments which have an average maturity date of less than two years with depository institutions to provide access to funds by checks, drafts, or other instruments, or by electronic means, payable only to the drawer, or through credit or debit cards issued by a domestic or foreign depository institution, no institution of one class may enter into a joint venture or other agreement with an institution of a different class or any other person by means of which they exercise powers or offer to the public financial services or a combination of financial services which neither could exercise or offer individually."

*

Senator Snow explained that the following committee report amendments were in conflict with subsequent amendments by Senator Wayment, and that the record should indicate that the committee report amendments were deleted and the Wayment amendments incorporated into the bill.

Committee report (deleted)

Page 36, Line 30:
After "." insert *"Subsidiaries of bank holding companies and savings and loan holding companies subject to federal jurisdiction shall be deemed wholly regulated under subsection 7-1-502 (1)(b)."*

Wayment amendment (incorporated)

Page 36, Line 30:
After the period insert *"Bank holding companies and savings and loan holding companies and their respective subsidiaries subject to federal agency jurisidiction shall be deemed wholly regulated under subsection 7-1-501(1)(b)."*

Committee report (deleted)

Page 63, Line 5:
After *"(1)"* insert *"Except bank holding companies and savings and loan holding companies subject to federal regulation and with their principal place of business of this state,"*

Wayment amendment (incorporated)

Page 63, Line 5:
After *"(1)"* insert *"Except bank holding companies and savings and loan holding companies subject to federal regulation,"* and delete *"No"* and insert *"no"*

COMMITTEE OF THE WHOLE

On motion of Senator Finlinson, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

James B. Lee, Attorney, Parson, Behle & Latimer

On motion of Senator Finlinson, the Committee of the Whole was dissolved.

On motion of Senator Flamm, **S.B. No. 134** was amended as follows:

Page 240, Line 9:
Delete *"any similar process to"*

Page 240, Line 10:
After *"pyramiding"* insert *"or any similar process or practice as defined by the commissioner and such definition is approved by the governor."*

On motion of Senator Snow, the Senate voted to place the remarks made by Senator Pugh, as the bill was considered on Second Reading, in the Senate Journal.

Senator Warren E. Pugh—Explanation on S.B. No. 134.

"Philosophically I believe the less government intervention there is in the market place the more efficient and productive industry becomes. There are, however, circumstances under which some regulation ought to be exercised. This is particularly true when a person, group of persons, or a business entity accepts money from the general public with the understanding that they will manage the money, guarantee a rate of return and preserve the principal amount.

We have learned by sad experience that not all money managers are either competent or honest. In one period of our history millions of people lost their life savings when banks all over the country closed because they did not have enough money on hand to meet the withdrawal demands of depositors who had lost confidence in the ability of the banks to remain solvent. As a result, many banks who were actually under normal circumstances, well-managed, found it necessary to close their doors because long term assets could not be converted into cash fast enough to meet the withdrawal demands.

President Franklin Roosevelt found it necessary to proclaim a bank holiday and the entire banking industry of the United States was closed down until confidence could be restored and a new system of bank regulations and control could be established.

Since then, both Federal and State banks have been required to maintain certain reserves and liquidity ratios to guarantee that any reasonable withdrawal demands by depositors could be met. In addition to this, banks have insured customer deposits through the Federal Deposit Insurance Corporation against loss of deposits up to certain limits, currently $100,000. There have also been limits established on the amounts of interest which banks and savings and loans associations could pay on deposits. Because of these regulations and for other reasons, money in the bank has come to be regarded as among the safest of all investments.

Recently, because of the sustained high rate of inflation, during which time money in the bank has actually depreciated in purchasing power, people have begun to look for other forms of investment which would pay a greater return. Many people have lost sight of the fact that higher rates of return carry with them increased risk of loss. I have no quarrel with people who knowingly invest in high return investments and who recognize that this kind of investment does carry a risk of loss and are not insured against loss of principal by an agency of the United States Government. I do have concern, however, when the sellers of such investments combine the convenience of banking functions, such as check writing, against the investment account in such a manner as to simulate, if not actually engage in the banking business.

If there is any regulation of industry, equity demands that all organizations engaging in like pursuits must live by the same rules. If it were not so, the very rules themselves would give an economic advantage to the organization which was not required to operate by them. For example, if only General Motors Corporation were required to build automobiles to meet the standards of the clean air act and all other car manufacturers were allowed to disregard the act, it is perfectly obvious that the other manufacturers would soon price General Motors out of the market.

For this reason, I believe that investment companies which sell investments with banking privileges attached, such as issuance of third-party checks, ought to be under the supervision of the same regulatory authority for that function of their business as our banks. In addition, it seems to me that the receiver of a check issued from a high return investment account ought also to have the same kind of protection by the regulatory authority that he has from a regular bank check since he does not participate in the higher yield and since the two instruments are so similar in appearance as to persuade the average individual that they are in fact identical. In other words, there ought to be the same requirements of reserves and liquidity for the investment seller as there is for banks.

I have many friends in the banking business. I am not a professional banker, but I do serve as a director on two small banks and a savings and loan institution. I have many friends in the investment business and have some modest investment accounts. I have received numerous letters from friends, associates, and many more investors whom I do not know, all of whom are seriously concerned that their current high rates of return not be jeopardized by legislative action.

I have discussed the bill extensively with proponents and opponents and there have been inferences made that certain accounts might be withdrawn from Utah if ***S.B. No. 134*** *were passed, but no one at this time has told me with any degree of certainty that such would be the case. I believe that the opportunity to invest in money market accounts will continue regardless of what happens to this bill. It may be that checking rights against such accounts could be curtailed or withdrawn, but as I have discussed this matter with investors and received letters on the matter, it seems to me that few people use the checking rights to any great extent. The real appeal is the higher rate of return. The checking rights seems to be a sales pitch to help sell the plan.*

In my opinion, the brokerage houses will not terminate their opportunity of selling their investment packages in Utah, although those packages may take a slightly different form and may not offer third-party checking privileges. For this reason, I do not believe that investments or investors in Utah will be injured by the passage of this bill."

S.B. No. 134 passed on the following roll call:

Yeas, 26; Nays, 3; Absent, 0

Voting in the affirmative were: Senators

Asay	Bunnell	Kimball	Snow
Bangerter	Cornaby	Matheson	Sowards
Barlow	Finlinson (expl.)	Money	Swan
Barton	Flamm	Peterson, C.	Wayment
Bennett	Halverson	Peterson, L.	Mr. President (Ferry)
Black	Jeffs	Pugh	
Bullen	Jones	Sandberg	

Voting in the negative were: Senators

Carling	Christensen	Farley

S.B. No. 134 was transmitted to the House.

RULES COMMITTEE REPORT

Mr. President: March 5, 1981

Your Rules (Sifting Committee) reports out the following bills to be placed on the Second Reading Calendar in this order:

S.B. No. 207	STATE LAND SALES
S.B. No. 205	STATE LANDS TRUST INVESTMENTS
S.B. No. 206	STATE AGENCIES' LAND LEASING
S.B. No. 263	DISPOSITION OF RECEIPTS FROM SOVEREIGN LANDS
S.B. No. 253	MUNICIPAL GOVERNMENT
S.B. No. 216	MOTOR FUEL SALES
S.B. No. 203	PROVO-JORDAN RIVER STATE PARKWAY
S.B. No. 239	TITLES OF BOATS AND VESSELS
S.B. No. 258	HAZARDOUS WASTE FACILITY SITING ACT
S.B. No. 278	HAZARDOUS WASTE FACILITIES MANAGEMENT ACT

and asks that the following bills be read the second time and placed on the Consent Calendar:

S.B. No. 262	TRAMWAY REGISTRATIONS
S.B. No. 299	UTAH UNIFORM PROBATE CODE AMENDMENTS
S.B. No. 240	STATE BOARD OF EDUCATION PERSONNEL
S.B. No. 285	PRIVATE CLUB NONPROFIT CORPORATION ACT

S.B. No. 171	JUVENILE COURT JURISDICTION EXTENSION
S.B. No. 297	PROPERTY TRANSFER TO WEBER STATE
S.B. No. 298	PEACE OFFICER CLASSIFICATIONS
S.B. No. 302	AIRPORT SECURITY OFFICERS
S.B. No. 194	U.C.C.C. EXEMPTION PROVISIONS
S.B. No. 234	SCHOOL DISTRICT BOUNDARY CHANGES
S.C.R. No. 5	ALCOHOL WARNING LABEL RESOLUTION

Ronald T. Halverson, Committee Chairman

Committee report read and adopted. **S.B. Nos. 262, 299, 240, 285, 171, 297, 298, 302, 194, 234,** and **S.C.R. No. 5** were read the second time and placed on Consent Calendar.

* * *

On motion of Senator Snow, and at 12:00, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Miles 'Cap' Ferry presiding.

JOINT CONFERENCE COMMITTEE REPORT
(H.B. No. 148, Dental Hygienist Amendments)

Mr. Speaker and Mr. President: March 4, 1981

Your Conference Committee, consisting of Senator Cornaby, Wayment and Kimball, and Representatives Considine, Saunders and Bishop, to which was referred **House Bill No. 148,** by Mr. Considine, et al, DENTAL HYGIENIST AMENDMENTS, begs leave to report as follows:

that the Senate recedes from their amendment and concurs with the house bill as presented:

Page 2, Line 9:
following *"of"* delete "[**five**]" and insert *"seven"*

Senator Kay Cornaby, Chairman, Senate Committee
Representative James Considine, Chairman, House Committee

On motion of Senator Cornaby, the Senate voted to adopt the Joint Conference Committee Report and the bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Christensen	Jeffs	Sandberg
Barlow	Cornaby	Jones	Snow
Barton	Farley	Matheson	Sowards
Bennett	Finlinson	Money	Wayment

Bunnell	Flamm	Peterson, C.	Mr. President (Ferry)
Carling	Halverson	Peterson, L.	

Absent and not voting were: Senators

Bangerter	Bullen	Pugh	Swan
Black	Kimball		

H.B. No. 148 was transmitted to the House.

* * *

Mr. President: March 5, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Joint Conference Committee Report as of March 4, 1981, **S.B. No. 107,** REAL ESTATE LICENSE AMENDMENTS, by Senator Barlow, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

JOINT CONFERENCE COMMITTEE REPORT
(S.B. No. 107, Real Estate License Amendments)

Mr. Speaker and Mr. President: March 4, 1981

Your Conference Committee, consisting of Senators Barlow, Christensen and Bunnell, and Representatives Dahl, Harmer and Smith, to which was referred **S.B. No. 107,** REAL ESTATE LICENSE AMENDMENTS, by Senator Barlow, begs leave to report as follows:

Accept all House and Senate amendments except as follows:

Page 3, Line 7:
Delete the House amendments. After *"establish"* insert *"initial"* and after *"requirements"* insert *"for salesman licensure not to exceed 90 hours and brokers licensure not to exceed 120 hours. Educational requirements for relicensure for brokers and salesmen shall not exceed 8 hours and shall only be required upon activation of an inactive license for a broker and for a salesman only if the broker with whom he is associated will not certify the salesman's active participation in real estate related activities"*.

Page 3, Line 9:
After the period insert *"Additional continuing education may be made available or offered, but not required, under the provisions of this chapter."*

Page 4, Lines 24 and 25:
Delete the House amendment

Page 4, Line 26:
Delete *"$30"* and insert in lieu thereof *"$45"*

Page 4, Lines 33 and 34:
Delete House amendment

Page 4, Line 33:
Delete *"$60"* and insert in lieu thereof *"$40"*

Page 5, Line 2:
Delete *"$30"* and insert in lieu thereof *"$40"*

Senator Haven J. Barlow, Chairman, Senate Committee
Representative Donna M. Dahl, Chairman, House Committee

On motion of Senator Barlow, the Senate voted to adopt the Joint Conference Committee Report and the bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barlow	Christensen	Jones	Swan
Barton	Cornaby	Matheson	Wayment
Bennett	Farley	Peterson, L.	Mr. President (Ferry)
Black	Finlinson	Sandberg	
Bunnell	Flamm	Snow	
Carling	Halverson	Sowards	

Absent and not voting were: Senators

Asay	Bullen	Kimball	Peterson, C.
Bangerter	Jeffs	Money	Pugh

S.B. No. 107 was transmitted to the House.

* * *

On motion of Senator Snow, the Senate voted to reconsider its action on **S.B. No. 191,** ADMINISTRATIVE SERVICES ACT.

On motion of Senator Snow, **S.B. No. 191** was amended as follows:

Page 3, Line 14:
After *"auditor,"* delete *"and"*

Page 3, Line 14:
After *"services"* delete the period and insert *", the state budget office, the statewide planning functions within the state planning coordinator's office and such other agencies or functions as the legislature may designate."*

Page 3, Line 15:
After *"(4)"* delete *"Operating funds"* and insert in lieu thereof *"Funds"*

Page 3, Line 16:
After *"transportation fund, the"* insert *"state"*

Page 3, Line 16:
After *"insurance fund"* insert a period and delete *"and"*

Page 3, Line 17:
Delete *"the fish and game fund"* and insert in lieu thereof *"and the restricted accounts as follows: the state land board account, the wildlife resources account, parks and recreation boating account, parks and recreation recreational vehicles registration account, business regulations recreational vehicle inspection account, financial institutions account, agriculture account, school lunch account, drivers education account, aeronautics account, and all other restricted accounts as created by the legislature. Any general services provided to the retirement board from general fund operations shall be paid by the retirement board from its funds."*

Page 9, Line 26:
After *"that the"* delete *"operating"*

Page 9, Line 31:
After *"total"* delete the remainder of the line

Page 9, Line 32:
Delete *"operating fund"* and insert in lieu thereof *"appropriations from all funds"*

Page 9, Line 33:
After *"against the"* delete *"estimated revenues"* and insert in lieu thereof *"amount appropriated"*

Page 9, Line 33:
After *"funds,"* delete *"of"* and insert in lieu thereof *"from"*

Page 9, Line 34:
After *"of the"* delete *"operating"*

Page 10, Line 3:
After *"agencies."* delete remainder of the line

Page 10:
Delete Lines 4, 5, 6 and 7 and insert
"Provided, however, that the department of finance shall compute their overhead based only on the general government services they receive at no cost to the agency, and no transfer from the wildlife resources account to the general fund, under the provisions of this act, shall exceed the amount of nonlicense collections of the division of wildlife resources during the fiscal year preceding the transfer."

S.B. No. 191 passed, on reconsideration, and on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barlow	Christensen	Jones	Snow
Barton	Cornaby	Matheson	Sowards
Bennett	Farley	Money	Swan
Black	Finlinson	Peterson, C.	Wayment
Bunnell	Flamm	Peterson, L.	Mr. President (Ferry)
Carling	Halverson	Sandberg	

Absent and not voting were: Senators

Asay	Bullen	Kimball	Pugh
Bangerter	Jeffs		

S.B. No. 191 was transmitted to the House.

STANDING COMMITTEE REPORTS

Mr. President: March 5, 1981

The State and Local Affairs Committee, to which was referred **H.B. No. 222,** RETIREMENT SYSTEM CONTRIBUTION, by Representative Willard Hale Gardner, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The State and Local Affairs Committee, to which was referred **H.B. No. 269,** SPECIAL TAXING DISTRICT LEVIES, by Representative Gary H. Brockbank, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Bryce C. Flamm, Committee Chairman

Committee reports read and adopted. **H.B. Nos. 222** and **269** were read the second time and placed on Consent Calendar.

THIRD READING CALENDAR

On motion of Senator Snow, **S.B. No. 61,** PUBLIC OFFICIALS' SALARY INCREASES, was circled.

SECOND READING CALENDAR

On motion of Senator Cornaby, the rules were suspended with no dissenting votes, and **S.B. No. 187,** WORKMEN'S COMPENSATION MODIFICATIONS, was read the second and third time and placed on final passage. Senators Cornaby, Matheson, Wayment and Bunnell commented.

Mr. President: February 20, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 187,** WORKMEN'S COMPENSATION MODIFICATIONS, by Senator K.S. Cornaby, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Christensen	Jones	Swan
Barlow	Cornaby	Matheson	Wayment
Barton	Farley	Money	Mr. President (Ferry)
Black	Finlinson	Peterson, C.	
Bunnell	Halverson	Peterson, L.	
Carling	Jeffs	Snow	

Voting in the negative was: Senator

Asay

Absent and not voting were: Senators

Bennett	Flamm	Pugh	Sowards
Bullen	Kimball	Sandberg	

S.B. No. 187 was transmitted to the House.

* * *

On motion of Senator Bunnell, the rules were suspended with no dissenting votes, and **S.B. No. 209,** MANUFACTURED HOUSING AND RECREATIONAL VEHICLES STANDARDS, was read the second and third times and placed on final passage.

Mr. President: February 17, 1981

The Agriculture Committee, to which was referred **S.B. No. 209,** MANUFACTURED HOUSING AND RECREATIONAL VEHICLES STANDARDS, by Senator Omar B. Bunnell, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted. On motion of Senator Wayment, **S.B. No. 209** was amended as follows:

Page 2, Line 14:
After *"systems contained therein."* insert *"Modular or pre-built homes conforming to the Uniform Building Code and presently regulated by H.U.D. which are not constructed on a chassis are exempt from this act."*

S.B. No. 209 passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Carling	Jones	Swan
Barlow	Cornaby	Matheson	Wayment
Barton	Farley	Money	Mr. President (Ferry)
Bennett	Finlinson	Peterson, C.	
Bullen	Halverson	Peterson, L.	
Bunnell	Jeffs	Snow	

Absent and not voting were: Senators

Bangerter	Christensen	Kimball	Sandberg
Black	Flamm	Pugh	Sowards

S.B. No. 209 was transmitted to the House.

* * *

On motion of Senator Matheson, the rules were suspended with no dissenting votes, and **S.B. No. 237,** MOBILE HOME PARK RESIDENCY ACT, was read the second and third times and placed on final passage. Senators Matheson, Barton and Bunnell commented.

Mr. President: February 25, 1981

Your Committee on Agriculture, to which was referred **S.B. No. 237,** MOBILE HOME PARK RESIDENCY ACT, by Senator Ivan M. Matheson, has carefully considered the bill and reports the same out favorably, with the recommendation that the original bill be deleted in body and title and **Substitute S.B. No. 237** be inserted in lieu thereof.

Then, **Substitute S.B. No. 237** should be amended as follows:

Page 2, Line 31:
After *"terminate"* delete *"or refuse to renew"*

Page 3, Line 9:
After *"(b)"* delete *"Period or"* and capitalize Type.

Page 5, Line 11:
After *"section"* delete *"38-36-6"* and in lieu thereof insert *"78-36-6"*

Page 5, Line 18:
After *"period"* insert *"except in the case of repeated violations"*

Page 6, Line 13:
After *"for"* delete *"any such"* and insert in lieu thereof *"the initial"*

Page 6, Line 23:
After *"no"* insert *"change in"*

Page 8:
Delete Lines 14 and 15

Ivan M. Matheson, Committee Chairman

Committee report, as amended read and adopted.

On motion of Senator Barlow, **Sub. S.B. No. 237** was amended as follows:

Page 4, Lines 31 and 32:
Delete entirely and insert the following language:
"(3) Behavior by a resident which substantially endangers the security and health of the other residents or threatens the property in the park."

Page 5, following Line 22: insert
"(ii) In the event of repeated violations or behavior by a resident that endangers the well-being of persons or property, summons and complaint may be issued three (3) days after a notice is served."

Page 5, Line 23:
Delete *"(ii)"* and insert *"(iii)"*

Page 5, Line 26:
Delete *"(iii)"* and insert *"(iv)"*

Page 5, Line 32:
Delete *"(iv)"* and insert *"(v)"*

Page 6, Line 24:
following *"is"* delete *"exclusionary or discriminatory"* and insert *"unconscionable"*

Sub. S.B. No. 237 passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Cornaby	Jones	Snow (expln.)
Barlow (expln.)	Farley	Matheson	Swan
Barton	Finlinson	Money	Wayment
Bennett	Flamm	Peterson, C.	Mr. President (Ferry)
Bunnell	Halverson	Peterson, L.	
Carling	Jeffs	Pugh	

Voting in the negative was: Senator
Bullen

Absent and not voting were: Senators

Bangerter	Christensen	Sandberg	Sowards
Black	Kimball		

Sub. S.B. No. 237 was transmitted to the House.

* * *

On motion of Senator Wayment, the rules were suspended with no dissenting votes, and **S.B. No. 219,** CONDEMNATION AMENDMENTS, was read the second and third times and placed on final passage. Senators Wayment, Barton and Halverson commented.

Mr. President: February 17, 1981

The Agriculture Committee, to which was referred **S.B. No. 219,** CONDEMNATION AMENDMENTS, by Senator Sherman A. Wayment, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Pugh
Barlow	Cornaby	Jones	Sandberg
Barton	Farley	Matheson	Snow
Bennett	Finlinson	Money	Swan
Bullen	Flamm	Peterson, C.	Wayment
Bunnell	Halverson	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Bangerter	Christensen	Kimball	Sowards
Black			

S.B. No. 219 was transmitted to the House.

* * *

On motion of Senator Jones, the rules were suspended with no dissenting votes, and **S.B. No. 301,** MATERIAL ON CABLE TELEVISION, was read the second and third times and placed on final passage. Senator Jones, Farley and Swan commented.

Mr. President: February 24, 1981

The Judiciary Committee, to which was referred **S.B. No. 301,** MATERIAL ON CABLE TELEVISION, by Senator William N. Jones, et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 11:
Delete *"OBSCENE"* and insert in lieu thereof *"PORNOGRAPHIC"*

Page 1, Line 18:
Delete *"obscene"* and insert in lieu thereof *"pornographic"*

Page 1, Line 24:
Delete *"obscene"* and insert in lieu thereof *"pornographic"*

Page 1, Line 25:
Delete *"obscene"* and insert in lieu thereof *"pornographic"* and after *"76-10-1201"* insert *"and 76-10-1203"*

Page 1:
Delete Lines 27 through 29 and insert in lieu thereof *"means any material defined as indecent in sections 76-10-1227 and 76-10-1228."*

A. Dean Jeffs, Committee Chairman

Committee report, as amended, read and adopted. On motion of Senator Jones, the Senate voted to replace **S.B. No. 301** with **Substitute S.B. No. 301** on the following roll call:

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Asay	Carling	Jones	Snow
Barlow (expln.)	Cornaby	Matheson	Swan
Barton	Finlinson	Money	Wayment
Bennett	Flamm	Peterson, C.	
Bullen	Halverson	Peterson, L.	
Bunnell	Jeffs	Sandberg	

Voting in the negative was: Senator
Farley (expln.)

Absent and not voting were: Senators

Bangerter	Christensen	Pugh	Mr. President (Ferry)
Black	Kimball	Sowards	

Sub. S.B. No. 301 is reconsidered.

* * *

On motion of Senator Cornaby, the rules were suspended with no dissenting votes, and **S.B. No. 272,** UTAH MUNICIPAL BUILDING AUTHORITY ACT, was read the second and third times and place on final passage.

Mr. President: February 25, 1981
The State and Local Affairs Committee, to which was referred **S.B. No. 272,** MUNICIPAL

BUILDING AUTHORITY ACT, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted. Allan Moll, attorney, Salt Lake County, explained the bill in Committee of the Whole. On motion of Senator Cornaby, the bill is circled.

* * *

On motion of Senator Snow, **S.B. No. 67,** CORRUPT PRACTICE AMENDMENTS, was circled.

* * *

On motion of Senator Bennett, the rules were suspended with no dissenting votes, and **S.B. No. 228,** BUSINESS ENTERPRISES FOR THE VISUALLY HANDICAPPED, was read the second and third times and placed on final passage.

Mr. President: February 27, 1981

The Public Education Committee, to which was referred **S.B. No. 228,** BUSINESS ENTERPRISES FOR VISUALLY HANDICAPPED, by Senator Charles E. Bennett, et al, has carefully considered the bill and reports it out favorably with the recommendation that the original bill be deleted in body and title and that **Substitute S.B. No. 228** replace the original bill.

Substitute S.B. No. 228 to be amended as follows:

Page 1, Lines 18-19:
Delete *"PROVIDING FOR REVIEW OR REJECTIONS OF BOARD RECOMMENDATIONS;"*

Page 1, Line 27:
Delete *"THROUGH"* and insert in lieu thereof *", 55-5-6 AND"*

Page 1, Line 29:
Delete *"55-5-14"* and insert in lieu thereof *"55-5-13"*

Page 1, Line 30:
After *"1953"* delete the period and insert *"AND REPEALS SECTION 55-5-7 AS ENACTED BY CHAPTER 174, LAWS OF UTAH 1971."*

Page 5, Line 9:
After *"board"* delete the period and insert *"and included in the annual budget submitted by the board"*

Page 6, Lines 33 and 34:
Delete *"and reenacted to read;"* and insert a period

Page 7:
Delete Lines 3 through 25

Page 8:
Delete Lines 22 through 32 and renumber remaining sections

Page 8, Line 33:
Delete *"55-5-13"* and insert in lieu thereof *"55-5-12"*

Page 9, Line 3:
Delete *"55-5-13"* and insert in lieu thereof *"55-5-12"*

Page 9, Line 15:
Delete *"55-5-14"* and insert in lieu thereof *"55-5-13"*

Page 9, Line 17:
Delete *"55-5-14"* and insert in lieu thereof *"55-5-13"*

William T. "Bill" Barton, Committee Chairman

Committee report, as amended, read and adopted and the bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Carling	Money	Swan
Barlow	Cornaby	Peterson, C.	Wayment
Barton	Farley	Peterson, L.	Mr. President (Ferry)
Bennett	Flamm	Sandberg	
Bullen	Jeffs	Snow	
Bunnell	Matheson	Sowards	

Absent and not voting were: Senators

Bangerter	Christensen	Halverson	Kimball
Black	Finlinson	Jones	Pugh

Sub. S.B. No. 228 was transmitted to the House.

* * *

On motion of Senator Bunnell, the circle was removed from **S.B. No. 272,** UTAH MUNICIPAL BUILDING AUTHORITY ACT.

On motion of Senator Bunnell, **S.B. No. 272** was amended as follows:

Page 1, Line 22:
following *"LAWS:"* insert *"validating existing municipal building authorities"*

Page 4, Line 19:
following *"shall"* delete *"appoint"* and insert *"act as"*

Page 4, Line 20:
following *"authority"* delete *"who may be members of the governing"*

Page 4, Line 21 and 22:
delete entirely

Page 14, following Line 27:
insert new subsection
"(7) All proceedings heretofore taken by a public body in connection with the creation and operation of a public building authority are hereby validated ratified, approved and confirmed."

S.B. No. 272 passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Carling	Jones	Snow
Barlow	Cornaby	Matheson	Sowards
Barton	Farley	Money	Swan
Bennett	Finlinson	Peterson, C.	Wayment
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)
Bunnell	Jeffs	Sandberg	

Absent and not voting were: Senators

Bangerter	Christensen	Kimball	Pugh
Black	Halverson		

S.B. No. 272 was transmitted to the House.

* * *

On motion of Senator Christensen, the rules were suspended with no dissenting votes, and **S.B. No. 160,** BURGLAR ALARM SECURITY CERTIFICATION ACT, was read the second and third times and placed on final passage.

Mr. President: February 18, 1981

The Transportation and Public Safety Committee, to which was referred **S.B. No. 160,** BURGLAR ALARM SECURITY CERTIFICATION ACT, by Senator Arnold Christensen, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 20; Nays, 2; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Christensen	Halverson	Peterson, L.
Barton	Cornaby	Jeffs	Snow
Bullen	Farley	Jones	Sowards
Bunnell	Finlinson	Matheson	Swan
Carling	Flamm	Peterson, C.	Mr. President (Ferry)

Voting in the negative were: Senators

Barlow	Bennett

Absent and not voting were: Senators

Asay	Kimball	Pugh	Wayment
Black	Money	Sandberg	

S.B. No. 160 was transmitted to the House.

* * *

S.B. No. 7, RADAR USE PROHIBITION, was under suspension of the rules, read the second time.

Mr. President: February 24, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 7,** RADAR USE PROHIBITION, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted and on motion of Senator Christensen, the bill was circled.

Package Consideration

S.B. No. 207, STATE LAND SALES, **S.B. No. 205,** STATE LANDS TRUST INVESTMENTS, **S.B. No. 206,** STATE AGENCIES' LAND LEASING and **S.B. No. 263,** DISPOSITION OF RECEIPTS FROM SOVERIGN LANDS.

COMMITTEE OF THE WHOLE

On motion of Senator Finlinson, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate were:

William K. Dinehart, Director, Division of State Lands
Ed Alter, State Treasurer
D. Kent Michie, Vice President, Burrows, Smith & Co.

Senators Finlinson, Swan, Bunnell, Matheson, Wayment, Barton, Jones, Halverson and Carling commented.

On motion of Senator Finlinson, the Committee of the Whole was dissolved.

S.B. No. 205, STATE LANDS TRUST INVESTMENTS, was under suspension of the rules read the second time.

Mr. President: March 2, 1981

The Energy and Natural Resources Committee, to which was referred **S.B. No. 205,** STATE LANDS TRUST INVESTMENTS, by Senator Fred W. Finlinson, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Fred W. Finlinson, Committee Chairman

Committee report read and adopted and on motion of Senator Carling, the enacting clause was stricken on **S.B. No. 205** and the bill is filed.

* * *

S.B. No. 263, DISPOSITION OF RECEIPTS FROM SOVEREIGN LANDS, was under suspension of the rules, read the second time.

Mr. President: February 20, 1981

The Energy and Natural Resources Committee, to which was referred **S.B. No. 263,** DISPOSITION OF RECEIPTS FROM SOVEREIGN LANDS, by Senator Fred W. Finlinson, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Fred W. Finlinson, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 18; Nays, 7; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Bunnell	Flamm	Sowards
Barlow	Carling	Peterson, C.	Swan
Barton	Cornaby	Peterson, L.	Mr. President (Ferry)
Black	Farley	Pugh	
Bullen	Finlinson	Snow	

Voting in the negative were: Senators

Bennett	Halverson	Matheson	Wayment
Christensen	Jones	Money	

Absent and not voting were: Senators

Asay	Jeffs	Kimball	Sandberg

* * *

On motion of Senator Finlinson, the rules were suspended with no dissenting votes, and **S.B. No. 206,** STATE AGENCIES' LAND LEASING, was read the second and third times and placed on final passage.

Mr. President: February 24, 1981

The Energy and Natural Resources Committee, to which was referred **S.B. No. 206,** STATE AGENCIES' LAND LEASING, by Senator Fred W. Finlinson, et al, has carefully considerd the bill and reports it out of committee favorably and with the following amendment:

Page 1, Line 21:
After *"chapter"* insert *", except for trust lands,"*

Fred W. Finlinson, Committee Chairman

Committee report, as amended, read and adopted and the bill passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Carling	Jeffs	Sandberg
Barlow	Christensen	Jones	Snow
Barton	Cornaby	Matheson	Sowards
Bennett	Farley	Money	Swan
Black	Finlinson	Peterson, C.	Mr. President (Ferry)
Bullen	Flamm	Peterson, L.	
Bunnell	Halverson	Pugh	

Voting in the negative was: Senator
Wayment

Absent and not voting were: Senators
Asay Kimball

S.B. No. 206 was transmitted to the House.

* * *

S.B. No. 207, STATE LAND SALE, was under suspension of the rules, read the second time.

Mr. President: February 20, 1981

The Energy and Natural Resources Committee, to which was referred **S.B. No. 207,** STATE LAND SALES, by Senator Fred W. Finlinson, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Fred W. Finlinson, Committee Chairman

Committee report read and adopted.

On motion of Senator Finlinson, **S.B. No. 207** was amended as follows:

Page 1, Line 12:
After *"SALE OF"* insert *"TRUST"*

Page 1, Line 26:
After *"state"* insert *"trust"*

Page 1, Line 28:
After *"any state"* insert *"trust"*

Page 1, Line 31:
After *"state"* insert *"trust"*

Page 2, Line 4:
After *"state"* insert *"trust"*

S.B. No. 207 passed on the following roll call:

Yeas, 22; Nays, 3; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Christensen	Jones	Snow
Barlow	Farley	Matheson	Sowards
Barton	Finlinson	Money	Swan
Bullen	Flamm	Peterson, C.	Mr. President (Ferry)
Bunnell	Halverson	Pugh	
Carling	Jeffs	Sandberg	

Voting in the negative were: Senators

Bennett	Black	Wayment

Absent and not voting were: Senators

Asay	Cornaby	Kimball	Peterson, L.

* * *

S.B. No. 253, MUNICIPAL GOVERNMENT, was under suspension of the rules, read the second time.

Mr. President: February 26, 1981

The State and Local Affairs Committee, to which was referred **S.B. No. 253,** MUNICIPAL GOVERNMENT, by Senator Karl N. Snow, Jr., has carefully considered the bill and reports it out of committee with a favorable recommendation.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted and on motion of Senator Snow, the bill is circled.

* * *

On motion of Senator Bangerter, the rules were suspended with no dissenting votes, and

S.B. No. 216, MOTOR FUEL SALES, was read the second and third times and placed on final passage. Senators Sowards, Bangerter, Black and Swan commented.

Mr. President: February 18, 1981

The Transportation and Public Safety Committee, to which was referred **S.B. No. 216,** MOTOR FUEL SALES, by Senator Jack M. Bangerter, et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 15:
After *"SECTION"* delete *"41-11-94"* and insert in lieu thereof *"4-33-12"*

Page 1, Line 17:
After *"Section"* delete *"41-11-94"* and insert in lieu thereof *"4-33-12"*

Page 1, Line 19:
Delete *"41-11-94"* and insert in lieu thereof *"4-33-12"*

E. Verl Asay, Committee Chairman

Committee report, as amended, read and adopted and the bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Bunnell	Jeffs	Snow
Barlow	Christensen	Jones	Sowards
Barton	Cornaby	Matheson	Swan
Bennett	Farley	Peterson, L.	Wayment
Black	Finlinson	Pugh	Mr. President (Ferry)
Bullen	Flamm	Sandberg	

Absent and not voting were: Senators

Asay	Halverson	Money	Peterson, C.
Carling	Kimball		

S.B. No. 216 was transmitted to the House.

* * *

On motion of Senator Snow, the rules were suspended with no dissenting votes, and **S.B. No. 203,** PROVO-JORDAN RIVER STATE PARKWAY, was read the second and third times and placed on final passage.

Mr. President: March 2, 1981

The Energy and Natural Resources Committee, to which was referred **S.B. No. 203,** PROVO-JORDAN RIVER STATE PARKWAY, by Sentor Karl N. Snow, Jr., et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Fred W. Finlinson, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Christensen	Jones	Snow
Barlow	Cornaby	Matheson	Swan
Barton	Farley	Money	Wayment
Bennett	Finlinson	Peterson, C.	Mr. President (Ferry)
Black	Flamm	Peterson, L.	
Bullen	Halverson	Pugh	
Bunnell	Jeffs	Sandberg	

Absent and not voting were: Senators

Asay	Carling	Kimball	Sowards

S.B. No. 203 was transmitted to the House.

* * *

S.B. No. 239, TITLES OF BOATS AND VESSELS, was under suspension of the rules, read the second time. Senator Sowards, Swan, Bennett and Bunnell commented.

Mr. President: February 24, 1981

The Energy and Natural Resources Committee, to which was referred **S.B. No. 239,** TITLES OF BOATS AND VESSELS, by Senator Glade M. Sowards, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Fred W. Finlinson, Committee Chairman

Committee report read and adopted. On motion of Senator Sowards, the Senate voted to replace **S.B. No. 239** with **Substitute S.B. No. 239.** The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Carling	Jeffs	Sandberg
Barlow	Christensen	Jones	Sowards
Barton	Cornaby	Matheson	Swan
Bennett	Farley	Money	Wayment
Black	Finlinson	Peterson, C.	Mr. President (Ferry)
Bullen	Flamm	Peterson, C.	
Bunnell	Halverson	Pugh	

Absent and not voting were: Senators

Asay	Kimball	Snow

* * *

On motion of Senator Jones, the Senate voted to reconsider its action on **Sub. S.B. No. 301,** MATERIAL ON CABLE TELEVISION.

On motion of Senator Jones, **Sub. S.B. No. 301** was amended as follows:

Page 1, Lines 19 and 20:
delete *"or indecent"*

Sub. S.B. No. 301 passed, on reconsideration, on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Matheson	Sowards
Barton	Finlinson	Money	Swan
Bennett	Flamm	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)
Carling	Jeffs	Pugh	

Voting in the negative was: Senator
Farley

Absent and not voting were: Senators

Asay	Bunnell	Kimball	Snow
Black			

Sub. S.B. No. 301 was transmitted to the House.

PRESENTATION OF RESOLUTION

On motion of Senator Cornaby, the Senate voted, under suspension of the rules, to allow introduction of the following resolution.

AUTOMOBILE EMISSIONS AND CLEAN AIR DAY

S.C.R. No. 7 K.S. Cornaby

A CONCURRENT RESOLUTION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH, THE GOVERNOR CONCURRING THEREIN; EXPRESSING APPRECIATION AND SUPPORT FOR THE CONTRIBUTIONS AND ACCOMPLISHMENTS OF THE UTAH AUTOMOBILE DEALERS ASSOCIATION REGARDING A VOLUNTARY PROGRAM FOR THE CONTROL OF AUTOMOBILE EMISSIONS, was read the first time and referred to Rules Committee.

STANDING COMMITTEE REPORT

Mr. President: March 5, 1981

The Higher Education Committee, to which was referred **H.B. No. 354,** HIGHER EDUCATION LOANS INTEREST, by Representative G. LaMont Richards, et al, has individually considered the bill and reports it back to the Senate with a favorable recommendation and asks that it be placed on the Consent Calendar.

Lowell S. Peterson, Committee Chairman

Committee report read and adopted. **H.B. No. 354** was read the second time and placed on Consent Calendar.

SIFTING (RULES) COMMITTEE REPORT

Mr. President: March 5, 1981

Your Sifting (Rules) Committee reports out the following bills to be placed on the Second Reading Calendar in this order:

S.B. No. 188	POWERS OF CITIES AND TOWNS
S.B. No. 274	PENSION DISTRIBUTIONS TAXING
S.B. No. 273	STATE BUILDING OWNERSHIP AUTHORITY AMENDMENTS
S.B. No. 217	OPTOMETRIC REFERRALS MODIFICATIONS
S.B. No. 241	ABUSE OF PERSONAL IDENTITY ACT
S.B. No. 229	KILLING UNBORN CHILD
S.B. No. 189	JUVENILES TRIED AS ADULTS
S.B. No. 202	JOINT APPRENTICESHIP COMMITTEES
S.B. No. 245	STANDARD VALUATION AND NONFOREITURE LAW
S.B. No. 210	PUBLIC ACCOUNTANTS LICENSING ACT
S.B. No. 271	STATE PERSONNEL MANAGEMENT ACT AMENDMENTS
S.B. No. 304	FUEL COST INCREASE — PUBLIC UTILITY RATES
S.B. No. 296	GROUNDWATER RECHARGE TEST APPROPRIATION
S.B. No. 201	PHYSICAL THERAPY REGISTRATION AMENDMENTS
S.B. No. 185	TAX EQUIVALENT PROPERTY

and asks that:

S.B. No. 249	CERTIFIED LAY MIDWIFERY PRACTICE ACT

be placed on the Second Reading Calendar with a Time Certain of 3:00 O'Clock.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted.

RULES COMMITTEE REPORT

Mr. President: March 5, 1981

Your Rules Committee, to which were referred:

H.B. No. 88	(**Sub.**) EXPEDITING CRIMINAL TRIALS (Judiciary)
H.B. No. 176	(**Sub.**) MEDICARE SUPPLEMENT INSURANCE ACT (Social Services)
H.B. No. 217	FEES ON DELINQUENT TAXES (Revenue and Taxation)
H.B. No. 230	MEDICAL EXAMINER'S FINDINGS (Judiciary)
H.B. No. 245	FISCAL IMPACT ESTIMATIONS (Revenue and Taxation)
H.B. No. 250	FINANCIAL IMPACT OF REGULATIONS (State and Local Affairs)
H.B. No. 256	(**Sub.**) UTAH EXECUTIVE AND JUDICIAL SALARY ACT (State and Local Affairs)
H.B. No. 273	BIRD DAY REPEAL (State and Local Affairs)
H.B. No. 275	PUBLIC SERVICE COMMISSION HEARING PROCEDURES (Business, Labor and Economic Development)
H.B. No. 293	VOTER INFORMATION PAMPHLETS (State and Local Affairs)
H.B. No. 301	MUNICIPAL IMPROVEMENT DISTRICT ACT AMENDMENTS (State and Local Affairs)
H.B. No. 305	ANTELOPE ISLAND CONDEMNATION (Energy and Natural Resources)
H.B. No. 328	FEDERAL PLANS IMPLEMENTATION APPROVAL (Energy and Natural Resources)
H.B. No. 348	RESIDENCY FOR HUNTING AND FISHING LICENSES (Energy and Natural Resources)
H.B. No. 375	COUNTY IMPROVEMENT DISTRICT ACT AMENDMENTS (State and Local Affairs)

reports the same back and recommends that they be assigned to the committees indicated. It also asks that:

H.B. No. 194	LOCAL SALES TAX FOR MINIMUM SCHOOL PROGRAM

assigned to Revenue and Taxation on March 3, be reassigned to State and Local Affairs.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted.

* * *

On motion of Senator Cornaby, **S.B. No. 7**, RADAR USE PROHIBITION, was uncircled and amended as follows:

Page 1, Line 11:
After *"RADAR"* insert *"ON A HIGHWAY, STREET OR ROADWAY ON WHICH IT IS LAWFUL TO TRAVEL OVER 45 MILES PER HOUR"*

Page 1, Line 16:
After *"radar"* insert *"on a highway, street or roadway on which it is lawful to travel over 45 miles per hour"*

On motion of Senator Cornaby, the bill was again circled.

* * *

On motion of Senator Halverson, the circles were removed from **S.B. Nos. 7, 253, 155** and **61**, and the bills are to remain on the calendar.

* * *

On motion of Senator Halverson, the Senate voted to lift **S.B. No. 279**, DEPARTMENT OF BUSINESS REGULATION FEES, from Sifting (Rules) Committee and placed at the bottom of Second Reading Calendar.

* * *

On motion of Senator Snow, and at 6:00 p.m., the Senate adjourned until 9:00 a.m., Friday, March 6, 1981.

Pg. 793

FIFTY-FOURTH DAY

MORNING SESSION

The Senate was called to order at 9:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present.

Prayer — Cantor Maynard Berger, Jewish Congregation Kol Ami.

COMMITTEE TO READ AND REVISE THE JOURNAL

Mr. President: March 6, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 5, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **Substitute H.B. No. 12,** SMALL CLAIMS COURT LIMITATION, by Representative Rogers, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **Substitute H.B. No. 50,** ANNEXATION POLICY DECLARATIONS, by Reprsentative Bangerter, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 57,** MULTISTATE HIGHWAY TRANSPORTATION AGREEMENT, by Representative McMullin, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 201,** SCHOOL MILL LEVY ADJUSTMENT, by Representative Brown, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 233,** COMMUNITY CORRECTIONS ASSISTANCE ACT, by Representative Doane, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 384,** PUBLIC ASSISTANCE BURIAL TRUSTS, by Representative Harmer, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 387,** MOTOR VEHICLE ACT MODIFICATIONS, by Representative Garff, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 289,** CHILDREN'S RIGHTS, by Representative Rogers, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 7,** COAL LEASING POLICY RESOLUTION, by Representative Garr, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 150,** FIRST JUDICIAL DISTRICT JUDGESHIP, by Representative Hillyard, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 308,** ADULT PROBATION AND PAROLE, by Representative Stratford, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 298,** PERSONNEL SALARY AMENDMENTS, by Representative Mecham, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 258,** UTAH TECHNICAL COLLEGE AT PROVO ASSOCIATE IN SCIENCE DEGREE, by Representative Gardner, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 309,** FREEDOM OF MEDICATION, by Representative Selleneit, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 260,** STATE HIRING MORATORIUM, by Representative Harward, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 347,** FIRE TRAINING PROGRAMS, by Representative Harmer, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

Sub. H.B. Nos. 12 and **50; H.B. Nos. 57, 201, 233, 384, 387, 289, 150, 308, 298, 258, 309, 260, 347** and **H.C.R. No. 7** were read the first time and referred to Rules Committee.

THIRD READING CALENDAR

Sub. S.B. No. 155, STANDARD STATE BUILDING CODES, was before the Senate. On motion of Senator Christensen, **Third Sub. S.B. No. 155** replaces **Sub. S.B. No. 155.** There is no Second Sub. bill. Senators Christensen, Bunnell, Bennett, Snow, Farley, Jeffs, Finlinson, Jones, Asay and Sandberg commented.

On motion of Senator Bunnell, **Third Sub. No. 155** was amended as follows:

Page 3, Lines 20, 21 and 22:
Delete entirely

Page 3, Line 23:
Delete *"4"* and insert in lieu thereof *"3"*

Page 3, Line 30:
Delete *"recommendation"* and insert in lieu thereof *"decision"* and delete *"is"* and insert in lieu thereof *"shall be binding."*

Page 3, Lines 31 and 32:
Delete entirely

Page 3, Line 28:
Delete *"recommendation"* and insert in lieu thereof *"decision"*

Third Sub. S.B. No. 155 failed on the following roll call:

Yeas, 8, Nays, 14; Absent, 7

Voting in the affirmative were: Senators

Barlow	Bunnell	Flamm	Wayment
Barton	Christensen	Halverson	Mr. President (Ferry)

Voting in the negative were: Senators

Bangerter	Carling	Matheson	Pugh
Bennett	Farley	Money	Sowards
Black	Finlinson	Peterson, C.	
Bullen	Jeffs	Peterson, L.	

Absent and not voting were: Senators

Asay	Jones	Sandberg	Swan

Cornaby	Kimball	Snow

Third Sub. S.B. No. 155 is filed.

* * *

On motion of Senator Barton, **S.B. No. 61,** PUBLIC OFFICIAL'S SALARY INCREASES, was before the Senate on reconsideration. Senators Barton, Matheson and Black commented.

On motion of Senator Barton, **S.B. No. 61** was amended as follows:

Page 3, Lines 9, 10, 11, 12, 13, 14, 15, 16, and 17 Delete entirely and insert in lieu thereof

"(7) No elective official of a first or second class municipality shall receive an increase in salary or emoluments of office until the beginning of the calendar year following the next municipal election after the approval of the ordinance providing for the increase. This limitation shall not apply to compensation increases for officials required to devote increased hours per week, providing the new ratio of pay to hours devoted does not exceed the former ratio of pay to hours devoted, nor shall this limitation affect increases in cost of insurance benefits. No salary increase shall be made retroactive."

Page 4, Lines 7, 8, 9, 10, 11, 12, 13, and 14 Delete entirely and insert in lieu thereof

"(4) No elective official of a county with a population of over 100,000 as of the last national census, shall receive an increase in salary or emoluments of office until the beginning of the calendar year following the next general election after the approval of the ordinance providing for the increase. This limitation shall not apply to compensation increases for officials required to devote increased hours per week, providing the new ratio of pay to hours devoted does not exceed the former ratio of pay to hours devoted, nor shall this limitation affect increases in cost of insurance benefits. No salary increase shall be made retroactive."

S.B. No. 61 failed, on reconsideration, and on the following roll call:

Yeas, 14; Nays, 14; Absent, 1

Voting in the affirmative were: Senators

Asay	Carling	Halverson	Sowards
Bangerter	Christensen	Money	Mr. President (Ferry)
Barton	Cornaby	Peterson, L.	
Bennett	Flamm	Sandberg	

Voting in the negative were: Senators

Barlow	Finlinson	Matheson	Swan
Black	Jeffs	Peterson, C.	Wayment
Bullen	Jones	Pugh	
Farley	Kimball	Snow	

Absent and not voting was: Senator
Bunnell

S.B. No. 61 is filed.

* * *

S.B. No. 207, STATE LAND SALES, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 4; Absent, 1

Voting in the affirmative were: Senators

Asay	Christensen	Jeffs	Sandberg
Bangerter	Cornaby	Jones	Snow
Barlow	Farley	Kimball	Sowards
Barton	Finlinson	Peterson, C.	Swan
Bunnell	Flamm	Peterson, L.	Wayment
Carling	Halverson	Pugh	Mr. President (Ferry)

Voting in the negative were: Senators

Bennett	Black	Bullen	Matheson

Absent and not voting was: Senator
Money

S.B. No. 207 was transmitted to the House.

* * *

Sub. S.B. No. 239, TITLES OF BOATS AND VESSELS, was read the third time. Senators Sowards, Bunnell and Christensen commented.

On motion of Senator Sowards, **Sub. S.B. No. 239** was amended as follows:

Page 1, Line 4:
Delete entirely and insert *"(TITLES OF VESSELS AND OUTBOARD MOTORS)"*

Page 3, Lines 28-31:
After *"73-18c-2"* delete section entirely and insert in lieu thereof
"(1) The following vessels and outboard motors shall be exempt from the provisions of this act:

(a) Any vessel which has a valid marine document issued by the bureau of customs of the United States or any successor thereto.

(b) All canoes.

(c) All inflatables.

(d) Outboard motors whose manufacture listed horsepower is 25 horsepower or less.

(e) All vessels less than 16 feet (Class A), if powered by an outboard motor whose manufacture listed horsepower is 25 horsepower or less.

(f) Vessels and outboard motors owned by non-residents.

(2) The owner of any vessel or outboard motor exempt from titling by the above provisions, may apply to the division for a certificate of title by fining an application accompanied by the prescribed fee.

(3) A vessel that is exempt from titling under this section, is not exempt from registration under Section 73-18-7 unless exempted by that act."

Page 6, Line 10:
Delete *"5"* and insert in lieu thereof *" 10 "*

Sub. S.B. No. 239 was passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Jones	Sandberg
Barlow	Christensen	Kimball	Snow
Barton	Farley	Matheson	Sowards
Bennett	Finlinson	Money	Swan
Black	Flamm	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)
Bunnell	Jeffs	Pugh	

Absent and not voting were: Senators

Bangerter	Cornaby

Sub. S.B. No. 239 was transmitted to the House.

* * *

S.B. No. 263, DISPOSITION OF RECEIPTS FROM SOVEREIGN LANDS, was read the third time, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sowards
Bangerter	Cornaby	Kimball	Swan
Barlow	Farley	Matheson	Wayment
Barton	Finlinson	Peterson, C.	Mr. President (Ferry)
Bullen	Flamm	Peterson, L.	
Bunnell	Halverson	Pugh	
Carling	Jeffs	Snow	

Absent and not voting were: Senators

Bennett	Black	Money	Sandberg

S.B. No. 263 was transmitted to the House.

CONSENT CALENDAR

H.B. No. 149, TOWING RECREATION VEHICLES, was read the third time and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Christensen	Jeffs	Snow
Barlow	Cornaby	Jones	Sowards
Barton	Farley	Matheson	Swan
Bennett	Finlinson	Peterson, L.	Wayment
Bunnell	Flamm	Sandberg	Mr. President (Ferry)

Absent and not voting were: Senators

Bangerter	Carling	Kimball	Peterson, C.
Black	Halverson	Money	Pugh
Bullen			

H.B. No. 149 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

S.B. No. 276, SEXUAL EXPLOITATION OF MINORS, was read the third time and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Bullen	Flamm	Snow
Barlow	Bunnell	Jeffs	Sowards
Barton	Carling	Matheson	Swan
Bennett	Cornaby	Peterson, L.	Wayment
Black	Farley	Sandberg	Mr. President (Ferry)

Absent and not voting were: Senators

Bangerter	Halverson	Kimball	Peterson, C.
Christensen	Jones	Money	Pugh
Finlinson			

S.B. No. 276 was transmitted to the House.

* * *

H.B. No. 64, EXEMPTION FROM EXECUTION, was read the third time and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Swan
Barlow	Carling	Matheson	Wayment
Barton	Cornaby	Peterson, L.	Mr. President (Ferry)
Bennett	Farley	Sandberg	
Black	Finlinson	Snow	
Bullen	Flamm	Sowards	

Absent and not voting were: Senators

Bangerter	Halverson	Kimball	Peterson, C.
Christensen	Jones	Money	Pugh

H.B. No. 64, as amended, was returned to the House.

* * *

H.B. No. 112, LIBRARY THEFT, was read the third time and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Sowards
Barlow	Carling	Matheson	Swan
Barton	Cornaby	Money	Wayment
Bennett	Farley	Peterson, L.	Mr. President (Ferry)
Black	Finlinson	Sandberg	
Bullen	Flamm	Snow	

Absent and not voting were: Senators

Bangerter	Halverson	Kimball	Pugh
Christensen	Jones	Peterson, C.	

H.B. No. 112, as amended, was returned to the House.

* * *

H.B. No. 137, SUBSEQUENT PROSECUTION ALLOWANCE, was read the third time and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Carling	Matheson	Sowards
Barlow	Cornaby	Matheson	Swan
Barton	Farley	Money	Wayment
Bennett	Finlinson	Peterson, C.	Mr. President (Ferry)
Black	Flamm	Sandberg	
Bullen	Jeffs	Snow	

Absent and not voting were: Senators

Bangerter	Christensen	Jones	Pugh
Bunnell	Halverson	Kimball	

H.B. No. 137 was signed by the President in open session of the Senate and returned to the House for further action.

SECOND READING CALENDAR

S.B. No. 67, CORRUPT PRACTICES AMENDMENTS, was read the second time. Senators Finlinson, Black, Matheson, Swan, Snow, Farley, Money, Bennett, Jones and Flamm commented.

Mr. President: February 18, 1981

The State and Local Affairs Committee, to which was referred **S.B. No. 67,** CORRUPT PRACTICES AMENDMENTS, by Senator Fred W. Finlinson, has carefully considered the bill and reports the bill out favorably, with the recommendation that the original bill be deleted in body and title and **Substitute S.B. No. 67** be inserted in lieu thereof.

Then, **Substitute S.B. No. 67** should be amended as follows:

Page 3, Line 20:
After *"accept"* insert *"any"*, delete *"expenditures and insert "expenditure over 10"*

Page 3, Line 21:
After *"or"* insert *"over $100 in"*

Page 4, Line 14:
Delete *"24"* and insert in lieu of *"48"*

Page 4, Line 21:
After *"surplus"* delete *"of"* and insert in lieu of *"or"*, after *"payment"* delete *"or"* and insert in lieu of *"of"*

Bryce C. Flamm, Committee Chairman

Committee report read and adopted. **Sub. S.B. No. 67** replaces the original bill.

On motion of Senator Black, **Sub. S.B. No. 67** was amended as follows:

Page 5, Line 22:
Delete *"24 hours"* and insert in lieu thereof *"three days"*

Page 3, Line 19:
Delete *"(10)"* and insert in lieu thereof *"(9)"*

Page 3, Line 22:
Delete *"(11)"* and insert in lieu thereof *"(10)"*

Page 3, Line 7:
After *"to"* insert *"initiative"*

Page 3:
Delete lines 15, 16, 17 and 18.

Page 4, Line 29:
Before *"party committee"* delete the comma and insert *"or "*

Page 4, Line 29:
After *"party committee"* delete *", or political committee"*

Page 5:
Delete Lines 30 through 32

Page 5, Line 33:
Delete *"(4)"* and insert in lieu thereof *"(3)"*

Page 6, Line 8:
Delete *"(5)"* and insert in lieu thereof *"(4)"*

Page 6, Line 26:
After *"a"* delete *"political"*

Page 6, Line 30:
After *"party committee,"* delete *"political"*

Page 6, Line 31:
Before *"or any"* delete *"committee"*

Page 8, Line 17:
Before *"party"* delete the comma and insert *"or "*

Page 8, Line 17:
After *"party committee"* delete *", or political committee"*

Senator Snow proposed amendments which failed.

On motion of Senator Finlinson, **Sub. S.B. No. 67** was amended as follows:

Page 4, Line 17:
Delete *"expenditures"* and insert in lieu thereof *"any expenditure over $100."*

Page 4, Line 19:
After *"things of"* insert *"over $100 in"*

Page 5, Line 33:
Delete *"of"* and insert in lieu thereof *"or "*

Senator Money proposed an $8,000 number on Page 4, Line 32.

On a substitute motion of Senator Farley, **Sub. S.B. No. 67** was amended as follows:

Page 4, Line 32:
Delete *"$1,000"* in two places and insert in lieu thereof *"$5,000"*

Senator Matheson's motion to change the total aggregate amount of contributions received during the reporting period and each individual contribution of more than *[**$200**] "$500."* passed on the following roll call:

Yeas, 16; Nays, 11; Absent, 2

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sandberg
Barlow	Flamm	Matheson	Snow
Barton	Halverson	Peterson, L.	Sowards
Bullen	Jeffs	Pugh	Wayment

Voting in the negative were: Senators

Bennett	Carling	Kimball	Swan
Black	Farley	Money	Mr. President (Ferry)
Bunnell	Finlinson	Peterson, C.	

Absent and not voting were: Senators

Bangerter	Cornaby

On motion of Senator Farley, **Sub. S.B. No. 67** was amended as follows:

Page 5, Line 4:
After *"contribution"* insert *"in the aggregate"*

On motion of Senator Finlinson, the Senate voted, under suspension of the rules, to read **Sub. S.B. No. 67** the third time and the bill passed on the following roll call:

Yeas, 26; Nays, 2; Absent, 1

Voting in the affirmative were: Senators

Barlow	Christensen	Jones	Snow
Barton	Cornaby	Kimball	Sowards
Bennett	Farley	Money	Swan
Black	Finlinson	Peterson, C.	Wayment
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)
Bunnell	Halverson	Pugh	
Carling	Jeffs	Sandberg	

Voting in the negative were: Senators

Bangerter	Matheson

Absent and not voting was: Senator

Asay

Sub. S.B. No. 67 was transmitted to the House.

* * *

S.B. No. 7, RADAR USE PROHIBITION, was under suspension of the rules, read the third time. On motion of Senator Cornaby, the Senate voted to delete all previous amendments to the bill and return it to its original language. Senators Cornaby, Black, Wayment, C. Peterson, Christensen, Matheson, Swan and Carling commented.

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

Page 1, Line 11:
After *"RADAR"* insert *"ON A HIGHWAY, STREET, OR ROADWAY ON WHICH IT IS LAWFUL TO TRAVEL 45 MPH OR OVER UNLESS THAT HIGHWAY, STREET, OR ROADWAY IS PROVEN BY ACCIDENT HISTORY AS A HIGH HAZZARD ACCIDENT AREA"*

Page 1, Line 12:
After *"VIOLATOR;"* delete the rest of Line 12 and all of Line 13

Page 1, Line 15:
Delete *"unlawfull"* and insert in lieu thereof *"lawful"*

Page 1, Line 16:
After *"radar"* insert *"on a highway, street, or roadway on which it is lawful to travel 45 mph or over unless that highway, street, or roadway is proven by accident history as a high hazzard accident area"*

Page 1, Line 17:
After *"violator."* delete the rest of Line 17 and all of Line 18 and insert *"Any peace officer using radar for apprehension of violators shall have Peace Officers Standards and Training Radar Certification."*

Page 1, after Line 17:
Insert *"Violation of this act is a legal defense against the violation."*

COMMITTEE OF THE WHOLE

On motion of Senator Black, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

Col. Robert J. Reid, Utah Highway Patrol

On motion of Senator Black, the Committee of the Whole was dissolved.

S.B. No. 7 failed on the following roll call:

Yeas, 9; Nay, 18; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Christensen	Finlinson	Halverson
Barton	Cornaby	Flamm	Sandberg
Carling			

Voting in the negative were: Senators

Asay	Farley	Money	Swan
Barlow	Jeffs	Peterson, C.	Wayment
Bennett	Jones	Peterson, L.	Mr. President (Ferry)
Black	Kimball	Snow	
Bullen	Matheson	Sowards	

Absent and not voting were: Senators

Bunnell	Pugh

S.B. No. 7 was filed.

COMMUNICATION FROM THE HOUSE

Mr. President: March 6, 1981

I am directed to inform the Senate that the House of Representatives has this day adopted the Joint Conference Committee Report as of March 4, 1981, and passed **H.B. No. 148,** DENTAL HYGIENIST AMENDMENTS, by Representative Considine, et al, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

H.B. No. 148 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

Mr. President: March 6, 1981

I am directed to inform the Senate that the House of Representatives has this day passed on the Consent Calendar **S.B. No. 235,** IMPLIED WARRANTIES IN LIVESTOCK SALES, by Senator Money, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. No. 235 was signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

* * *

Mr. President: March 6, 1981

I am directed to inform the Senate that the House of Representatives has this day passed on the Consent Calendar **H.J.R. No. 31,** STATE GOVERNMENT PRINTING SOLUTION, by Representative Haddow, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed on the Consent Calendar, as amended, **H.B. No. 369,** TRANSIT DISTRICT ELECTIONS, by Representative Hillyard, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed on the Consent Calendar **H.B. No. 274,** COMPLIANCE WITH COUNTY PLANS, by Representative Anderson, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed on the Consent Calendar **H.B. No. 272,** SELF INSURANCE — WORKMEN'S COMPENSATION, by Representative Reese, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed on the Consent Calendar **Substitute H.B. No. 170,** FALCONRY MEET FEES, by Representative Myrin, and the same is transmitted herewith for the Senate consideration.

Allan M. Acomb, Chief Clerk

H.J.R. No. 31 and **H.B. Nos. 369, 274, 272,** and **Sub. H.B. No. 170** were read the first time and referred to Rules Committee.

* * *

On motion of Senator Snow, and at 12:00, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Miles 'Cap' Ferry presiding.

SECRETARY OF SENATE REPORT

Committe reports have been received on the following bills:

S.B. No. 277	STATE LIQUOR STORES BEER SALES (Judiciary)
S.B. No. 256	COMPARATIVE NEGLIGENCE (Judiciary)
S.B. No. 295	SCHOOLS PROXIMITY TO LIQUOR STORES (Judiciary)
S.B. No. 275	BAIL FORFEITURES (Judiciary)
S.B. No. 283	UTAH DRAM SHOP ACT (Judiciary)
H.B. No. 227	REPEAL OF LOCAL OPTIONAL SALES TAX (Revenue and Taxation)
H.B. No. 228	(SECOND SUB.) SALES AND USE TAX DISTRIBUTION (Revenue and Taxation)

H.B. No. 104	PROPERTY TAX INCREASE LIMITATIONS (Revenue and Taxation)
H.B. No. 32	(SECOND SUB.) FAIR GASOLINE PRICING ACT (Energy and Natural Resources)
H.B. No. 319	(SUB.) COUNTY PAYMENT — MEDICAL ASSISTANCE (Social Services)
H.B. No. 90	(SUB.) SOCIAL SERVICES PROVIDING (Social Services)
H.B. No. 183	(SUB.) PUBLIC INTOXICATION TREATMENT ACT (Social Services)
H.B. No. 247	MENTAL HEALTH AMENDMENTS (Social Services)
H.B. No. 248	MENTAL HEALTH SERVICE AMENDMENTS (Social Services)
H.B. No. 156	ACCESS TO DEATH CERTIFICATES (Social Services)

S.B. Nos. 277, 256, 295, 275, 283 and **H.B. Nos. 227, 228, 104, 32, 317, 90, 183, 247, 248** and **156** were referred to Rules (Sifting) Committee.

STANDING COMMITTEE REPORTS

Mr. President: March 6, 1981

The Judiciary Committee, to which was referred **S.B. No. 284,** INTERSTATE CORRECTIONS COMPACT AMENDMENTS, by Senator A. Dean Jeffs, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The Judiciary Committee, to which was referred **S.B. No. 300,** REPEAL OF HIGHWAY PATROL MANPOWER STANDARD, by Senator Haven J. Barlow, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The Judiciary Committee, to which was referred **S.B. No. 214,** COURT REPORTER ACT, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The Judiciary Committee, to which was referred **Substitute H.B. No. 249,** BILLINGS BY ATTORNEY GENERAL, by Representative Lyle W. Hillyard, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar:

Page 2, Line 21:
Delete *"therefrom"* and insert in lieu therof *"thereof"*, and

The Judiciary Committee, to which was referred **H.B. No. 20,** BUDGETS OF JUDICIAL BRANCH, by Representative P. Lloyd Selleneit, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The Judiciary Committee, to which was referred **H.B. No. 175,** CONTROLLED SUBSTANCES ACT AMENDMENTS, by Representative J. Kirk Rector, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

A. Dean Jeffs, Committee Chairman

Committee report, as amended, read and adopted.

S.B. Nos. 284, 300, 214, Sub. H.B. No. 249, H.B. Nos. 20 and **175** were read the second time and placed on Consent Calendar.

* * *

Mr. President: March 6, 1981

The Social Services Committee, to which was referred **H.B. No. 263,** YOUTH CORRECTION AGENCY, by Representative Dale E. Stratford, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted. **H.B. No. 263** was read the second time and placed on Consent Calendar.

SECOND READING CALENDAR

On motion of Senator Snow, **S.B. No. 253,** MUNICIPAL GOVERNMENT, is circled.

* * *

S.B. No. 258, HAZARDOUS WASTE FACILITY SITING ACT, was read the second time.

Mr. President: March 2, 1981

The Energy and Natural Resources Committe, to which was referred **S.B. No. 258,** HAZARDOUS WASTE FACILITY SITING ACT, by Senator Fred W. Finlinson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Fred W. Finlinson, Committee Chairman

Committee report read and adopted. Senators Finlinson, Swan, Jones and Matheson commented.

S.B. No. 258 passed on the following roll call.

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Swan
Bangerter	Cornaby	Jones	Wayment
Barlow	Farley	Money	Mr. President (Ferry)
Barton	Finlinson	Peterson, C.	
Bennett	Flamm	Sandberg	
Black	Halverson	Sowards	

Voting in the negative was: Senator
Peterson, L.

Absent and not voting were: Senators

Bunnell	Christensen	Matheson	Snow
Carling	Kimball	Pugh	

* * *

On motion of Senator Finlinson, the rules were suspended with no dissenting votes, and **S.B. No. 278,** HAZARDOUS WASTE FACILITIES, was read the second and third times and placed on final passage, Senators Finlinson and Matheson commented.

Mr. President: March 2, 1981

The Energy and Natural Resources Committee, to which was referred **S.B. No. 278,** HAZARDOUS WASTE FACILITES MANAGEMENT ACT, by Senator Fred W. Finlinson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Fred W. Finlinson, Committee Chairman

Committee report read and adopted.

On motion of Senator Finlinson, **S.B. No. 278** was amended as follows:

Page 2, Lines 18 through 34:
delete entirely

Page 2, Lines 2 through 8:
delete entirely

Renumber sections of the bill

Page 2, Line 9:
delete *"nine"* and insert in lieu thereof *"ten"*

Page 2, between lines 14 and 15:
Insert *"(d) The director of the department of transportation;"*

Page 2, Line 16:
delete *"d"* and insert in lieu thereof *"e"*

Page 3, Line 32:
delete *"Construction, operate, and maintain"* and insert in lieu thereof *"Contract for the construction, operation and maintenance of"*

Page 7, Line 3:
after *"wastes,"* delete remainder of line

Page 7, Line 4:
delete *"operation or maintenance of such a facility."*

S.B. No. 278 passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Sandberg
Bangerter	Carling	Kimball	Snow
Barlow	Christensen	Matheson	Sowards
Barton	Farley	Money	Swan
Bennett	Finlinson	Peterson, C.	Wayment
Black	Flamm	Peterson, L.	
Bullen	Halverson	Pugh	

Absent and not voting were: Senators

Cornaby	Jeffs	Mr. President (Ferry)

S.B. No. 278 was transmitted to the House.

THIRD READING CALENDAR

On motion of Senator Finlinson, and under suspension of the rules, **S.B. No. 258**, HAZARDOUS WASTE FACILITY SITING ACT, was read the third time.

On motion of Senator Swan, **S.B. No. 258** was amended as follows:

Page 5, Line 26:
following *"uses."* insert *"However, the committee shall give consideration to excluding an area designated for disposal of uranium mill tailings or for disposal of nuclear wastes unless the proposed disposal site is approved by the effected county through its Board of County Commissioners."*

S.B. No. 258 passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Carling	Jeffs	Pugh
Barlow	Christensen	Jones	Sandberg

Barton	Cornaby	Kimball	Snow
Bennett	Farley	Matheson	Sowards
Black	Finlinson	Money	Swan
Bullen	Flamm	Peterson, C.	Wayment
Bunnell	Halverson	Peterson, L.	

Absent and not voting were: Senators

Asay	Mr. President (Ferry)

S.B. No. 258 was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator Halverson, **S.B. No. 188,** POWERS OF CITIES AND TOWNS, was circled.

* * *

On motion of Senator Bullen, the rules were suspended with no dissenting votes, and **S.B. No. 274,** PENSION DISTRIBUTION TAXING, was read the second and third times and placed on final passage.

Mr. President: February 26, 1981

The Revenue and Taxation Committee, to which was referred **S.B. No. 274,** PENSION DISTRIBUTIONS TAXING, by Senator Charles W. Bullen, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Charles W. Bullen, Committee Chairman

Committee report read and adopted and passed on the following roll Call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Carling	Kimball	Sandberg
Bangerter	Christensen	Matheson	Snow
Barlow	Farley	Money	Sowards
Bennett	Flamm	Peterson, C.	Swan
Black	Halverson	Peterson, L.	Wayment
Bullen	Jeffs	Pugh	

Absent and not voting were: Senators

Barton	Cornaby	Jones	Mr. President (Ferry)
Bunnell	Finlinson		

S.B. No. 274 was transmitted to the House.

* * *

On motion of Senator Bullen, the rules were suspended with no dissenting votes, and **S.B. No. 273,** STATE BUILDING OWNERSHIP AUTHORITY AMENDMENTS, was read the second and third times and placed on final passage. Senators Bullen and Sandberg commented.

Mr. President: March 4, 1981

The Revenue and Taxation Committee, to which was referred**S.B. No. 273,** STATE BUILDINGS OWNERSHIP AUTHORITY AMENDMENTS, by Senator Charles W. Bullen, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Charles W. Bullen, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Carling	Kimball	Snow
Bangerter	Christensen	Matheson	Sowards
Barlow	Farley	Money	Swan
Bennett	Halverson	Peterson, C.	Wayment
Black	Jeffs	Peterson, L.	
Bullen	Jones	Sandberg	

Absent and not voting were: Senators

Barton	Cornaby	Flamm	Mr. President (Ferry)
Bunnell	Finlinson	Pugh	

S.B. No. 273 was transmitted to the House.

* * *

On motion of Senator Halverson, **S.B. No. 217,** OPTOMETRIC REFERRALS MODIFICATION, was circled.

* * *

On motion of Senator Jeffs, the rules were suspended with no dissenting votes, and **S.B. No. 241,** ABUSE OF PERSONAL IDENTITY ACT, was read the second and third times and placed on final passage.

Mr. President: February 19, 1981

The Judiciary Committee, to which was referred **S.B. No. 241,** ABUSE OF PERSONAL IDENTITY ACT, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 3, after Line 23:
insert *"Section 6. This act is an addition to and does not supersede any other civil remedies otherwise available to the parties."*

Page 3, Line 24:
Renumber *"Section 6."* *"Section 7."*

A. Dean Jeffs, Committee Chairman

Committee report, as amended, read and adopted. On motion of Senator Carling, the Senate voted to adopt **Substitute S.B. No. 241** to replace the original bill. On motion of Senator Carling, **Sub S.B. No. 241** was amended was follows:

Page 2:
Delete line 4.

Page 2, Line 6:
After *"person" delete, ", Knowingly"*

Page 2, Line 7:
Delete *"and intentionally"*

Page 2, Line 15:
After *"which"* delete *"clearly"*

Page 2, Line 16:
Delete *"and unequivocally"*

Page 2, Line 16: After *"individual"* insert *"approves"*

Page 2, Line 17:
Delete *"sale of"*

Page 2,
Delete lines 18 through 19 and insert in lieu thereof *"subject matter of the advertisement; and"*

Page 2, Line 27:
After *"relief,"* delete *"actual"*

Page 2, Line 28:
After "proved," insert *"exemplary damages"*

Page 2, Line 28:
After *"costs."* delete *"Exemplary"*

Page 2,
Delete lines 29, 30, 31 and 32

Page 3, Line 3:
After *"advertisement"* delete *"if that"*

Page 3,
Delete lines 4 through 9 and line 10 to the end of the sentence and insert in lieu thereof *"(a) : If the advertisement, on its face is such that a reasonable person*

would conclude that it is unlikely that an individual would consent to such use; and

(b) the publisher did not take reasonable steps to assure that consent was obtained."

Page 3, Line 10:
After *"used."* insert new paragraph *"(2)"*

Page 3, Line 12:
After *"relief,"* delete *"actual and"* and insert in lieu thereof *"damages alleged and proved,"*

Page 3, Line 13:
After *"costs"* delete *"; except that no actual or exemplary"*

Page 3,
Delete lines 14 through 23 and the committee amendment and insert in lieu thereof *"Section 6. This act does not limit or supercede any causes of action otherwise available to the parties."*

Substitute S.B. No. 241 passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Farley	Money	Sowards
Bangerter	Flamm	Peterson, C.	Wayment
Barlow	Halverson	Peterson, L.	Mr. President (Ferry)
Bennett	Jeffs	Pugh	
Carling	Jones	Sandberg	
Christensen	Matheson	Snow	

Absent and not voting were: Senators

Barton	Bullen	Cornaby	Kimball
Black	Bunnell	Finlinson	Swan

Sub. S.B. No. 241 was transmitted to the House.

* * *

On motion of Senator Asay, the rules were suspended with no dissenting votes, and **S.B. No. 229**, KILLING UNBORN CHILD, was read the second and third times and placed on final passage.

Mr. President: February 24, 1981

The Judiciary Committee, to which was referred **S.B. No. 229**, KILLING UNBORN CHILD, by Senator E. Verl Asay, has carefully considered the bill and reports it out of committee with a favorable recommendation.

A. Dean Jeffs, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Carling	Kimball	Swan
Bangerter	Christensen	Money	Wayment
Barlow	Farley	Peterson, C.	Mr. President (Ferry)
Bennett	Flamm	Peterson, L.	
Black	Jeffs	Snow	
Bullen	Jones	Sowards	

Absent and not voting were: Senators

Barton	Cornaby	Halverson	Pugh
Bunnell	Finlinson	Matheson	Sandberg

S.B. No. 229 was transmitted to the House.

SPECIAL ORDER OF BUSINESS
(S.B. No. 249, CERTIFIED LAY MIDWIFERY PRACTICE ACT)

On motion of Senator Bangerter, the Senate voted under suspension of the rules to allow introduction of the following resolution:

INTERIM STUDY OF THE LAY MIDWIFERY PROGRAM

S.C. R. No. 8 Senators Bangerter, Ferry, Farley

A CONCURRENT RESOLUTION OF THE GENERAL SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH, THE GOVERNOR CONCURRING THEREIN; DIRECTING THE LEGISLATIVE MANAGEMENT COMMITTEE TO ASSIGN TO AN APPROPRIATE INTERIM STUDY COMMITTEE THE DUTY TO STUDY A LAY MIDWIFE PROGRAM FOR THE STATE OF UTAH TO BE SUPERVISED BY THE DIVISION OF REGISTRATION; AND URGING A MORATORIUM ON HARRASSMENT AND THREATS OF LEGAL ACTION, AND ACTION PENDING A REPORT OF THE STUDY, was read the first time.

On motion of Senator Bangerter, the rules were suspended with no dissenting votes, and **S.C.R. No. 8** was read the second and third times and placed on final passage. Senators Bangerter, Jones, Wayment, Farley, Carling and Kimball commented.

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

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Carling	Jones	Sandberg
Bangerter	Christensen	Kimball	Sowards
Barlow	Cornaby	Matheson	Swan
Bennett	Farley	Money	Wayment

Black	Flamm	Peterson, C.	Mr. President (Ferry)
Bullen	Jeffs	Peterson, L.	

Absent and not voting were: Senators

Barton	Finlinson	Pugh	Snow
Bunnell	Halverson		

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

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On motion of Senator Bangerter, **S.B. No. 249**, CERTIFIED LAY MIDWIFERY PRACTICE ACT, was placed on Second Reading Table.

RULES COMMITTEE REPORT

Mr. President: **March 6, 1981**

Your Rules Committee, to which were referred:

H.C.R. No. 7	COAL LEASING POLICY RESOLUTION (Energy and Natural Resources)
H.J.R. No. 31	STATE GOVERNMENT PRINTING RESOLUTION (State and Local Affairs)
Sub. H.B. No. 12	SMALL CLAIMS COURT LIMITATION (Judiciary)
Sub. H.B. No. 50	ANNEXATION POLICY DECLARATION (State and Local Affairs)
H.B. No. 57	MULTISTATE HIGHWAY TRANSPORTATION AGREEMENT (Transportation and Public Safety)
H.B. No. 150	FIRST JUDICIAL DISTRICT JUDGESHIP (Judiciary)
H.B. No. 201	SCHOOL MILL LEVY ADJUSTMENT (Public Education)
H.B. No. 233	COMMUNITY CORRECTIONS ASSISTANCE ACT (Social Services)
H.B. No. 258	UTAH TECHNICAL COLLEGE AT PROVO ASSOCIATE IN SCIENCE DEGREE (Higher Education)
H.B. No. 260	STATE HIRING MORATORIUM (State and Local Affairs)
H.B. No. 289	CHLDREN'S RIGHTS (Judiciary)
H.B. No. 298	PERSONNEL SALARY AMENDMENTS (State and Local Affairs)
H.B. No. 308	ADULT PROBATION AND PAROLE (Social Services)

H.B. No. 309	FREEDOM OF MEDICATION (Social Services)
H.B. No. 347	FIRE TRAINING PROGRAMS (State and Local Affairs)
H.B. No. 384	PUBLIC ASSISTANCE BURIAL TRUSTS (Social Services)
H.B. No. 387	MOTOR VEHICLE ACT MODIFICATIONS (Transportation and Public Safety)
H.B. No. 272	SELF INSURANCE-WORKMEN'S COMPENSATION (Business, Labor and Economic Development)
H.B. No. 274	COMPLIANCE WITH COUNTY PLANS (State and Local Affairs)
H.B. No. 239	TRANSIT DISTRICT ELECTIONS (State and Local Affairs)
Sub. H.B. No. 170	FALCONRY MEET FEES (Energy and Natural Resources)

reports the same back and recommends that they be assigned to the committees indicated. It also reports back:

S.C.R. No. 7	AUTOMOBILE EMISSIONS AND CLEAN AIR DAY (Social Services)

with a few minor changes assented to by the author and recommends that it be printed and assigned to the committee indicated.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted. The Senate recessed at 4:00 p.m. The Senate reassembled at 4:15 p.m.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 6, 1981

I am directed to inform the Senate that the House of Representatives has this day adopted the Joint Conference Committee Report as of March 4, 1981, and passed **S.B. No. 107,** REAL ESTATE LICENSE AMENDMENTS, by Senator Barlow. The Speaker of the House has signed the bill in open session, and it is returned herewith for the signature of the President of the Senate.

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **Substitute H.B. No. 112,** LIBRARY THEFT, by Representative Bishop, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. No. 107 was signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

Substitute H.B. No. 112 was signed by the President in open session of the Senate and returned to the House for further action.

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Mr. President: March 6, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.C.R. No. 13,** DAVID TERRY WARNER RESOLUTION, by Representative Gardner, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 63,** RETIREMENT INCOME DEDUCTION INCREASES, by Representative Hollingshaus, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 196,** REAL PROPERTY TAX REVALUATION REPEAL, by Representative Franklin Knowlton, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 257,** ALCOHOLISM INSURANCE COVERAGE, by Representative Richards, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 266,** ALTERNATIVE LEVEL BUDGETING, by Representative Merrill Harward, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, as amended, **Substitute H.B. No. 268,** VETERANS' REPRESENTATIVE, by Representative Myrin, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **Substitute H.B. No. 389,** MISCELLANEOUS LIENS AMENDMENTS, by Representative Garff, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.C.R. No. 13, H.B. Nos. 63, 196, 257, 166, Sub. H.B. Nos. 268 and **389** were read the first time and referred to Rules (Sifting) Committee.

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On motion of Senator Halverson, the circle was removed from **S.B. No. 188,** POWERS OF CITIES AND TOWNS, and the bill was read the second time.

Mr. President: February 24, 1981

The Business, Labor and Economic Development Committe, to which was referred **S.B. No. 188,** POWERS OF CITIES AND TOWNS, by Senator Ronald T. Halverson, has carefully considered the bill and reports it out of committee without recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted. Senator Halverson proposed the following amendment.

Page 2, Line 4:
delete all of paragraph (3) and insert in lieu thereof: *"(3) If an application is filed by a city with the Federal Energy Regulator Commission or its successor agency to acquire any rights in any hydro electric generation project which has been constructed, licensed or operated by any electric utility furnishing service to customers within the state of Utah, the city must also file with the Utah Public Service Commission an agreement which provides for payment to the utility of an amount sufficient to avoid financial loss to the utility or its customers for the utility's loss generating capacity, for the cost of replacement fuel during the period for which a license may be issued to such city and for other facilities which will be acquired or imparied by such acquisition."*

Senators Halverson, Bangerter, C. Peterson, Matheson, Flamm, Jones, Barlow, Bunnell, Snow, Bullen, and Money commented. Senator Cary Peterson proposed a substitute amendment which failed. Senator Bangerter proposed a substitute amendment which failed. The original amendment by Senator Halverson carried.

COMMITTEE OF THE WHOLE

On motion of Senator Snow, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate were:

James E. Ferguson, Mayor, Provo City, Utah
T. W. Forsgren, Utah Power and Light

On motion of Senator Halverson, the Committee of the Whole was dissolved.

S.B. No. 188 passed on the following roll call:

Yeas, 18; Nays, 9; Absent, 2

Voting in the affirmative were: Senators

Barton	Christensen	Jeffs	Sandberg
Black	Cornaby	Jones	Wayment

Bullen	Finlinson	Matheson	Mr. President (Ferry)
Bunnell	Flamm	Peterson, L.	
Carling	Halverson	Pugh	

Voting in the negative were: Senators

Bangerter	Farley	Money	Snow
Barlow	Kimball	Peterson, C.	Swan
Bennett			

Absent and not voting were: Senators

Asay	Sowards

* * *

On motion of Senator Halverson, **S.B. No. 250,** OCCUPATION TAX INCREASE, was read the second time. Senators Farley, Snow, Bullen and Swan commented.

Mr. President: February 24, 1981

The Revenue and Taxation Committee, to which was referred **S.B. No. 250,** OCCUPATION TAX INCREASE, by Senator Frances Farley, has carefully considered the bill and reports it out of committee with the following amendments and with a favorable recommendation.

Restore all the original language and delete all the underlined material.

Page 4, Lines 21 and 22:
Delete *"[**two*percent**]"* in insert in lieu thereof *"5%"*

Charles W. Bullen, Committee Chairman

Committee report, as amended, read and adopted. On motion of Senator Farley, the Senate voted to consider the bill in its original language. On motion of Senator Bullen, **S.B. No. 250** was amended as follows:

Page 1, Line 10
after *"OF"* delete *"MINERALS AND THE"*

Pgae 1, Lines 11 through 17
Delete entirely

Page 1, Line 18
Delete *"ELSEWHERE"* and insert *"OIL AND GAS; INCREASING THE RATE OF THESE TAXES;"*

Page 1, Line 25
After *"1980"* insert a period and delete *"; ENACTS"*

Page 1, Lines 26, 27 and 28
Delete entirely

Page 3, Line 22
Delete *"so long as title"*

Page 3, Line 23
Delete entirely

Page 3, Line 24
Delete *"United States, [*z*the**term**]"*

Page 3, Line 26
Delete *"to the United States or any"*

Page 3, Line 27
Delete *"agency[**thereof**]of it"* and after *"person"* insert *"receiving"* and delete *"authorized by the"*

Page 3, Line 28
Delete *"United States to receive"* and after *"same"* insert *"for processing, use, or resale"*

Page 4, Line 5
Delete *"2%"* and insert in lieu thereof *"1%"*

Page 4, Line 9
Delete *"every person engaged in"*

Page 4, Lines 10, 11, 12, 13 and 14
Delete entirely

Page 4, Line 15
Delete *"sold or transported or delivered;"*

Page 4, Line 22
Delete *"4% of"*

Page 4, Line 24
After *"produced"* insert *"in accordance with the following table:*

If the value is:	*The Tax is:*
Not over $100,000	*0*
Over $100,000 but not over $200,000	*2% of value over $100,000*
Over $200,000 but not over $300,000	*$2,000 plus 3% of value over $200,000*
Over $300,000 but not over $400,000	*$5,000, plus 4% of value over $300,000*
Over $400,000	*$9,000, plus 5% of value over $400,000."*

Page 4, Line 28
Delete *"or nonmetalliferous"*

Page 4, Line 29
Delete *"transported or"*

Page 4, Line 31
After *"premises."* insert *"If the metalliferous mineral is shipped outside the State of Utah, this constitutes a sale, and the mineral is then subject to the occupation*

tax. If the metalliferous mineral is stockpiled and not sold or transported out of the state, the tax will not be applicable until sold, transported, or delivered, but any mineral stockpiled for more than two years will be subject to the occupation tax."

Page 6, Lines 32, 33 and 34
Delte entirely

Page 7, Lines 2 through 7
Delete entirely

Page 7, Line 8
Delete *"3"* and insert in lieu thereof *"2"*

Page 7, Line 16
Delete *"4"* and insert in lieu thereof *"3"*

Page 7, Line 18
Delete *"the [**or*or*metals**]"* and after *"minerals"* insert a period and delete remainder of the line.

Page 7, Lines 9 through 24
Delete entirely

Page 7, Line 29
Delete *"or"*

Page 7, Line 30
Delete *"nonmetalliferous"* and after *"minerals"* delete remainder of the line

Page 7, Line 31
Delete *"hydrocarbon substances from a well or wells"*

Page 10, Line 10
Delete *"or transported"*

Page 11, Lines 4 through 24
Delete entirely

Page 11, Line 25
Delete *"9"* and insert in lieu thereof *"7"*

On motion of Senator Bullen, and under suspension of the rules, **S.B. No. 250** was read the third time and passed on the following roll call:

Yeas, 25; Nays, 2; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Christensen	Jones	Snow
Barlow	Cornaby	Matheson	Sowards

Barton	Farley	Money	Swan
Black	Finlinson	Peterson, C.	Mr. President (Ferry)
Bullen	Flamm	Peterson, L.	
Bullen	Flamm	Pugh	
Bunnell	Halverson	Sandberg	
Carling	Jeffs		

Voting in the negative were: Senators

Bennett	Kimball

Absent and not voting were: Senators

Asay	Wayment

S.B. No. 250 was transmitted to the House.

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On motion of Senator Barlow, the rules were suspended with no dissenting votes, and **S.B. No. 189,** JUVENILES TRIED AS ADULTS, was read the second and third times and placed on final passage.

Mr. President: February 24, 1981

The Judiciary Committee, to which was referred**S.B. No. 189,** JUVENILES TRIED AS ADULTS, by Senator Haven J. Barlow, et al, has carefully considered teh bill and reports it out of committee favorably and with the following amendments:

Page 2, after Line 24:
insert *"(g) The prosecutorial merit of the complaint:*
(h) The desirability of trial and disposition of the entire offense in one court when the juvenile's associates in the alleged offense are adults who will be charged with a crime in the district court."

Page 2, Line 27:
AFter *"court,"* delete the remainder of the line and delete lines 28 through 32.

Page 3, Line 34:
After *"adult."* insert *"A copy of the information or indictment will also be filed forthwith in the juvenile court as notice to that court."*

Page 4, Line 7:
After "jurisdiction" delete *"of the"* and insert in lieu thereof *"as provided in 78-3a-16 and any authority which was previously exercised over the"*

Page 4, Line 11:
After *"allegations;"* insert *"or"*

Page 4, Line 12:
After *"charges;"* delete the remainder of the line and delete lines 13 through 16

and insert in lieu thereof the following: *"or the juvenile court files a request for a return of jurisdiction in the district court where the allegations are"*

A. Dean Jeffs, Committee Chairman

Committee report, as amended, read and adopted, and the bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Christensen	Matheson	Sowards
Barlow	Cornaby	Money	Swan
Barton	Finlinson	Peterson, C.	Wayment
Bennett	Flamm	Peterson, L.	Mr. President (Ferry)
Black	Halverson	Pugh	
Bullen	Jeffs	Sandberg	
Carling	Jones	Snow	

Absent and not voting were: Senators

Asay	Carling	Kimball

S.B. No. 189 was transmitted to the House.

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On motion of Senator Pugh, the rules were suspended with no dissenting votes, and **S.B. No. 279,** DEPARTMENT OF BUSINESS REGULATION FEES, was read the second and third times and placed on final passage.

Mr. President: March 4, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 279,** DEPARTMENT OF BUSINESS REGULATION FEES, by Senator Warren E. Pugh, has carefully considered the bill and reports it out favorably with the recommendation that the original bill be deleted in body and title and that **Substitute S.B. No. 279** replace the original bill.

Arnold Christensen, Committee Chairman

Committee report read and adopted and **Substitute S.B. No. 279** replaced the original bill. The substitute bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Cornaby	Kimball	Snow
Barton	Farley	Matheson	Sowards
Bennett	Finlinson	Money	Swan (expln.)
Black	Flamm	Peterson, C.	Wayment

Bullen	Halverson	Peterson, L.	Mr. President (Ferry)
Bunnell	Jeffs	Pugh	
Christensen	Jones	Sandberg	

Absent and not voting were: Senators

Asay	Bangerter	Carling

S.B. No. 279 was transmitted to the House.

STANDING COMMITTEE REPORT

Mr. President: March 6, 1981

The Higher Education Committee, to which was referred **H.B. No. 258,** UTAH TECHNICAL COLLEGE AT PROVO ASSOCIATE IN SCIENCE DEGREE, by Representative Willard Hale Gardner, et al, has individually considered the bill and reports it back to the Senate with a favorable recommendation.

Lowell S. Peterson, Committee Chairman, and Senators L. Peterson, Christensen (negative), Cornaby, Halverson, Bullen and Swan, committee members.

Committee report read and adopted and the bill was referred to Rules (Sifting) Committee.

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S.B. No. 253, MUNICIPAL GOVERNMENT, and **S.B. No. 217,** OPTOMETRIC REFERRALS MODIFICATION, being circled as the Senate adjourned, were placed on Second Reading Table.

On motion of Senator Snow, and at 6:10 p.m., the Senate adjourned until 9:00 a.m., Monday, March 9, 1981.

PZ . 826

FIFTY-SEVENTH DAY

MORNING SESSION

The Senate was called to order at 9:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present.

Prayer — Father Thomas Meersman, Chaplain at the Utah State Prison for twenty-five years.

On motion of Senator Kimball, the prayer given by Father Meersman is to be printed in the Senate Journal:

*"**Let Us Pray.** Lord, God, it is very easy this morning, here in this beautiful valley of the Great Salt Lake, to lift up our hearts to you, because you are the author of all the beauty that we see in creation: the blue skies overhead, the snowcapped mountains, the signs of spring, the grass turning green, the birds already singing their songs of joy, so we offer our praise to you, the God of goodness and love as manifested in your creation.*

And now, Lord, to matters at hand. It is with a sense of urgency that we send a prayer to you today, for as you rule the corridors of this great governmental body, the countdown has started and there is an urgency in everyone's mind. Certain things have to be done and there are only so many hours and days in which to do it. And so, as we ask for your guidance and wisdom in all these things — because you have said, "Ask and you shall receive." Lord, we ask today for good things — and you bless what is good. We send up our petition, that in these closing days we will not forget to ask again and again for your guidance of these servants of the public, elected by their fellowmen and in whose hands are great powers. Let them use wisdom, let them seek justice — for all of these qualities we find in you. Guide them, Lord, in their deliberations so that when the last statement is made in a few days, they can look to you and say, 'Lord, bless us, for we have done the best that we can do.' May this, and all their days be blessed by you, the Lord of goodness. AMEN."

COMMITTEE TO READ AND REVISE THE JOURNAL

Mr. President: March 9, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 4, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 4,** FEDERAL JUDICIAL REFORM RESOLUTION, by Representative Selleneit, et al, and the same is transmitted herewith for Senate consideration, and

March 6, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 3,** FEDERAL LEGISLATION RESOLUTION, by Representative Selleneit, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.J.R. No. 28,** PROVO BAY ACRETION RESOLUTION, by Representative Phelps, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 12,** LOW-LEVEL RADIOACTIVE WASTES, by Representative Brandt, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, as amended, **H.B. No. 54,** PEACE OFFICER TRAINING ASSESSMENTS, by Representative Nielsen, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 141,** LICENSE PLATES FOR FORMER PRISONERS OF WAR, by Representative Tom Christensen, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, as amended, **H.B. No. 152,** STATE FIREWORKS ACT, by Representative Pace, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 235,** DEPUTY SHERIFFS' PROBATIONARY PERIOD, by Representative Selleneit, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **Substitute H.B. No. 261,** TEXTBOOKS IN PUBLIC SCHOOLS, by Representative Curran, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, **H.B. No. 295,** STATE TRAINING SCHOOL — COSTS RESPONSIBILITY, by Representative Reese, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 310,** FEDERAL PLANS IMPLEMENTATION REQUISITE, by Representative Redd, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 325,** LIMITATION ON LEGISLATION, by Representative Garr, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **Second Substitute H.B. No. 393,** POPULATION AND PERSONAL INCOME FIGURES ADOPTION, by Representative Brockbank, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.J.R. Nos. 4, 3 and **28** and **H.C.R. No. 12** and **H.B. Nos. 54, 141, 152, 235, 261, 295, 310, 325** and **Second Substitute H.B. No. 393** were read the first time and referred to Rules (Sifting) Committee.

CONSENT CALENDAR

Senator Snow, with the aid of five senators, requested a call of the Senate. On motion of Senator Snow, the call of the Senate was lifted.

H.B. No. 163, FIREMAN'S RETIREMENT BENEFIT OFFSET, was read the third time, and passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Pugh
Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Kimball	Snow
Barton	Farley	Matheson	Sowards
Bennett	Finlinson	Money	Swan
Black	Flamm	Peterson, C.	Wayment

Bullen	Halverson	Peterson, L.	Mr. President (Ferry)
Bunnell			

H.B. No. 163 was signed by the President in open session of the Senate and returned to the House for further action.

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H.B. No. 131, MODIFICATIONS OF FIREMEN'S RETIREMENT BENEFITS, was read the third time, and passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Pugh
Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Kimball	Snow
Barton	Farley	Matheson	Sowards
Bennett	Finlinson	Money	Swan
Black	Flamm	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)
Bunnell			

H.B. No. 131 was signed by the President in open session of the Senate and returned to the House for further action.

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H.B. No. 236, PHYSICAL THERAPIST PROFESSIONAL CORPORATION, was read the third time, and passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Pugh
Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Kimball	Snow
Barton	Farley	Matheson	Sowards
Bennett	Finlinson	Money	Swan
Black	Flamm	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)
Bunnell			

H.B. No. 236 was signed by the President in open session of the Senate and returned to the House for further action.

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S.B. No. 262, TRAMWAY REGISTRATIONS, was read the third time.

Mr. President: February 20, 1981

The Transportation and Public Safety Committee, to which was referred **S.B. No. 262,** TRAMWAY REGISTRATIONS, by Senator Fred W. Finlinson, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted, and the bill passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Pugh
Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Kimball	Snow
Barton	Farley	Matheson	Sowards
Bennett	Finlinson	Money	Swan
Black	Flamm	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)
Bunnell			

S.B. No. 262 was transmitted to the House.

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S.B. No. 299, UTAH UNIFORM PROBATE CODE AMENDMENTS, was read the third time, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Sandberg
Bangerter	Carling	Jones	Snow
Barlow	Christensen	Kimball	Sowards
Barton	Cornaby	Money	Swan
Bennett	Farley	Peterson, C.	Wayment
Black	Finlinson	Peterson, L.	Mr. President (Ferry)
Bullen	Flamm	Pugh	

Absent and not voting were: Senators

Halverson	Matheson

S.B. No. 299 was transmitted to the House.

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S.B. No. 240, STATE BOARD OF EDUCATION PERSONNEL, was read the third time.

Mr. President: February 23, 1981

The Public Education Committee, to which was referred **S.B. No. 240,** STATE BOARD OF

EDUCATION PERSONNEL, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee with a favorable recommendation.

William T. "Bill" Barton, Committee Chairman

Committee report read and adopted, and the bill passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Pugh
Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Kimball	Snow
Barton	Farley	Matheson	Sowards
Bennett	Finlinson	Money	Swan
Black	Flamm	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)
Bunnell			

S.B. No. 240 was transmitted to the House.

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S.B. No. 285, PRIVATE CLUB NONPROFIT CORPORATION, was read the third time.

Mr. President: February 26, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 285,** PRIVATE CLUB NONPROFIT CORPORATION ACT, by Senator A. Dean Jeffs, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted. On motion of Senator Jeffs, the Senate voted to place **S.B. No. 285** on Third Reading Calendar and further to replace the original bill with **Substitute S.B. No. 285.** The bill then passed, under suspension of the rules, on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Sandberg
Bangerter	Christensen	Jones	Snow
Barlow	Cornaby	Kimball	Sowards
Barton	Farley	Matheson	Wayment
Black	Finlinson	Money	Mr. President (Ferry)
Bullen	Flamm	Peterson, C.	
Bunnell	Halverson	Pugh	

Absent and not voting were: Senators

Bennett	Peterson, L.	Swan

Substitute S.B. No. 285 was transmitted to the House.

* * *

S.B. No. 171, JUVENILE COURT JURISDICTION EXENSION, was read the third time.

Mr. President: February 19, 1981

The Judiciary Committee, to which was referred **S.B. No. 171,** JUVENILE COURT JURISDICTION EXTENSION, by Senator Lowell S. Peterson, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 26:
Delete *"or"* and insert in lieu thereof *"for purposes of rehabilitation of the child,"*

Page 2, Lines 3, 4 and 5:
Delete all underlined language and insert in lieu thereof the following:
"; and the parents, step-parents or other legal guardian for purposes of rehabilitation of the family"

Page 2, Line 6:
After *"school"* insert *"and the parents, step-parents or other legal guardian of said child for purposes of rehabilitation of the child"*

Page 2, after Line 6:
insert the following:
"(3) To take into temporary custody any child who has been unlawfully removed from his parent, guardian or custodian and brought into this state from another state. The court shall conduct a hearing within 48 hours of taking physical custody of a child and thereafter release the child to the parent, guardian or custodian with paramount legal custody unless otherwise ordered by the district court."
and renumber remaining subsections.

A. Dean Jeffs, Committee Chairman

Committee report, as amended, read and adopted. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Sandberg
Bangerter	Christensen	Jones	Snow
Barlow	Cornaby	Kimball	Sowards
Barton	Farley	Matheson	Swan
Bennett	Finlinson	Money	Wayment
Black	Flamm	Peterson, C.	Mr. President (Ferry)
Bullen	Halverson	Peterson, L.	

Absent and not voting were: Senators

Bunnell	Pugh

S.B. No. 171 was transmitted to the House.

* * *

S.B. No. 297, PROPERTY TRANSFER TO WEBER STATE, was read the third time.

Mr. President: February 25, 1981

The Higher Education Committee, to which was referred **S.B. No. 297,** PROPERTY TRANSFER TO WEBER STATE, by Senator Ronald T. Halverson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lowell S. Peterson, Committee Chairman

Committee report read and adopted, and the bill passed on the following roll call:

Yeas, 27; Nays, 1; Absent, 1

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Sandberg
Bangerter	Christensen	Jones	Snow
Barlow	Cornaby	Kimball	Sowards
Barton	Farley	Matheson	Swan
Bennett	Finlinson	Money	Wayment
Bullen	Flamm	Peterson, C.	Mr. President (Ferry)
Bunnell	Halverson	Peterson, L.	

Voting in the negative was: Senator
Black

Absent and not voting was: Senator
Pugh

S.B. No. 297 was transmitted to the House.

* * *

S.B. No. 298, PEACE OFFICER CLASSIFICATIONS, was read the third time.

Mr. President: February 25, 1981

The Transportation and Public Safety Committee, to which was referred **S.B. No. 298,** PEACE OFFICER CLASSIFICATIONS, by Senator Glade M. Sowards, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted, and the bill passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Pugh
Bangerter	Christensen	Jones	Sandberg

Barlow	Cornaby	Kimball	Snow
Barton	Farley	Matheson	Sowards
Bennett	Finlinson	Money	Swan
Black	Flamm	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)
Bunnell			

S.B. No. 298 was transmitted to the House.

* * *

S.B. No. 302, AIRPORT SECURITY OFFICERS, was read for the third time.

Mr. President: February 25, 1981

The Transportation and Public Safety Committee, to which was referred **S.B. No. 302,** AIRPORT SECURITY OFFICERS, by Senator Glade M. Sowards, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call.

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Pugh
Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Kimball	Snow
Barton	Farley	Matheson	Sowards
Black	Finlinson	Money	Swan
Bullen	Flamm	Peterson, C.	Wayment
Bunnell	Halverson	Peterson, L.	Mr. President (Ferry)

Absent and not voting was: Senator
Bennett

S.B. No. 302 was transmitted to the House.

* * *

S.B. No. 194, U.C.C.C. EXEMPTION PROVISIONS, was read the third time.

Mr. President: February 26, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 194,** U.C.C.C. EXEMPTION PROVISIONS, by Ivan M. Matheson, has carefully considered the bill and reports it out of committee favorably and with the following amendment:

Page 1, Line 12:

Delete *"CREDIT SALES, LEASES, OR LOANS"* and insert in lieu thereof *"SALES OR LEASES"*

Arnold Christensen, Committee Chairman

Committee report, as amended, read and adopted, and the bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Pugh
Bangerter	Christensen	Jones	Sandberg
Barlow	Farley	Kimball	Snow
Barton	Finlinson	Matheson	Sowards
Bennett	Flamm	Money	Wayment
Bullen	Halverson	Peterson, C.	Mr. President (Ferry)

Absent and not voting were: Senators

Black	Cornaby	Peterson, L.	Swan
Bunnell			

S.B. No. 194 was transmitted to the House.

* * *

S.B. No. 234, SCHOOL DISTRICT BOUNDARY CHANGES, was read the third time.

Mr. President: February 23, 1981

The Public Education Committee, to which was referred **S.B. No. 234,** SCHOOL DISTRICT BOUNDARY CHANGES, by Senator Charles E. Bennett, has carefully considered the bill and reports it out of committee with a favorable recommendation.

William T. "Bill" Barton, Committee Chairman

Committee report read and adopted. On motion of Senator Bennett, **S.B. No. 234** was amended as follows:

Page 2, Line 9:
after *"area"* insert *"of a"*

S.B. No. 234 passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bullen	Halverson	Pugh
Bangerter	Carling	Jeffs	Snow
Barlow	Christensen	Jones	Sowards

Barton	Cornaby	Matheson	Swan
Bennett	Farley	Money	Wayment
Black	Flamm	Peterson, C.	Mr. President (Ferry)

Absent and not voting were: Senators

Bunnell	Kimball	Peterson, L.	Sandberg
Finlinson			

S.B. No. 234 was transmitted to the House.

* * *

S.C.R. No. 5, ALCOHOL WARNING LABEL RESOLUTION, was read the the third time.

Mr. President: February 19, 1981

The Higher Education Committee, to which was referred **S.C.R. No. 5,** ALCOHOL WARNING LABEL RESOLUTION, by Senator A. Dean Jeffs, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lowell S. Peterson, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	Jones	Sowards
Bangerter	Christensen	Matheson	Swan
Barlow	Cornaby	Money	Wayment
Barton	Farley	Peterson, C.	Mr. President (Ferry)
Bennett	Flamm	Peterson, L.	
Black	Halverson	Pugh	
Bullen	Jeffs	Snow	

Absent and not voting were: Senators

Bunnell	Finlinson	Kimball	Sandberg

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

* * *

H.B. No. 222, RETIREMENT SYSTEM CONTRIBUTIONS, was read for the third time.

Senator Swan moved that legislative intent be noted in the Senate Journal that the last sentence of the bill is to made grammatically correct.

H.B. No. 222 passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Sandberg

Bangerter	Christensen	Jones	Snow
Barlow	Cornaby	Matheson	Swan
Barton	Farley	Money	Wayment
Bennett	Finlinson	Peterson, C.	Mr. President (Ferry)
Black	Flamm	Peterson, L.	
Bullen	Halverson	Pugh	

Absent and not voting were: Senators

Bunnell	Kimball	Sowards

H.B. No. 222 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

H.B. No. 269, SPECIAL TAXING DISTRICT LEVIES, was read the third time, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Sandberg
Bangerter	Carling	Jones	Snow
Barlow	Christensen	Matheson	Sowards
Barton	Cornaby	Money	Swan
Bennett	Farley	Peterson, C.	Wayment
Black	Finlinson	Peterson, L.	Mr. President (Ferry)
Bullen	Halverson	Pugh	

Absent and not voting were: Senators

Flamm	Kimball

H.B. No. 269 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

H.B. No. 354, HIGHER EDUCATION LOANS INTEREST, was read the third time, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Snow
Bangerter	Cornaby	Matheson	Swan
Barlow	Farley	Money	Wayment
Bennett	Finlinson	Peterson, C.	Mr. President (Ferry)
Black	Flamm	Peterson, L.	
Bullen	Halverson	Pugh	

Carling	Jeffs	Sandberg	

Absent and not voting were: Senators

Barton	Bunnell	Kimball	Sowards

H.B. No. 354 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

S.B. No. 284, INTERSTATE CORRECTIONS COMPACT, was read the third time, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Snow
Bangerter	Cornaby	Matheson	Swan
Barlow	Farley	Money	Wayment
Bennett	Finlinson	Peterson, C.	Mr. President (Ferry)
Black	Flamm	Peterson, L.	
Bullen	Halverson	Pugh	
Carling	Jeffs	Sandberg	

Absent and not voting were: Senators

Barton	Bunnell	Kimball	Sowards

S.B. No. 284 was transmitted to the House.

* * *

S.B. No. 300, REPEAL OF HIGHWAY PATROL MANPOWER STANDARD, was read the third time, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Pugh
Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Matheson	Snow
Bennett	Farley	Money	Swan
Black	Finlinson	Peterson, C.	Wayment
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Barton	Halverson	Kimball	Sowards
Bunnell			

S.B. No. 300 was transmitted to the House.

* * *

S.B. No. 214, COURT REPORTER ACT, was read the third time, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jones	Snow
Bangerter	Christensen	Matheson	Sowards
Barlow	Cornaby	Money	Swan
Bennett	Farley	Peterson, C.	Wayment
Black	Finlinson	Peterson, L.	Mr. President (Ferry)
Bullen	Flamm	Pugh	
Bunnell	Jeffs	Sandberg	

Absent and not voting were: Senators

Barton	Halverson	Kimball

S.B. No. 214 was transmitted to the House.

* * *

Sub. H.B. No. 249, BILLINGS BY ATTORNEY GENERAL, was read the third time, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Pugh
Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Matheson	Sowards
Bennett	Farley	Money	Swan
Black	Finlinson	Peterson, C.	Wayment
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Barton	Halverson	Kimball	Snow
Bunnell			

Sub. H.B. No. 249 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

H.B. No. 20, BUDGETS OF JUDICIAL BRANCH, was read the third time and, on motion of Senator Barlow, placed on Third Reading Calendar, and circled.

* * *

H.B. No. 175, CONTROLLED SUBSTANCES ACT, was read the third time, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Snow
Bangerter	Carling	Jones	Sowards
Barlow	Christensen	Matheson	Swan
Barton	Cornaby	Money	Wayment
Bennett	Farley	Peterson, C.	Mr. President (Ferry)
Black	Finlinson	Peterson, L.	
Bullen	Flamm	Sandberg	

Absent and not voting were: Senators

Halverson	Kimball	Pugh

H.B. No. 175 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

H.B. No. 263, YOUTH CORRECTION AGENCY, was read the third time, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Sandberg
Bangerter	Carling	Jeffs	Snow
Barlow	Christensen	Jones	Sowards
Barton	Cornaby	Matheson	Swan
Bennett	Farley	Money	Wayment
Black	Finlinson	Peterson, C.	Mr. President (Ferry)
Bullen	Flamm	Pugh	

Absent and not voting were: Senators

Kimball	Peterson, L.

H.B. No. 263 was signed by the President in open session of the Senate and returned to the House for further action.

THIRD READING CALENDAR

S.B. No. 188, POWER OF CITIES AND TOWNS, was read the third time.

On motion of Senator Matheson, **S.B. No. 188** was amended as follows:

Page 2, Line 14:
Delete *"Utah Public Service Commission"* and insert in lieu thereof *"department of business regulation"*

On motion of Senator Snow, **S.B. No. 188** was amended as follows:

Page 1, Line 10:
After *"TOWNS"* insert *"OR OTHER POLITICAL SUBDIVISION"*

Page 1, Line 33:
After *"city"* insert *"or other political subdivision"*

Page 2, Line 2:
After *"city"* insert *"or other political subdivision"*

Page 2, Line 9:
After *"city"* insert *"or other political subdivision"*

Page 2, Line 13:
After *"city"* insert *"or other political subdivision"*

Page 2, Line 18:
After *"city"* insert *"or other political subdivision"*

S.B. No. 188 passed third reading on the following roll call:

Yeas, 19; Nays, 6; Absent, 4

Voting in the affirmative were: Senators

Barton	Christensen	Jeffs	Sandberg
Bennett	Cornaby	Jones	Sowards
Black	Farley	Matheson	Wayment
Bunnell	Flamm	Peterson, L.	Mr. President (Ferry)
Carling	Halverson	Pugh	

Voting in the negative were: Senators

Bangerter	Money	Snow	Swan
Barlow	Peterson, C.		

Absent and not voting were: Senators

Asay	Bullen	Finlinson	Kimball

Senator L. Peterson, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action on the next legislative day.

* * *

On motion of Senator Flamm, the rules were suspended with no dissenting votes, and **S.B. No. 245,** STANDARD VALUTAION AND NONFORFEITURE LAW, was read the second and third times and placed on final passage.

Mr. President: March 4, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 245,** STANDARD VALUATION AND NONFORFEITURE LAW, by Senator Bryce C.

Flamm, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Asay	Carling	Matheson	Swan
Bangerter	Christensen	Peterson, C.	Wayment
Barlow	Cornaby	Peterson, L.	Mr. President (Ferry)
Bennett	Farley	Sandberg	
Black	Flamm	Snow	
Bunnell	Halverson	Sowards	

Voting in the negative was: Senator
Jeffs

Absent and not voting were: Senators

Barton	Finlinson	Kimball	Pugh
Bullen	Jones	Money	

S.B. No. 245 was transmitted to the House.

* * *

On motion of Senator Sandberg, the rules were suspended with no dissenting votes, and **S.B. No. 210,** PUBLIC ACCOUNTANTS LICENSING ACT, was read the second and third times and placed on final passage.

Mr. President: February 18, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 210,** PUBLIC ACCOUNTANTS LICENSING ACT, by Senator Wayne L. Sandberg, et al, has carefully considered the bill and reports it out of committee favorably with the following amendment:

Page 3, Line 21:
After *"rule"* delete the semicolon and insert *", except that any resident student enrolled in an accounting program of a two year college or business school on September 30, 1980 will have five years from enactment of this section;"*

Arnold Christensen, Committee Chairman

Committee report, as amended, read and adopted.

On motion of Senator Sowards, **S.B. No. 210** was amended as follows:

Page 3, Lines 7 and 8:

Delete "; *and*" and insert "*, or has been licensed to practice public accountancy by the State of Utah for a period of at least twenty (20) years; and*"

Page 3, Line 33:
Delete the period and insert "*, or has been licensed to practice public accountancy by the State of Utah for a period of at least twenty (20) years.*"

Page 4, Line 26:
Delete the period and insert "*, or has been licensed to practice public accountancy by the State of Utah for a period of at least twenty (20) years.*"

S.B. No. 210 passed on the following roll call:

Yeas, 24; Nays, 4; Absent, 1

Voting in the affirmative were: Senators

Bangerter	Carling	Jones	Sandberg
Barton	Cornaby	Matheson	Snow
Bennett	Farley	Money	Sowards
Black	Finlinson	Peterson, C.	Swan
Bullen	Flamm	Peterson, L.	Wayment
Bunnell	Jeffs	Pugh	Mr. President (Ferry)

Voting in the negative were: Senators

Asay	Barlow	Christensen	Halverson

Absent and not voting was: Senator
Kimball

S.B. No. 210 was transmitted to the House.

* * *

On motion of Senator Christensen, **S.B. No. 202,** JOINT APPRENTICESHIP COMMITTEES, was under suspension of the rules, read the second and third times and up for final passage.

Mr. President: February 18, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 202,** JOINT APPRENTICESHIP COMMITTEES, by Senator Arnold Christensen, has carefully considered the bill and reports it out favorably with the recommendation that the original bill be deleted in body and title and that **Substitute S.B. No. 202** replace the original bill.

Arnold Christensen, Committee Chairman

Committee report read and adopted and **Sub. S.B. No. 202** replaced the original bill.

On motion of Senator Christensen, **Sub. S.B. No. 202** was amended as follows:

Page 1, Line 36:
After the deleted material delete *"three"* and insert *"four"*

Page 2, Line 3:
After *"trades,"* delete *"three"* and insert *"four"*

Page 2, Line 4:
After *"trades,"* delete *"three"* and insert *"four"*

Page 3:
Delete Line 29 through 32 and insert in lieu thereof
"Prior educational experience in the trade shall be a substitute for supplemental instruction dependent on the passage of an equalizancy test administered by an accredited school with the assistance of the appropriate Governance Board. The amount of credit granted shall be determined by the school giving the test and the appropriate board."

Sub. S.B. No. 202 passed on the following roll call:

Yeas, 22; Nays, 6; Absent, 1

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Sowards
Bangerter	Christensen	Jones	Swan
Barlow	Cornaby	Matheson	Wayment
Barton	Finlinson	Peterson, C.	Mr. President (Ferry)
Bullen	Flamm	Peterson, L.	
Bunnell	Halverson	Sandberg	

Voting in the negative were: Senators

Bennett	Farley	Money	Snow
Black	Kimball		

Absent and not voting was: Senator
Pugh

Sub. S.B. No. 202 was transmitted to the House.

* * *

On motion of Senator Snow, the rules were suspended with no dissenting votes, and **S.B. No. 271**, STATE PERSONNEL MANAGEMENT ACT AMENDMENTS, was read the second and third times and placed on final passage.

Mr. President: February 26, 1981
The State and Local Affairs Committee, to which was referred **S.B. No. 271**, STATE PERSONNEL MANAGEMENT ACT AMENDMENTS, by Senator Karl N. Snow Jr., et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted.

On motion of Senator Snow, **S.B. No. 271** was amended as follows:

Page 3, Line 26:
After *"changes in the"* delete remainder of line

Page 3, Lines 27, 28, 29, 30 and 31:
Delete entirely

Page 3, Line 26:
After *"reflect changes in the"* add *"average wage in the Utah labor market."*

On motion of Senator Flamm, **S.B. No. 271** was amended as follows:

Page 5, Line 26:
After *"paid leave,"* insert *"job security,"*

S.B. No. 271 passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Bunnell	Matheson	Snow
Barlow	Christensen	Money	Sowards
Barton	Cornaby	Peterson, C.	Swan
Bennett	Farley	Peterson, L.	Wayment
Black	Flamm	Pugh	Mr. President (Ferry)
Bullen	Halverson	Sandberg	

Absent and not voting were: Senators

Asay	Finlinson	Jones	Kimball
Carling	Jeffs		

S.B. No. 271 was transmitted to the House.

* * *

On motion of Senator Sowards, the rules were suspended with no dissenting votes, and **S.B. No. 304,** FUEL COST INCREASE PUBLIC UTILITY RATES, was read the second and third time and placed on final passage.

On motion of Senator Sowards, **S.B. No. 304** was amended as follows:

Page 1, Line 11:
Delete *"MOTOR"*

Page 3, Lines 11, 14 and 20:
Delete *"motor"*

S.B. No. 304 passed on the following roll call:

Yeas, 22; Nays, 4; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Flamm	Sandberg
Bangerter	Carling	Halverson	Snow
Barlow	Christensen	Jeffs	Sowards
Barton	Cornaby	Jones	Mr. President (Ferry)
Black	Farley	Matheson	
Bullen	Finlinson	Peterson, C.	

Voting in the negative were: Senators

Bennett	Money	Swan	Wayment

Absent and not voting were: Senators

Kimball	Peterson, L.	Pugh

S.B. No. 304 was transmitted to the House.

PRESENTATION OF RESOLUTION

On motion of Senator Swan, the Senate voted under suspension of the rules, to allow introduction of the following resolution.

MANUEL A. RIVAS RESOLUTION

S.J.R. No. 8 Senators Swan, Kimball

A JOINT RESOLUTION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH, COMMENDING MANUEL A. RIVAS FOR HIS SUCCESS AND ACHIEVEMENTS IN MARATHON ROAD RACING, was read the first time.

On motion of Senator Kimball, the rules were suspended with no dissenting votes, and **S.J.R. No. 8** was read the second and third times, placed on final passage and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Bunnell	Kimball	Snow
Bangerter	Christensen	Matheson	Sowards
Barlow	Cornaby	Money	Swan
Bennett	Farley	Peterson, C.	Wayment
Black	Halverson	Pugh	Mr. President (Ferry)
Bullen	Jeffs	Sandberg	

Absent and not voting were: Senators

Barton	Finlinson	Jones	Peterson, L.
Carling	Flamm		

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

* * *

On motion of Senator Halverson, the Senate voted to reconsider its action on **S.B. No. 77,** HEALTH MAINTENANCE ORGANIZATIONS AMENDMENTS, and the bill is placed on Third Reading Calendar.

* * *

On motion of Senator Snow, and at 12:00 noon, the Senate recessed until 2:00 p.m.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

H.B. No. 286	COMPULSORY ATTENDANCE AGE (Public Education)
H.B. No. 239	(SUB.) UTAH RIDESHARING ACT (Transportation and Public Safety)
H.B. No. 387	MOTOR VEHICLE ACT MODIFICATIONS (Transportation and Public Safety)
H.B. No. 57	MULTISTATE HIGHWAY TRANSPORTATION (Transportation and Public Safety)
H.B. No. 375	COUNTY IMPROVEMENT DISTRICT ACT AMENDMENTS (State and Local Affairs)
H.B. No. 301	MUNICIPAL IMPROVEMENT DISTRICT ACT AMENDMENTS (State and Local Affairs)
H.B. No. 273	BIRD DAY REPEAL (State and Local Affairs)
H.B. No. 268	TRANSIT DISTRICT ELECTIONS
H.B. No. 293	VOTER INFORMATION PAMPHLETS (State and Local Affairs)

H.B. Nos. 286, Sub. H.B. No. 239, H.B. Nos. 387, 57, 375, 301, 273, 268, Sub. H.B. No. 356 and **H.B. No. 293** were referred to Sifting (Rules) Committee.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Miles 'Cap' Ferry presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 9, 1981

I am directed to inform the Senate that the House of Representatives has this day passed concurred in the Senate amendments and passed **H.B. No. 64,** EXEMPTION FROM EXECU-

TION, by Representative Harrison, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

H.B. No. 64 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

Mr. President: March 9, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **S.B. No. 139,** STATE NATURAL RESOURCES AND ENERGY FUNCTIONS REORGANIZATION, by Senator Sowards, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Sowards, the Senate voted to concur in the House amendment, and the bill passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Barlow	Cornaby	Kimball	Sandberg
Bennett	Farley	Matheson	Snow
Black	Finlinson	Money	Sowards
Carling	Flamm	Peterson, C.	Mr. President (Ferry)
Christensen	Halverson	Peterson, L.	

Absent and not voting were: Senators

Asay	Bullen	Jones	Swan
Bangerter	Bunnell	Pugh	Wayment
Barton	Jeffs		

S.B. No. 139 was transmitted to the House.

* * *

Mr. President: March 9, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **Second Substitute H.B. No. 8,** MUNICIPAL ELECTION CODE, by Representative Farnsworth, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **Substitute H.B. No. 197,** TITLE INSURANCE AMENDMENTS, by Representative McKeachnie, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as

amended, **Substitute, H.B. No. 174,** MOVING OF RADIOACTIVE TAILINGS, by Representative B. White, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 219,** MUNICIPAL SERVICES FUNDS, by Representative McMullin, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 213,** CIRCUIT COURT AMENDMENTS, by Representative McKeachnie, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 346,** TRANSIT DISTRICT PASSES FOR STUDENTS, by Representative Taylor, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 265,** SELF-SERVICE STORAGE REGULATION, by Representative Garff, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 8, Sub. H.B. Nos. 197 and **174, H.B. Nos. 219, 213, 346** and **265** were read the first time and referred to Rules (Sifting) Committee.

STANDING COMMITTEE REPORT

To the Sifting Committee: March 9, 1981

The Business, Labor and Economic Development Committee, to which was referred:

Sub. H.B. No. 203, ASSUMPTION OF REAL ESTATE SECURITY INTERESTS (Pace)
H.B. No. 275, PUBLIC SERVICE COMMISSION HEARING PROCEDURES (Harward)
H.B. No. 329, FAIR CONSTRUCTION BIDDING PROCEDURE (Haddow)
H.B. No. 226, INSURANCE PREMIUM TAXES (Knowlton)
H.B. No. 211, LAND SALES PRACTICE ACT EXEMPTION (Harmer)
H.B. No. 272, SELF INSURANCE — WORKMEN'S COMPENSATION (Reese)

Reports these bills to the Sifting Committee, as prioritized.

Arnold Christensen, Committee Chairman

SECOND READING CALENDAR

S.B. No. 296, GROUNDWATER RECHARGE TEST APPROPRIATION, was read the second time. Senator Halverson explained the bill and it passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Swan
Bangerter	Cornaby	Matheson	Wayment
Barlow	Farley	Peterson, C.	Mr. President (Ferry)
Bennett	Finlinson	Sandberg	
Bunnell	Halverson	Snow	
Carling	Jeffs	Sowards	

Absent and not voting were: Senators

Barton	Bullen	Kimball	Peterson, L.
Black	Flamm	Money	Pugh

* * *

On motion of Senator Sowards, the rules were suspended with no dissenting votes, and **S.B. No. 185,** TAX EQUIVALENT PROPERTY, was read the second and third times and placed on final passage. Senators Sowards, Swan, Pugh and Bunnell commented.

Mr. President: February 19, 1981

The Revenue and Taxation Committee, to which was referred, **S.B. No. 185,** TAX EQUIVALENT PROPERTY, by Senator Glade M. Sowards, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Charles W. Bullen, Committee Chairman

Committee report read and adopted.

On motion of Senator Pugh, **S.B. No. 185** was amended as follows:

Page 2, Line 32:
delete *"25"* and insert in lieu thereof *"20"*

S.B. No. 185 passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Sandberg
Bangerter	Carling	Jones	Snow
Barlow	Christensen	Matheson	Sowards
Barton	Cornaby	Money	Swan
Bennett	Farley	Peterson, C.	Wayment
Black	Flamm	Peterson, L.	Mr. President (Ferry)
Bullen	Halverson	Pugh	

Absent and not voting were: Senators

Finlinson	Kimball

S.B. No. 185 was transmitted to the House.

* * *

On motion of Senator Carling, the rules were suspended with no dissenting votes, and **S.B. No. 201**, PHYSICAL THERAPY REGISTRATION AMENDMENTS, was read the second and third times and placed on final passage.

Mr. President: February 18, 1981

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 201**, PHYSICAL THERAPY REGISTRATION AMENDMENTS, by Senator Richard J. Carling, has carefully considered the bill and reports it out with a favorable recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted.

On motion of Senator Carling, **S.B. No. 201** was amended as follows:

Page 4, Line 18:
After *"licensure;"* delete *"(c) establishing"*

Page 4, Line 19:
At the beginning of the line delete *"standards for physical therapy curricula;"* and correct remaining letters of alphabet.

Page 6, Line 14:
After the word *"school"* insert *"or program"*

Page 12:
Delete Lines 10 through 13 and insert in lieu thereof
"(4) Where physical therapist practices under arrangment with a referring physician or group of physicians, who as a result of referring patients to the physical therapist, derives personal income as a direct or indirect result of the referral beyond the reasonable recouping of direct and indirect expenses created by the provision of the physical therapy service for those patients."

Page 12, Line 16:
after *"committee"* insert a period and delete remainder of line.

Page 12, Lines 17 and 18:
delete entirely.

S.B. No. 201 passed on the following roll call:

Yeas, 25; Nays, 3; Absent, 1

Voting in the affirmative were: Senators

Bangerter	Carling	Jeffs	Snow
Barlow	Christensen	Jones	Sowards
Barton	Cornaby	Kimball	Swan
Bennett	Farley	Matheson	Mr. President (Ferry)
Black	Finlinson	Peterson, C.	
Bullen	Flamm	Pugh	

Bunnell	Halverson	Sandberg

Voting in the negative were: Senators

Asay	Peterson, L.	Wayment

Absent and not voting was: Senator
Money

S.B. No. 201 was transmitted to the House.

SIFTING (RULES) COMMITTEE

Mr. President: March 9, 1981

Your Sifting (Rules) Committee reports out the following bills to be placed on the Second Reading Calendar in this order:

S.B. No. 212	LIGHT BEER ADVERTISING
S.B. No. 283	UTAH DRAM SHOP ACT
S.B. No. 246	SCHOOL BUILDING REVOLVING ACCOUNT
H.B. No. 54	PEACE OFFICER TRAINING ASSESSMENTS
S.B. No. 293	STATE WATERFOWL STAMP
S.B. No. 281	SCHOOL AND PUBLIC EMPLOYEES' RETIREMENT BENEFITS
H.B. No. 132	UTAH STATE RETIREMENT OFFICE ACT
H.B. No. 168	INCOME TAX RATE CHANGES
H.B. No. 183	PUBLIC INTOXICATION TREATMENT ACT
H.B. No. 226	INSURANCE PREMIUM TAXES
H.B. No. 104	PROPERTY TAX INCREASE LIMITATION
H.B. No. 164	REASONABLE FAIR CASH VALUE COMPONENTS
H.B. No. 389	MISCELLANEOUS LIENS AMENDMENTS

and asks that the following bills be placed on the Consent Calendar:

H.B. No. 248	MENTAL HEALTH SERVICE AMENDMENTS
H.B. No. 247	MENTAL HEALTH AMENDMENTS
H.B. No. 158	INSURANCE INDUSTRY-REGULATION FEE
H.B. No. 130	DIRECT LEGISLATION PETITION
H.B. No. 212	MUNICIPAL BOND ELECTION
H.B. No. 129	MUNICIPAL FINANCES
H.B. No. 125	STATE HOLIDAY CHANGE
H.J.R. No. 38	J. McKINNON SMITH RESOLUTION
H.B. No. 172	PUBLIC TRANSPORTATION LIMITATION
H.B. No. 239	UTAH RIDESHARING ACT

Ronald T. Halverson, Committee Chairman

Committee report read and adopted.

* * *

Mr. President: March 6, 1981

The Social Services Committee, to which was referred **H.B. No. 248,** MENTAL HEALTH SERVICE AMENDMENTS, by Representative Paul Rogers, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

The Social Services Committee, to which was referred **H.B. No. 247,** MENTAL HEALTH AMENDMENTS, by Representative Beverly J. White, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted.

H.B. Nos. 248 and **247** were read the second time and placed on Consent Calendar.

Mr. President: March 5, 1981

The State and Local Affairs Committee, to which was referred **Sub. H.B. No. 130,** DIRECT LEGISLATION PETITION, be Representative Dix H. McMullin, has carefully considered the bill and reports it out of committee with a favorable recommendation.

The State and Local Affairs Committee, to which was referred **H.B. No. 212,** MUNICIPAL BOND ELECTIONS, by Representative Lee W. Farnsworth, has carefully considered the bill and reports it out of committee with a favorable recommendation.

The State and Local Affairs Committee, to which was referred **Substitute H.B. No. 129,** MUNICIPAL FINANCE MODIFICATIONS, by Representative Willard H. Gardner, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted.

H.B. Nos. 130, 212 and **129** were read the second time and placed on Consent Calendar.

Mr. President: March 3, 1981

The Transportation and Public Safety Committee, to which was referred **H.B. No. 172,** PUBLIC TRANSPORTATION LIMITATIONS, by Representative Glen E. Brown, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Mr. President: March 9, 1981

The Transportation and Public Safety Committe, to which was referred **Substitute H.B. No. 239,** UTAH RIDESHARING ACT, by Representative Mike Dmitrich, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted.

H.B. No. 172 and **Sub. H.B. No. 239** were read the second time and placed on Consent Calendar.

* * *

On motion of Senator Asay, the rules were suspended with no dissenting votes, and **S.B. No. 212,** LIGHT BEER ADVERTISING, was read the second and third times and placed on final passage.

Mr. President: February 24, 1981

The Judiciary Committee, to which was referred **S.B. No. 212,** LIGHT BEER ADVERTISING, by Senator E. Verl Asay, et al, has carefully considered the bill and reports it out of committee favorably and with the following amendment:

Page 2, Line 12:
After *"permitted"* delete the *"comma"* and insert *"under such regulation as the commission may make, or,"*

A. Dean Jeffs, Committee Chairman

Committee report, as amended, read and adopted.

On motion of Senator Black, **S.B. No. 212** was amended as follows:

Page 1, Line 20:
after *"BEER"* add a period and delete remainder of line.

Pgae 1, Lines 21 and 22
delete entirely

S.B. No. 212 passed on the following roll call:

Yeas, 17; Nays, 3; Absent, 9

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Wayment
Bangerter	Flamm	Peterson, C.	Mr. President (Ferry)
Bennett	Halverson	Sandberg	
Black	Jeffs	Snow	
Christensen	Jones	Swan	

Voting in the negative were: Senators

Barton	Farley	Kimball (expln.)

Absent and not voting were: Senators

Barlow	Carling	Matheson	Pugh
Bullen	Finlinson	Peterson, L.	Sowards
Bunnell			

S.B. No. 212 was transmitted to the House.

* * *

On motion of Senator Jeffs, the rules were suspended with no dissenting votes, and **S.B. No. 283,** UTAH DRAM SHOP ACT, was read the second and third times and placed on final passage.

Senator Wayment commented.

Mr. President: March 6, 1981

The Judiciary Committee, to which was referred **S.B. No. 283,** UTAH DRAM SHOP ACT, by Senator A. Dean Jeffs, has carefully considered the bill and reports it out of committee with a favorable recommendation.

A. Dean Jeffs, Committee Chairman

Committee report read and adopted.

On motion of Senator Jeffs, **S.B. No. 283** was amended as follows:

Page 1, Line 18:
Delete *"law"* and insert in lieu thereof
"Subsection 16-6-13.1(8)(d), Subsection 32-1-36.5(1)(l), Section 32-7-14 or Subsection 32-7-24(b) or (c)"

Page 1, Line 24:
Delete *"may commence an"* and insert in lieu thereof *"shall have a cause of"*

Page 1, Line 26:
After *"liquor"* insert *"in violation of subsection (1) above"*

S.B. No. 283 passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Bunnell	Jones	Sandberg
Barlow	Christensen	Kimball	Snow
Barton	Cornaby	Matheson	Sowards
Bennett	Farley	Money	Swan
Black	Halverson	Peterson, C.	Wayment
Bullen	Jeffs	Pugh	Mr. President (Ferry)

Absent and not voting were: Senators

Asay	Finlinson	Flamm	Peterson, L.
Carling			

S.B. No. 283 was transmitted to the House.

* * *

On motion of Senator Snow, the rules were suspended with no dissenting votes, and **H.B. No. 132,** UTAH STATE RETIREMENT OFFICE ACT, was read the second and third times and placed on final passage.

Senators Snow, Bennett and Kimball commented.

Mr. President: March 5, 1981

The State and Local Affairs Committee, to which was referred **H.B. No. 132,** UTAH STATE RETIREMENT OFFICE ACT AMENDMENTS, by Representative Willard Hale Gardner, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted.

On motion of Senator Snow, **H.B. No. 132** was amended as follows:

Page 4, Line 29:
"Section 2. This act shall take effect upon approval."

H.B. No. 132 passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Sandberg
Bangerter	Carling	Kimball	Snow
Barlow	Christensen	Matheson	Sowards
Barton	Cornaby	Money	Swan
Bennett	Farley	Peterson, C.	Wayment
Black	Flamm	Peterson, L.	
Bullen	Halverson	Pugh	

Absent and not voting were: Senators

Finlinson	Jones	Mr. President (Ferry)

* * *

On motion of Senator C. Peterson, the rules were suspended with no dissenting votes, and **S.B. No. 246,** SCHOOL BUILDING REVOLVING ACCOUNT, was read the second and third times and placed on final passage.

Mr. President: March 3, 1981

The Public Education Committe, to which was referred **S.B. No. 246,** SCHOOL BUILDING REVOLVING ACCOUNT, by Senator Cary G. Peterson, has carefully considered the bill and reports it out of committee favorably and with the following amendment:

Page 2, Line 13:
Delete *"10"* and insert *"5"* in lieu thereof

William T. "Bill" Barton, Committee Chairman

Committee report, as amended, read and adopted and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Snow
Bangerter	Carling	Kimball	Sowards
Barlow	Christensen	Matheson	Swan
Barton	Cornaby	Money	Mr. President (Ferry)
Bennett	Farley	Peterson, C.	
Black	Finlinson	Peterson, L.	
Bullen	Halverson	Pugh	

Absent and not voting were: Senators

Flamm	Jones	Sandberg	Wayment

S.B. No. 246 was transmitted to the House.

* * *

Senator Halverson's motion to lift **S.B. No. 217**, OPTOMETRIC REFERRALS MODIFICATIONS, from Second Reading Table failed on the following roll call:

Yeas, 12; Nays, 15; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Carling	Farley	Matheson
Barton	Christensen	Halverson	Money
Bullen	Cornaby	Kimball	Wayment

Voting in the negative were: Senators

Asay	Bunnell	Peterson, C.	Sowards
Barlow	Finlinson	Peterson, L.	Swan
Bennett	Flamm	Pugh	Mr. President (Ferry)
Black	Jeffs	Snow	

Absent and not voting were: Senators

Jones	Sandberg

* * *

On motion of Senator Bullen, the rules were suspended with no dissenting votes, and **H.B. No. 168**, INCOME TAX RATE CHANGES, was read the second and third times and placed on final passage.

Mr. President: March 4, 1981

The Revenue and Taxation Committee, to which was referred **H.B. No. 168**, INCOME TAX RATE CHANGES, by Representative Beverly J. White, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Charles W. Bullen, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 18; Nays, 7; Absent, 4

Voting in the affirmative were: Senators

Bangerter (expln.)	Christensen	Money	Sowards
Barlow	Flamm	Peterson, C.	Swan (expln.)
Barton	Jeffs	Peterson, L.	Mr. President (Ferry)
Bullen	Jones	Pugh	
Bunnell	Matheson	Snow (expln.)	

Voting in the negative were: Senators

Asay	Black	Cornaby	Kimball (expln.)
Bennett	Carling	Farley (expln.)	

Absent and not voting were: Senators

Finlinson	Halverson	Sandberg	Wayment

H.B. No. 168 was signed by the President in open session of the Senate and returned to the House for further action.

SIFTING (RULES) COMMITTEE REPORT

Mr. President: March 9, 1981

Your Sifting (Rules) Committee reports out the following bills to be placed on the Second Reading Calendar in this order:

S.B. No. 295	SCHOOLS PROXIMITY TO LIQUOR STORES
S.B. No. 256	COMPARATIVE NEGLIGENCE
H.B. No. 157	INSURANCE CODE RECODIFICATION

Ronald T. Halverson, Committee Chairman

Committee report read and adopted.

SECOND READING CALENDAR

On motion of Senator Snow, the rules were suspended with no dissenting votes, and **H.B. No. 226,** INSURANCE PREMIUM TAXES, was read the second and third times and placed on final passage. Senators Bullen, Swan, Barlow and Snow commented.

On motion of Senator Snow, **H.B. No. 226** was amended as follows:

Page 12, Line 26:
After *"year."* insert *"beginning with the calendar year 1981."*

Page 12, Line 18:
After *"companies:"* insert *"however, the first and second payments of the tax shall be made on or before September 1, 1981, upon premiums received during the months of January through June of 1981:"*

Page 12, Line 22:
Delete *"January"* and insert in lieu thereof *"July"*

H.B. No. 226 passed on the following roll call:

Yeas, 23; Nays, 4; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Jones	Snow
Bangerter	Christensen	Kimball	Sowards
Barton	Cornaby	Money	Swan
Black	Farley	Peterson, C.	Wayment
Bullen	Finlinson	Peterson, L.	Mr. President (Ferry)
Bunnell	Jeffs	Pugh	

Voting in the negative were: Senators

Bennett	Flamm	Matheson	Sandberg

Absent and not voting were: Senators

Barlow	Halverson

H.B. No. 226, as amended, was returned to the House.

* * *

Third Sub. S.B. No. 155, STANDARD STATE BUILDING CODES, was before the Senate on reconsideration.

On motion of Senator Christensen, the Senate voted to delete all amendments and reconsider **Third Sub. S.B. No. 155** as it was adopted.

Third Sub. S.B. No. 155 passed in its original form on the following roll call:

Yeas, 15; Nays, 12; Absent, 2

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Pugh
Bangerter	Finlinson	Money	Wayment
Barlow	Flamm	Peterson, C.	Mr. President (Ferry)
Bunnell	Halverson	Peterson, L.	

Voting in the negative were: Senators

Bennett	Cornaby	Kimball	Snow
Black	Farley	Matheson	Sowards
Carling	Jeffs	Sandberg	Swan

Absent and not voting were: Senators

Barton	Bullen

Third Sub. S.B. No. 155 was transmitted to the House.

* * *

S.B. No. 293, STATE WATERFOWL STAMP, was read the second time. Senators Barlow, Swan and Matheson commented.

Mr. President: February 26, 1981

The Energy and Natural Resources Committee, to which was referred **S.B. No. 293,** STATE WATERFOWL STAMP, by Senator Haven J. Barlow, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Fred W. Finlinson, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 19, Nays, 4; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Bunnell	Flamm	Sowards
Barlow	Carling	Jeffs	Swan
Barton	Christensen	Kimball	Wayment
Bennett	Farley	Pugh	Mr. President (Ferry)
Black	Finlinson	Snow	

Voting in the negative were: Senators

Jones	Matheson	Money	Sandberg

Absent and not voting were: Senators

Asay	Cornaby	Peterson, C.	Peterson, L.
Bullen	Halverson		

* * *

S.B. No. 281, SCHOOL AND PUBLIC EMPLOYEES' RETIREMENT BENEFITS, was read the second time. Senators Bennett and Matheson commented.

Mr. President: February 26, 1981

The State and Local Affairs Committee, to which was referred **S.B. No. 281,** SCHOOL AND PUBLIC EMPLOYEES' REITREMENT BENEFITS, by Senator Charles E. Benentt, Sr. et al, has carefully considered the bill and reports it out of committee without recommendation.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted.

On motion of Senator Bennett, **S.B. No. 281** was amended as follows:

Page 1, Line 13:
Delete *"$1.579.000"* and insert in lieu thereof *"$149.000"*

Page 2, Line 2:
Delete *"$1.579.000"* and insert in lieu thereof *"$149.000"*

S.B. No. 281 passed on the following roll call:

Yeas, 17; Nays, 8; Absent, 4

Voting in the affirmative were: Senators

Asay	Bullen	Halverson	Sowards
Barlow	Bunnell	Jeffs	Swan
Barton	Carling	Kimball	
Bennett	Christensen	Pugh	
Black	Farley	Snow	

Voting in the negative were: Senators

Cornaby	Jones	Peterson, C.	Wayment
Flamm	Matheson	Sandberg	Mr. President (Ferry)

Absent and not voting were: Senators

Bangerter	Finlinson	Money	Peterson, L.

* * *

On motion of Senator Kimball, the rules were suspended with no dissenting votes, and **S.B. No. 256,** COMPARATIVE NEGLIGENCE, was read the second and third times and placed on final passage.

Mr. President: March 6, 1981

The Judiciary Committee, to which was referred **S.B. No. 256,** COMPARATIVE NEGLIGENCE, by Senator Arthur L. Kimball, has carefully considered the bill and reports it out of committee with an unfavorable recommendation.

A. Dean Jeffs, Committee Chairman

Committee report read and adopted.

On motion of Senator Kimball, **S.B. No. 256** was amended as follows:

Page 1, Line 24:
restore *"if"* and delete *"unless"*

Page 1, Line 25:
restore *"not as great as"* and delete *"greater than"*

Page 1, Line 30:
after *"risk."* insert *"The Jury shall be informed of the consequences of their findings in any action to be tried to a jury under this section."*

S.B. No. 256 passed on the following roll call:

Yeas, 19; Nays, 5; Absent, 5

Voting in the affirmative were: Senators

Barton	Farley	Kimball	Snow
Bennett	Flamm	Money	Sowards
Black	Halverson	Peterson, C.	Swan

Bullen	Jeffs	Peterson, L.	Mr. President (Ferry)
Bunnell	Jones	Pugh	

Voting in the negative were: Senators

Asay	Matheson	Sandberg	Wayment
Christensen			

Absent and not voting were: Senators

Bangerter	Carling	Cornaby	Finlinson
Barlow			

S.B. No. 256 was transmitted to the House.

* * *

S.B. No. 295, SCHOOLS PROXIMITY TO LIQUOR STORES, was read the second time.

President: March 6, 1981

The Judiciary Committee, to which was referred **S.B. No. 295,** SCHOOLS PROXIMITY TO LIQUOR STORES, by Senator Arthur L. Kimball, et al, has carefully considered the bill and reports it out of committee with an unfavorable recommendation.

A. Dean Jeffs, Committee Chairman

Committee report read and adopted. **S.B. No. 295** was filed.

* * *

H.B. No. 20, BUDGETS OF JUDICIAL BRANCH, was uncircled, lifted from Consent Calendar and placed on Third Reading Table.

* * *

On motion of Senator Snow, and at 4:00 p.m., the Senate adjourned until 9:00 a.m., Tuesday, March 10, 1981.

FIFTY-EIGHTH DAY

MORNING SESSION

The Senate was called to order at 9:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present, except Senator Pugh who is attending a meeting of the Executive Appropriations Committee.

Prayer — Jon Memmott, Director of Legislative Research.

COMMITTEE TO READ AND REVISE THE JOUNRAL

Mr. President: March 10, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 9, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, **S.B. No. 254,** PROCUREMENT CODE AMENDMENTS, by Senator Snow, et al, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, the Senate voted to refuse to concur in the House amendments and to ask the House to recede from its amendments.

* * *

Mr. President: March 9, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 99,** LIFE INSURANCE POLICY LOAN INTEREST RATE, by Senator Pugh, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 162,** TAX FORMS ELIMINATION, by Senator Bullen, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 176,** NOTICE OF ENFORCEMENT-MECHANICS LIENS, by Senator Carling, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 208,** LAND SALES EXEMPTION, by Senator Peterson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 231,** AGRICULTURAL FUNDS, by Senator Matheson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.C.R. No. 6,** TOXICANTS FOR PREDATOR CONTROL RESEARCH, by Senator Matheson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. Nos. 99, 162, 176, 208, 231 and **S.C.R. No. 6** were signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

* * *

Mr. President: March 9, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **S.B. No. 74,** HEALTH CODE REVISION, by Senator Snow, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Snow

Bangerter	Christensen	Jeffs	Sowards
Barlow	Cornaby	Jones	Swan
Barton	Farley	Peterson, C.	Wayment
Black	Finlinson	Peterson, L.	Mr. President (Ferry)
Bullen	Flamm	Sandberg	

Voting in the negative was: Senator Bennett

Absent and not voting were: Senators

Carling	Matheson	Money	Pugh
Kimball			

S.B. No. 74 was returned to the House.

* * *

Mr. President: March 9, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.C.R. No. 14,** BASKETBALL TEAMS IN UTAH COMMENDATION, by Representative Farnsworth, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.C.R. No. 14 was read the first time and referred to Rules (Sifting) Committee.

* * *

Dear Mr. President: March 9, 1981

This is to inform you that on March 6, 1981, Governor Scott M. Matheson did sign into law the following bills, which have been forwarded to the Lt. Governor's Office for filing.

H.B. No. 6	AGRICULTURAL ACTIVITIES — NUISANCES
H.B. No. 10	BANK EXAMINATION
H.B. No. 11	BUSINESS LICENSE FEES
H.B. No. 22	IMPROVEMENT DISTRICT BOARD OF EQUALIZATION
H.B. No. 35	DISABILITY BENEFITS INCREASE
H.B. No. 77	MUNICIPAL FINANCIAL REPORT
H.B. No. 79	BOARD OF EDUCATION VACANCIES
H.B. No. 80	MASS MEETING DATE
H.B. No. 86	AUTOMOBILE NEGLIGENCE — DEATH OR INJURY
H.B. No. 95	MUNICIPAL FINANCES REPORTING

Allan M. Acomb, Chief Clerk

THIRD READING CALENDAR

On motion of Senator Cornaby, **S.B. No. 77** was circled.

* * *

S.B. No. 296, GROUNDWATER RECHARGE TEST APPROPRIATION, was read the third time. Senator Halverson, Swan and Black commented. The bill passed on the following roll call:

Yeas, 18; Nays, 3; Absent, 8

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Snow
Bangerter	Christensen	Jones	Sowards
Barton	Cornaby	Peterson, C.	Mr. President (Ferry)
Bennett	Farley	Peterson, L.	
Bullen	Flamm	Sandberg	

Voting in the negative were: Senators

Black	Matheson	Swan

Absent and not voting were: Senators

Barlow	Finlinson	Kimball	Pugh
Carling	Jeffs	Money	Wayment

S.B. No. 296 was transmitted to the House.

* * *

On motion of Senator Snow, **S.B. Nos. 293** and **281** are circled.

INTRODUCTION OF BILL

On motion of Senator Farley, and under suspension of the rules, the Senate voted to allow introduction of the following bill.

COAL OCCUPATION TAX

S.B. No. 305 Senators Farley, Barlow

AN ACT RELATING TO TAXES ON PRODUCTION OF COAL AND USAGE OF THESE REVENUES; EXTENDING THE OCCUPATION TAX TO COAL; CREATING A CAPITAL CONSTRUCTION ACCOUNT AND A UTAH HERITAGE ACCOUNT AND REQUIRING A PORTION OF THE COLLECTIONS FROM THIS TAX BE DEPOSITED IN THESE ACCOUNTS; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 59-5-67, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 106, LAWS OF UTAH 1959, SECTIONS 59-5-68 AND 59-5-72, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 120, LAWS OF UTAH 1955, AND SECTION 59-5-71, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 69, LAWS OF UTAH 1980; ENACTS SECTION 51-5-14, UTAH CODE ANNOTATED 1953; AND REPEALS AND REENACTS SECTION 59-5-84, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 134, LAWS OF UTAH 1953, was read the first time and referred to Rules Committee.

SECOND READING CALENDAR

On motion of Senator Carling, **H.B. No. 262** and **54** are circled.

* * *

Sub. H.B. No. 157, INSURANCE CODE RECODIFICATION, was read the second time.

Mr. President: March 2, 1981

The Business, Labor and Economic Development Committee, to which was referred **Substitute H.B. No. 157,** INSURANCE CODE RECODIFICATION, by Representative J. Kirk Rector, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Arnold Christensen, Committee Chairman

Committee report read and adopted. On motion of Senator Snow, **H.B. No. 158,** INSURANCE INDUSTRY — REGULATORY FEES, is lifted from Consent Calendar and placed at the top of Second Reading Calendar and both **Sub. H.B. No. 157** and **H.B. No. 158** are circled.

* * *

Sub. H.B. No. 183, PUBLIC INTOXICATION TREATMENT ACT, was read the second time. Senators Farley, Black, Kimball, Cornaby and Swan commented.

Mr. President: March 6, 1981

The Social Services Committee, to which was referred **Sub. H.B. 183,** PUBLIC INTOXICATION TREATMENT ACT, by Representative Clifford S. LeFevre, has carefully considered the bill and reports it out of committee with a favorable recommendation with the following amendments:

Page 1, Line 25:
After *"INCARCERATION;"* restore *"AND"*

Page 1, Line 26:
After *"BEER"* restore *"AND MINIMUM MARK UP PERCENTAGES ON WINE"*

Page 1, Line 27:
restore *"AND DISTILLED SPIRITS"*

Page 1, Line 31:
After *"1971;"* restore *"SECTION 32-1-6, UTAH CODE ANNOTATED"*

Page 1, Line 32:
restore *"1953, AS LAST AMENDED BY CHAPTER 133, LAWS OF UTAH 1977,"*

Page 3, Line 3:
Delete *"AND"*

Page 3, Line 8:
After *"establish"* delete *"facilities"* and insert in lieu thereof *"programs"*

Page 4,
restore Lines 18 through 33 and all of pages 5 and 6

Page 7, Line 3 through 22:
restore entirely

Page 7, Line 23:
After *"Section"* delete *"3"* and restore *"4."*

Page 8, Line 9:
After *"Section"* delete *"4"* and restore *"5."*

Ronald T. Halverson, Committee Chairman

Committee report, as amended, read and adopted.

On motion of Senator Black, **Sub. H.B. No. 183** was amended as follows:

Page 8, Line 14:
Delete *"5"* and insert in lieu thereof *"6"*

Sub. H.B. No. 183 passed on the following roll call:

Yeas, 22; Nays, 4; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jones	Sowards
Barlow	Cornaby	Kimball	Swan
Barton	Farley	Money	Wayment
Bennett	Flamm	Peterson, L.	Mr. President (Ferry)
Black	Halverson	Sandberg	
Bunnell	Jeffs	Snow	

Voting in the negative were: Senators

Bangerter	Bullen	Finlinson	Matheson

Absent and not voting were: Senators

Christensen	Peterson, C.	Pugh

* * *

H.B. No. 104, PROPERTY TAX INCREASE LIMITATIONS, was read the second time. Senators Bullen, Jeffs, Barton, Swan, Barlow and Snow commented.

Mr. President: March 6, 1981

The Revenue and Taxation Committee, to which was referred **H.B. No. 104,** PROPERTY TAX INCREASE LIMITATIONS, by Representative Franklin W. Knowlton, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation with the following amendments:

Page 1, Line 21:
Delete *"newly"*

Page 1, Line 24:
After *"adjustments"* insert *"of 10% or more"*

Page 1, Line 27:
Delete *"106%"* and insert in lieu thereof *"108%"*

Page 1, Line 29:
Delete *"106%"* and insert in lieu thereof *"108%"*

Page 1, Line 31:
Delete *"revaluation"* and insert in lieu thereof *"adjustments"*

Charles W. Bullen, Committee Chairman

Committee report, as amended, read and adopted.

On motion of Senator Barton, **H.B. No. 104** was amended as follows:

Page 3, between Lines 9 and 10: Insert
"(3) Any local government created after, or within three years before the effective date of this charter is exempt from this chapter until the beginning of its third full fiscal year of property tax levies."

Page 3, Line 10:
Delete *"LEGISLATION"* and insert in lieu thereof *"ACT"*

On motion of Senator Jeffs, **H.B. No. 104** was amended as follows:

Page 1, Lines 27 and 29:
Restore *"106%"*

H.B. No. 104 passed on the following roll call:

Yeas, 23; Nays, 2; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Snow
Barlow	Christensen	Jones	Sowards
Barton	Cornaby	Kimball	Swan
Bennett	Farley	Matheson	Wayment
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)
Bunnell	Halverson	Sandberg	

Voting in the negative were: Senators

Black	Money

Absent and not voting were: Senators

Bangerter	Finlinson	Peterson, C.	Pugh

* * *

H.B. No. 164, REASONABLE FAIR CASH VALUE COMPONENTS, was read the second time. Senators Bunnell, Bullen, Swan, Matheson and Barlow commented.

Mr. President: March 2, 1981

The Revenue and Taxation Committee, to which was referred **H.B. No. 164,** REASONABLE FAIR CASH VALUE COMPONENTS, by Representative Franklin W. Knowlton, et al, has carefully considered the bill and reports it out of committee favorably.

Charles W. Bullen, Committee Chairman

Committee report read and adopted and on motion of Senator Black, the Senate voted to replace the original bill with **Senate Sub. H.B. No. 164,** ASSESSMENT RATE AND FAIR CASH VALUE.

On motion of Senator Bunnell, **Senate Sub. H.B. No. 164** was amended as follows:

Page 3, Line 28:
Delete *"5.00"* and insert in lieu thereof *"10.00"*

COMMITTEE OF THE WHOLE

On motion of Senator Bunnell, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

David Duncan, Chairman
Utah Tax Commission

On motion of Senator Bunnell, the Committee of the Whole was dissolved.

On motion of Senator Bunnell, **Senate Sub. H.B. No. 164** was amended as follows:

Page 2, Line 4:
Delete *"residential"*

Senate Sub. H.B. No. 164 passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Sowards
Barlow	Christensen	Jones	Swan
Barton	Cornaby	Matheson	Wayment
Bennett	Farley	Money	Mr. President (Ferry)
Black	Finlinson	Peterson, L.	
Bullen	Flamm	Sardberg	
Bunnell	Halverson	Snow	

Absent and not voting were: Senators

Bangerter	Kimball	Peterson, C.	Pugh

* * *

On motion of Senator Cornaby, the Senate voted to ask the House to return **S.B. No. 44** to the Senate for further consideration.

SIFTING (RULES) COMMITTEE

Senator Ronald Halverson, Rules Committee Chairman, asked that all bills, with committee reports, and those yet to be considered, with the exception of those tabled in committee, be immediately returned to Rules (Sifting) Committee.

SECOND READING CALENDAR

On motion of Senator Halverson, the Senate voted to lift **Second Sub. H.B. No. 196,** REAL PROPERTY TAX REVALUATION REPEAL, from Sifting (Rules) Committee, and place it at the top of Second Reading Calendar. **Second Sub. H.B. No. 196** was read the second time.

On motion of Senator Bullen, **Second Sub. H.B. No. 196** was amended as follows:

Page 2, Line 24:
After *"ALL"* insert *"locally assessed"*

Page 2, Lines 33 and 34:
After *"commission"* delete *"IN COOPERATION WITH LOCAL ELECTED ASSESSORS"*

Page 3, Line 5:
After *"within"* delete *"each"*

Page 3, Line 5:
After *"taxing"* delete *"district"* and insert in lieu thereof *"districts"*. Then following the period at the end of the line insert *"Assessors may provide sales information."*

Second Sub. H.B. No. 196 passed on the following roll call:

Yeas, 23; Nays, 2; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Sandberg
Bangerter	Cornaby	Jones	Snow
Barlow	Farley	Kimball	Sowards
Barton	Finlinson	Matheson	Wayment
Bullen	Flamm	Money	Mr. President (Ferry)
Bunnell	Halverson	Peterson, L.	

Voting in the negative were: Senators

Bennett	Swan

Absent and not voting were: Senators

Black	Christensen	Peterson, C.	Pugh

* * *

Mr. President: March 10, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House **Substitute, S.B. No. 129,** IN LIEU PAYMENTS OT LOCAL SUBDIVISIONS, by Senator Matheson, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Matheson, the Senate voted to refuse to concur in the House amendments and to ask the House to recede from its amendments.

* * *

Mr. President: March 9, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House **S.B. No. 170,** PROPERTY TAX PREPAYMENT—IMPACT DEVELOPMENT, by Senator Bunnell, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Bunnell, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bullen	Finlinson	Sandberg
Bangerter	Bunnell	Flamm	Snow
Barlow	Carling	Jeffs	Sowards
Barton	Christensen	Jones	Swan
Bennett	Cornaby	Matheson	Wayment
Black	Farley	Money	Mr. President (Ferry)

Absent and not voting were: Senators

Halverson	Peterson, C.	Peterson, L.	Pugh
Kimball			

* * *

On motion of Senator Black, the rules were suspended with no dissenting votes, and **H.B. No. 54,** PEACE OFFICERS TRAINING ASSESSMENT, was read the second and third times and placed on final passage.

H.B. No. 54 passed on the following roll call:

Yeas, 15; Nays, 10; Absent, 4

Voting in the affirmative were Senators

Asay	Bunnell	Jones	Sowards

Barlow	Carling	Money	Swan
Barton	Farley	Sandberg	Mr. President (Ferry)
Black	Finlinson	Snow	

Voting in the negative were: Senators

Bangerter	Cornaby	Jeffs	Wayment
Bennett	Flamm	Matheson	
Christensen	Halverson	Peterson, L.	

Absent and not voting were: Senators

Bullen	Kimball	Peterson, C.	Pugh

H.B. No. 54 was signed by the President in open session of the Senate and returned to the House for further action.

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On motion of Senator Bunnell, the rules were suspended with no dissenting votes and **H.B. No. 389,** MISCELLANEOUS LIENS AMENDMENTS, was read the second and third times and placed on final passage.

H.B. No. 389 passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Sowards
Bangerter	Christensen	Jones	Wayment
Barlow	Farley	Matheson	Mr. President (Ferry)
Barton	Finlinson	Peterson, C.	
Bennett	Flamm	Peterson, L.	
Black	Halverson	Snow	

Voting in the negative was: Senator Sandberg

Absent and not voting were: Senators

Bullen	Cornaby	Money	Swan
Carling	Kimball	Pugh	

H.B. No. 389 was signed by the President in open session of the Senate and returned to the House for further action.

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Senator L. Peterson, having served notice that he might ask the Senate to reconsider its action on **S.B. No. 188,** POWER OF CITIES AND TOWNS, on this day, now asked that it be reconsidered. The Senate voted to not reconsider the bill.

S.B. No. 188 was transmitted to the House.

* * *

Mr. President: March 9, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, as amended, **S.B. No. 252,** HABITUAL TRUANCY, by Senator Cornaby, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Cornaby, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were Senators

Asay	Carling	Jones	Snow
Bangerter	Christensen	Kimball	Sowards
Barlow	Cornaby	Matheson	Wayment
Bennett	Finlinson	Money	Mr. President (Ferry)
Black	Flamm	Peterson, C.	
Bullen	Halverson	Peterson, L.	
Bunnell	Jeffs	Sandberg	

Absent and not voting were: Senators

Barton	Farley	Pugh	Swan

S.B. No. 252 was transmitted to the House.

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On motion of Senator Snow, the circles were removed from **Sub. H.B. No. 157,** INSURANCE CODE RECODIFICATION and from **H.B. No. 158,** INSURANCE INDUSTRY — REGULATORY FEES.

On motion of Senator Snow, the rules were suspended with no dissenting votes, and **H.B. No. 158,** was read the second and third times and placed on final passage.

Mr. President: March 2, 1981

The Business, Labor and Economic Development Committee, to which was referred **Substitute H.B. No. 158,** INSURANCE INDUSTRY-REGULATORY FEES, by Representative J. Kirk Rector, et al, has carefully considered the bill and reports it out of committee favorablz and with the following amendments:

Page 5, Lines 8 through 34:
Restore language

Page 6:
Restore language

Page 7, Lines 3 through 6:
Restore language

Arnold Christensen, Committee Chairman

Committe report, as amended, read and adopted and the bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Carling	Halverson	Snow
Barlow	Christensen	Jeffs	Sowards
Barton	Cornaby	Money	Swan
Bennett	Farley	Peterson, C.	Wayment
Bullen	Finlinson	Peterson, L.	Mr. President (Ferry)
Bunnell	Flamm	Sandberg	

Absent and not voting were: Senators

Bangerter	Jones	Matheson	Pugh
Black	Kimball		

Sub. H.B. No. 158, as amended, was returned to the House.

* * *

Sub. H.B. No. 157, INSURANCE CODE RECODIFICATION, was before the Senate and on motion of Senator Snow, and under suspension of the rules, read the third time and before the Senate.

On motion of Senator Snow, **Sub. H.B. No. 157** was amended as follows:

Page 3, Line 31:
After *"than"* delete *"15"* and insert *"20"*

Page 4, Line 3:
After *"(a)"* delete *"Six"* and insert *"Eight"*

Page 4, Line 6:
After *"(b)"* delete *"Two"* and insert *"Five"*

Sub. H.B. No. 157 passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were Senators

Asay	Cornaby	Kimball	Sowards
Barlow	Finlinson	Money	Wayment
Bennett	Flamm	Peterson, C.	Mr. President (Ferry)
Bullen	Halverson	Peterson, L.	
Bunnell	Jeffs	Sandberg	
Christensen	Jones	Snow	

Absent and not voting were: Senators

Bangerter	Black	Farley	Pugh

Barton Carling Matheson Swan

Substitute H.B. No. 157, as amended, was returned to the House.

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The Senate recessed for a Sifting Committee Meeting at 11:45 a.m.

The Senate reassembled at 12:10.

RULES (SIFTING) COMMITTEE REPORT

Mr. President: March 10, 1981

Your Sifting (Rules) Committee reports out the following bills to be placed on the Second Reading Calendar in this order:

H.B. No. 275	PUBLIC SERVICE COMMISSION HEARING PROCEDURES
H.B. No. 256	UTAH EXECUTIVE AND JUDICIAL SALARY ACT
H.B. No. 387	MOTOR VEHICLE ACT MODIFICATIONS
H.B. No. 81	COUNTY PERSONNEL MANAGEMENT ACT
H.B. No. 65	JUDICIAL SALARIES
H.B. No. 3	STATE MINERAL LANDS RENTALS AND ROYALTIES
H.B. No. 57	MULTI-STATE HIGHWAY TRANSPORTATION AGREEMENT
H.B. No. 213	CIRCUIT COURT AMENDMENTS
H.B. No. 150	FIRST JUDICIAL DISTRICT JUDGESHIP
H.B. No. 8	MUNICIPAL ELECTION CODE

and asks that the following bills be placed on the Consent Calendar:

H.B. No. 176	MEDICARE SUPPLEMENT INSURANCE ACT
H.B. No. 347	FIRE TRAINING PROGRAMS
H.B. No. 257	ALCOHOLISM INSURANCE COVERAGE
H.B. No. 265	SELF-SERVICE STORAGE REGULATION
H.B. No. 152	STATE FIREWORKS ACT
H.B. No. 170	FALCONRY MEET FEES
H.B. No. 141	LICENSE PLATES FOR FORMER PRISONERS OF WAR
H.B. No. 5	AUDIT OF PUBLIC TRANSIT DISTRICTS
H.B. No. 293	VOTER INFORMATION PAMPHLETS
H.B. No. 369	TRANSIT DISTRICT ELECTIONS
H.B. No. 15	WAGE CLAIM LIMITATION

Ronald T. Halverson, Committee Chairman

Committee report read and adopted.

On motion of Senator Snow, and at 12:15, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Miles 'Cap' Ferry presiding.

COMMUNICATIONS FROM THE GOVERNOR

Dear President Ferry: March 9, 1981

This is to inform you that on March 9, 1981, Governor Scott M. Matheson did sign into law the following bills, which have been forwarded to the Lt. Governor's Office for filing.

S.B. 16	MOTOR FUELS TESTING AND LABELING
S.B. No. 88	MEDICAL EXAMINER JURISDICTION

TINA FALVO, Administrative Aide

Communication filed.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 10, 1981

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 139,** STATE NATURAL RESOURCES AND ENERGY FUNCTIONS REORGANIZATION, by Senator Sowards, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 211,** ENERGY SAVING SYSTEM TAX CREDIT AMENDMENTS, by Senator Sowards, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 221,** STATE VETERANS' CEMETERY, by Senator Black, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 248,** FORECLOSURE OF TRUST DEEDS, by Senator Carling, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 261,** POWER GENERATION BY TOWNS, by Senator C. Peterson, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. Nos. 139, 211, 221, 248 and **261** were signed by the President in open session of the Senate, then referred to Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

SECRETARY OF SENATE REPORT

Committee reports have been received on the following bills:

H.B. No. 384	PUBLIC ASSISTANCE BURIAL TRUSTS (Social Services)
H.B. No. 309	FREEDOM OF MEDICATION (Social Services)

H.B. Nos. 384 and **309** were referred to Rules (Sifting) Committee.

THIRD READING CALENDAR

On motion of Senator Barlow, the circle was removed from **S.B. No. 293**, STATE WATERFOWL STAMP, and the bill was read the third time and passed on the following roll call:

Yeas, 22; Nays, 4; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Snow
Bangerter	Cornaby	Kimball	Sowards
Barlow	Farley	Peterson, C.	Swan
Bennett	Finlinson	Peterson, L.	Wayment
Black	Flamm	Pugh	Mr. President (Ferry)
Bullen	Halverson		

Voting in the negative were: Senators

Jeffs	Matheson	Money	Sandberg

Absent and not voting were: Senators

Barton	Carling	Christensen

S.B. No. 293 was transmitted to the House.

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On motion of Senator Bennett, the circle was removed from **S.B. No. 281**, SCHOOL AND PUBLIC EMPLOYEES' RETIREMENT BENEFIT, and the bill was read for the third time.

On motion of Senator Bennett, **S.B. No. 281** was amended as follows:

Page 1, Line 25:
Delete *"1981"* and insert in lieu thereof *"1978"*

Page 2, Line 2:
Delte *"$149,000"* and insert in lieu thereof *"$53,000"*

On motion of Senator Pugh, **S.B. No. 281** is placed on Third Reading Table.

* * *

On motion of Senator Bunnell, and under suspension of the rules, **Substitute H.B. No. 164,** ASSESSMENT RATE AND FAIR CASH VALUE, was lifted to the top of Third Reading Calendar read the third time and before the Senate. On motion of Senator Bunnell, **Senate Second Substitute H.B. No. 164** replaced the substitute bill and was passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Pugh
Bangerter	Bunnell	Jones	Sandberg
Barlow	Cornaby	Kimball	Sowards
Barton	Farley	Matheson	Swan
Bennett	Finlinson	Peterson, C.	Wayment
Black	Flamm	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Carling	Halverson	Money	Snow
Christensen			

Senate Second Substitute H.B. No. 164 was transmitted to the House.

* * *

H.B. No. 104, PROPERTY TAX INCREASE LIMITATIONS, was, under suspension of the rules, read the third time. On motion of Senator Bullen **H.B. No. 104** was amended as follows:

Page 1, Line 22:
After *"county"* insert *"of 10% or more"*

Page 1, Line 23:
After *"program"* delete *"conducted pursuant to section 59-7-13"*

Page 1, Line 24:
After *"adjustments"* delete *"of 10% or more"*

Page 1, Lines 24 and 25:
After *"commission"* delete *"pursuant to section 59-7-13 or 59-7-14"*

H.B. No. 104 passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Sandberg
Bangerter	Bunnell	Jones	Sowards
Barlow	Cornaby	Matheson	Swan

Barton	Farley	Peterson, C.	Wayment
Bennett	Finlinson	Peterson, L.	Mr. President (Ferry)
Black	Flamm	Pugh	

Voting in the negative was: Senator
Money

Absent and not voting were: Senators

Carling	Halverson	Kimball	Snow
Christensen			

H.B. No. 104 was transmitted to the House.

* * *

Second Substitute H.B. No. 196, REAL PROPERTY TAX REVALUATION REPEAL, was read the third time and passed on the following roll call:

Yeas, 19; Nays, 5; Absent, 5

Voting in the affirmative were: Senators

Asay	Cornaby	Jeffs	Sandberg
Bangerter	Farley	Matheson	Sowards
Barlow	Finlinson	Money	Wayment
Barton	Flamm	Peterson, C.	Mr. President (Ferry)
Bullen	Halverson	Peterson, L.	

Voting in the negative were: Senators

Bennett	Bunnell	Jones	Swan
Black			

Absent and not voting were: Senators

Carling	Kimball	Pugh	Snow
Christensen			

Second Substitute H.B. No. 196 was transmitted to the House.

* * *

H.B. No. 144, AIR CONDITIONING SCHOOL BUILDINGS, was lifted from Third Reading Table and before the Senate.

On motion of Senator Barlow, **H.B. No. 144,** was amended as follows:

Page 1, Line 15:
insert after *"of $"* the number *"15,656,000"*

Page 4, Line 17:
after *"$"* insert *"15,656,000"* and insert *"of which $3,968,100 is appropriated from the mineral lease fund"*

H.B. No. 144 passed on the following roll call:

Yeas, 26; Nays, 2; Absent, 1

Voting in the affirmative were: Senators

Asay	Carling	Jones	Snow
Bangerter	Cornaby	Kimball	Sowards
Barlow	Farley	Matheson	Swan
Barton	Finlinson	Peterson, C.	Wayment
Black	Flamm	Peterson, L.	Mr. President (Ferry)
Bullen	Halverson	Pugh	
Bunnell	Jeffs	Sandberg	

Voting in the negative were: Senators

Bennett	Money

Absent and not voting was: Senator

Christensen

H.B. No. 144, as amended, was returned to the House.

* * *

S.B. No. 77, HEALTH MAINTENANCE ORGANIZATION AMENDMENT, was before the Senate on reconsideration.

On motion of Senator Cornaby, **S.B. No. 77** was amended as follows:

Page 3, Line 14:
delete *"impatient"* and insert in lieu thereof *"inpatient"*

Page 3, Line 15:
AFter *"medical"* delete *"and chiropractic"*

Page 3, Line 20:
At the beginning of the line delete *"and chiropractic care"*

S.B. No. 77 passed on the following roll call:

Yeas, 21; Nays, 5; Absent, 3

Voting in the affirmative were: Senators

Asay	Cornaby	Kimball (expln.)	Swan
Barlow	Farley	Peterson, C.	Wayment
Barton	Finlinson	Peterson, L.	Mr. President (Ferry)
Bennett	Flamm	Pugh	
Bunnell	Halverson	Snow	
Carling	Jeffs	Sowards	

Voting in the negative were: Senators

Bangerter	Matheson (expln.)	Money	Sandberg
Black			

Absent and not voting were: Senators

Bullen	Christensen	Jones

S.B. No. 77 was transmitted to the House.

SECOND READING CALENDAR

Mr. President: March 6, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, as amended, **H.B. No. 262,** FILLING VACANCIES IN ELECTED OFFICES, by Representative Farnsworth, et al, and the same is transmitted herewith for further consideration of the Senate.

Allan M. Acomb, Chief Clerk

The Senate voted to concur in the House amendments and the bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jones	Snow
Bangerter	Cornaby	Matheson	Sowards
Barlow	Farley	Money	Swan
Barton	Finlinson	Peterson, C.	Wayment
Black	Flamm	Peterson, L.	Mr. President (Ferry)
Bullen	Halverson	Pugh	
Bunnell	Jeffs	Sandberg	

Absent and not voting were: Senators

Bennett	Christensen	Kimball

H.B. No. 262 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

H.B. No. 275, PUBLIC SERVICE COMMISSION HEARING PROCEDURES, was read the second time.

The bill passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Cornaby	Jones	Sandberg

Bennett	Farley	Kimball	Snow
Black	Finlinson	Matheson	Sowards
Bullen	Flamm	Money	Wayment
Bunnell	Halverson	Peterson, C.	Mr. President (Ferry)
Carling	Jeffs	Peterson, L.	

Voting in the negative was: Senator
Asay

Absent and not voting were: Senators

Barlow	Christensen	Pugh	Swan
Barton			

* * *

On motion of Senator Snow, the rules were suspended with no dissenting votes, and **Substitute H.B. No. 256,** UTAH EXECUTIVE AND JUDICIAL SALARY ACT, was read the second and third times and placed on final passage. Senators Finlinson, Asay, Sandberg, Barton, Bennett, Kimball and Sowards commented.

Mr. President: March 9, 1981

The State and Local Affairs Committee, to which was referred **Substitute H.B. No. 256,** UTAH EXECUTIVE AND JUDICIAL SALARY ACT, by Representative Merrill W. Harward, has carefully considered the bill and reports out of committee with a favorable recommendation with the following amendments:

Page 5, Line 11:
After *"repealed"* delete the rest of the line and insert in lieu of *"a period"*

After Line 12 insert a new section:
"Section 3. This act shall take effect on July 1, 1981."

Bryce C. Flamm, Committee Chairman

Committee report, as amended, read and adopted. On motion of Senator Finlinson, the Senate voted to withdraw the committee amendments and the bill passed on the following roll call:

Yeas, 24; Nays, 4; Absent, 1

Voting in the affirmative were: Senators

Bangerter	Carling	Halverson	Pugh
Barlow	Christensen	Jeffs	Sandberg
Bennett	Cornaby	Jones	Snow
Black	Farley	Kimball	Sowards
Bullen	Finlinson	Peterson, C.	Wayment
Bunnell	Flamm	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Asay	Barton	Matheson	Money

Absent and not voting was: Senator
Swan

Substitute H.B. No. 256 was transmitted to the House.

INTRODUCTION OF BILL

On motion of Senator Snow, the Senate voted, under suspension of the rules, to allow introduction of the following bill.

EXECUTIVE AND JUDICIAL SALARIES

S.B. No. 306 Senators Snow, Black
Swan, Bangerter, Kimball

AN ACT RELATING TO STATE OFFICERS; PROVIDING INCREASED SALARIES FOR STATE ELECTIVE OFFICERS; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 67-8-13, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 80, LAWS OF UTAH 1980.

S.B. No. 306 was read the first time and on motion of Senator Snow, and under suspension of the rules, placed on Second Reading Calendar.

SIFTING (RULES) COMMITTEE

At the direction of Senator Halverson, the following bills were returned to Sifting (Rules) Committee from the Standing Committees.

S.B. No. 257, REASSESSMENT AND SCHOOL DISTRICT LEVIES (Barlow)
S.B. No. 292, MINIMUM BASIC SCHOOL DISTRICT TAX LEVY (Pugh)
S.B. No. 225, BIG GAME DAMAGE RESTRICTION (Christensen)
S.B. No. 264, BOAT OPERATOR'S LICENSURE (Halverson)
H.J.R. No. 31, STATE GOVERNMENT PRINTING RESOLUTION (Haddow)
Sub. H.B. No. 50, ANNEXATION POLICY DECLARATION (Bangerter)
H.B. No. 260, STATE HIRING MORATORIUM (Harward)
H.B. No. 298, PERSONNEL SALARY AMENDMENTS (Mecham)
H.B. No. 274, COMPLIANCE WITH COUNTY PLANS (Anderson)
H.B. No. 207, MUNICIPAL FISCAL PROCEDURES (Brockbank)
H.B. No. 287, COUNTY FISCAL PROCEDURES (Brockbank)
H.B. No. 105, REMOVAL OF PUBLIC OFFICIALS (Selleneit)
Sub. H.B. No. 34, RESTRICTION-PUBLIC FUNDS — ELECTIONS (Harrison)
H.B. No. 250, FINANCIAL IMPACT OF REGULATIONS (Brown)
H.B. No. 179, UNAPPROPRIATED FEDERAL FUNDS REVISION (McAllister)

H.B. No. 198, EXCESS APPROPRIATION EXPENDITURE (McAllister)
H.B. No. 305, ANTELOPE ISLAND CONDEMNATION (Hollingshaus)
H.B. No. 348, RESIDENCY-HUNTING & FISHING LICENSE (McKeachnie)
H.B. No. 328, FEDERAL PLANS IMPLEMENTATION APPROPRIATIONS (Redd)
H.C.R. No. 7, COAL LEASING POLICY RESOLUTION (Garr)
H.J.R. No. 46, MINED LAND RECLAMATION RESOLUTION (Dmitrich)
Sub. H.B. No. 12, SMALL CLAIMS COURT LIMITATIONS (Rogers)
H.B. No. 289, CHILDRENS' RIGHTS (Rogers)
H.B. No. 25, STATE PAYMENT OF CLAIMS (Selleneit)
H.B. No. 117, JUVENILE COURT ACT AMENDMENTS (Rogers)
H.B. No. 169, PRIVATE CONTRACTS BONDS (Hillyard)
H.B. No. 392, CRIMINAL POSSESSION — RENTED OR LEASED PROPERTY (Brockbank)
Sub. H.B. No. 88, EXPENDITING CRIMINAL TRIALS (Sykes)
H.B. No. 230, MEDICAL EXAMINER'S FINDINGS (Taylor)
H.B. No. 134, DIVORCE PAYMENTS AUTHORITY (Pace)
H.B. No. 188, PORNOGRAPHIC MATERIAL DISTRIBUTION PNL (Richards)
H.B. No. 218, PROPERTY DESTRUCTION AMENDMENT (Sykes)
H.B. No. 201, SCHOOL MILL LEVY ADJUSTMENT (Brown)

* * *

On motion of Senator Asay, the rules were suspended with no dissenting votes, and **H.B. No. 387,** MOTOR VEHICLE ACT MODIFICATION, was read the second and third times and placed on final passage.

Mr. President: March 9, 1981

The Transportation and Public Safety Committee, to which was referred **H.B. No. 387,** MOTOR VEHICLE ACT MODIFICATIONS, by Representative Robert H. Garff, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Sowards
Bangerter	Carling	Kimball	Swan
Barlow	Cornaby	Matheson	Wayment
Barton	Farley	Money	Mr. President (Ferry)
Bennett	Finlinson	Pugh	
Black	Halverson	Sandberg	
Bullen	Jeffs	Snow	

Absent and not voting were: Senators
Christensen Flamm Peterson, C. Peterson, L.

H.B. No. 387 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

Mr. President: March 10, 1981

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 74,** HEALTH CODE REVISION, by Senator Snow, et al, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. No. 74 was signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

* * *

On motion of Senator Jeffs, the rules were suspended with no dissenting votes, and **H.B. No. 81,** COUNTY PERSONNEL MANAGEMENT ACT, was read the second and third times and placed on final passage.

Mr. President: March 3, 1981

The State and Local Affairs Committee, to which was referred **H.B. No. 81,** COUNTY PERSONNEL MANAGEMENT ACT, by Representative Robert B. Sykes, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted. Allan Moll, attorney, Salt Lake County, spoke in Committee of the Whole.

On motion of Senator Black, **H.B. No. 81** was amended as follows:

Page 3, Line 29:
After *"county"* insert *"establishing a system"*

Page 8, Line 9:
Delete *"qualified individuals"*

Page 13, Line 14:
Delete *"or solicit"*

On motion of Senator Matheson, **H.B. No. 81** was amended as follows:

Page 3, Line 6:
Before *"establish"* insert *"may"*

On motion of Senator Matheson the Senate Journal is to record that *"the provisions on Page*

3 and Lines 6 and 29 do not mandate that counties with less than 130 employees be forced into the merit program."

H.B. No. 81 passed on the following roll call:

Yeas, 20; Nays, 4; Absent, 5

Voting in the affirmative were: Senators

Asay	Black	Finlinson	Pugh
Bangerter	Bullen	Halverson	Sandberg
Barlow	Bunnell	Jeffs	Snow
Barton	Christensen	Peterson, C.	Sowards
Bennett	Farley	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Jones	Matheson	Money	Wayment

Absent and not voting were: Senators

Carling	Flamm	Kimball	Swan
Cornaby			

H.B. No. 81, as amended, was transmitted to the House.

* * *

On motion of Senator Snow, the rules were suspended with no dissenting votes, and **H.B. No. 65,** JUDICIAL SALARIES, was read the second and third times and placed on final passage.

Mr. President: March 5, 1981

The State and Local Affairs Committee, to which was referred **H.B. No. 65,** JUDICIAL SALARIES, by Representative P. Lloyd Selleneit, has carefully considered the bill and reports it out of committee without recommendation.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted. Senators Snow, Jeffs, Finlinson, Black, Asay, Barton and Pugh commented. Senators Snow and Barton proposed amendments.

On motion of Senator Snow, **H.B. No. 65** was amended as follows:

Page 1, Line 21:
Delete *"$47,500"* and insert in lieu thereof *"$47,000"*

Page 1, Line 23:
Delete *"$47,000"* and insert in lieu thereof *"$46,500"*

Page 1, Line 27:
Delete *"$44,000"* and insert in lieu thereof *"$43,500"*

The Senate recessed at 4:30 p.m. The Senate reassembled at 6:15 p.m. with Senator Halverson presiding.

SIFTING (RULES) COMMITTEE REPORT

Mr. President: March 10, 1981

Your Sifting (Rules) Committee reports out the following bills to be placed on the Second Reading Calendar in this order:

H.B. No. 223	BIDDING REQUIREMENT LIMITS
H.B. No. 261	TEXTBOOKS IN PUBLIC SCHOOLS
H.B. No. 83	ABORTION RESTRICTIONS
H.B. No. 319	COUNTY PAYMENT — MEDICAL ASSISTANCE
H.B. No. 298	PERSONNEL SALARY AMENDMENTS
H.B. No. 197	(**Sub.**) TITLE INSURANCE AMENDMENTS
H.B. No. 50	(**Sub.**) ANNEXATION POLICY DECLARATIONS
H.B. No. 348	RESIDENCY FOR HUNTING AND FISHING LICENSES
H.B. No. 230	MEDICAL EXAMINER'S FINDINGS
H.B. No. 174	(**Sub.**) MOVING OF RADIOACTIVE TAILINGS
H.B. No. 301	MUNICIPAL IMPROVEMENT DISTRICT ACT AMENDMENTS
H.B. No. 375	COUNTY IMPROVEMENT DISTRICT ACT AMENDMENTS
H.B. No. 21	FUEL CONSERVATION SPEED LIMIT
H.B. No. 102	AUTOMOBILE INSPECTIONS REPEAL

and asks that:

H.B. No. 227	REPEAL OF LOCAL OPTIONAL SALES TAX
H.B. No. 228	(**Sub.**) SALES AND USE TAX DISTRIBUTION

be placed on the Second Reading Calendar with a Time Certain of 11:30 a.m. Wednesday March 11, 1981.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 10, 1981

I am directed to inform the Senate that the House of Representatives has this day refused to recede from its amendments to **S.B. No. 254,** PROCUREMENT CODE AMENDMENTS, by Senator Snow, et al, and has appointed a Conference Committee consisting of Representatives Haddow, Garr and McKeachnie, to act with a like Committee from the Senate on this bill.

Allan M. Acomb, Chief Clerk

A Conference Committee was appointed comprised of Senators Halverson, Finlinson and Bunnell.

* * *

Mr. President: March 10, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, **S.B. No. 133,** COVERAGE OF PROFESSIONAL CORPORATION ACT, by Senator Carling, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Carling, the Senate voted to concur in the House amendments and the bill passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 11

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Sandberg
Barlow	Carling	Matheson	Sowards
Barton	Flamm	Money	Wayment
Bennett	Halverson	Peterson, C.	
Bullen	Jeffs	Peterson, L.	

Absent and not voting were: Senators

Bangerter	Cornaby	Kimball	Swan
Black	Farley	Pugh	Mr. President (Ferry)
Christensen	Finlinson	Snow	

S.B. No. 133 was transmitted to the House.

* * *

Mr. President: March 10, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and the House, **S.B. No. 203,** PROVO-JORDAN RIVER STATE PARKWAY, by Senator Snow, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Jeffs, the Senate voted to concur in the House amendments and the bill passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Asay	Bunnell	Matheson	Snow
Barlow	Carling	Money	Sowards
Bennett	Flamm	Peterson, C.	Swan
Black	Halverson	Peterson, L.	Wayment
Bullen	Jones	Sandberg	

Absent and not voting were: Senators

Bangerter	Cornaby	Jeffs	Pugh
Barton	Farley	Kimball	Mr. President (Ferry)
Christensen	Finlinson		

S.B. No. 203 was transmitted to the House.

* * *

Mr. President: March 10, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and the House, **S.B. No. 126,** MUNICIPAL OFFICERS ETHICS, by Senator Bunnell, et al, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Bunnell, the Senate voted to concur in the House amendments, and the bill passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Sandberg
Barlow	Carling	Matheson	Snow
Barton	Farley	Money	Sowards
Bennett	Flamm	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	

Absent and not voting were: Senators

Bangerter	Cornaby	Kimball	Swan
Black	Finlinson	Pugh	Mr. President (Ferry)
Christensen	Jeffs		

S.B. No. 126 was transmitted to the House.

* * *

Mr. President: March 10, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 333,** CARE OF INDIGENT AMENDMENTS, by Representative Rogers, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 321,** SCHOOL BUILDING EQUALIZATION PROGRAM, by Representative Garff, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 267,** RESOURCE DEVELOPMENT COORDINATING COMMITTEE, by Representative Rawson, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. Nos. 333, 321 and **267** were read the first time and referred to Rules Committee.

* * *

Mr. President: March 10, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, **S.B. No. 191,** ADMINISTRATIVE SERVICES ACT, by Senator Snow, et al, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Barton	Farley	Money	Sowards
Bennett	Flamm	Peterson, C.	Swan
Bullen	Halverson	Peterson, L.	Wayment
Bunnell	Jeffs	Pugh	
Carling	Jones	Sandberg	
Christensen	Matheson	Snow	

Voting in the negative was: Senator

Asay

Absent and not voting were: Senators

Bangerter	Black	Finlinson	Mr. President (Ferry)
Barlow	Cornaby	Kimball	

S.B. No. 191 was transmitted to the House.

* * *

Mr. President:

I am directed to inform the Senate that the House of Representatives has this day recalled from Legislative General Counsel, **H.B. No. 131,** MODIFICATION OF FIREMEN'S BENEFITS, by Representative Gardner, for further amendments, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, **H.B. No. 131** was placed on Third Reading Calendar.

SECOND READING CALENDAR

H.B. No. 65, JUDICIAL SALARIES, was before the Senate. Senator Asay commented. President Ferry is presiding.

H.B. No. 65 passed on the following roll call:

Yeas, 21; Nays, 4; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling (expln.)	Jones	Sowards
Barlow	Christensen	Peterson, C.	Swan
Bennett	Farley	Peterson, L.	Mr. President (Ferry)
Black (expln.)	Flamm	Pugh	
Bullen	Halverson	Sandberg	
Bunnell (expln.)	Jeffs (expln.)	Snow (expln.)	

Voting in the negative were: Senators

Barton (expln.)	Matheson	Money	Wayment

Absent and not voting were: Senators

Bangerter	Cornaby	Finlinson	Kimball

H.B. No. 65, as amended, was returned to the House.

* * *

On motion of Senator Snow, the rules were suspended with no dissenting votes, and **S.B. No. 306,** EXECUTIVE AND JUDICIAL SALARIES, was read the second and third times and placed on final passage.

At the request of Senator Asay, the Senate voted to allow Senator Asay to abstain from voting on this bill.

S.B. No. 306 passed on the following roll call:

Yeas, 22; Nays, 2; Absent, 4

Voting in the affirmative were: Senators

Barlow	Farley	Money	Sowards
Barton (expln.)	Flamm	Peterson, C.	Swan
Black	Halverson	Peterson, L.	Wayment
Bullen	Jeffs	Pugh	Mr. President (Ferry)
Bunnell	Jones	Sandberg	
Carling	Matheson	Snow	

Voting in the negative were: Senators

Bennett	Christensen

Absent and not voting were: Senators

Bangerter	Cornaby	Finlinson	Kimball

S.B. No. 306 was transmitted to the House.

* * *

Mr. President: March 10, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 226,** NUISANCES IN MANUFACTURING ACTIVITIES, by Senator Barton, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. No. 226 was signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

CONSENT CALENDAR OBJECTION

Senators Ferry, Finlinson and Sowards submitted objections to **H.B. No. 5,** AUDIT OF PUBLIC TRANSIT DISTRICTS, being on Consent Calendar, and the bill was placed at the bottom of Second Reading Calendar.

* * *

On motion of Senator Snow, and at 7.05 p.m., the Senate adjourned until 9:00 a.m., Wednesday, March 11, 1981.

Pg. 894

FIFTY-NINTH DAY

MORNING SESSION

The Senate was called to order at 9:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present.

Prayer — Bishop Otis Charles, Episcopal Cathedral

COMMITTEE TO READ AND REVISE THE JOURNAL

Mr. President: March 11, 1981

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

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE GOVERNOR

Dear President Ferry: March 10, 1981

This is to inform you that on March 10, 1981, Governor Scott M. Matheson did sign into law the following bills, which have been forwarded to the Lt. Governor's Office for filing.

S.B. No. 15	HEALTH PLANNING AND RESOURCES DEVELOPMENT ACT AMENDMENTS
S.B. No. 23	CEMETERY & FIRE COMMISSIONER APPOINTMENTS
S.B. No. 66	SHOPLIFTING AMENDMENTS
S.B. No. 69	DISASTER RESPONSE AND RECOVERY ACT
S.B. No. 70	EMERGENCY MANAGEMENT ACT
S.B. No. 114	AUDITS OF POLITICAL SUBDIVISION
S.B. No. 136	PUBLIC TRANSIT ACT AMENDMENTS
S.B. No. 197	MORONI L. JENSEN STATE HOUSE FELLOWS PROGRAM

Tina Falvo, Administrative Aide

Communication filed.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 10, 1981

I am directed to inform the Senate that the House of Representatives has this day struck the enacting clause on **S.B. No. 134**, FINANCIAL INSTITUTIONS ACT OF 1981, by Senator Cornaby, and the same is transmitted herewith.

Allan M. Acomb, Chief Clerk

S.B. No. 134 is reconsidered.

THIRD READING CALENDAR

H.B. No. 131, MODIFICATION OF FIREMEN'S RETIREMENT BENEFIT, was before the Senate on reconsideration and passed on the following roll call:

Yeas, 25; Nays, 2; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Cornaby	Kimball	Sowards
Barlow	Farley	Matheson	Swan
Bennett	Finlinson	Peterson, C.	Wayment
Black	Flamm	Peterson, L.	Mr. President (Ferry)
Bullen	Halverson	Pugh	
Bunnell	Jeffs	Sandberg	
Christensen	Jones	Snow	

Voting in the negative were: Senators

Asay	Barton

Absent and not voting were: Senators

Carling	Money

H.B. No. 131 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

Substitute H.B. No. 183, PUBLIC INTOXICATION TREATMENT ACT, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Christensen	Kimball	Snow
Bangerter (expln.)	Cornaby	Matheson	Sowards

Barlow	Farley	Money	Swan
Bennett	Flamm	Peterson, C.	Wayment
Black	Halverson	Peterson, L.	Mr. President (Ferry)
Bullen	Jeffs	Pugh	
Bunnell	Jones	Sandberg	

Absent and not voting were: Senators

Barton	Carling	Finlinson

Substitute H.B. No. 183, as amended, was returned to the house.

* * *

On motion of Senator Bennett, **S.B. No. 281,** SCHOOL AND PUBLIC EMPLOYEES' RETIREMENT BENEFIT, was lifted from Third Reading Table and passed on the following roll call:

Yeas, 20; Nays, 4; Absent, 5

Voting in the affirmative were: Senators

Asay	Bullen	Jones	Pugh
Bangerter	Cornaby	Kimball	Snow
Barlow	Farley	Money	Sowards
Bennett	Flamm	Peterson, C.	Swan
Black	Halverson	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Christensen	Matheson	Sandberg	Wayment

Absent and not voting were: Senators

Barton	Carling	Finlinson	Jeffs
Bunnell			

S.B. No. 281 was transmitted to the House.

* * *

H.B. No. 275, PUBLIC SERVICE COMMISSION HEARING PROCEDURES, was read the third time.

David Irvine, Public Service Commissioner, spoke in Committee of the Whole.

Senator Bennett proposed amendments which failed. The bill passed on the following roll call:

Yeas, 19; Nays, 5; Absent, 5

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Sandberg
Bangerter	Carling	Jones	Snow

Barlow	Christensen	Matheson	Sowards
Black	Cornaby	Peterson, C.	Mr. President (Ferry)
Bullen	Flamm	Peterson, L.	

Voting in the negative were: Senators

Bennett	Jeffs	Kimball	Swan
Farley			

Absent and not voting were: Senators

Barton	Money	Pugh	Wayment
Finlinson			

H.B. No. 275 was signed by the President in open session of the Senate and returned to the House for further action.

CONSENT CALENDAR

H.B. No. 248, MENTAL HEALTH SERVICE AMENDMENTS, was under suspension of the rules, read the third time. Senator Jeffs explained the bill and it passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Votng in the affirmative were: Senators

Asay	Bullen	Halverson	Peterson, C.
Bangerter	Bunnell	Jeffs	Peterson, L.
Barlow	Christensen	Jones	Sowards
Barton	Farley	Kimball	Swan
Bennett	Finlinson	Matheson	Wayment
Black	Flamm	Money	Mr. President (Ferry)

Absent and not voting were: Senators

Carling	Pugh	Sandberg	Snow
Cornaby			

H.B. No. 248 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

H.B. No. 247, MENTAL HEALTH AMENDMENTS, was, under suspension of the rules, read the third time. Senator Farley explained the bill and it passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Bunnell	Jeffs	Peterson, L.
Barlow	Christensen	Jones	Snow

Barton	Farley	Kimball	Sowards
Bennett	Finlinson	Matheson	Swan
Black	Flamm	Money	Wayment
Bullen	Halverson	Peterson, C.	Mr. President (Ferry)

Absent and not voting were: Senators

Asay	Cornaby	Pugh	Sandberg
Carling			

H.B. No. 247 was signed by the President in open session of the Senate and returned to the Hosue for further action.

* * *

Sub. H.B. No. 130, DIRECT LEGISLATION PETITION, was, under suspension of the rules, read the third time. Representative McMullin, sponsor, spoke in Committee of the Whole. Senator Bangerter explained the bill and it passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Bunnell	Jeffs	Sandberg
Barlow	Christensen	Kimball	Snow
Barton	Farley	Matheson	Sowards
Bennett	Finlinson	Money	Swan
Black	Flamm	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Asay	Cornaby	Jones	Pugh
Carling			

Sub. H.B. No. 130 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

H.B. No. 212, MUNICIPAL BOND ELECTIONS, was under suspension of the rules, read the third time. Senator Snow explained the bill and it passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Christensen	Kimball	Sowards
Barlow	Farley	Matheson	Swan
Bennett	Finlinson	Money	Wayment
Black	Flamm	Peterson, C.	Mr. President (Ferry)
Bullen	Halverson	Sandberg	
Bunnell	Jeffs	Snow	

Absent and not voting were: Senators

Asay	Carling	Jones	Pugh
Barton	Cornaby	Peterson, L.	

H.B. No. 212 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

Substitute H.B. No. 129, MUNICIPAL FINANCE MODIFICATIONS, was, under suspension of the rules, read the third time. Senator Finlinson explained the bill and it passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Bunnell	Kimball	Sandberg
Barlow	Christensen	Matheson	Snow
Barton	Finlinson	Money	Sowards
Bennett	Flamm	Peterson, C.	Swan
Black	Halverson	Peterson, L.	Wayment
Bullen	Jeffs	Pugh	Mr. President (Ferry)

Absent and not voting were: Senators

Asay	Cornaby	Farley	Jones
Carling			

Substitute H.B. No. 129 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Finlinson, the rules were suspended with no dissenting votes, and **H.B. No. 125,** STATE HOLIDAY CHANGE, was read the second and third times and placed on final passage.

Mr. President: March 5, 1981

The State and Local Affairs Committe, to which was referred **H.B. No. 125,** STATE HOLIDAY CHANGE, by Representative Robert B. Sykes, has carefully considered the bill and reports it out of committee with a favorable recommendation with the following amendment:

Page 3, after Line 5:
Add a new Section
"Section 2. This act shall take effect upon approval."

Bryce C. Flamm, Committee Chairman

Committe report, as amended, read and adopted and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Bunnell	Jones	Sandberg
Barlow	Christensen	Kimball	Snow
Barton	Finlinson	Matheson	Swan
Bennett	Flamm	Money	Wayment
Black	Halverson	Peterson, C.	Mr. President (Ferry)
Bullen	Jeffs	Peterson, L.	

Absent and not voting were: Senators

Asay	Cornaby	Pugh	Sowards
Carling	Farley		

H.B. No. 125, as amended, was returned to the House.

* * *

On motion of Senator Snow, the rules were suspended with no dissenting votes, and **H.J.R. No. 38,** J. MCKINNON SMITH RESOLUTION, was read the second and third times and placed on final passage. The resolution passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Bunnell	Kimball	Snow
Barlow	Christensen	Matheson	Swan
Barton	Finlinson	Money	Wayment
Bennett	Halverson	Peterson, C.	Mr. President (Ferry)
Black	Jeffs	Peterson, L.	
Bullen	Jones	Sandberg	

Absent and not voting were: Senators

Asay	Cornaby	Flamm	Sowards
Carling	Farley	Pugh	

H.J.R. No. 38 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Finlinson, the rules were suspended with no dissenting votes, and **H.B. No. 172,** PUBLIC TRANSPORTATION LIMITATION, was read the third time and placed on final passage and the bill passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barlow	Bunnell	Jones	Peterson, L.
Barton	Christensen	Kimball	Sandberg
Bennett	Finlinson	Matheson	Snow

Black	Flamm	Money	Swan
Bullen	Jeffs	Peterson, C.	Mr. President (Ferry)

Absent and not voting were: Senators

Asay	Cornaby	Halverson	Sowards
Bangerter	Farley	Pugh	Wayment
Carling			

H.B. No. 172 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

H.B. No. 239, UTAH RIDESHARING ACT, was, under suspension of the rules, read the third time. Senator Finlinson explained the bill and it passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barlow	Bunnell	Jeffs	Peterson, L.
Barton	Christensen	Jones	Snow
Bennett	Finlinson	Matheson	Sowards
Black	Flamm	Money	Swan
Bullen	Halverson	Peterson, C.	Mr. President (Ferry)

Absent and not voting were: Senators

Asay	Cornaby	Kimball	Sandberg
Bangerter	Farley	Pugh	Wayment
Carling			

H.B. No. 239 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Snow, the rules were suspended with no dissenting votes, and **H.B. No. 176,** MEDICARE SUPPLEMENT INSURANCE ACT, was read the second and third times and placed on final passage.

Mr. President: March 10, 1981

The Social Services Committee, to which was referred **Substitute H.B. No. 176,** MEDICARE SUPPLEMENT INSURANCE ACT, by Representative Willard Hale Gardner, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted and on motion of Senator Snow, the bill was circled.

* * *

On motion of Senator Barlow, the rules were suspended with no dissenting votes, and **H.B. No. 347,** FIRE TRAINING PROGRAMS, was read the second and third times, placed on final passage, Gordon D. Evans, Director Fire Training, Utah Technical College, spoke in Committee of the Whole. The bill passed on the following roll call:

Yeas, 19; Nays, 7; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Bullen	Kimball	Sandberg
Barlow	Bunnell	Matheson	Sowards
Barton	Carling	Money	Swan
Bennett	Farley	Peterson, C.	Mr. President (Ferry)
Black	Flamm	Peterson, L.	

Voting in the negative were: Senators

Finlinson (expln.)	Jeffs	Pugh (expln.)	Wayment
Halverson	Jones	Snow	

Absent and not voting were: Senators

Asay	Christensen	Cornaby

H.B. No. 347 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Halverson, the rules were suspended with no dissenting votes, and **Substitute H.B. No. 257,** ALCOHOLISM INSURANCE COVERAGE, was read the second and third times, placed on final passage, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Christensen	Kimball	Snow
Barton	Finlinson	Matheson	Sowards
Bennett	Flamm	Money	Swan
Black	Halverson	Peterson, C.	Mr. President (Ferry)
Bullen	Jeffs	Peterson, L.	
Bunnell	Jones	Sandberg	

Absent and not voting were: Senators

Asay	Carling	Farley	Wayment
Barlow	Cornaby	Pugh	

Substitute H.B. No. 257 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Flamm, the rules were suspended with no dissenting votes, and **H.B. No. 15,** WAGE CLAIM LIMITATION, was read the second and third times and placed on final passage.

Mr. President: March 2, 1981

The Business, Labor and Economic Development Committee, to which was referred **H.B. No. 15,** WAGE CLAIM LIMITATION, by Representative Paul Rogers, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 13:
Delete *"$2,000"* and insert in lieu thereof *"$1,000"*

Page 1, Line 24:
Delete *"$2,000"* and insert in lieu thereof *"$1,000"*

Page 2, Line 11:
Delete *"$2,000"* and insert in lieu thereof *"$1,000"*

Arnold Christensen, Committee Chairman

Committee report, as amended, read and adopted and the bill failed on the following roll call:

Yeas, 13; Nays, 9; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Bunnell	Halverson	Sowards
Barlow	Christensen	Peterson, C.	Swan
Bennett	Flamm	Peterson, L.	Mr. President (Ferry)
Black			

Voting in the negative were: Senators

Barton	Jeffs	Kimball	Sandberg
Bullen	Jones	Matheson	Snow
Finlinson			

Absent and not voting were: Senators

Asay	Cornaby	Money	Wayment
Carling	Farley	Pugh	

On motion of Senator Finlinson, **H.B. No. 15,** under suspension of the rules, is reconsidered and the bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Snow
Bangerter	Christensen	Jones	Sowards

Barlow	Cornaby	Matheson	Swan
Bennett	Farley	Money	Wayment
Black	Finlinson	Peterson, L.	Mr. President (Ferry)
Bullen	Halverson	Pugh	

Absent and not voting were: Senators

Barton	Flamm	Peterson, C.	Sandberg
Bunnell	Kimball		

H.B. No. 15, as amended, was returned to the House.

* * *

On motion of Senator Jones, and under suspension of the rules, **H.B. No. 265,** SELF-SERVICE STORAGE REGULATION, was read the second and third times and placed on final passage and the bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Bunnell	Jeffs	Sandberg
Barlow	Christensen	Jones	Snow
Barton	Farley	Kimball	Sowards
Bennett	Finlinson	Matheson	Swan
Black	Flamm	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Asay	Cornaby	Money	Pugh
Carling			

H.B. No. 265 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Christensen, the rules were suspended with no dissenting votes, and **H.B. No. 152,** STATE FIREWORKS SAFETY AND CONTROL, was read the second and third times, placed on final passage, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Carling	Jones	Sowards
Barlow	Christensen	Kimball	Swan
Barton	Farley	Matheson	Wayment
Bennett	Finlinson	Money	Mr. President (Ferry)
Black	Flamm	Peterson, C.	
Bullen	Halverson	Sandberg	

Bunnell	Jeffs	Snow	

Absent and not voting were: Senators

Asay	Cornaby	Peterson, L.	Pugh

H.B. No. 152, was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Sowards, the rules were suspended with no dissenting votes, and **H.B. No. 170,** FALCONRY MEET FEES, was read the second and third times, placed on final passage, and the bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Carling	Jones	Sowards
Barlow	Christensen	Kimball	Swan
Barton	Farley	Matheson	Wayment
Bennett	Finlinson	Money	Mr. President (Ferry)
Black	Flamm	Peterson, C.	
Bullen	Halverson	Sandberg	
Bunnell	Jeffs	Snow	

Absent and not voting were: Senators

Asay	Cornaby	Peterson, L.	Pugh

H.B. No. 170 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator C. Peterson, the rules were suspended with no dissenting votes, and **H.B. No. 141,** LICENSE PLATES — FORMER PRISONERS OF WAR, was read the second and third times and placed on final passage. Senators Bunnell and Black commented. The bill failed on the following roll call:

Yeas, 13; Nays, 13; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Carling	Matheson (expln.)	
Barlow	Farley	Peterson, C. (expln.)	Sowards
Barton	Finlinson	Peterson, L.	Wayment (expln.)
Bennett	Sandberg		

Voting in the negative were: Senators

Black (expln.)	Cornaby	Jeffs	Snow
Bullen	Flamm	Jones	Swan

Bunnell	Halverson	Kimball	Mr. President (Ferry)
Christensen			

Absent and not voting were: Senators

Asay	Money	Pugh

H.B. No. 141 was returned to the House for filing.

* * *

On motion of Senator Finlinson, the rules were suspended with no dissenting votes, and **H.B. No. 293,** VOTER INFORMATION PAMPHLETS, was read the second and third times and placed on final passage.

Mr. President: March 9, 1981

The State and Local Affairs Committee, to which was referred **H.B. No. 293,** VOTER INFORMATION PAMPHLETS, by Representative Lee W. Farnsworth, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Bunnell	Halverson	Sandberg
Barlow	Christensen	Jeffs	Snow
Barton	Cornaby	Jones	Sowards
Bennett	Farley	Kimball	Swan
Black	Finlinson	Matheson	Wayment
Bullen	Flamm	Money	Mr. President (Ferry)

Absent and not voting were: Senators

Asay	Peterson, C.	Peterson, L.	Pugh
Carling			

H.B. No. 293 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Bullen, the rules were suspended with no dissenting votes, and **H.B. No. 369,** TRANSIT DISTRICT ELECTIONS, was read the second and third times and placed on final passage.

Mr. President: March 9, 1981

The State and Local Affairs Committee, to which was referred **H.B. No. 369,** TRANSIT

DISTRICT ELECTIONS, by Representative Lyle W. Hillyard, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Christensen	Jones	Sowards
Barlow	Cornaby	Kimball	Swan
Barton	Farley	Matheson	Wayment
Bennett	Finlinson	Money	Mr. President (Ferry)
Black	Flamm	Peterson, L.	
Bullen	Halverson	Sandberg	
Bunnell	Jeffs	Snow	

Absent and not voting were: Senators

Asay	Carling	Peterson, C.	Pugh

H.B. No. 369 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Cornaby, the rules were suspended with no dissenting votes, and **S.C.R. No. 7,** AUTOMOBILE EMISSIONS AND CLEAN AIR DAY, was read the second and third times and placed on final passage.

Mr. President: March 10, 1981

The Social Services Committee, to which was referred **S.C.R. No. 7,** AUTOMOBILE EMISSIONS AND CLEAN AIR DAY, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted and the resolution passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Christensen	Jeffs	Sandberg
Barlow	Cornaby	Jones	Snow
Bennett	Farley	Kimball	Sowards
Black	Finlinson	Matheson	Swan
Bullen	Flamm	Money	Wayment
Bunnell	Halverson	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Bangerter	Carling	Peterson, C.	Pugh
Barton			

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

* * *

On motion of Senator Halverson, the rules were suspended with no dissenting votes, and **H.B. No. 308,** ADULT PROBATION AND PAROLE, was read the second and third times and placed on final passage.

Mr. President: March 10, 1981

The Social Services Committee, to which was referred **H.B. No. 308,** ADULT PROBATION AND PAROLE, by Representative Dale E. Stratford, has carefully considered the bill and reports it out of committee with a favorable recommendaton and asks that it be placed on the Consent Calendar.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Snow
Bangerter	Christensen	Jones	Sowards
Barlow	Cornaby	Kimball	Swan
Barton	Farley	Matheson	Wayment
Bennett	Finlinson	Money	Mr. President (Ferry)
Black	Flamm	Peterson, L.	
Bullen	Halverson	Sandberg	

Absent and not voting were: Senators

Carling	Peterson, C.	Pugh

H.B. No. 308 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Halverson, the rules were suspended with no dissenting votes, and **H.B. No. 233,** COMMUNITY CORRECTIONS ASSISTANCE ACT, was read the second and third times and placed on final passage.

Mr. President: March 10, 1981

The Social Services Committee, to which was referred **H.B. No. 233,** COMMUNITY CORRECTIONS ASSISTANCE ACT, by Representative Charles L. Doane, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar with the following amendment:

Page 1, Line 21:
After *"64-14-2."* delete *"The legislature finds that"* and insert in lieu of *"In order to determine if"*

Ronald T. Halverson, Committee Chairman

Committee report, as amended, read and adopted. On motion of Senator Snow, the Senate voted to strike the enacting clause of **H.B. No. 233** and the bill was returned to the House for filing.

* * *

On motion of Senator Bullen, the rules were suspended with no dissenting votes, and **H.B. No. 217,** FEES ON DELINQUENT TAXES, was read the second and third times and placed on final passage.

Mr. President: March 10, 1981

The Revenue and Taxation Committee, to which was referred **H.B. No. 217,** FEES ON DELINQUENT TAXES, by Representative Alarik Myrin, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Charles W. Bullen, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Sandberg
Bangerter	Carling	Jones	Snow
Barlow	Christensen	Matheson	Sowards
Barton	Cornaby	Money	Swan
Black	Farley	Peterson, L.	Wayment
Bullen	Finlinson	Pugh	Mr. President (Ferry)

Absent and not voting were: Senators

Bennett	Jeffs	Kimball	Peterson, C.
Flamm			

H.B. No. 217 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Bullen, the rules were suspended with no dissenting votes, and **H.B. No. 245,** FISCAL IMPACT ESTIMATIONS, was read the second time.

Mr. President: March 10, 1981

The Revenue and Taxation Committee, to which was referred **H.B. No. 245,** FISCAL IMPACT ESTIMATIONS, by Representative LeRay L. McAllister, has carefully considered the

bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Charles W. Bullen, Committee Chairman

Committee report read and adopted. Senators Finlinson, L. Peterson, Bennett and Bullen commented. On motion of Senator Snow, the bill is placed at the bottom of Second Reading Calendar.

* * *

On motion of Senator Christensen, and under suspension of the rules, the Senate voted to lift **H.C.R. No. 14,** BASKETBALL TEAMS IN UTAH COMMENDATION, from Sifting.

On motion of Senator Christensen, the rules were suspended with no dissenting votes, and the bill was read the second and third times, placed on final passage, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bullen	Flamm	Peterson, C.
Bangerter	Carling	Halverson	Snow
Barlow	Christensen	Jeffs	Sowards
Barton	Cornaby	Jones	Swan
Bennett	Farley	Matheson	Wayment
Black	Finlinson	Money	Mr. President (Ferry)

Absent and not voting were: Senators

Bunnell	Peterson, L.	Pugh	Sandberg
Kimball			

H.C.R. No. 14 was signed by the President in open session of the Senate and returned to the House for further action.

SECOND READING CALENDAR

H.B. No. 3, STATE MINERAL LANDS RENTALS AND ROYALTIES, was read the second time and before the Senate.

Mr. President: February 2, 1981

The Energy and Natural Resources Committee, to which was referred **H.B. No. 3,** STATE MINERAL LANDS RENTALS AND ROYALTIES, by Representative C. Hardy Redd, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Fred W. Finlinson, Committee Chairman

Committee report read and adopted and on motion of Senator Bunnell, the bill is circled.

* * *

On motion of Senator Matheson, the rules were suspended with no dissenting votes, and **Second Sub. H.B. No. 8**, MUNICIPAL ELECTION CODE, was read the second and third times and placed on final passage.

On motion of Senator Matheson, **Second Sub. H.B. No. 8** was amended as follows:

Page 5, Line 5:
Delete *"7"* and insert in lieu thereof *"5"*

Page 5, Line 24:
Delete *"8"* and insert in lieu thereof *"6"*

Pgae 5, Line 29:
Delete *"9"* and insert in lieu thereof *"7"*

Page 4, Line 17 (on the cherry copy):
After *"municipalities."* delete *"except third class cities and towns"* and insert in lieu thereof *"except as otherwise provided in section 20-5-11"*

Page 4 (on the cherry copy):
Delete Lines 23-35

Page 4A, Line 3 (on the cherry copy):
Delete *"(4)"* and insert in lieu thereof *"(2)"*

Page 4A, Line 10 (on the cherry copy):
Delete *"(5)"* and insert in lieu thereof *"(3)"*

Page 4A, Line 13 (on the cherry copy):
Delete *"(6)"* and insert in lieu thereof *"(4)"*
(Back to the goldenrod)

Page 6: After Line 2 insert a new section to read:

"20-5-11. (1) Any third class city or town by ordinance adopted before March in any year, preceding a municipal election, may exempt itself from a primary election by providing that the nomination of candidates for municipal office to be voted upon at a municipal election, be nominated by a convention or committee. Such an ordinance, however, may be adopted until May 1, in the year 1981. For purposes of this section, "convention" means an organized assemblage of voters or delegates. A committee appointed at a convention, if authorized by a duly passed enabling resolution, may also make nonminations or fill vacancies in nominations made at a convention.

(2) No convention or committee may nominate more than one group of candidates or have placed on the ballot more than one group of candidates for the municipal offices to be voted upon at the municipal election. A convention or committee, however, may nominate a person who has been nominated by a different convention or committee, but in making such a nomination in the name of such nominee shall be placed upon the regular ticket of the political party

represented at the convention making such nomination and no political party may have placed upon the ballot more than one group of candidates or to group the same candidates on different tickets by the same party under a different name or emblem.

(3) All nominations made by such convention or committee shall be certified in writing. The certificate of nomination shall contain the name of the office for which each person is nominated, the name, post-office address, and, if in a city, the street number of residence and place of business, if any, of each person nominated and shall designate in not more than five words the party which such convention or committee represents. It shall also contain a statement that the name of any such candidate will not appear on the ballot otherwise than as a candidate of the political party for which such certificate is made. The certificate shall be signed by the presiding officer and secretary of the convention or committee, who shall add to their signature their repsective places of residence and post-office addresses and make oath before an officer qualified to administer the same that the affiants were such officers of such convention or committee and that such certificates and the statements contained in the certificate are true to the best of their knowledge and belief. When the nomination is made by a committee the certificate of nomination shall also contain a copy of the resolution passed at the convention which authorized the committee to make such nomination. Certificates of nomination shall be filed with the clerk not later than the fourth Tuesday prior to the November municipal election."

Page 6, Line 3:
Delete *"20-5-11"* and insert in lieu thereof: *"20-6-12"*

Page 7, Line 10:
Delete *"20-5-12"* and insert in lieu thereof: *"20-6-13"*

Page 7, Line 18:
Delete *"20-5-13"* and insert in lieu thereof: *"20-5-14"*

Page 7, Line 22:
Delete *"20-5-14"* and insert in lieu thereof: *"20-5-15"*

Page 8, Line 9:
Delete *"20-5-15"* and insert in lieu thereof: *"20-5-16"*

Page 8, Line 21:
Delete *"20-5-16"* and insert in lieu thereof: *"20-5-17"*

Page 8, Line 31:
Delete *"20-5-17"* and insert in lieu thereof: *"20-5-18"*

Page 9, Line 3:
Delete *"20-5-18"* and insert in lieu thereof: *"20-5-19"*

Page 9, Line 9:
Delete *"20-5-19"* and insert in lieu thereof: *"20-5-20"*

Page 9, Line 14:
Delete *"20-5-20"* and insert in lieu thereof: *"20-5-21"*

Page 9, Line 21:
Delete *"20-5-21"* and insert in lieu thereof: *"20-5-22"*

Page 10, Line 5:
Delete *"20-5-22"* and insert in lieu thereof: *"20-5-23"*

Page 10, Line 10:
Delete *"20-5-23"* and insert in lieu thereof: *"20-5-24"*

Page 10, Line 19:
Delete *"20-5-24"* and insert in lieu thereof: *"20-5-25"*

Page 10, Line 32:
Delete *"20-5-25"* and insert in lieu thereof: *"20-5-26"*

Page 11, Line 6:
Delete *"20-5-26"* and insert in lieu thereof: *"20-5-27"*

Page 11, Line 16:
Delete *"20-5-27"* and insert in lieu thereof: *"20-5-28"*

Page 11, Line 28:
Delete *"20-5-28"* and insert in lieu thereof: *"20-5-29"*

Page 12, Line 3:
Delete *"20-5-29"* and insert in lieu thereof: *"20-5-30"*

Page 12, Line 10:
Delete *"20-5-30"* and insert in lieu thereof: *"20-5-31"*

Page 12, Line 18:
Delete *"20-5-31"* and insert in lieu thereof: *"20-5-32"*

Page 12, Line 26:
Delete *"20-5-32"* and insert in lieu thereof: *"20-5-33"*

Page 13, Line 7:
Delete *"20-5-33"* and insert in lieu thereof: *"20-5-34"*

Page 13, Line 13:
Delete *"20-5-34"* and insert in lieu thereof: *"20-5-35"*

Page 13, Line 21:
Delete *"20-5-35"* and insert in lieu thereof: *"20-5-36"*

Page 14, Line 12:
Delete *"20-5-36"* and insert in lieu thereof: *"20-5-37"*

Page 15, Line 12:
Delete *"20-5-37"* and insert in lieu thereof: *"20-5-38"*

Page 15, Line 25:
Delete *"20-5-38"* and insert in lieu thereof: *"20-5-39"*

Page 15, Line 32:
Delete *"20-5-39"* and insert in lieu thereof: *"20-5-40"*

Page 16, Line 20:
Delete *"20-5-40"* and insert in lieu thereof: *"20-5-41"*

Page 16, Line 25:
Delete *"20-5-41"* and insert in lieu thereof: *"20-5-42"*

Page 17, Line 11:
Delete *"20-5-42"* and insert in lieu thereof: *"20-5-43"*

Page 18, Line 10:
Delete *"20-5-43"* and insert in lieu thereof: *"20-5-44"*

Page 19, Line 3:
Delete *"20-5-44"* and insert in lieu thereof: *"20-5-45"*

Page 19, Line 11:
Delete *"20-5-45"* and insert in lieu thereof: *"20-5-46"*

Page 19, Line 16:
Delete *"20-5-46"* and insert in lieu thereof: *"20-5-47"*

Page 19, Line 25:
Delete *"20-5-47"* and insert in lieu thereof: *"20-5-48"*

Page 19, Line 33:
Delete *"20-5-48"* and insert in lieu thereof: *"20-5-49"*

Page 20, Line 11:
Delete *"20-5-49"* and insert in lieu thereof: *"20-5-50"*

Page 20, Line 16:
Delete *"20-5-50"* and insert in lieu thereof: *"20-5-51"*

Page 20, Line 29:
Delete *"20-5-51"* and insert in lieu thereof: *"20-5-52"*

Page 21, Line 13:
Delete *"20-5-52"* and insert in lieu thereof: *"20-5-53"*

Page 21, Line 25:
Delete *"20-5-53"* and insert in lieu thereof: *"20-5-54"*

Page 21, Line 31:
Delete *"20-5-54"* and insert in lieu thereof: *"20-5-55"*

Page 22, Line 3:
Delete *"20-5-55"* and insert in lieu thereof: *"20-5-56"*

Page 22, Line 13:
Delete *"20-5-56"* and insert in lieu thereof: *"20-5-57"*

Page 22, Line 17:
Delete *"20-5-57"* and insert in lieu thereof: *"20-5-58"*

Page 22, Line 33:
Delete *"20-5-58"* and insert in lieu thereof: *"20-5-59"*

Page 23, Line 8:
Delete *"20-5-59"* and insert in lieu thereof: *"20-5-60"*

Page 23, Line 15:
Delete *"20-5-60"* and insert in lieu thereof: *"20-5-61"*

Page 23, Line 20:
Delete *"20-5-61"* and insert in lieu thereof: *"20-5-62"*

Page 23, Line 29:
Delete *"20-5-62"* and insert in lieu thereof: *"20-5-63"*

Page 24, Line 3:
Delete *"20-5-63"* and insert in lieu thereof: *"20-5-64"*

Page 24, Line 22:
Delete *"20-5-64"* and insert in lieu thereof: *"20-5-65"*

Page 24, Line 30:
Delete *"20-5-65"* and insert in lieu thereof: *"20-5-66"*

Page 25, Line 14:
Delete *"20-5-66"* and insert in lieu thereof: *"20-5-67"*

Page 26, Line 3:
Delete *"20-5-67"* and insert in lieu thereof: *"20-5-68"*

Page 26, Line 27:
Delete *"20-5-68"* and insert in lieu thereof: *"20-5-69"*

Page 27, Line 17:
Delete *"20-5-69"* and insert in lieu thereof: *"20-5-70"*

Page 27, Line 32:
Delete *"20-5-70"* and insert in lieu thereof: *"20-5-71"*

Page 28, Line 10:
Delete *"20-5-71"* and insert in lieu thereof: *"20-5-72"*

Page 28, Line 17:
Delete *"20-5-72"* and insert in lieu thereof: *"20-5-73"*

Page 28, Line 23:
Delete *"20-5-73"* and insert in lieu thereof: *"20-5-74"*

Page 28, Line 26:
Delete *"20-5-74"* and insert in lieu thereof: *"20-5-75"*

Page 28, Line 28:
Delete *"20-5-75"* and insert in lieu thereof: *"20-5-76"*

Second Sub. H.B. No. 8 passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Sandberg
Barlow	Christensen	Jones	Snow
Barton	Cornaby	Matheson	Sowards
Bennett	Finlinson	Money	Swan
Bullen	Flamm	Peterson, C.	Wayment
Bunnell	Halverson	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Bangerter	Farley	Kimball	Pugh
Black			

Second Sub. H.B. No. 8, as amended, was transmitted to the House.

* * *

H.B. No. 227, REPEAL OF LOCAL OPTIONAL SALES TAX, and **Second Sub. H.B. No. 228,** SALES AND USE TAX DISTRIBUTION, were before the Senate as a Special Order of Business at 11:30 a.m.

On motion of Senator Bullen, the rules were suspended with no dissenting votes, and **Second Sub. H.B. No. 228,** SALES AND USE TAX DISTRIBUTION was read the second and third times and placed on final passage.

Mr. President: March 6, 1981

The Revenue and Taxation Committee, to which was referred **Second Substitute H.B. No. 228,** SALES AND USE TAX DISTRIBUTION, by Representative Carl R. Saunders, et al, has

carefully considered the bill and reports it out of committee with a favorable recommendation.

Charles W. Bullen, Committee Chairman

Committee report read and adopted. Senators L. Peterson, Swan and C. Peterson commented.

COMMITTEE OF THE WHOLE

On motion of Senator Finlinson, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate were:

Carl R. Saunders, Representative
Paul Thompson, Mayor of Sandy City
Kendrick Harward, Mayor of Richfield
A. Stephen Dirks, Mayor of Ogden
Ted L. Wilson, Mayor, Salt Lake City

On motion of Senator Finlinson, the Committee of the Whole was dissolved.

The bill will remain as Unfinished Business.

* * *

On motion of Senator Snow, and at 12:05, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Miles 'Cap' Ferry presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 11, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, as amended, **S.B. No. 42,** WATER CONSERVANCY ACT AMENDMENTS, by Senator Finlinson, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Finlinson, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 17; Nays, 1; Absent, 11

Voting in the affirmative were: Senators

Asay	Christensen	Matheson	Swan
Barlow	Finlinson	Peterson, C.	Mr. President (Ferry)

Barton	Jeffs	Peterson, L.
Bennett	Jones	Sandberg
Carling	Kimball	Sowards

Voting in the negative was: Senator Farley

Absent and not voting were: Senators

Bangerter	Bunnell	Halverson	Snow
Black	Cornaby	Money	Wayment
Bullen	Flamm	Pugh	

S.B. No. 42 was transmitted to the House.

* * *

Mr. President: March 11, 1981

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.B. No. 65,** JUDICIAL SALARIES, by Representative Selleneit, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.B. No. 81,** COUNTY PERSONNEL MANAGEMENT ACT, by Representative Sykes, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.B. No. 104,** PROPERTY TAX INCREASE LIMITATIONS, by Representative Knowlton, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.B. No. 144,** AIR CONDITIONING SCHOOL BUILDINGS, by Representative Garff, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **Second Substitute H.B. No. 164,** ASSESSMENT RATE AND FAIR CASH VALUE, by Representative F. Knowlton, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **Substitute H.B. No. 157,** INSURANCE CODE RECODIFICATION, by Representative Rector, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **Second Substitute H.B. No. 196,** REAL PROPERTY TAX REVALUATION REPEAL, by Representative Knowlton, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **Substitute H.B. No. 158,** INSURANCE INDUSTRY-REGULATORY FEES, by Representative Rector, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.B. No. 226,** INSURANCE PREMIUM TAXES, by Representative Knowlton, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **Substitute H.B. No. 256,** UTAH EXECUTIVE AND JUDICIAL SALARY ACT, by Representative Harward, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **Substitute S.B. No. 18,** PLACEMENT OF NUCLEAR WASTE, by Senator Farley, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **Substitute S.B. No. 29,** STATE BUILDING BOARD POWERS, by Senator Halverson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 97,** ANATOMICAL GIFT ACT AMENDMENTS, by Senator Barton, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 121,** EDUCATION OF YOUTH IN CUSTODY, by Senator Halverson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **Substitute S.B. No. 125,** MEDICAL PROBLEM REFLECTION, by Senator Barton, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 126,** MUNICIPAL OFFICERS ETHICS, by Senator Bunnell, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day receded from its amendments and passed **S.B. No. 129,** IN LIEU PAYMENTS TO LOCAL SUBDIVISIONS, by Senator Matheson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 133,** COVERAGE OF PROFESSIONAL CORPORATION ACT, by Senator Carling, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 170,** PROPERTY TAX PREPAYMENT — IMPACT DEVELOPMENT, by Senator Bunnell, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 191,** ADMINISTRATIVE SERVICES ACT, by Senator Snow, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 203,** PROVO-JORDAN RIVER STATE PARKWAY, by Senator Snow, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 219,** CONDEMNATION AMENDMENTS, by Senator Wayment, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 237,** MOBILE HOME PARK RESIDENCY ACT, by Senator Matheson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 246,** SCHOOL BUILDING REVOLVING ACCOUNT, by Senator C. Peterson, which as been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 252,** HABITUAL TRUANCY, by Senator Cornaby, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 258,** HAZARDOUS WASTE FACILITY SITING ACT, by Senator Finlinson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 278,** HAZARDOUS WASTE FACILITIES MANAGEMENT ACT, by Senator Finlinson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **Substitute S.B. No. 279,** DEPARTMENT OF BUSINESS REGULATION FEES, by Senator Pugh, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 297,** PROPERTY TRANSFER TO WEBER STATE, by Senator Halverson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

H.B. Nos. 65, 81, 104, 144, Second Sub. H.B. No. 164, Sub. H.B. Nos. 157 and **158, Second Sub. H.B. No. 196, H.B. No. 226** and **Sub. H.B. No. 256,** were signed by the President in open session of the Senate and returned to the House for further action, and

Sub. S.B. Nos. 18 and **29, S.B. Nos. 97, 121, Sub. S.B. No. 125, S.B. Nos. 126, 129, 133, 170, 191, 203, 219, 237, 246, 252, 258, 278, Sub. S.B. No. 279** and **S.B. No. 297** were signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

UNFINISHED BUSINESS

Second Sub. H.B. No. 228, SALES AND USE TAX DISTRIBUTION, was before the Senate.

Senator Finlinson's motion to delete Lines 32 and 33 (raspberry copy) and Lines 3 through 22 (canary copy) failed on the following roll call:

Yeas, 14; Nays, 14; Absent, 1

Voting in the affirmative were: Senators

Barlow	Carling	Jeffs	Sowards
Bennett	Cornaby	Kimball	Swan
Black	Farley	Pugh	
Bunnell	Finlinson	Sandberg	

Voting in the negative were: Senators

Asay	Flamm	Money	Wayment
Barton	Halverson	Peterson, C.	Mr. President (Ferry)
Bullen	Jones	Peterson, L.	
Christensen	Matheson	Snow	

Absent and not voting was: Senator Bangerter

Senators Finlinson, L. Peterson, Snow, Matheson, Jeffs, Black, Sowards, Money, Bennett, Wayment, Kimball, Barlow, Flamm, Pugh and Halverson commented.

The bill failed on the following roll call:

Yeas, 14; Nays, 15; Absent, 0

Voting in the affirmative were: Senators

Asay	Flamm	Money	Wayment
Bangerter	Halverson	Peterson, C.	Mr. President (Ferry)
Barlow	Jones	Peterson, L. (expln.)	
Bullen	Matheson	Snow (expln.)	

Voting in the negative were: Senators

Barton	Carling	Finlinson	Sandberg (expln.)
Bennett	Christensen (expln.)	Jeffs	Sowards
Black	Cornaby	Kimball	Swan
Bunnell	Farley	Pugh (expln.)	

Second Sub. H.B. No. 228 was returned to the House for filing.

* * *

On motion of Senator Bullen, the rules were suspended with no dissenting votes, and **H.B. No. 227,** REPEAL OF LOCAL OPTIONAL SALES TAX, was read the second and third times and placed on final passage.

Mr. President: March 6, 1981

The Revenue and Taxation Committee, to which was referred **H.B. No. 227,** REPEAL OF LOCAL OPTIONAL SALES TAX, by Representative Carl R. Saunders, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Charles W. Bullen, Committee Chairman

Committee report read and adopted and on motion of Senator L. Peterson, circled.

COMMUNICATION FROM THE HOUSE

Mr. President: March 11, 1981

I am directed to inform the Senate that the House of Representatives has this day passed,

under suspension of the rules, **H.C.R. No. 16,** HERBERT B. MAW RESOLUTION, by Representative Garr, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.C.R. No. 16 was read the first time and on motion of Senator Snow, the rules were suspended with no dissenting votes, and the resolution was read the second and third times, placed on final passage, and passed on the following roll call:

Yeas, 28, Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Pugh
Bangerter	Carling	Jeffs	Sandberg
Barlow	Christensen	Jones	Snow
Barton	Cornaby	Kimball	Sowards
Bennett	Farley	Matheson	Swan
Black	Finlinson	Money	Wayment
Bullen	Flamm	Peterson, C.	Mr. President (Ferry)

if060 **Absent and not voting was:** Senator Peterson, L.

H.C.R. No. 16 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

The Honorable Herbert B. Maw,
former Governor, State of Utah

"I feel perfectly at home in this old room. Some of the best years of my life were spent as a Utah State Senator. I think as I look back on my eighty eight years of living, the most satisfying ten years was when I was a member of this body. I was elected to two full terms and two one-half terms and served for ten years.

I remember when I came up here as a very young fellow in 1927, the first bill that I wrote and introduced is still on the statute books. It was the bill that required the payment of property tax on automobiles before they could issue an auto license — up until then people did not pay taxes on automobiles. The county assessors assessed the automobile taxes of property owners on the property — but those who didn't own real property escaped all taxation — that was a good law!

That dates me. I don't suppose there is anyone in this group that can remember the day they didn't have to pay property tax before they got their license.

Eighty eight years of life is a long life. When you look at it I am three years older than the State of Utah! I was born in the village of Ogden, at that time, Deseret — the territory of Desert. Since that time I have seen the development of this State from a little agricultural area to one of the great states of the nation. I have seen it

grow, in popularity, in power, and in strength, and particularly in the caliber of citizens that we have and in the reputation that our citizenry has in the nation. As I came up here today and looked at Temple Square, I remembered that I am even older by three weeks than the Mormon Temple! It was dedicated in April of 1893 and I was born in March of 1893. A lot of things have developed during my lifetime. Now I want to express my thanks to the Legislature of this state for the honor that is being conferred on me at this time. Fortunately I have good health. Many people ask me when I am going to retire and my answer to them is that I am going to retire when I am old enough to retire.

I practice law regularly, spend at least ten hours a day in my office, and I hope to do so until I become so weak and decrepit that I can't go to the office. It's my idea that a person is no older than he thinks he is. You think you are old if you think the time has come to quit, but if you hang on to the young ideas, think as you did fifty years ago, work as you did fifty years ago you won't get old. I don't feel any older than I did when I was a youngster, like this lady here. (Shauna Hoffman) So, I thank you members of the Senate for this honor and I appreciate the opportunity of being here. It recalls so many wonderful memories to me which I know I shall never forget. I shall never forget this particular occasion. Thank you."

* * *

Mr. President: March 11, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, **S.B. No. 304**, FUEL COST INCREASE-PUBLIC UTILITY RATES, by Senator Sowards, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Sowards, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Christensen	Kimball	Sandberg
Barlow	Cornaby	Matheson	Snow
Bennett	Farley	Money	Sowards
Bullen	Finlinson	Peterson, C.	Swan
Bunnell	Jeffs	Peterson, L.	Wayment
Carling	Jones	Pugh	Mr. President (Ferry)

Absent and not voting were: Senators

Bangerter	Black	Flamm	Halverson
Barton			

S.B. No. 304 was transmitted to the House.

* * *

On motion of Senator Jones, **H.B. No. 329,** FAIR CONSTRUCTION BIDDING PROCEDURE, was lifted from Sifting (Rules) Committee, and placed at the bottom of Second Reading Calendar.

RULES (SIFTING) COMMITTEE REPORT

Mr. President: March 11, 1981

Your Sifting (Rules) Committee reports out the following bills to be placed on the Consent Calendar:

H.B. No. 268	(Sub) VETERANS' REPRESENTATIVE
H.B. No. 273	BIRD DAY REPEAL
H.J.R. No. 3	FEDERAL LEGISLATION RESOLUTION
H.J.R. No. 4	FEDERAL JUDICIAL REFORM RESOLUTION
H.J.R. No. 31	STATE GOVERNMENT PRINTING RESOLUTION
H.J.R. No. 46	MINED LAND RECLAMATION RESOLUTION
H.C.R. No. 7	COAL LEASING POLICY RESOLUTION
H.C.R. No. 12	LOW LEVEL RADIOACTIVE WASTES
H.C.R. No. 13	DAVID TERRY WARNER RESOLUTION

Ronald T. Halverson, Committee Chairman

Committee report read and adopted.

* * *

On motion of Senator Swan, the Senate voted to lift **Substitute H.B. No. 203,** ASSUMPTION OF REAL ESTATE SECURITY INTERESTS, from Sifting (Rules) Committee and place it at the top of Second Reading Calendar.

INTRODUCTION OF BILLS

On motion of Senator Barlow, the Senate voted, under suspension of the rules, to allow introduction of the following bill.

SUPPLEMENTAL APPROPRIATIONS ACT

S.B. No. 307 Warren E. Pugh

AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 1981 FOR THE USE AND SUPPORT OF CERTAIN STATE DEPARTMENTS AND AGENCIES OF STATE GOVERNMENT AND FOR OTHER PURPOSES AS IN THIS ACT PROVIDED, was read the first time and referred to Rules (Sifting) Committee.

SCHOOL FINANCE

S.B. No. 308 Senators Barlow, Pugh, Bunnell

AN ACT RELATING TO THE SCHOOL FINANCE PROGRAM; APPROPRIATING $549,272,856; AND PROVIDING CHANGES IN AMOUNTS APPROPRIATED FOR THE PUBLIC SCHOOL PROGRAM. THIS ACT AMENDS SECTIONS 53-7-16, 53-7-18, 53-7-18.1,

53-7-21, and 53-7-26 UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 51, LAWS OF UTAH 1980; RELATING TO THE STATE SUPPORTED MINIMUM SCHOOL PROGRAM; PROVIDING FOR INCREASED WEIGHTED PUPIL UNITS AND AMOUNTS FOR THE BASIC PROGRAM; PROVIDING FOR AN INCREASE IN THE AMOUNT OF STATE SUPPORT OF PUPIL TRANSPORTATION; PROVIDING DECREASED FUNDS FOR COMMUNITY EDUCATION, ELEMENTARY GUIDANCE, INSTRUCTIONAL MEDIA CENTERS, EXTENDED YEAR, EXTENDED DAY AND SUMMER PROGRAMS, COMPENSATORY EDUCATION, CAREER EDUCATION, TRANSPORTATION FOR EDUCATIONAL FIELD TRIPS, MUSIC IN ELEMENTARY SCHOOLS, TEXTBOOKS AND LABORATORY FEES, PROGRAMS FOR GIFTED AND TALENTED STUDENTS, REDUCTION OF CLASS SIZE, BILINGUAL EDUCATION, EDUCATION FOR RESPONSIBLE PARENTHOOD, AND CHILDREN WITH SPECIAL NEEDS AND PROVIDING THAT THOSE PROGRAMS SHALL BE SPECIAL PURPOSE OPTIONAL PROGRAMS AND BE AWARDED WEIGHTED PUPIL UNITS; PROVIDING AN INCREASE APPROPRIATION IN PROGRAMS FOR THE HANDICAPPED, YOUTH IN CUSTODY, AND FOR VOCATIONAL EDUCATION; PROVIDING A DECREASE IN FUNDS FOR ADULT EDUCATION; PROVIDING FOR AN INCREASE IN THE APPROPRIATION FOR COSTS OF ENERGY AND INSURANCE; PROVIDING INCREASED AMOUNTS FOR RETIREMENT AND SOCIAL SECURITY; AND PROVIDING A LIMITATION ON THE STATE APPROPRIATION OF $[363,984,243] 389,705,939; AND PROVIDING FOR AN EFFECTIVE DATE.

S.B. No. 308 was read the first time, and placed at the top of Second Reading Calendar.

The Senate recessed at 4:05 p.m.

The Senate reassembled at 4:40 p.m.

On motion of Senator Barlow, the rules were suspended with no dissenting votes, and **S.B. No. 308** was read the second and third times, placed on final passage, and passed on the following roll call:

Yeas, 23; Nays, 3; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Carling	Halverson	Pugh
Barlow	Christensen	Jeffs	Sandberg
Barton	Cornaby	Jones	Snow
Black	Farley	Matheson	Wayment
Bullen	Finlinson	Peterson, C.	Mr. President (Ferry)
Bunnell	Flamm	Peterson, L.	

Voting in the negative were: Senators

Asay	Bennett	Swan

Absent and not voting were: Senators

Kimball	Money	Sowards

S.B. No. 308 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 11, 1981

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.B. No. 15,** WAGE CLAIM LIMITATION, by Representative Rogers, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.B. No. 125,** STATE HOLIDAY CHANGE, by Representative Sykes, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **Substitute H.B. No. 183,** PUBLIC INTOXICATION TREATMENT ACT, by Representative LeFevre, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

H.B. Nos. 15, 125 and **Substitute H.B. No. 183** were signed by the President in open session of the Senate and returned to the House for further action.

SECOND READING CALENDAR

On motion of Senator Halverson, **H.B. No. 213,** CIRCUIT COURT AMENDMENTS, was lifted to the top of Second Reading Calendar, and before the Senate. Representative McKeachnie spoke in Committee of the Whole.

On motion of Senator Jeffs, the rules were suspended with no dissenting votes, and **H.B. No. 213,** was read the second and third times, placed on final passage, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Christensen	Money	Sowards
Bangerter	Finlinson	Peterson, C.	Swan
Barlow	Flamm	Peterson, L.	Wayment
Barton	Jeffs	Pugh	Mr. President (Ferry)
Bennett	Jones	Sandberg	
Bullen	Matheson	Snow	

Absent and not voting were: Senators

Black	Carling	Farley	Kimball
Bunnell	Cornaby	Halverson	

H.B. No. 213 was signed by the President in open session of the Senate and returned to the House for further action.

SIFTING COMMITTEE REPORT

Mr. President: March 11, 1981

Your Sifting (Rules) Committee reports out the following bills to be immediately placed at the top of the Second Reading Calendar:

H.B. No. 321	SCHOOL BUILDING EQUALIZATION PROGRAM
H.B. No. 201	SCHOOL MILL LEVY ADJUSTMENT
H.B. No. 384	PUBLIC ASSISTANCE BURIAL TRUSTS

and asks that the following bills be placed at the bottom of Second Reading Calendar:

H.B. No. 287	COUNTY FISCAL PROCEDURES
H.B. No. 207	MUNICIPAL FISCAL PROCEDURES

Ronald T. Halverson, Committee Chairman

Committee report read and adopted.

* * *

On motion of Senator Barlow, the rules were suspended with no dissenting votes, and **H.B. No. 321,** SCHOOL BUILDING EQUALIZATION PROGRAM, was read the second and third times, placed on final passage, and passed on the following roll call:

Yeas, 20; Nays, 1; Absent, 8

Voting in the affirmative were: Senators

Asay	Christensen	Matheson	Snow
Bangerter	Cornaby	Peterson, C.	Sowards
Barlow	Flamm	Peterson, L.	Swan
Barton	Jeffs	Pugh	Wayment
Bullen	Jones	Sandberg	Mr. President (Ferry)

Voting in the negative was: Senator
Bennett

Absent and not voting were: Senators

Black	Carling	Finlinson	Kimball
Bunnell	Farley	Halverson	Money

H.B. No. 321 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Pugh, the rules were suspended with no dissenting votes, and **H.B. No. 201,** SCHOOL MILL LEVY ADJUSTMENT, was read the second time. On motion of Senator Pugh, the bill was circled.

* * *

On motion of Senator Jones, the rules were suspended with no dissenting votes, and **H.B. No. 384,** PUBLIC ASSISTANCE BURIAL TRUSTS, was read the second and third times, placed on final passage, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Bullen	Kimball	Snow
Bangerter	Christensen	Matheson	Sowards
Barlow	Cornaby	Money	Swan
Barton	Farley	Peterson, C.	Wayment
Bennett	Jeffs	Peterson, L.	Mr. President (Ferry)
Black	Jones	Pugh	

Absent and not voting were: Senators

Bunnell	Finlinson	Halverson	Sandberg
Carling	Flamm		

H.B. No. 384 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Bangerter, the rules were suspended with no dissenting votes, and **H.B. No. 57,** MULTI-STATE HIGHWAY TRANSPORTATION AGREEMENT, was read the second and third times, placed on final passage.

Mr. President: March 9, 1981

The Transportation and Public Safety Committee, to which was referred **H.B. No. 57,** MULTISTATE HIGHWAY TRANSPORTATION AGREEMENT, by Representative Dix H. McMullin, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 32:
After *"therein"* delete the rest of line 32 and all of lines 33, 34 and 35. Insert " " after *"therein"* on line 32.

Page 3, after Line 23:
Insert "(f) Study and recommend appropriate highway user fees."

E. Verl Asay, Committee Chairman

Committee report, as amended, read and adopted and the bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Bullen	Matheson	Swan
Bangerter	Christensen	Peterson, C.	Wayment

Barlow	Cornaby	Peterson, L.	Mr. President (Ferry)
Barton	Jeffs	Pugh	
Bennett	Jones	Snow	
Black	Kimball	Sowards	

Absent and not voting were: Senators

Bunnell	Farley	Flamm	Money
Carling	Finlinson	Halverson	Sandberg

H.B. No. 57 was returned to the House for further action.

* * *

On motion of Senator Bullen, the rules were suspended with no dissenting votes, and **H.B. No. 150,** FIRST JUDICIAL DISTRICT JUDGESHIP, was read the second and third times, placed on final passage, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Christensen	Money	Swan
Bangerter	Cornaby	Peterson, C.	Wayment
Barton	Flamm	Peterson, L.	Mr. President (Ferry)
Bennett	Jeffs	Pugh	
Black	Kimball	Snow	
Bullen	Matheson	Sowards	

Absent and not voting were: Senators

Barlow	Carling	Finlinson	Jones
Bunnell	Farley	Halverson	Sandberg

H.B. No. 150 was signed by the President in open session of the Senate and returned to the House for further action.

GOVERNOR SCOTT M. MATHESON
VETO — S.B. No. 5, School Buildings and Code Waivers

Dear President Ferry: March 11, 1981

I am returning, disapproved, **Senate Bill 5,** School Buildings and Code Waivers, which would allow the State Superintendent of Public Instruction, the Commissioner of Higher Education or local governing bodies to waive state and local building, fire, health, seismological and zoning codes, ordinances and regulations if they believe that meeting such codes would unnecessarily increase the cost of schools and other public buildings.

My policy as Governor has been to reserve judgment on legislation by use of the veto unless the enrolled bill poses serious constitutional problems or threatens the health, safety or welfare of the people of this state. Unquestionably, **Senate Bill 5** clearly falls into the latter category. Allowing an individual or group to waive minimum building code standards for public build-

ings, developed through years of experience, is indefensible as a policy, unworkable as a procedure and ultimately uneconomic as a practice.

At a time when the state is striving for uniformity in building codes, this bill would create a multiplicity of codes from community to community. It raises serious legal problems as to ultimate liability in the event of death or injury occurring inside a building where minimum codes were waived pursuant to the provisions of this bill. It establishes a double standard for private and public buildings, and presents a clear possibility of reversing a decade-old policy in Utah of providing accessibility to the handicapped.

Senate Bill 5 focuses only on the initial cost of constructing public buildings. It ignores other costs that could occur, such as escalating insurance rates for buildings that do not meet minimum code specifications, increased operation and maintenance costs associated with sub-standard facilities and the impressive body of evidence that suggests architectural design is a far more significant factor in a facility's cost than is compliance with building codes intended to protect health and safety.

I fully recognize the magnitude of the problem that confronts us in providing necessary buildings for public use and in preparing for the surge of children that will be entering our public school system over the next decade. However, I urge the Legislature to consider more durable long-range solutions rather than a quick-fix that compromises the safety of our children and the citizens of our state.

Scott M. Matheson
Governor, State of Utah

Communication filed.

* * *

Senator Asay's motion to lift **H.B. No. 83,** INFORMED CONSENT TO ABORTION, to the top of the Second Reading Calendar failed on a voice vote.

* * *

H.B. No. 203, ASSUMPTION OF REAL ESTATE SECURITY INTERESTS, was read the second time and before the Senate. Senators Snow, Flamm, Christensen, L. Peterson, Jeffs, Sowards, Swan, Pugh, Barlow, Bullen, Cornaby, Barton, Farley and Finlinson commented.

COMMITTEE OF THE WHOLE

On motion of Senator Snow, the Sente resolved itself into a Committee of the Whole. Appearing before the Senate were:

Joseph A. Davies, Private Attorney
representing property owners and realtors
Christopher J. Sumner,
President of Western Savings

On motion of Senator Snow, the Committee of the Whole was dissolved.

Senator Jeffs proposed an amendment. Senator Barlow proposed the following amendment.

Page 5, following Line 22:
Insert the following new material and renumber the sections
"Section 9. Section 57-15-8.5, Utah Code Annotated 1953, is enacted to read:

57-15-8.5. Notwithstanding the provisions of Sections 57-15-2 and 57-15-4, a lender or secured party may accelerate or mature an indebtedness upon assumption of that indebtedness, or upon sale or transfer of , or of an interest in, the real estate securing that indebtedness if:

(1) A written agreement with, or a written instrument executed by, the obligor on the indebtedness allows the secured party or lender to accelerate or mature the indebtedness and or increase the interest rate thereon upon sale or transfer of said real estate, or upon assumption of the indebtedness;

(2) The secured party or lender has offered to allow the sale, transfer or assumption without acceleration and without maturing the indebtedness provided the obligor and any transferee or assumer agree to pay the secured party or lender not more than a 1% assumption fee, a not more than 1% interest rate increase effective as of the date of sale, transfer or assumption, whichever is earlier, and a further not more than 1% interest rate increase effective a date 5 years after the date of sale, transfer or assumption, whichever is earlier. Neither of said interest rate increases may cause the total interest rate on the indebtedness to exceed 1% below the weighted average yield of the Fedeal Home Loan Mortgage Corporation weekly auction for purchases of mortgages secured by residential 1 to 4 family dwellings in effect on the date of the increase; and

(3) The obligor, transferee or assumer has refused to consent to such assumption fee and interest rate increases.

As used in this section, the term "obligor" shall mean the original borrower or, if the secured party or lender has previously approved, the pursuant to that approval there has been effected, an assumption of the indebtedness, the person last approved as an assumer and who has assumed the indebtedness."

Senator Christensen's amendment to the above Barlow motion changing 1½% to 1% in (2), carried on a 19 yea voice vote.

The Barlow amendment, as amended, was adopted on the following roll call:

Yeas, 19; Nays, 10; Absent, 0

Voting in the affirmative were: Senators

Asay	Christensen	Jeffs	Pugh
Barlow	Cornaby	Jones	Sandberg
Barton	Finlinson	Matheson	Wayment
Bullen	Flamm	Peteson, C.	Mr. President (Ferry)
Bunnell	Halverson	Peterson, L.	

Voting in the negative were: Senators

Bangerter	Carling	Money	Sowards
Bennett	Farley	Snow	Swan
Black	Kimball		

On motion of Senator Finlinson, **Substitute H.B. No. 203** was amended as follows:

Page 4, between Lines 9 and 10 Insert
"Section 6. Section 57-15-6, Utah Code Annotated 1953, is enacted to read:
57-15-6. This chapter shall not be applicable to security interests in real estate originated by, or for purchase by any entity established pursuant to Chapter 44a, Title 63 or by public agencies making non interest and/or low interest loans and non interest and/or low interest loans made by private non profit corporations for the rehabilitation of existing residential structures.
This chapter shall not be applicable to a person with a security interest in real estate who is not regularly engaged in the business of making real estate loans."

Renumber subsequent sections.

On motion of Senator Bullen, **Substitute H.B. No. 203** was amended as follows:

Page 3, Line 33:
After *"security interests in"* insert *"owner-occupied"*

Page 3, Line 33:
Restore *"four or fewer"* and insert *"housing units utilized as"*

Substitute H.B. No. 203 passed on the following roll call:

Yeas, 27; Nays, 1; Absent, 1

Voting in the affirmative were: Senators

Asay	Carling	Jones	Sandberg
Bangerter	Christensen	Kimball	Snow
Barlow	Cornaby	Matheson	Sowards (expln.)
Barton	Farley	Money	Swan
Bennett	Finlinson	Peterson, C.	Wayment
Black	Flamm	Peterson, L.	Mr. President (Ferry)
Bullen	Halverson	Pugh	

Voting in the negative was: Senator
Jeffs

Absent and not voting was: Senator
Bunnell

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 11, 1981

I am directed to inform the Senate that the House of Representatives has this day voted to reconsider **S.B. No. 134,** FINANCIAL INSTITUTIONS ACT, by Senator Cornaby, and requests that the same be returned to the House.

Allan M. Acomb, Chief Clerk

S.B. No. 134 was returned to the House.

* * *

Mr. President: March 11, 1981

I am directed to inform the Senate that the House of Representatives has this day rejected **S.B. No. 98,** HIGHWAY REVENUE AMENDMENTS, by Senator Sowards, and the same is returned herewith.

Allan M. Acomb, Chief Clerk

S.B. No. 98 is reconsidered.

* * *

Mr. President: March 11, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 303,** TAX CREDIT FOR HOMEOWNERS AND RENTERS REPEAL, by Senator Snow, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. No. 303 was signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

* * *

Mr. President: March 11, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 404,** APPROPRIATIONS ACT, by Representative Brockbank, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 404 was read the first time and on motion of Senator Pugh and under suspension of the rules, placed on Second Reading Calendar.

* * *

Senator Christensen, having voted on the prevailing side, moved, under suspension of the

rules, that **Second Substitute H.B. No. 228,** SALES AND USE TAX DISTRIBUTION, be returned to the Senate from the House for reconsideration.

The motion carried on the following roll call:

Yeas, 16; Nays, 13; Absent, 0

Voting in the affirmative were: Senators

Asay	Bullen	Jones	Peterson, L.
Bangerter	Christensen	Matheson	Snow
Barlow	Flamm	Money	Wayment
Barton	Halverson	Peterson, C.	Mr. President (Ferry)

Voting in the negative were: Senators

Bennett	Cornaby	Jeffs	Sandberg
Black	Farley	Kimball	Sowards
Bunnell	Finlinson	Pugh	Swan
Carling			

* * *

On motion of Senator L. Peterson, **H.B. No. 227,** REPEAL — LOCAL OPTIONAL SALES TAX, was uncircled.

* * *

On motion of Senator Snow, **H.B. No. 132,** UTAH STATE RETIREMENT OFFICE ACT AMENDMENTS, was before the Senate on reconsideration.

On motion of Senator Snow, **H.B. No. 132** was amended as follows:

Page 3, Line 7:
After *"submit annually"* delete remainder of line

Page 3, Line 8:
Delete all words on the line except *"a budget"*

Page 3, Line 9:
Restore *"which shall include"*

Page 3, Line 10
After *"costs"* add a period and delete remainder of line

Page 3, Line 13:
Delete *"THE NUMBER OF DOLLARS NOR"*

Page 3, Line 14:
Delete *"ARE"* and insert in lieu thereof *"IS"*

H.B. No. 132 passed on reconsideration and on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Cornaby	Kimball	Snow
Barlow	Farley	Matheson	Sowards
Barton	Finlinson	Money	Swan
Bennett	Flamm	Peterson, C.	Mr. President (Ferry)
Bullen	Halverson	Peterson, L.	
Carling	Jeffs	Pugh	
Christensen	Jones	Sandberg	

Absent and not voting were: Senators

Bangerter	Black	Bunnell	Wayment

H.B. No. 132, as amended, was returned to the House.

* * *

On motion of Senator Snow, **H.B. No. 319,** COUNTY PAYMENT — MEDICAL ASSISTANCE, was lifted to the top of Second Reading Calendar.

On motion of Senator Jeffs, the rules were suspended with no dissenting votes, and **Substitute H.B. No. 319,** COUNTY PAYMENT — MEDICAL ASSISTANCE, was read the second and third times and placed on final passage.

Mr. President: March 6, 1981

The Social Services Committee, to which was referred **Substitute H.B. No. 319,** COUNTY PAYMENT — MEDICAL ASSISTANCE, by Representative Paul Rogers, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ronald T. Halverson, Committee Chairman

Committee report read and adopted.

On motion of Senator Jeffs, **Substitute H.B. No. 319** was amended as follows:

Page 1, Line 11:
After *"WELFARE;"* delete *"DIRECTING THE DEPARTMENT OF"*

Page 1, Lines 12 through 18:
delete entirely

Page 1, Line 18:
at end of line insert
"INCREASING THE MILL LEVY CHARGE TO COUNTIES THAT OPT TO HAVE THE DEPARTMENT OF SOCIAL SERVICES ASSUME RESPONSIBILITY FOR CERTAIN MEDICAL ASSISTANCE."

Page 1, Line 19:
After *"ACT"* delete *"ENACTS"* and insert *"AMENDS"*; and after *"1953"* delete ":
AND REPEALS SECTION 55-15a-3, UTAH CODE ANNOTATED 1953, AS

LAST AMENDED BY CHAPTER 212, LAWS OF UTAH 1977" and insert *", AS ENACTED BY SENATE BILL No. 74 IN THE 1981 GENERAL SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH."*

Page 1, Line 23:
After *"1953,"* insert *"as enacted by Senate Bill no. 74 in the 1981 General Session of the 44th Legislature of the State of Utah,"*

Page 1, Line 24:
Delete *"enacted"* and insert *"amended"*

Page 2, Line 11:
After *"of"* delete *"1/2"* and insert *"[1/4] 1/2"*

Page 2, Line 33:
Delete *"Section 2. Section 55-15a-3, Utah Code Annotated 1953, as last amended by Chapter 212, Laws of Utah 1977, is repealed."*

Substitute H.B. No. 319 failed on the following roll call:

Yeas, 12; Nays, 12; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Bunnell	Jones	Snow
Bennett	Farley	Kimball	Sowards
Bullen	Jeffs	Money	Swan

Voting in the negative were: Senators

Asay	Cornaby	Matheson	Sandberg
Carling	Flamm	Peterson, C.	Wayment
Christensen	Halverson	Pugh	Mr. President (Ferry)

Absent and not voting were: Senators

Barlow	Black	Finlinson	Peterson, L.
Barton			

* * *

On motion of Senator Swan **H.B. No. 176,** MEDICARE SUPPLEMENT INSURANCE ACT, was uncircled on Consent Calendar.

* * *

H.B. No. 201, SCHOOL MILL LEVY ADJUSTMENTS, and **H.B. No. 3,** STATE MINERAL LANDS RENTALS AND ROYALTIES, being circled as the Senate adjourned, were placed on Second Reading Table.

* * *

On motion of Senator Snow, and at 8:20 p.m., the Senate adjourned until 9:00 a.m., Thursday, March 12, 1981.

JJ .938

SIXTIETH DAY

MORNING SESSION

The Senate was called to order at 9:00 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present.

Prayer — Most Reverend William K. Weigand, D.D., Catholic Bishop of the Salt Lake City Diocese.

At the request of Senator Kimball, the prayer offered by Bishop Weigand is to be printed in the Senate Journal.

"PRAISE THE LORD, O' my soul. I praise the Lord all my life and I will sing praise to my God while I live.

Jesus, we praise and thank you for your presence, we acknowledge that presence in our midst because we know that we draw our life and our existence from you. You have manifested and distributed your authority to these Senators and to the entire legislative process. We praise you and thank you for that plan. We acknowledge your authority for you have told us the way, the truth and the life. We acknowledge that factor and pray that you might direct these Senators today in their last day of giving in this session. We ask that you might give them the wisdom, that innermost vision that comes from you, to see the issues clearly and to respond with talent and insight, consciously drawing strength from you.

WE PRAISE YOU, and thank you, for all that has gone on in this session 'til now. You have told us that when we are weary and burdened we can come to you and place this burden upon you and receive refreshment. I am sure that I can interpret the sentiments of these fine men and women today after a long and trying session and one in which they have worked responsibily and tried to come to the proper decisions. Bless them for their sincerity, that you might guide them this last day and that you might give them a sense of refreshment and a balm of conciliation.

WE THANK YOU for your acceptance of us, and those limitations in our humanity.

WE ASK YOU in a very sincere way, to be present in the minds and thoughts of these fine people today and manifest that acceptance and work through them to bring this session to an effective and affirmative conclusion.

WE ASK YOUR BLESSING upon all of the Senators and upon all of us. In the name of the FATHER, and the SON, and of the HOLY SPIRIT. Amen."

COMMITTEE TO READ AND REVISE THE JOURNAL

Mr. President: March 12, 1981

The Committee on Revision of the Journal respectfully reports that we have read the Daily

Journal for the fifty-ninth day and find it correct with minor amendments noted on the final copy.

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Pages 80-81

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 12, 1981

I have been directed to request the Senate to return **S.B. No. 98,** HIGHWAY REVENUE AMENDMENTS, by Senator Sowards, for reconsideration by the House.

Allan M. Acomb, Chief Clerk

S.B. No. 98 was returned to the House.

* * *

Mr. President: March 11, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, **S.B. No. 298,** PEACE OFFICER CLASSIFICATIONS, by Senator Sowards, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Sowards, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Kimball	Sandberg
Bangerter	Christensen	Matheson	Snow
Barton	Cornaby	Money	Sowards
Bennett	Farley	Peterson, C.	Swan
Black	Flamm	Peterson, L.	Wayment
Bullen	Jeffs	Pugh	Mr. President (Ferry)

Absent and not voting were: Senators

Barlow	Finlinson	Halverson	Jones
Bunnell			

S.B. No. 298 was returned to the House.

* * *

Mr. President: March 11, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 241**, ABUSE OF PERSONAL IDENTITY ACT, by Senator Carling, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 302**, AIRPORT SECURITY OFFICERS, by Senator Sowards, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. Nos. 241 and **302** were signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

* * *

Mr. President: March 11, 1981

I have been directed to return **Second Substitute H.B. No. 228**, SALES AND USE TAX DISTRIBUTION, by Representative Saunders for further consideration by the Senate.

Allan M. Acomb, Chief Clerk

THIRD READING CALENDAR

Sub. H.B. No. 203, ASSUMPTION OF REAL ESTATE SECURITY INTERESTS, was read the third time. Senator Snow's motion to strike the enacting clause was withdrawn.

Senator Asay proposed a substitute motion to delete all the amendments by Senators Barlow and Bullen which were incorporated in the bill yesterday with Senator Finlinson's amendments remaining in the bill. The motion failed. Senators Snow, Black, Sowards, Asay, Finlinson, Jeffs, Farley, Barlow, Bullen, Barton, Cornaby, Halverson, Matheson and Bunnell commented.

On motion of Senator Halverson, **Sub. H.B. No. 203** was amended as follows:

Page 5a after line 22 insert

"If a determination is made by the federal national mortgage association or by the federal home loan mortgage corporation that it will not purchase Utah mortgage loans because of the effects of this act, and such determination is communicated in writing to the legislature or governor of this state, then this act will not apply, after receipt of such communication, to any mortgages originated after the effective date of this act and sold to the entity making such determination."

Senator Matheson proposed amendments which failed.

On motion of Senator Christensen, **Sub. H.B. No. 203** was amended as follows:

Page 5, Line 27 (goldenrod):
delete *", or upon sale or transfer of, or of"*

Page 5, Line 28:
delete *"an interest in, the real estate securing the indebtedness"*

Page 5, Line 32:
delete *"upon sale or transfer of said real estate, or"*

Page 5a, Line 3:
delete *"allow"* and insert in lieu thereof *"accept"* and delete *"sale,"*

Page 5a, Line 4:
delete *"transfer or"*

Page 5a, Line 5:
delete *"obligor and any transferee or"*

Page 5a, Line 8:
delete *"of sale, transfer or"*

Page 5a, Line 10:
delete *"sale, transfer or"*

Page 5a, Line 16:
delete *"obligor, transferee or"*

Sub. H.B. No. 203 passed on the following roll call:

Yeas, 23; Nays, 5; Absent, 1

Voting in the affirmative were: Senators

Asay (expln.)	Bullen (expln.)	Halverson	Snow
Bangerter	Bunnell	Kimball (expln.)	Sowards
Barlow	Carling	Money	Swan (expln.)
Barton (expln.)	Christensen	Peterson, C.	Wayment
Bennett	Farley	Peterson, L.	Mr. President (Ferry)
Black (expln.)	Finlinson	Sandberg	

Voting in the negative were: Senators

Cornaby (expln.)	Jeffs	Matheson	Pugh
Flamm (expln.)			

Absent and not voting was: Senator
Jones

Sub. H.B. No. 203, as amended, was returned to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 11, 1981

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 42,** WATER CONSERVANCY ACT AMENDMENTS, by Senator Finlinson, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 304,** FUEL COST INCREASE — PUBLIC UTILITY RATES, by Senator Sowards, and the same is transmitted herewith for the signature of the President, and

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 142,** PARKING AND IMPROVEMENT DISTRICT AMENDMENTS, by Senator Kimball, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 90,** PLACE OF JUVENILE DETENTION, by Senator Bunnell, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **Second Substitute H.B. No. 8,** MUNICIPAL ELECTION CODE, by Representative Farnsworth, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.B. No. 57,** MULTISTATE HIGHWAY TRANSPORTATION AGREEMENT, by Representative McMullin, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. Nos. 42, 304, 142 and **90** were signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor. **S.B. No. 304** is reconsidered.

Second Sub. H.B. No. 8 and **H.B. No. 57** were signed by the President in open session of the Senate and returned to the House for further action.

INTRODUCTION OF BILL

On motion of Senator Pugh, the Senate voted under suspension of the rules, to allow introduction of the following bill.

SCHOOL DISTRICT ALTERNATIVE LEVIES REPEAL

S.B. No. 309 Senators Pugh, Barlow

AN ACT RELATING TO PROPERTY TAX LEVIES OF SCHOOL DISTRICTS; ABOLISHING THE ALTERNATIVE MINIMUM BASIC AND BOARD LEEWAY LEVIES OF THESE DISTRICTS TO SPREAD IMPACT OF REVALUATION PROGRAMS; AND PROVIDING AN EFFECTIVE DATE. THIS ACT REPEALS SECTION 53-7-19.5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 123, LAWS OF UTAH 1971.

S.B. No. 309 was read the first time and on motion of Senator Pugh, the rules were suspended with no dissenting votes, and the bill was read the second and third times, placed on final passage and the bill passed on the following roll call:

Yeas, 22; Nays, 4; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Farley	Kimball	Sowards
Barlow	Finlinson	Matheson	Swan
Barton	Flamm	Peterson, L.	Wayment
Bullen	Halverson	Pugh	Mr. President (Ferry)
Christensen	Jeffs	Sandberg	
Cornaby	Jones	Snow	

Voting in the negative were: Senators

Bennett	Bunnell	Money	Peterson, C.

Absent and not voting were: Senators

Asay	Black	Carling

S.B. No. 309 was transmitted to the House.

PRESENTATION OF RESOLUTION

On motion of Senator Halverson, and under suspension of the rules, the Senate voted to allow introduction of the following resolution.

INTERIM STUDY ASSIGNMENTS

S.J.R. No. 9 Senators Halverson, Snow, Black

A JOINT RESOLUTION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH DIRECTING THE LEGISLATIVE MANAGEMENT COMMITTEE TO ASSIGN TO THE APPROPRIATE INTERIM STUDY COMMITTEE ITEMS OF STUDY AND REQUESTING A REPORT TO THE 45TH LEGISLATURE.

S.J.R. No. 9 was read the first time and referred to Sifting (Rules) Committee.

* * *

The Senate recessed for Republican caucus at 10:40 a.m. The Senate reassembled at 11:25 a.m.

COMMUNICATION FROM THE HOUSE

Mr. President: March 11, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, as amended, **S.B. No. 134,** FINANCIAL INSTITUTIONS ACT, by Senator Cornaby, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

Senators Cornaby and Jones commented. On motion of Senator Cornaby, the Senate voted to concur in the House amendments and the bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Pugh
Bangerter	Carling	Jones	Sandberg
Barlow	Christensen	Kimball	Snow
Barton	Cornaby	Matheson	Sowards
Bennett	Farley	Money	Swan
Black	Finlinson	Peterson, C.	Wayment
Bullen	Flamm (expln.)	Peterson, L.	Mr. President (Ferry)

Absent and not voting was: Senator Halverson

S.B. No. 134 was returned to the House.

CONSENT CALENDAR

On motion of Senator Snow, and under suspension of the rules, the following bills were considered on Consent Calendar.

H.B. No. 176, MEDICARE SUPPLEMENT INSURANCE ACT, was before the Senate. Senator Snow explained the bill and it passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Cornaby	Matheson	Sowards
Barlow	Farley	Money	Wayment
Barton	Flamm	Peterson, C.	Mr. President (Ferry)
Bennett	Halverson	Pugh	
Black	Jones	Sandberg	
Christensen	Kimball	Snow	

Absent and not voting were: Senators

Asay	Bunnell	Finlinson	Peterson, L.
Bullen	Carling	Jeffs	Swan

H.B. No. 176 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Sowards, the rules were suspended with no dissenting votes, and **Sub. H.B. No. 268,** VETERAN'S REPRESENTATIVE, was read the second and third times, placed on final passage, was lifted from Sifting Committee, and the bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Farley	Matheson	Sowards
Barlow	Finlinson	Money	Swan
Bennett	Flamm	Peterson, C.	Wayment
Black	Halverson	Peterson, L.	Mr. President (Ferry)
Bullen	Jeffs	Sandberg	
Bunnell	Jones	Snow	

Absent and not voting were: Senators

Asay	Carling	Cornaby	Pugh
Barton	Christensen	Kimball	

Sub. H.B. No. 268 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Finlinson, the rules were suspended with no dissenting votes, and **H.B. No. 273,** BIRD DAY REPEAL, was read the second and third times and placed on final passage.

Mr. President: March 9, 1981

The State and Local Affairs Committee, to which was referred **H.B. No. 273,** BIRD DAY REPEAL, by Representative Charles Hardy Redd, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted. Senators Farley commented. The bill passed on the following roll call:

Yeas, 16; Nays, 8; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Christensen	Jeffs	Sandberg
Barlow	Finlinson	Jones	Sowards
Black	Flamm	Matheson	Wayment
Carling	Halverson	Peterson, C.	Mr. President (Ferry)

Voting in the negative were: Senators

Bennett	Cornaby	Kimball	Snow
Bullen	Farley	Money	Swan

Absent and not voting were: Senators

Asay	Bunnell	Peterson, L.	Pugh
Barton			

H.B. No. 273 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On the motion of Senator Bangerter, the rules were suspended with no dissenting votes, and **H.J.R. No. 3, FEDERAL LEGISLATION RESOLUTION** was read the second and third times, placed on final passage, and failed on the following roll call:

Yeas, 16; Nays, 11; Absent, 2

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Pugh
Bangerter	Christensen	Jones	Sandberg
Barlow	Finlinson	Matheson	Sowards
Barton	Halverson	Peterson, C.	Mr. President (Ferry)

Voting in the negative were: Senators

Bennett	Cornaby	Money	Swan
Black	Farley	Peterson, L.	Wayment
Bunnell	Flamm	Snow (expln.)	

Absent and not voting were: Senators

Carling	Kimball

H.J.R. No. 3 was returned to the House for filing.

* * *

On motion of Senator Bangerter, the rules were suspended with no dissenting votes, and **H.J.R. No. 4, FEDERAL JUDICIAL REFORM RESOLUTION,** was read the second and third times, placed on final passage, and the resolution failed on the following roll call:

Yeas, 12; Nays, 13; Absent, 4

Voting in the affirmative were: Senators

Asay	Christensen	Matheson	Sandberg
Bangerter	Jeffs	Money	Sowards
Barlow	Jones	Mr. President (Ferry)	

Voting in the negative were: Senators

Bennett	Farley	Halverson	Snow (expln.)
Black	Finlinson	Peterson, L.	Swan
Bullen	Flamm	Pugh	Wayment
Bunnell			

Absent and not voting were: Senators

Barton	Carling	Cornaby	Kimball

H.J.R. No. 4 was returned to the House for filing.

* * *

On motion of Senator Snow, the rules were suspended with no dissenting votes, and **H.J.R. No. 31,** STATE GOVERNMENT PRINTING RESOLUTION, was read the second and third times, placed on final passage, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Snow
Bangerter	Christensen	Matheson	Sowards
Barton	Cornaby	Money	Swan
Bennett	Farley	Peterson, C.	Wayment
Black	Finlinson	Pugh	Mr. President (Ferry)
Bullen	Flamm	Sandberg	

Absent and not voting were: Senators

Barlow	Halverson	Kimball	Peterson, L.
Carling	Jones		

H.J.R. No. 31 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Bunnell, the rules were suspended with no dissenting votes, and **H.J.R. No. 46,** MINERAL LAND RECLAMATION RESOLUTION, was read the second and third times, placed on final passage, and passed on the following roll call:

Yeas, 23; Nay, 0; Absent, 6

Asay	Christensen	Matheson	Snow

Bangerter	Farley	Money	Sowards
Barton	Finlinson	Peterson, C.	Swan
Bennett	Flamm	Peterson, L.	Wayment
Bullen	Halverson	Pugh	Mr. President (Ferry)
Bunnell	Jeffs	Sandberg	

Absent and not voting were: Senators

Barlow	Carling	Jones	Kimball
Black	Cornaby		

H.J.R. No. 46 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Bunnell, the rules were suspended with no dissenting votes, and **H.C.R. No. 7,** COAL LEASING POLICY RESOLUTION, was read the second and third times, placed on final passage, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Christensen	Matheson	Snow
Bangerter	Cornaby	Money	Sowards
Barlow	Farley	Peterson, C.	Swan
Bennett	Finlinson	Peterson, L.	Wayment
Bullen	Flamm	Pugh	Mr. President (Ferry)
Bunnell	Halverson	Sandberg	

Absent and not voting were: Senators

Barton	Carling	Jones	Kimball
Black	Jeffs		

H.C.R. No. 7 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Farley, the rules were suspended with no dissenting votes, and **H.C.R. No. 12,** LOW LEVEL RADIOACTIVE WASTES, was read the second and third times, placed on final passage, and passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Christensen	Kimball	Sowards
Barlow	Cornaby	Money	Swan
Barton	Farley	Peterson, C.	Wayment
Bennett	Finlinson	Peterson, L.	Mr. President (Ferry)

Black	Flamm	Pugh
Bullen	Halverson	Sandberg
Bunnell	Jones	Snow

Voting in the negative was: Senator
Matheson

Absent and not voting were: Senators

Asay	Carling	Jeffs

H.C.R. No. 12 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Snow, the rules were suspended with no dissenting votes, and **H.C.R. No. 13,** DAVID TERRY WARNER RESOLUTION, was read the second and third times, placed on final passage, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent 4

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sowards
Bangerter	Cornaby	Matheson	Swan
Barton	Farley	Peterson, C.	Wayment
Bennett	Finlinson	Peterson, L.	Mr. President (Ferry)
Black	Flamm	Pugh	
Bullen	Halverson	Sandberg	
Bunnell	Jeffs	Snow	

Absent and not voting were: Senators

Barlow	Carling	Kimball	Money

H.C.R. No. 13 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Snow, and at 12:10 p.m., the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Miles 'Cap' Ferry presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 11, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as

amended by the Senate and House, **House Substitute S.C.R. No. 8,** INTERIM STUDY OF THE LAY MIDWIFE PROGRAM, by Senator Bangerter, et al, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Bangerter, the Senate voted to concur in the House amendments and the resolution passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Christensen	Kimball	Snow
Barlow	Cornaby	Matheson	Sowards
Barton	Farley	Money	Swan
Bennett	Finlinson	Peterson, C.	Wayment
Black	Flamm	Peterson, L.	Mr. President (Ferry)
Bunnell	Jeffs	Pugh	
Carling	Jones	Sandberg	

Absent and not voting were: Senators

Asay	Bullen	Halverson

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

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, **S.B. No. 283,** UTAH DRAM SHOP ACT, by Senator Jeffs, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Jeffs, the Senate refused to concur in the House amendments and asked the House to refuse from its amendments.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, **Substitute S.B. No. 285,** PRIVATE CLUB NONPROFIT CORPORATION ACT, by Senator Jeffs, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Jeffs, the Senate voted to concur in the House amendments and the bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Sandberg
Bangerter	Carling	Jones	Snow
Barlow	Cornaby	Matheson	Sowards
Barton	Farley	Money	Swan
Bennett	Flamm	Peterson, L.	Wayment
Black	Halverson	Pugh	Mr. President (Ferry)

Absent and not voting were: Senators

Bunnell	Finlinson	Kimball	Peterson, C.
Christensen			

Sub. S.B. No. 285 was transmitted to the House.

COMMITTEE OF THE WHOLE

On motion of Senator Snow, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

The Honorable Bruce Babbitt
Governor, State of Arizona

On motion of Senator Snow, the Committee of the Whole was dissolved.

* * *

On motion of Senator Pugh, the rules were suspended with no dissenting votes, and **S.B. No. 307,** SUPPLEMENTAL APPROPRIATIONS ACT, was lifted from Sifting (Rules) Committee, placed at the top of Second Reading Calendar, read the second and third times, and placed on final passage.

Page 11: After Line 29 insert the following:
"Item 47 To Building Board
It is the intent of the Legislature that the Building Board begin immediately to negotiate with the owners of the Board of Education Administration Building and the Social Services Administration to establish a firm purchase price. Such price is to be submitted to the Legislature during the Special Session to be called during FY 1981 for reapportionment."

S.B. No. 307 passed on the following roll call:

Yeas, 22; Nays, 2; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Cornaby	Matheson	Snow
Barlow	Farley	Money	Swan

Black	Finlinson	Peterson, C.	Wayment
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)
Bunnell	Jeffs	Pugh	
Carling	Jones	Sandberg	

Voting in the negative were: Senators

Asay	Bennett

Absent and not voting were: Senators

Barton	Halverson	Kimball	Sowards
Christensen			

S.B. No. 307 was transmitted to the House.

* * *

On motion of Senator Pugh, the rules were suspended with no dissenting votes, and **H.B. No. 404,** APPROPRIATIONS ACT, was read the second and third times and placed on final passage.

On motion of Senator Pugh, **H.B. No. 404** was amended as follows:

Page 104, Line 12:
After *"funds."* delete the remainder of the line

Page 104:
Delete Lines 13 through 26 and insert
"It is the intent of the Legislature that the Building Board begin immediately to negotiate with the owners of the Board of Education Administration Building and the Social Services Administration Building to establish a firm purchase price. Such price is to be submitted to the Legislature during the Special Session to be called during FY 1981 for reapportionment."

On motion of Senator C. Peterson, **H.B. No. 404** was amended as follows:

Page 105, Line 35:
After *"$7,500,000."* insert *"5 Board of Education — Sevier Valley Tech. Area Vocational Center — New Facilities (10,000 square feet)."*

On motion of Senator L. Peterson, **H.B. No. 404** was amended as follows:

Page 31, Line 8:
After *"by"* delete *"4"* and insert in lieu thereof *".7"*

Page 31, Line 12:
After *"by"* delete *"4"* and insert in lieu thereof *".7"*

Pgae 31, Line 13:
After *"across-the-board."* insert *"It is also the intent of the Legislature that 3.3%*

of the funds included in agency appropriations be used for 100% funding of retirmeent contributions."

Page 31, Line 16:
After *"the"* insert "above"

Page 31, Line 16:
After *"percent" delete "across-the-board"*

H.B. No. 404 passed on the following roll call:

Yeas, 28; Nays, 1; Absent, 0

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Pugh
Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Kimball	Snow
Barton	Farley	Matheson	Sowards
Black	Finlinson	Money	Swan
Bullen	Flamm	Peterson, C.	Wayment
Bunnell	Halverson	Peterson, L.	Mr. President (Ferry)

Voting in the negative was: Senator
Bennett

H.B. No. 404, as amended, was returned to the House.

* * *

Senator Christensen moved that **Second Sub. H.B. No. 228,** SALES AND USE TAX DISTRIBUTION, be reconsidered.

Senator Cornaby moved that the Senate consider appointments made by Governor Matheson. The ruling by President Ferry that Senator Cornaby's motion was out of order was upheld on the following roll call which was requested by Senator Finlinson.

Yeas, 16; Nays, 11; Absent, 2

Voting to uphold the ruling of the chair were: Senators

Asay	Bunnell	Matheson	Pugh
Bangerter	Christensen	Money	Snow
Barlow	Flamm	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)

Voting against upholding the ruling of the chair were: Senators

Barton	Carling	Finlinson	Sandberg
Bennett	Cornaby	Jeffs	Swan
Black	Farley	Kimball	

Absent and not voting were: Senators
Jones Sowards

Second Sub. H.B. No. 228, SALES AND USE TAX DISTRIBUTION, was before the Senate on reconsideration.

Senator L. Peterson proposed the following amendments:

Page 1, Line 22:
After *"BASED"* delete *"70%"* and insert *"90%"*

Page 1, Line 22:
After *"AND"* delete *"30%"* and insert *"10%"*

Page 7, Line 14:
At the beginning of the line delete *"(1)"* and *"¾ CENT"* and insert in lieu thereof *"revenue"*

Page 7, Line 16:
Delete *"¾ CENT"* and insert in lieu thereof *"revenue"*

Page 7:
Delete Lines 19 through 33

Page 8:
Delete Lines 3, 4 and 5

Page 8, Line 10:
After *"prescribed in"* delete *"subsections"*

Page 8, Line 11:
At the beginning of the line delete *"(1), (2), and (5) of"*

Page 8, Line 13:
At the beginning of the line delete *"subsections (1), (2), and (5) of"*

Senator L. Peterson's amendments were incorporated in the bill on the following roll call:

Yeas, 17; Nays, 10; Absent, 2

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Wayment
Bangerter	Flamm	Peterson, C.	Mr. President (Ferry)
Barlow	Halverson	Peterson, L.	
Bullen	Jones	Pugh	
Christensen	Matheson	Snow	

Voting in the negative were: Senators

Barton	Bunnell	Jeffs	Sandberg
Bennett	Farley	Kimball	Swan
Black	Finlinson		

Absent and not voting were: Senators
Carling Sowards

On motion of Senator Finlinson, **Second Substitute H.B. No. 228** was amended as follows:

Page 6, after Line 22 insert:
"Any county or municipality which is imposing the transit district tax authorized by this section on the effective date of this act shall continue to impose, and the state to collect, such tax without the necessity of resubmitting the proposal to the registered voters of the county or municipality."

On motion of Senator L. Peterson, **Second Substitute H.B. No. 228** was amended as follows:

Page 8, Line 12:
after *"revenue"* insert *"distributed on the basis of population and"*

On motion of Senator Snow, **Second Substitute H.B. No. 228** was amended as follows:

Page 9, Lines 15 and 16:
Delete these lines and insert in lieu thereof:
"Section 2. If any provision of this act, or the application of any provision to any person or circumstances is held invalid, the remainder of this act shall not be affected thereby."

Page 9, Line 17:
Delete *"2"* and insert in lieu thereof *"3"*

The title of the bill is to be corrected.

Note: The Daily Minutes reflected that the following amendment proposed by Senator Barton passed. (Page 9, Line 17: Delete *"1981"* and insert in lieu thereof *"1982"*). After reviewing the recording of the proceedings this Certified Senate Journal corrects an error and notes that the above amendment failed, and the date remains 1981.)

Second Substitute H.B. No. 228, passed, on reconsideration, on the following roll call:

Yeas, 15; Nays, 12; Absent, 2

Voting in the affirmative were: Senators

Asay	Christensen	Matheson	Snow
Bangerter	Flamm	Money	Wayment
Barlow	Halverson	Peterson, C.	Mr. President (Ferry)
Bullen	Jones	Peterson, L.	

Voting in the negative were: Senators

Barton	Bunnell	Farley	Pugh
Bennett	Carling	Jeffs	Sandberg
Black	Cornaby	Kimball	Swan

Absent and not voting were: Senators
Finlinson Sowards

Second Substitute H.B. No. 228, as amended, was transmitted to the House.

* * *

On motion of Senator L. Peterson, **H.B. No. 227,** REPEAL — LOCAL OPTIONAL SALES TAX, was, under suspension of the rules, lifted to the top of Second Reading Calendar and up for final passage. The bill passed on the following roll call:

Yeas, 17; Nays, 11; Absent, 1

Voting in the affirmative were: Senators

Asay	Cornaby	Matheson	Wayment
Bangerter	Flamm	Money	Mr. President (Ferry)
Barlow	Halverson	Peterson, C.	
Bullen	Jeffs	Peterson, L.	
Christensen	Jones	Snow	

Voting in the negative were: Senators

Barton	Bunnell	Kimball	Sowards
Bennett	Carling	Pugh	Swan
Black	Farley	Sandberg	

Absent and not voting was: Senator
Finlinson

H.B. No. 227 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and the House, **S.B. No. 306,** SCHOOL FINANCE, by Senator Barlow, et al. and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Pugh, the Senate voted not to concur in the House amendments and to ask the House to recede from its amendments. **S.B. No. 306** was returned to the House.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 134,** FINANCIAL INSTITUTIONS ACT OF 1981, by Senator Cornaby, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. No. 134, was signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House **S.B. No. 98,** HIGHWAY REVENUE AMENDMENTS, by Senator Sowards, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

* * *

On motion of Senator Sowards, the Senate voted to concur in the House amendments, and the bill passed on the following roll call:

Yeas, 17; Nays, 8; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Christensen	Peterson, C.	Swan
Barlow	Flamm	Peterson, L.	Mr. President (Ferry)
Barton	Halverson	Sandberg	
Black	Jeffs	Snow	
Bunnell	Jones	Sowards	

Voting in the negative were: Senators

Asay	Carling	Farley	Money
Bennett	Cornaby	Kimball	Wayment

Absent and not voting were: Senators

Bullen	Finlinson	Matheson	Pugh

S.B. No. 98 was transmitted to the House.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day adopted the Joint Conference Committee Report as of March 12, 1981, and passed **S.B. No. 254,** PROCUREMENT CODE AMENDMENTS, by Senator Snow, et al, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

JOINT CONFERENCE COMMITTEE REPORT
(S.B. No. 254, Procurement Code Amendments)

Mr. Speaker and Mr. President: March 12, 1981

Your Conference Committee, consisting of Senators Halverson, Finlinson and Bunnell and

Representatives Haddow, Garr and McKeachnie, to which was referred **S.B. No. 254,** PROCUREMENT CODE AMENDMENTS, by Senator Karl N. Snow, et al, begs leave to report as follows:

Page 5, Lines 10 through 14:
Delete language inserted by the House and insert in lieu thereof on Page 8, Line 20, after the word *"state."* the following:

"On projects where public funds or political subdivisions are involved, the owner shall follow the procedures outlined in the Utah Procurement Code when determining or selecting their agent or construction manager. Provided, however, that no exemption shall be permitted that allows any political subdivision of this state to negotiate, enter into, or cause to be negotiated prior to open bidding for the prime contracting agent any predetermined agreement or arrangement which causes interference with the traditional fair competitive bidding process or the rights of employees under state and federal law. Any agreement or arrangement entered into in violation of this section is unenforceable and ab initio and the parties to such an agreement or arrangement are subject to a misdemeanor penalty.

This provision shall not apply to any political subdivision, agency or department of this state, if as a condition of a federal grant there is a requirement that a schedule of predetermined wages be included in the contract."

Ronald T. Halverson, Chairman, Senate Committee
C. McClain Haddow, Chairman, House Committee

On motion of Senator Halverson, the Senate voted to accept the Joint Conference Committee Report on the following roll call:

Yeas, 19; Nays, 7; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Halverson	Snow
Bangerter	Christensen	Jones	Sowards
Barlow	Cornaby	Peterson, C.	Wayment
Bullen	Finlinson	Peterson, L.	Mr. President (Ferry)
Bunnell	Flamm	Sandberg	

Voting in the negative were: Senators

Barton	Black	Kimball	Swan
Bennett	Farley	Money	

Absent and not voting were: Senators

Jeffs	Matheson	Pugh

S.B. No. 254 passed on the following roll call:

Yeas, 24; Nays, 2; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Sandberg
Bangerter	Christensen	Jones	Snow
Barlow	Cornaby	Kimball	Sowards
Bennett	Farley	Money	Swan
Bullen	Flamm	Peterson, C.	Swan
Bunnell	Halverson	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Barton	Black

Absent and not voting were: Senators

Finlinson	Matheson	Pugh

S.B. No. 254 was transmitted to the House.

* * *

On motion of Senator Halverson, the Senate voted to lift **H.B. No. 329,** FAIR CONSTRUCTION BIDDING PROCEDURE, to the top of Second Reading Calendar, and strike its enacting clause. The motion carried and **H.B. No. 329** was returned to the House for filing.

* * *

On motion of Senator Haverson, **S.J.R. No. 9,** INTERIM STUDY ASSIGNMENTS, was, under suspension of the rules, read the second and third times, and placed on final passage.

On motion of Senator Barton, **S.J.R. No. 9** was amended as follows:

> *"(109) A study on law to better promote the wise and prudent use of geologic principles by public planners, private developers and others whose activities affect the public safety of welfare."*

On motion of Senator Finlinson, **S.J.R. No. 9** was amended as follows:

> Page 11, Line 27:
> delete *"retirement"* and insert in lieu thereof *"fringe"*

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Pugh
Bangerter	Carling	Jeffs	Sandberg
Barlow	Christensen	Jones	Snow
Barton	Cornaby	Kimball	Sowards
Bennett	Farley	Matheson	Swan
Black	Finlinson	Money	Wayment
Bullen	Flamm	Peterson, C.	Mr. President (Ferry)

Absent and not voting was: Senator Peterson, L.

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

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day rejected **S.B. No. 306,** EXECUTIVE AND JUDICIAL SALARIES, by Senator Snow, et al, and the same is returned herewith.

Allan M. Acomb, Chief Clerk

S.B. No. 306 is filed.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, **Substitute H.B. No. 251,** ELECTRICIAN AND PLUMBING APPRENTICE CHANGES, by Representative Myers, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 320,** NONRESIDENT USE TAX EXEMPTION, by Representative Harward, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **Substitute H.B. No. 303,** MODIFICATIONS TO GOVERNMENTAL IMMUNITY ACT, by Representative Harrison, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **Substitute H.B. No. 297,** EQUIPPING AND OPERATING MINES, by Representative Garr, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 330,** RIGHTS OF DEAF AND BLIND PERSONS, by Representative Smith,and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

Sub. H.B. No. 251, was referred to Sifting Committee, and **H.B. No. 320, Sub. H.B. No. 303** and **Sub. H.B. No. 297** were read the first time and referred to Sifting (Rules) Committee.

* * *

On motion of Senator Flamm, the rules were suspended with no dissenting votes, and **H.B. No. 223**, BIDDING REQUIREMENT LIMITS, was read the second and third times and placed on final passage.

Mr. President: March 5, 1981

The State and Local Affairs Committee, to which was referred **H.B. No. 223**, BIDDING REQUIREMENT LIMITS, by Representative Gayle F. McKeachnie, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation subject to the two parties reaching an agreement.

Bryce C. Flamm, Committee Chairman

On motion of Senator Finlinson, **H.B. No. 223** was amended as follows:

Page 4, Line 27:
Delete *"erection"* and insert in lieu thereof *"new construction"* and delete *"repair"* and insert in lieu thereof *"major renovation"*

Page 3, Lines 24 through 30:
Restore all language

H.B. No. 223 failed on the following roll call:

Yeas, 13; Nays, 9; Absent, 7

Voting in the affirmative were: Senators

Bennett	Jones	Peterson, C.	Sowards
Black	Matheson	Peterson, L.	Swan
Bunnell	Money	Sandberg	Mr. President (Ferry)
Jeffs			

Voting in the negative were: Senators

Bangerter (expln.)	Christensen	Finlinson	Snow
Barton	Farley	Flamm	Wayment
Bullen			

Absent and not voting were: Senators

Asay	Carling	Halverson	Pugh
Barlow	Cornaby	Kimball	

H.B. No. 223 was returned to the House for filing.

* * *

On motion of Senator Pugh, the rules were suspended with no dissenting votes, and **Sub. H.B. No. 261**, TEXTBOOKS IN PUBLIC SCHOOLS, was read the second and third times and placed on final passage.

On motion of Senator Bennett, **Sub. H.B. No. 261** was amended as follows:

Page 3, Line 7:
Delete *"the voters of"* and insert in lieu thereof *"those voting in"*

Page 3, Line 15:
Delete *"the voters of"* and insert in lieu thereof *"those voting in"*

The bill passed on the following roll call:

Yeas, 15, Nays, 6; Absent, 8

Voting in the affirmative were: Senators

Asay	Black	Money	Snow
Bangerter	Bullen	Peterson, C.	Swan
Barlow	Bunnell	Peterson, L.	Mr. President (Ferry)
Barton	Jeffs	Pugh	

Voting in the negative were: Senators

Bennett	Farley	Kimball	Sandberg
Carling	Flamm		

Absent and not voting were: Senators

Christensen	Finlinson	Jones	Sowards
Cornaby	Halverson	Matheson	Wayment

H.B. No. 261, as amended, was returned to the House.

* * *

On motion of Senator Jeffs, the rules were suspended with no dissenting votes, and **H.B. No. 83**, ABORTION RESTRICTIONS, was read the second and third times and placed on final passage.

Mr. President: March 4, 1981

The Social Services Committee, to which was referred **H.B. No. 83**, ABORTION RESTRICTIONS, by Representative Robert B. Sykes, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ronald T. Halverson, Committee Chairman

Senator Farley proposed the following amendments:

Page 2, following Line 15: insert
"(3) The provisions of this act shall not apply to women whose physicians have determined they are victims of rape or incest."

Page 2, Line 16:
Delete *"3"* and insert *"4"*

Page 2, Line 22:
Delete *"4"* and insert *"5"*

The amendments failed on a 9 yea and 11 nay division (standing) vote.

The bill passed on the following roll call:

Yeas, 21; Nays, 4; Absent, 4

Voting in the affirmative were: Senators

Asay	Bullen	Matheson	Swan
Bangerter	Christensen	Peterson, C.	Wayment
Barlow	Flamm	Peterson, L.	Mr. President (Ferry)
Barton	Halverson	Sandberg	
Bennett	Jeffs	Snow	
Black	Jones	Sowards	

Voting in the negative were: Senators

Bunnell	Cornaby	Farley	Kimball

Absent and not voting were: Senators

Carling	Finlinson	Money	Pugh

H.B. No. 83 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

H.B. No. 132, UTAH STATE RETIREMENT OFFICE ACT AMENDMENTS, was before the Senate. President Ferry appointed a Conference Committee comprised of Senators Bunnell, Finlinson and Cornaby.

* * *

On motion of Senator Sandberg, the rules were suspended with no dissenting votes, and **H.B. No. 298,** PERSONNEL SALARY AMENDMENTS, was read the second and third times and placed on final passage.

On motion of Senator Sandberg, **Senate Sub. H.B. No. 298,** SALARY SURVEY REQUISITES, replaced the original bill.

COMMITTEE OF THE WHOLE

On motion of Senator Sandberg, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate were:

Representative Paul F. Mechan, sponsor
James B. Eldredge, Director, Government Relations,
Utah Public Employees Association

On motion of Senator Sandberg, the Committee of the Whole was dissolved.

Senator Swan's motion to consider the bill as received from the House failed on a voice vote.

Senate Sub. H.B. No. 298 passed on the following roll call:

Yeas, 19; Nays, 5; Absent, 5

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sandberg
Bangerter	Finlinson	Money	Sowards
Barlow	Flamm	Peterson, C.	Wayment
Barton	Halverson	Peterson, L.	Mr. President (Ferry)
Bullen	Jeffs	Pugh	

Voting in the negative were: Senators

Bennett	Farley	Snow	Swan
Black			

Absent and not voting were: Senators

Bunnell	Cornaby	Kimball	Matheson
Carlng			

Senate Sub. H.B. No. 298 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day receded from its amendments and passed **S.B. No. 283,** UTAH DRAM SHOP ACT, by Senator Jeffs, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 91,** COMMITTEE ON CONSUMER SERVICES CONTINUATION, by Senator Swan, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 200,** MOTOR FUEL MARKETING, by Senator Money, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. No. 283, 91 and **200** were signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 349,** STATE RISK MANAGEMENT FUND, by Representative McKeachnie, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 349 was read the first time and referred to Sifting (Rules) Committee.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day refused to recede from its amendments on **S.B. No. 308,** SCHOOL FINANCE, by Senator Barlow, et al, and has appointed a Conference Committee consisting of Representatives Brown, Pace, and LeFevre, to act with a like committee from the Senate on this bill.

Allan M. Acomb, Chief Clerk

President Ferry appointed a Conference Committee comprised of Senators Pugh, Barlow and Bunnell.

* * *

On motion of Senator Halverson, **H.B. No. 320,** NONRESIDENT USE TAX EXEMPTION, was lifted from Sifting Committee, placed at the top of Second Reading Calendar; and under suspension of the rules, read the second and third times, placed on final passage, and failed on the following roll call:

Yeas, 9; Nays, 16; Absent, 4

Voting in the affirmative were: Senators

Barlow	Finlinson	Jeffs	Swan
Bullen	Halverson	Pugh	Mr. President (Ferry)
Bunnell			

Voting in the negative were: Senators

Bangerter	Cornaby	Kimball	Peterson, L.
Bennett	Farley	Matheson	Sandberg
Black	Flamm	Money	Snow
Christensen	Jones	Peterson, C.	Wayment

Absent and not voting were: Senators

Asay	Barton	Carling	Sowards

H.B. No. 320 was returned to the House for filing.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 15,** DR. T. H. BELL RESOLUTION, by Representative Richards, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.C.R. No. 15 was read the first time and on motion of Senator Snow, the rules were suspended with no dissenting votes, and the resolution was read the second and third times, placed on final passage, and passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 13

Voting in the affirmative were: Senators

Barlow	Bullen	Flamm	Pugh
Barton	Christensen	Kimball	Snow
Bennett	Farley	Matheson	Swan
Black	Finlinson	Peterson, C.	Mr. President (Ferry)

Absent and not voting were: Senators

Asay	Cornaby	Jones	Sandberg
Bangerter	Halverson	Money	Sowards
Bunnell	Jeffs	Peterson, L.	Wayment
Carling			

H.C.R. No. 15 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Sowards, the Senate voted to recall **S.B. No. 304,** FUEL COST INCREASE — PUBLIC UTILITY RATES, from Legal Services for reconsideration, and the bill was before the Senate.

On motion of Senator Sowards **S.B. No. 304** was amended as follows:

Page 2, Line 25:
Omit *"(3)"* and insert in place thereof *"(4)(a)"*; remove the brackets around *"provisions"* and bracket *"provision"*.

Page 2, Line 27:
Restore *"any schedule, classification, practice, rule or"*

Page 2, Line 28:
Restore *"regulation which does not result in any"*; insert after *"any"*, *"rate"*.

Page 2, Line 29:
Restore *"effect"* and insert, before *"effect"*: *"that is filed with the commission shall take"*.

Page 2, Line 30:
Insert before *"the expiration"*, *"at"*; Restore *"the expiration of"*; Insert, before *"days"*, *"30 "*; Restore *"days from the time of filing"*.

Page 2, Line 31:
Restore *"or within such lesser time as the commission may"*.

Page 2, Line 32:
Restore *"grant, subject to"*; insert, after *"to"*, *"its"*; Restore *"authority"*; Restore *"after a"*.

Page 2, Line 33:
Restore *"hearing"*; Restore *"on its own motion or upon complaint"*.

Page 2, Line 34:
Restore *"to suspend, alter or modify"*; and insert after *"alter"*, " , "; and insert, after *"modify"*, *"such schedule, classification, practice, rule, or regulation. If the commission suspends a schedule, classification, practice, rule, or regulation, a hearing shall be held prior to a final order issued with respect to such action. For purposes of this subsection (4), any schedule, classification, practice, rule, or regulation that introduces a service or product not previously been offered shall not result in a rate increase.*".

Page 3, Line 2:
Omit *"(a)"* and insert in place thereof: *"(b) Notwithstanding any other provision of this title: (i)"*.

Page 3, Line 11:
Omit *"(b)"* and insert in place thereof *"(ii)"*.

S.B. No. 304 passed on the following roll call:

Yeas, 18; Nays, 4; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Finlinson	Money	Snow
Barlow	Flamm	Peterson, C.	Sowards
Black	Halverson	Peterson, L.	Mr. President (Ferry)
Carling	Jeffs	Pugh	
Cornaby	Matheson	Sandberg	

Voting in the negative were: Senators

Bennett	Farley	Kimball	Swan

Absent and not voting were: Senators

Asay	Bullen	Christensen	Wayment
Barton	Bunnell	Jones	

S.B. No. 304 was transmitted to the House.

* * *

On motion of Senator Cornaby, the circle was removed, the rules were suspended with no dissenting votes, and **H.B. No. 349,** STATE RISK MANAGEMENT FUND, was read the second and third times, placed on final passage, and passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Peterson, L.
Bangerter	Carling	Jones	Sandberg
Barlow	Cornaby	Kimball	Snow
Barton	Farley	Matheson	Swan
Bennett	Finlinson	Money	Wayment
Black	Flamm	Peterson, C.	Mr. President (Ferry)

Voting in the negative was: Senator
Christensen

Absent and not voting were: Senators

Bullen	Jeffs	Pugh	Sowards

H.B. No. 349 was signed by the President in open session of the Senate and returned to the House for further action.

COMMUNICATIONS FROM THE GOVERNOR

Dear President Ferry: March 12, 1981

This is to inform you that on March 12, 1981, Governor Scott M. Matheson did sign into law the following bills, which have been forwarded to the Lt. Governor's Office for filing.

S.B. No. 39	STATE LAND AMENDMENTS
S.B. No. 28	REGULATION OF CONTRACTORS, PLUMBERS, AND ELECTRICIANS
S.B. No. 65	INTEREST LIMITATION INCREASE

Tina Falvo, Administrative Aide

Communication filed.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day refused to concur in the Senate amendments to **H.B. No. 404**, APPROPRIATIONS ACT, by Representative Brockbank, and requests the Senate to recede from its amendments.

Allan M. Acomb, Chief Clerk

On motion of Senator Pugh, the Senate refused to recede from its amendments. President Ferry appointed a conference committee comprised of Senators Pugh, C. Peterson and Money.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day refused to concur in the Senate amendments to **Substitute H.B. No. 203** ASSUMPTION OF REAL ESTATE SECURITY INTERESTS, by Representative Pace, et al, and requests the Senate to recede from its amendments.

Allan M. Acomb, Chief Clerk

Senator Black's motion that the Senate recede from amendments failed.

On motion of Senator Jeffs, the Senate voted not to recede from its amendments. President Ferry appointed a conference committee comprised of Senators Jeffs, Barlow and Bunnell.

The Senate recessed at 6:10 p.m. The Senate reassembled at 7:45 p.m.

SIFTING (RULES) COMMITTEE REPORT

Mr. President: March 12, 1981

Your Sifting (Rules) Committee reports out the following bills to be placed on the Second Reading Calendar in this order:

H.B. No. 25	STATE PAYMENT OF CLAIMS
H.B. No. 88	EXPEDITING CRIMINAL TRIALS
H.B. No. 188	PORNOGRAPHIC MATERIAL DISTRIBUTION PENALTY
H.B. No. 134	DIVORCE PAYMENTS AUTHORITY
H.B. No. 211	LAND SALES PRACTICES ACT EXEMPTION
H.B. No. 258	UTAH TECHNICAL COLLEGE AT PROVO ASSOCIATE IN SCIENCE DEGREE
H.B. No. 274	COMPLIANCE WITH COUNTY PLANS
H.B. No. 289	CHILDREN'S RIGHTS

H.B. No. 392	CRIMINAL POSSESSION OF RENTED OR LEASED PROPERTY
H.B. No. 297	**(Sub.)** EQUIPPING AND OPERATING MINES
H.B. No. 330	RIGHTS OF DEAF AND BLIND PERSONS
H.B. No. 235	DEPUTY SHERIFFS' PROBATIONARY PERIOD
H.B. No. 90	**(Sub.)** SOCIAL SERVICES PROVIDING
H.B. No. 117	JUVENILE COURT ACT AMENDMENTS
H.B. No. 179	UNAPPROPRIATED FEDERAL FUNDS REVIEW
H.B. No. 123	DEFENSE OF ENTRAPMENT STANDARD
H.B. No. 219	MUNICIPAL SERVICES FUNDS
H.B. No. 218	PROPERTY DESTRUCTION AMENDMENT
H.B. No. 266	ALTERNATIVE LEVEL BUDGETING
H.B. No. 309	FREEDOM OF MEDICATION
H.B. No. 310	FEDERAL PLANS IMPLEMENTATION REQUISITE
H.B. No. 328	FEDERAL PLANS IMPLEMENTATION APPROVAL
H.B. No. 333	CARE OF INDIGENT AMENDMENTS
H.B. No. 346	TRANSIT DISTRICT PASSES FOR STUDENTS
H.B. No. 116	FOURTH AMENDMENT ENFORCEMENT ACT — 1981
H.B. No. 272	SELF INSURANCE — WORKMEN'S COMPENSATION
H.B. No. 105	REMOVAL OF PUBLIC OFFICIALS
H.B. No. 267	RESOURCE DEVELOPMENT COORDINATING COMMITTEE
H.B. No. 303	**(Sub.)** MODIFICATIONS TO GOVERNMENTAL IMMUNITY ACT
H.B. No. 251	**(Sub.)** ELECTRICIAN AND PLUMBING APPRENTICE CHANGES
H.B. No. 171	EXECUTION BY INJECTION
H.B. No. 156	ACCESS TO DEATH CERTIFICATES

Ronald T. Halverson, Committee Chairman

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the House **S.B. No. 100,** MARRIAGE AND FAMILY THERAPIST LICENSING, by Senator Carling, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Carling, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sandberg
Bangerter	Cornaby	Kimball	Snow
Bennett	Farley	Matheson	Sowards
Black	Flamm	Peterson, C.	Swan
Bullen	Halverson	Peterson, L.	Wayment
Carling	Jeffs	Pugh	Mr. President (Ferry)

Voting in the negative was: Senator
Money

Absent and not voting were: Senators

Barlow	Barton	Bunnell	Finlinson

S.B. No. 100 was transmitted to the House.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House **S.B. No. 151,** DIVISION OF REGISTRATION AMENDMENTS, by Senator Wayment, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Wayment, the Senate voted to concur in the House amendments on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jones	Sandberg
Bangerter	Christensen	Kimball	Snow
Barlow	Cornaby	Matheson	Swan
Barton	Farley	Money	Wayment
Bennett	Flamm	Peterson, C.	Mr. President (Ferry)
Black	Halverson	Peterson, L.	
Bullen	Jeffs	Pugh	

Absent and not voting were: Senators

Bunnell	Finlinson	Sowards

S.B. No. 151 was transmitted to the House.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the Speaker of the House has this day appointed a

Conference Committee consisting of Representatives Brockbank, Garff and Garr to act with a like Committee from the Senate to consider or amend **H.B. No. 404,** APPROPRIATIONS ACT, by Representative Brockbank.

Allan M. Acomb, Chief Clerk

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the Speaker of the House has this day appointed a Conference Committee consisting of Representatives Pace, Harmer and Fox to act with a like Committee from the Senate to consider or amend **Substitute H.B. No. 203,** ASSUMPTION OF REAL ESTATE SECURITY INTERESTS, by Representative Pace, et al.

Allan M. Acomb, Chief Clerk

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the Speaker of the House has this day appointed a Conference Committee consisting of Representatives Gardner, Smith and Mecham to act with a like Committee from the Senate to consider or amend **H.B. No. 132,** UTAH STATE RETIREMENT OFFICE ACT AMENDMENTS, by Representative Gardner.

Allan M. Acomb, Chief Clerk

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the Speaker has signed in open session, **House Substitute S.C.R. No. 8,** INTERIM STUDY OF THE LAY MIDWIFE PROGRAM, by Senator Bangerter, et al, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

House Substitute S.C.R. No. 8, was signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and engrossed and transmitted to the Governor.

* * *

On motion of Senator Bangerter, the rules were suspended with no dissenting votes, and **Substitute H.B. No. 197,** TITLE INSURANCE AMENDMENTS, was read the second and third times, placed on final passage, and passed on the following roll call:

Yeas, 24; Nays, 3; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Carling	Jones	Pugh
Barlow	Christensen	Kimball	Snow
Barton	Cornaby	Matheson	Sowards

Bennett	Farley	Money	Swan
Black	Flamm	Peterson, C.	Wayment
Bullen	Jeffs	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Asay	Halverson	Sandberg

Absent and not voting were: Senators

Bunnell	Finlinson

Substitute H.B. No. 197 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Farley,and under suspension of the rules, **S.B. No. 305,** COAL OCCUPATION TAX, was lifted from Sifting, placed at the top of Second Reading Calendar, read the second time, and before the Senate. The bill failed on the following roll call:

Yeas, 12; Nays, 14; Absent, 3

Voting in the affirmative were: Senators

Asay	Black	Money	Snow
Barlow	Carling	Peterson, L.	Swan
Bennett	Farley	Pugh	Wayment

Voting in the negative were: Senators

Bangerter	Cornaby	Uimball	Sowards
Barton	Flamm	Matheson	Mr. President (Ferry)
Bullen	Halverson	Peterson, C.	
Christensen	Jones	Sandberg	

Absent and not voting were: Senators

Bunnell	Finlinson	Jeffs

S.B. No. 305 was filed.

* * *

On motion of Senator C. Peterson, the rules were suspended with no dissenting votes, and **H.B. No. 348,** RESIDENCY FOR HUNTING AND FISHING LICENSE, was read the second and third times, placed on final passage, and passed on the following roll call:

Yeas, 18; Nays, 3; Absent, 8

Voting in the affirmative were: Senators

Asay	Farley	Peterson, C.	Swan
Bangerter	Flamm	Peterson, L.	Wayment
Barlow	Kimball	Pugh	Mr. President (Ferry)

Barton	Matheson	Snow
Bennett	Money	Sowards

Voting in the negative were: Senators

Christensen	Jeffs	Jones

Absent and not voting were: Senators

Black	Bunnell	Cornaby	Halverson
Bullen	Carling	Finlinson	Sandberg

H.B. No. 348 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Snow, **H.B. No. 50,** ANNEXATION POLICY DECLARATIONS, was read the second time.

COMMITTEE OF THE WHOLE

On motion of Senator Sowards, the Senate resolved itself into a Committee of the Whole. Appearing before the Committee of the Whole were:

Allan Moll, Attorney, Salt Lake County
Lee Farnsworth, Representative

On motion of Senator Sowards, the Committee of the Whole was dissolved and the bill was circled.

* * *

On motion of Senator Black, the rules were suspended with no dissenting votes, and **H.B. No. 230,** MEDICAL EXAMINER'S FINDINGS was read the second and third times and placed on final passage.

On motion of Senator Black, **H.B. No. 230** was amended as follows:

Page 1, Line 17:
Delete *"CHAPTER 63, LAWS OF UTAH 1975"* and insert in place thereof *"SENATE BILL NO. 74 OF THE GENERAL SESSION OF THE 44th LEGISLATURE OF THE STATE OF UTAH"*

Page 1, Line 20:
Delete *"Chapter 63, Laws of Utah 1975"* and insert in place thereof *"Senate Bill No. 74 of the General Session of the 44th Legislature of the State of Utah"*

Page 1, Line 31:
Delete *"to the county attorney having"*

Page 1, Line 32:
Delete *"criminal jurisdiction over the case"*

Page 1, Line 33:
After *"to"* insert *"a "* delete *"every"*; and after *"death"* insert *"to the county attorney having jurisdiction over the case"*

Page 2, Line 5:
Delete *"his"* and insert in place thereof *"their"*

Page 2, Line 10:
Delete *"have the"*

Page 2, Line 11:
Delete *"responsibility to"*

Page 2, Line 12:
Delete *"prescribed above"* and insert in place thereof *"provided herein"*

Page 2, Line 13:
Delete the line and insert in place thereof *"upon payment of fees prescribed by the department under section 26-1-6."*

Page 2, Line 14:
Delete entirely.

The bill passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	Jones	Sandberg
Bangerter	Christensen	Matheson	Snow
Barton	Cornaby	Money	Sowards
Bennett	Finlinson	Peterson, C.	Swan
Black	Flamm	Peterson, L.	Wayment
Bullen	Halverson	Pugh	Mr. President (Ferry)

Voting in the negative was: Senator
Farley

Absent and not voting were: Senators

Barlow	Bunnell	Jeffs	Kimball

H.B. No. 230, as amended, was returned to the House.

JOINT CONFERENCE COMMITTEE REPORT
(H.B. No. 132, Utah State Retirement Office Act Amendment)

Mr. Speaker and Mr. President: March 12, 1981

Your Conference Committee, consisting of Senators Finlinson, Bunnell and Cornaby and Representatives Mecham, Gardner and Smith to which was referred **H.B. No. 132,** UTAH STATE RETIREMENT OFFICE ACT AMENDMENT, by Mr. Gardner, begs leave to report as follows:

H.B. No. 132 be accepted as amended by the Senate.

Senator Omar B. Bunnell, Senate Chairman
Rep. Paul F. Mecham, House Chairman

On motion of Senator Snow, the Senate voted to adopt the Joint Conference Committee Report and the bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Christensen	Matheson	Sowards
Bangerter	Cornaby	Money	Swan
Barton	Farley	Peterson, C.	Wayment
Bennett	Finlinson	Peterson, L.	Mr. President (Ferry)
Black	Flamm	Pugh	
Bullen	Halverson	Sandberg	
Carling	Jones	Snow	

Absent and not voting were: Senators

Barlow	Bunnell	Jeffs	Kimball

H.B. No. 132 was signed by the President and returned to the House for further action.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day adopted the Joint Conference Committee Report as of March 12, 1981, and passed **S.B. No. 308,** SCHOOL FINANCE, by Senator Barlow, et al, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

JOINT CONFERENCE COMMITTEE REPORT
(S.B. No. 308, School Finance)

Mr. Speaker and Mr. President: March 12, 1981

Your Conference Committee consisting of Senators Pugh, Barlow and Bunnell and Representatives Brown, Pace and LeFevre, to which was referred **S.B. No. 308,** SCHOOL FINANCE, by Senator Haven J. Barlow, et al, begs leave to report as follows:

We recommend that the Senate concur in the House amendments on Page 3, Line 24, changing from *"23"* to *"23.25"* mills.

We recommend that the House amendment on Page 17, Lines 3 and 4 consisting of the words *"or any other program at the discretion of the school district."* be deleted from the bill.

Senator Pugh, Chairman, Senate Committee
Representative Brown, Chairman, House Committee

On motion of Senator Pugh, the Senate voted to accept the Joint Conference Committee Report and the bill passed on the following roll call:

Yeas, 26; Nays, 2; Absent, 1

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sandberg
Bangerter	Cornaby	Kimball	Snow
Barlow	Farley	Matheson	Sowards
Barton	Finlinson	Money	Swan
Black	Flamm	Peterson, C.	Mr. President (Ferry)
Bullen	Halverson	Peterson, L.	
Carling	Jeffs	Pugh	

Voting in the negative were: Senators

Bennett	Swan

Absent and not voting was: Senator
Bunnell

S.B. No. 308 was transmitted to the House.

* * *

On motion of Senator Jeffs, the Senate voted to ask the House to return **H.B. No. 222,** RETIREMENT SYSTEM CONTRIBUTION, to the Senate for reconsideration.

* * *

Senator Money's motion to lift **H.B. No. 32,** FAIR GASOLINE PRICING ACT, from Sifting Committee, failed.

* * *

On motion of Senator Swan, the rules were suspended with no dissenting votes, and **H.B. No 174,** MOVING OF RADIOACTIVE TAILINGS, was read the second and third times, placed on final passage, and passed on the following roll call:

Yeas, 15; Nays, 8; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Bunnell	Money	Sowards
Barton	Cornaby	Peterson, C.	Swan
Bennett	Flamm	Peterson, L.	Mr. President (Ferry)
Black	Matheson	Snow	

Voting in the negative were: Senators

Asay	Christensen	Halverson	Jones
Barlow	Farley	Jeffs	Sandberg

Absent and not voting were: Senators

Bullen	Finlinson	Pugh	Wayment
Carling	Kimball		

H.B. No. 174, was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Jones, **H.B. No. 258,** UTAH TECHNICAL COLLEGE AT PROVO ASSOCIATE IN SCIENCE DEGREE, was lifted, placed at the top of Second Reading Calendar and before the Senate.

Mr. President: March 6, 1981

The Higher Education Committee to which was referred **H.B. No. 258,** UTAH TECHNICAL COLLEGE AT PROVO ASSOCIATE IN SCIENCE DEGREE, by Representative Willard Hale Gardner, et al, has individually considered the bill and reports it back to the Senate with a favorable recommendation.

Lowell S. Peterson, Committee Chairman
and Senators Christensen, Cornaby, Halverson, Bullen and Swan.

Committee report read and adopted. On motion of Senator Snow, the rules were suspended with no dissenting votes, and the bill was was read the second and third times, placed on final passage, and passed on the following roll call:

Yeas, 23; Nays, 5; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Sandberg
Bangerter	Christensen	Matheson	Snow
Barlow	Farley (expln.)	Money	Sowards
Barton	Flamm	Peterson, C.	Swan
Bennett	Halverson	Peterson, L.	Mr. President (Ferry)
Bullen	Jeffs	Pugh	

Voting in the negative were: Senators

Black	Cornaby	Finlinson	Wayment
Carling			

Absent and not voting was: Senator
Kimball

H.B. No. 258, was signed by the President in open session of the Senate and returned to the House for further action.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House **S.B. No. 80,** UTAH COSMETOLOGIST AND BARBER LICENSING ACT, by Senator Black, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Black, the Senate voted to concur in the House amendments and the bill passed on the following roll call:

Yeas, 21; Nays, 3; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Carling	Peterson, C.	Swan
Barlow	Christensen	Peterson, L.	Wayment
Barton	Cornaby	Pugh	Mr. President (Ferry)
Bennett	Farley	Sandberg	
Black	Finlinson	Snow	
Bullen	Halverson	Sowards	

Voting in the negative were: Senators

Asay	Jeffs	Matheson

Absent and not voting were: Senators

Bunnell	Jones	Kimball	Money
Flamm			

S.B. No. 80 was transmitted to the House.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House **S.B. No. 173,** DECEPTION DETECTION EXAMINERS, by Senator Carling, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Carling, the Senate voted to concur in the House amendments and the bill passed on the following roll call:

Yeas, 22; Nays, 3; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Carling	Jones	Snow
Barlow	Christensen	Kimball	Sowards
Barton	Cornaby	Matheson	Swan
Black	Farley	Peterson, C.	Mr. President (Ferry)
Bullen	Finlinson	Pugh	
Bunnell	Halverson	Sandberg	

Voting in the negative were: Senators

Asay	Bennett	Jeffs	

Absent and not voting were: Senators

Flamm	Money	Peterson, L.	Wayment

S.B. No. 173 was transmitted to the House.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House **S.B. No. 152,** SUNSET ACT AMENDMENTS, by Senator Carling, et al, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Carling, the Senate voted to refuse to concur in the House amendments. President Ferry appointed a Conference Committee comprised of Senators Carling, Swan and Cornaby.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **Second Substitute H.B. No. 228,** SALES AND USE TAX DISTRIBUTION, by Representative Saunders, et al, and the same is transmitted herewith for the signature of the President, and

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **Substitute H.B. No. 261,** TEXTBOOKS IN PUBLIC SCHOOLS, by Representative Curran, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

Second Substitute H.B. No. 228 and **Substitute H.B. No. 261** were signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Sowards, **H.B. No. 198,** EXCESS APPROPRIATION EXPENDITURES, was lifted from Sifting (Rules) Committee.

On motion of Senator Sowards, the rules were suspended with no dissenting votes, and the bill was read the second and third times and placed on final passage.

On motion of Senator Snow **H.B. No. 198** was amended as follows:

Page 2, Line 31:
After *"commission"* insert *"knowingly"*

Page 3, Line 5:
After *"contrary."* insert *"This subsection shall not apply to the maintenance, state construction and federal construction line-items in the Department of Transportation."*

H.B. No. 198 passed on the following roll call:

Yeas, 15; Nays, 10; Absent, 4

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Sowards
Bangerter	Jeffs	Peterson, C.	Wayment
Bullen	Jones	Peterson, L.	Mr. President (Ferry)
Christensen	Matheson	Snow	

Voting in the negative were: Senators

Barlow	Bunnell	Halverson	Pugh
Bennett	Farley	Kimball	Swan
Black	Finlinson		

Absent and not voting were: Senators

Barton	Carling	Flamm	Sandberg

H.B. No. 198, as amended, was returned to the House.

* * *

On motion of Senator Sowards, the rules were suspended with no dissenting votes, and **H.B. No. 301,** MUNICIPAL IMPROVEMENT DISTRICT ACT AMENDMENTS, was read the second and third times and placed on final passage.

Mr. President: March 12, 1981

The State and Local Affairs Committee, to which was referred **H.B. No. 301,** MUNICIPAL IMPROVEMENT DISTRICT ACT AMENDMENTS, by Representative Ray S. Schmutz, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Cornaby	Kimball	Snow
Bennett	Farley	Hatheson	Sowards
Black	Finlinson	Money	Swan
Bullen	Flamm	Peterson, C.	Wayment
Bunnell	Halverson	Peterson, L.	Mr. President (Ferry)
Carling	Jeffs	Pugh	
Christensen	Jones	Sandberg	

Absent and not voting were: Senators

Asay	Barlow	Barton

H.B. No. 301 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Sowards, the rules were suspended with no dissenting votes, and **H.B. No. 375,** COUNTY IMPROVEMENT DISTRICT ACT AMENDMENTS, was read the second and third time and placed on final passage.

Mr. President: March 9, 1981

The State and Local Affairs Committee, to which was referred **H.B. No. 375,** COUNTY IMPROVEMENT DISTRICT ACT AMENDMENTS, by Representative Ray S. Schmutz, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Bryce C. Flamm, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Cornaby	Kimball	Snow
Barton	Farley	Matheson	Sowards
Black	Finlinson	Money	Swan
Bullen	Flamm	Peterson, C.	Wayment
Bunnell	Halverson	Peterson, L.	Mr. President (Ferry)
Carling	Jeffs	Pugh	
Christensen	Jones	Sandberg	

Absent and not voting were: Senators

Asay	Barlow	Bennett

H.B. No. 375 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

* * *

Senator Bennett moved to lift **Substitute H.B. No. 32** FAIR GASOLINE PRICING ACT, from Sifting Committee.

Senator Kimball's substitute motion to lift **Substitute H.B. No. 289,** CHILDREN'S RIGHTS, to the top of Second Reading Calendar, carried and the bill was before the Senate.

On motion of Senator Snow, the rules were suspended with no dissenting votes, and **Sub. H.B. No. 289,** was read the second and third times, placed on final passage, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sandberg
Bangerter	Cornaby	Kimball	Snow
Barton	Farley	Matheson	Sowards
Bennett	Finlinson	Money	Swan
Black	Flamm	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)
Carling	Jeffs	Pugh	

Absent and not voting were: Senators

Barlow	Bunnell

Sub. H.B. No. 289 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

Senator Bullen's motion to uncircle **Substitute H.B. No. 50,** ANNEXATION POLICY DECLARATION, failed.

* * *

On motion of Senator Christensen, **Substitute H.B. No. 251,** ELECTRICIAN AND PLUMBING APPRENTICE CHANGES, was, under suspension of the rules, lifted to the top of Second Reading Calendar, and before the Senate on reconsideration.

On motion of Senator Halverson, **Substitute H.B. No. 251** was amended as follows:

> Page 2 Line 21:
> Following *"thereabouts**."* delete *"No journeyman plumber shall have under his immediate supervision at any one time more than **one** three apprentice **plumber** plumbers."* and insert:
> *"It is recognized the purpose of apprenticeship is to provide for proper training and that training can only be facilitated by establishing a relationship between the trainee and the trainer and that that relationship should be established by the governing board based upon the ability of the employer to adequately provide the proved training."*

Substitute H.B. No. 251 passed on reconsideration, and passed on the following roll call:

Yeas, 20; Nays, 1; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Cornaby	Jeffs	Peterson, C.
Barton	Farley	Jones	Peterson, L.
Black	Finlinson	Kimball	Sandberg
Carling	Flamm	Matheson	Wayment
Christensen	Halverson	Money	Mr. President (Ferry)

Voting in the negative was: Senator
Swan

Absent and not voting were: Senators

Asay	Bennett	Bunnell	Snow
Barlow	Bullen	Pugh	Sowards

Substitute S.B. No. 251, as amended, on reconsideration, was returned to the House.

* * *

The Senate recessed for Republican party caucus at 10:00 p.m. The Senate reassembled at 11:00 p.m.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day rejected **S.B. No. 216,** MOTOR FUEL SALES, by Senator Bangerter, et al, and the same is returned herewith.

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day rejected **S.B. No. 182,** GRANT ANTICIPATION NOTES, by Senator Barlow, et al, and the same is returned herewith.

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day rejected **S.B. No. 172,** SKIING COLLISION DUTIES, by Senator Carling, et al, and the same is returned herewith.

Allan M. Acomb, Chief Clerk

S.B. Nos. 216, 182 and **172** were filed.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House **S.C.R. No. 7,** AUTOMOBILE EMISSIONS AND CLEAN AIR DAY, by Senator Cornaby, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Cornaby, the Senate voted to concur in the House amendments and the resolution passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Pugh
Bangerter	Cornaby	Kimball	Sandberg
Barlow	Farley	Matheson	Snow
Bennett	Flamm	Money	Sowards
Black	Halverson	Peterson, C.	Swan
Bullen	Jeffs	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Barton	Carling	Finlinson	Wayment
Bunnell			

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

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House **S.J.R. No. 9,** INTERIM STUDY ASSIGNMENTS, by Senator Havlerson, et al, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Halverson, the Senate voted to concur in the House amendments and the resolution passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Pugh
Bangerter	Cornaby	Kimball	Sandberg
Barlow	Farley	Matheson	Snow
Bennett	Flamm	Money	Sowards
Black	Halverson	Peterson, C.	Swan
Bullen	Jeffs	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Barton	Carling	Finlinson	Wayment
Bunnell			

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

JOINT CONFERENCE COMMITTEE REPORT
(H.B. No. 404, Appropriations Act — 1981)

Mr. Speaker and Mr. President: March 12, 1981

Your Conference Committee, consisting of Senators Pugh, Money and C. Peterson and

Representatives Brockbank, Garr and Garff, to which was referred **H.B. No. 404**, APPROPRIATIONS ACT 1981, by Representative Gary H. Brockbank, reports:

The Committee recommends the Senate amendment on Page 104, line 26, as follows, be accepted:

> *" It is the intent of the Legislature that the Building Board begin immediately to negotiate with the owners of the Board of Education Administration Building and the Social Services Administration Building to establish a firm purchase price. Such price is to be submitted to the Legislature during the Special Session to be called during FY 1981 for reapportionment."*

The Committee recommends the Senate amendment on Page 105, line 36, as follows, be accepted:

> *"5 Board of Education — Sevier Valley Tech. Area Vocational Center — New Facilities (10,000 square feet)."*

The Committee recommends the Senate amendment on Page 31 by Senator Lowell Peterson which changes the distribution of 6% salaries increase be deleted.

Warren E. Pugh, Chairman, Senate Committee
Gary H. Brockbank, Chairman, House Committee

On motion of Senator Pugh, the Senate voted to concur in the House amendments and the bill passed on the following roll call:

Yeas, 27; Nays, 1; Absent, 1

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Pugh
Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Kimball	Snow
Barton	Farley	Matheson	Sowards
Black	Finlinson	Money	Swan
Bullen	Flamm	Peterson, C.	Mr. President (Ferry)
Bunnell	Halverson	Peterson, L.	

Voting in the negative was: Senator
Bennett

Absent and not voting was: Senator
Wayment

H.B. No. 404 was signed by the President in open session of the Senate and returned to the House for further action.

RULES COMMITTEE

On motion of Senator Ronald T. Halverson, Rules Committee Chairman, the Senate voted to adopt the "Addition to Joint Rules, Veto Sessions" as follows:

ADDITION TO JOINT RULES VETO SESSIONS

27.06 Poll to Convene a Veto Session

If the Legislature is prevented by adjournment from reconsidering any bill or item of appropriation vetoed by the Governor, the presiding officers of the two houses shall poll their respective members by mail or other means to determine if the Legislature shall convene to reconsider vetoed legislation. Each member shall respond to the poll in writing and the responses shall be filed with the Lieutenant Governor. If two-thirds of the members of each house are in favor of convening, the Legislature shall be convened in a session not to exceed five calendar days, at a time agreed upon by the presiding officers of the two houses.

27.07 Call of a Veto Session

The presiding officers shall issue the Call of the Veto Session of the Legislature to their members. The Call shall contain a list of all bills or appropriation items vetoed by the Governor and the date and time for convening the session and shall be sent by registered letter with return receipt requested.

27.08 Calendaring a Vetoed Bill

When a vetoed bill is returned by the Governor to the House or Senate, it shall be placed on the third reading calendar and shall be debated and reconsidered without further amendment.

27.09 Veto Override

A bill passed by the Legislature and vetoed by the Governor shall be reconsidered first by the bill's house of origin. If two-thirds of the total membership vote to pass the bill, it shall be sent, together with the Governor's objections, to the other house. If approved by two-thirds of the total membership of the other house, it shall become law.

27.10 Only Vetoed Bills to be Considered

No bill which has not been vetoed by the Governor following the session of the Legislature immediately preceding the veto session, shall be considered during any veto session.

27.11 Session Rules Applicable

Except as otherwise provided in these rules, rules adopted by each house of the Legislature during the immediately preceding General or Budget Session shall apply to the conduct of that house during a veto session.

APPOINTMENTS BY
The Honorable Scott M. Matheson
Governor, State of Utah

Dear President Ferry: January 31, 1981

In accordance with Section 67-1-2, Utah Code Annotated, 1953, I propose to make the following appointments:

1. **Karen Alvey,** appointed as a member of the Health Systems Agency Governing Board for a term expiring August 1, 1982. Section 26-33-4, UCA, 1953, as amended by H.B. 27, 1980 Budget Session.

2. **George Buzianis,** appointed as a member of the Health Systems Agency Governing Board for a term expiring August 1, 1983. Section 26-33-4, UCA, 1953, as amended by H.B. 27, 1980 Budget Session.

3. **Don Chase,** reappointed as a member of the Health Systems Agency Governing Board for a term expiring August 1, 1982. Section 26-33-4, UCA, 1953, as amended by H.B. 27, 1980 Budget Session.

4. **Dr. Phillip Condie,** appointed as a member of the Health Systems Agency Governing Board for a term expiring August 1, 1982. Section 26-33-4, UCA, 1953, as amended by H.B. 27, 1980 Budget Session.

5. **Morris Cook,** reappointed as a member of the Health Systems Agency Governing Board for a term expiring August 1, 1981. Section 26-33-4, UCA, 1953, as amended by H.B. 27, 1980 Budget Session.

6. **James Gardner, M.D.,** appointed as a member of the Health Systems Agency Governing Board for a term expiring August 1, 1983. Section 26-33-4, UCA, 1953, as amended by H.B. 27, 1980 Budget Session.

7. **John Harris,** appointed as a member of the Health Systems Agency Governing Board for a term expiring August 1, 1983. Section 26-33-4, UCA, 1953, as amended by H.B. 27, 1980 Budget Session.

8. **Thomas Hartford, Jr.,** reappointed as a member of the Health Systems Agency Governing Board for a term expiring August 1, 1981. Section 26-33-4, UCA, 1953, as amended by H.B. 27, 1980 Budget Session.

9. **Basil Lay,** reappointed as a member of the Health Systems Agency Governing Board for a term expiring August 1, 1983. Section 26-33-4, UCA, 1953, as amended by H.B. 27, 1980 Budget Session.

10. **William Levitt,** reappointed as a member of the Health Systems Agency Governing Board for a term expiring August 1, 1983. Section 26-33-4, UCA, 1953, as amended by H.B. 27, 1980 Budget Session.

11. **Karl Lyman,** appointed as a member of the Health Systems Agency Governing Board for a term expiring August 1, 1982. Section 26-33-4, UCA, 1953, as amended by H.B. 27, 1980 Budget Session.

12. **John Marshall,** reappointed as a member of the Health Systems Agency Governing Board for a term expiring August 1, 1981. Section 26-33-4, UCA, 1953, as amended by H.B. 27, 1980 Budget Session.

13. **Dr. Wesley Maughan,** reappointed as a member of the Health Systems Agency Governing Board for a term expiring August 1, 1983. Section 26-33-4, UCA, 1953, as amended by H.B. 27, 1980 Budget Session.

14. **Larell D. Muir,** appointed as a member of the Health Systems Agency Governing Board for a term expiring August 1, 1982. Section 26-33-4, UCA, 1953, as amended by H.B. 27, 1980 Budget Session.

15. **Kenneth Nelson,** appointed as a member of the Health Systems Agency Governing Board for a term expiring August 1, 1981. Section 26-33-4, UCA, 1953, as amended by H.B. 27, 1980 Budget Session.

16. **Jean Osborne,** reappointed as a member of the Health Systems Agency Governing Board for a term expiring August 1, 1982. Section 26-33-4, UCA, 1953, as amended by H.B. 27, 1980 Budget Session.

17. **Mark Paxton,** appointed as a member of the Health Systems Agency Governing Board for a term expiring August 1, 1981. Section 26-33-4, UCA, 1953, as amended by H.B. 27, 1980 Budget Session.

18. **Chase Peterson, M.D.,** reappointed as a member of the Health Systems Agency Governing Board for a term expiring Section 26-33-4, UCA, 1953, as amended by H.B. 27, 1980 Budget Session.

19. **Claude Reay,** appointed as a member of the Health Systems Agency Governing Board for a term expiring August 1, 1983. Section 26-33-4, UCA, 1953, as amended by H.B. 27, 1980 Budget Session.

20. **Dr. Phyllis Southwick,** reappointed as a member of the Health Systems Agency Governing Board for a term expiring August 1, 1983. Section 26-33-4, UCA, 1953, as amended by H.B. 27, 1980 Budget Session.

21. **Boyd K. Storey,** reappointed as a member of the Health Systems Agency Governing Board for a term expiring August 1, 1982. Section 26-33-4, UCA, 1953, as amended by H.B. 27, 1980 Budget Session.

22. **G. Murray Webb,** reappointed as a member of the Health Systems Agency Governing Board for a term expiring August 1, 1982. Section 26-33-4, UCA, 1953, as amended by H.B. 27, 1980 Budget Session.

23. **Robert Wilcox,** appointed as a member of the Health Systems Agency Governing Board for a term expiring August 1, 1983. Section 26-33-4, UCA, 1953, as amended by H.B. 27, 1980 Budget Session.

24. **Norman Dale Wright,** reappointed as a member of the Health Systems Agency Governing Board for a term expiring August 1, 1981. Section 26-33-4, UCA, 1953, as amended by H.B. 27, 1980 Budget Session.

25. **JoAnn Brown,** appointed as a member of the Air Conservation Committee for a term expiring March 1, 1983. Section 26-44-4, UCA, 1953.

26. **Emily Hall,** appointed as a member of the Air Conservation Committee for a term expiring March 1, 1983. Section 26-44-4, UCA, 1953.

27. **Jay Bingham,** appointed as a member of the Safe Drinking Water Committee for a term expiring May 8, 1981. S.B. 149, 1979 General Session, Utah Legislature.

28. **David Eckhoff,** appointed as a member of the Safe Drinking Water Committee for a term expiring May 8, 1983. S.B. 149, 1979 General Session, Utah Legislature.

29. **Darrel Leamaster,** appointed as a member of the Safe Drinking Water Committee for a term expiring May 8, 1983. S.B. 149, 1979 General Session, Utah Legislature.

30. **George McArthur,** reappointed as a member of the Safe Drinking Water Committee for a term expiring May 8, 1983. S.B. 149, 1979 General Session, Utah Legislature.

31. **Bryan Steele,** appointed as a member of the State Board of Regents for a term expiring June 30, 1981. Section 53, 48-5, UCA, 1953.

32. **Gary F. Prazen,** appointed as a member of the College of Eastern Utah Institutional Council for a term expiring June 30, 1983. Section 53-48-19, UCA, 1953.

33. **W. Sands Brooke,** reappointed as a member of the Utah Occupational Safety and Health Review Commission for a term expiring March 1, 1983. Seciton 35-9-12, UCA, 1953.

34. **Max A. Farbman,** appointed as a member of the Board of Oil, Gas and Mining for a term expiring March 1, 1983. Section 40-6-3.2, UCA, 1953, as amended by S.B. 1 1978 Special Session.

35. **Matt A. Galt,** reappointed as a member of the Utah State Retirement Board for a term expiring June 30, 1986. Section 49-9-3, UCA, 1953.

36. **Frank Francis, Jr.,** appointed as a member of the Board of Institutional Promotion for a term expiring March 15, 1981. Section 63-31-2, UCA, 1953.

37. **Ralph Benowitz,** appointed as a member of the Board of Industrial Promotion for a term expiring March 15, 1983. Section 63-31-2, UCA, 1953.

38. **Ray Klauck,** appointed as a member of the Board of Industrial Promotion for a term expiring March 15, 1983. Section 63-31-2, UCA, 1953.

39. **Ronald J. Swenson,** appointed as a member of the Board of Travel Development for a term expiring July 1, 1983. Section 63-16-2, UCA, 1953.

40. **Albert Thompson,** appointed as a member of the Utah State Fire Prevention Board for a term expiring June 30, 1981. Section 63-29-4, UCA, 1953.

41. **J. Edward Immergluck,** reappointed as a member of the Passenger Tramway Safety Commission for a term expiring July 1, 1983. Section 63-11-39, UCA, 1953.

42. **Edwin L. Madsen,** reappointed as a member of the Passenger Tramway Safety Committee for a term expiring July 1, 1983. Section 63-11-39, UCA, 1953.

43. **David S. Dolowitz,** appointed as a member of the Board of Family Services for a term expiring April 1, 1983. Section 63-35-4, UCA, 1953.

44. **Anthony L. Rampton,** appointed as a member of the Board of Fine Arts for a term expiring July 1, 1981. Section 64-2-4, UCA, 1953.

45. **Gary L. Bailey,** appointed as a member of the Board of Alcoholism and Drugs for a term expiring March 1, 1984. Section 63-43-1, UCA, 1953.

46. **Sharon Marie Grayson,** appointed as a member of the Board of Alcoholism and Drugs for a term expiring March 1, 1984. Section 63-43-1, UCA, 1953.

47. **Morris A. Kjar,** appointed as a member of the Board of Alcoholism and Drugs for a term expiring March 1, 1984. Section 63-43-1, UCA, 1953.

48. **Stephen D. Minton, M.D.,** appointed as a member of the Board of Alcoholism and Drugs for a term expiring March 1, 1984. Section 63-43-1, UCA, 1953.

49. **Charles C. Claybaugh,** appointed as a member of the Transportation Commission for a term expiring April 1, 1985. Section 27-12-3, UCA, 1953.

50. **Jenniev J. Poulson,** appointed as a member of the Board of Aging for a term expiring April 1, 1981. Section 63-26-3, UCA, 1953.

51. **J. Bonner Ritchie,** reappointed as a member of the Utah Liquor Control Commission for a term expiring July 1, 1984. Section 32-1-4.5, UCA, 1953.

52. **Harold Dangerfield,** reappointed as a member of the Committee of Consumer Services for a term expiring July 1, 1985. H.B. 30, 42nd General Session.

53. **Bernard Tanner,** appointed as a member of the Utah Technical College at Salt Lake Institutional Council for a term expiring June 30, 1981. Section 53-16-14, UCA, 1953 and S.B. 53, 1978 Budget Session.

54. **Harry Blundell,** appointed as a member of the Utah Technical College at Salt Lake International Council for a term expiring June 30, 1981. Section 53-16-14, UCA, 1953 and S.B. 53, 1978 Budget Session.

55. **Steve Adams,** appointed as a member of the State Course of Study Commission for a

term expiring December 30, 1984. Section 53-14-1, UCA, 1953, and H.B. 214, 1977 General Session.

56. **Stephen L. Garrett,** appointed as a member of the State Course of Study Committee for a term expiring December 30, 1984. Section 53-14-1, UCA, 1953, and H.B. 214, 1977 General Session.

57. **Jim Sandoval,** reappointed as a member of the State Course of Study Committee for a term expiring December 30, 1984. Section 53-14-1, UCA, 1953 and H.B. 214, 1977 General Session.

I respectfully request that the Senate take immediate action on the above appointments so that these individuals will have the constitutional and legal authority to assume their duties should the Senate advise and consent in the affirmative.

Scott M. Matheson
Governor, State of Utah

Dear President Ferry: February 5, 1981

In accordance with Section 67-1-2, Utah Code Annotated 1953, I propose to make the following appointments:

1. **Dale B. Carpenter,** appointed as Director of the Department of Community & Economic Development for a term expiring at the pleasure of the Governor. Section 63-33-2, UCA, 1953.

2. **David L. Duncan,** reappointed as Chairman of the State Tax Commission for a term expiring March 1, 1985. Section 59-5-37, UCA, 1953, and Article XIII, Section 11, Utah Constitution.

3. **Douglas F. Sonntag,** reappointed as a member of the State Tax Commission for a term expiring March 1, 1985. Section 59-5-37, UCA, 1953, and Article XIII, Section 11, Utah Constitution.

4. **Milly O. Bernard,** reappointed as a member of the Public Service Commission for a term expiring March 1 1987. Section 54-1-1.5, UCA, 1953.

I respectfully request that the Senate take immediate action on the above appointments so that these individuals will have the constitutional and legal authority to assume their duties should the Senate advise and consent in the affirmative.

Scott M. Matheson
Governor, State of Utah

Dear President Ferry: March 6, 1981

In accordance with Section 67-1-2, Utah Code Annotated, 1953, I propose to make the following appointments:

1. **Ruby J. Bronson,** reappointed as a member of the Board of Expositions for a term expiring March 1, 1985. Section 64-4-2, UCA, 1953.

2. **Mac Christensen,** reappointed as a member of the Board of Expositions for a term expiring March 1, 1985. Section 64-4-2, UCA, 1953.

3. **Barbara Whitbeck,** reappointed as a member of the Board of Expositions for a term expiring March 1, 1985. Section 64-4-2, UCA, 1953.

4. **G. Marion Hinckley,** reappointed as a member of the Board of Expositions for a term expiring March 1, 1985. Section 64-4-2, UCA, 1953.

5. **Frank Francis, Jr.,** reappointed as a member of the Board of Industrial Promotion for a term expiring March 15, 1985. Section 63-31-2, UCA, 1953.

6. **Ralph M. Benowitz,** reappointed as a member of the Board of Industrial Promotion for a term expiring March 15, 1985. Section 63-31-2, UCA, 1953.

7. **Max Farbman,** appointed as a member of the Board of Industrial Promotion for a term expiring March 15, 1985. Section 63-31-2, UCA, 1953.

8. **Ronald C. Hanks,** reappointed as a member of the Advisory Council for Schools for Deaf and Blind for a term expiring March 1, 1986. Section 64-3-25, UCA, 1953.

9. **Merrill Rees Miller,** appointed as a member of the Board of Big Game Control for a term expiring March 20, 1985. Section 23-14-5, UCA, 1953.

10. **Newell A. Johnson,** reappointed as a member of the Board of Big Game Control for a term expiring March 20, 1985. Section 23-14-5, UCA, 1953.

11. **Alma Thompson,** appointed as a member of the Board of Big Game Control for a term expiring March 20, 1985. Section 23-14-5, UCA, 1953.

12. **Peter Matthies,** appointed as a member of the Utah Geological and Mineral Survey for a term expiring March 1, 1985. Section 53-36-3, UCA, 1953.

13. **Laurence H. Lattman,** appointed as a member of the Board of Utah Geological and Mineral Survey for a term expiring March 1, 1985. Section 53-36-3, UCA, 1953.

14. **Kenneth R. Poulson,** reappointed as a member of the Utah Geological and Mineral Survey for a term expiring March 1, 1985. Section 53-36-3, UCA, 1953.

15. **Elliot Rich,** reappointed as a member of the Utah Geological and Mineral Survey Board for a term expiring March 1, 1985. Section 53-36-3, UCA, 1953.

16. **John Bell,** reappointed as a member of the Board of Oil, Gas and Mining for a term expiring March 1, 1985. Section 40-6-3.2, UCA, 1953.

17. **Robert R. Norman,** appointed as a member of the Board of Oil, Gas and Mining for a term expiring March 1, 1985. Section 40-6-3.2, UCA, 1953.

18. **Edward T. Beck,** reappointed as a member of the Board of Oil, Gas and Mining for a term expiring March 1, 1985. Section 40-6-3.2, UCA, 1953.

19. **E. Steele McIntyre,** reappointed as a member of the Board of Oil, Gas and Mining for a term expiring March 1, 1985. Section 40-6-3.2, UCA, 1953.

20. **George Buzianis,** appointed as a member of the Board of State Lands for a term expiring March 1, 1985. Section 65-1-1.1 and 24-2-2, UCA, 1953.

21. **Chandler P. St. John,** appointed as a member of the Board of State Lands for a term expiring March 1, 1985. Section 65-1-1.1 and 24-2-2, UCA, 1953.

22. **Paul S. Rattle,** reappointed as a member of the Board of State Lands for a term expiring March 1, 1985. Section 65-1-1.1 and 24-2-2, UCA, 1953.

23. **Wayne S. Winegar,** appointed as a member of the Board of Water Resources for a term expiring March 1, 1985. Section 73-10-2, UCA, 1953.

24. **Richard H. Moffat,** reappointed as a member of the Board of Water Resources for a term expiring March 1, 1985. Section 73-10-2, UCA, 1953.

25. **Billie M. Gibson,** reappointed as a member of the Board of Water Resources for a term expiring March 1, 1985. Section 73-10-2, UCA, 1953.

26. **John P. Holmgren, II,** reappointed as a member of the Board of Water Resources for a term expiring March 1, 1985. Section 73-10-2, UCA, 1953.

27. **Jack World,** appointed as a member of the Wildlife Board for a term expiring March 1, 1985. Section 23-14-2, UCA, 1953.

28. **Warren Harward,** reappointed as a member of the Wildlife Board for a term expiring March 1, 1985. Section 23-14-2, UCA, 1953.

29. **L. S. Skaggs,** reappointed as a member of the Wildlife Board for a term expiring March 1, 1985. Section 23-14-2, UCA, 1953.

30. **Noel DeNevers,** reappointed as a member of the Air Conservation Committee for a term expiring March 1, 1985. Section 26-24-4, UCA, 1953.

31. **Robert T. Braithwaite,** reappointed as a member of the Air Conservation Committee for a term expiring March 1, 1985. Section 26-24-4, UCA, 1953.

32. **Harry W. McSwain,** reappointed as a member of the Air Conservation Committee for a term expiring March 1, 1985. Section 26-24-4, UCA, 1953.

33. **Dennis Funk,** reappointed as a member of the Air Conservation Committee for a term expiring March 1, 1985. Section 26-24-4, UCA, 1953.

34. **J. Ralph Macfarlane,** reappointed as a member of the Air Conservation Committee for a term expiring March 1, 1985. Section 26-24-4, UCA, 1953.

35. **France A. Davis,** reappointed as a member of the Board of Corrections for a term expiring March 1 1985. Section 64-13-3, UCA, 1953.

36. **Aaron H. Flores,** reappointed as a member of the Board of Corrections for a term expiring March 1, 1985. Section 64-13-3, UCA, 1953.

37. **Jean B. White,** reappointed as a member of the Board of Corrections for a term expiring March 1, 1985. Seciton 64-13-3, UCA, 1953.

38. **Ladd Christensen,** appointed as a member of the Board of Corrections for a term expiring March 1, 1985. Section 64-13-3, UCA, 1953.

39. **Thomas E. Sawyer,** appointed as a member of the Board of Indian Affairs for a term expiring March 1, 1985. Section 63-36-2, UCA, 1953.

40. **Ruby Black,** appointed as a member of the Board of Indian Affairs for a term expiring March 1, 1985. Section 63-36-2, UCA, 1953.

41. **Harold J. Lyman,** reappointed as a member of the Board of Indian Affairs for a term expiring March 1, 1985. Section 63-36-2, UCA, 1953.

42. **Travis Benioh,** appointed as a member of the Board of Indian Affairs for a term expiring March 1, 1985. Section 63-36-2, UCA, 1953.

43. **Sherril D. Burge,** appointed as a member of the Board of Mental Health for a term expiring March 1, 1985. Section 26-17-1.1, UCA, 1953.

44. **William Greenwood,** reappointed as a member of the Board of Mental Health for a term expiring March 1, 1985. Section 26-17-1.1, UCA, 1953.

45. **Francesca Marquardson,** reappointed as a member of the Board of Mental Health for a term expiring March 1, 1985. Section 26-17-1.1, UCA, 1953.

46. **C. A. Zeldin,** reappointed as a member of the Committee on Water Pollution for a term expiring March 1, 1985. Section 73-14-3, UCA, 1953.

47. **Grant K. Borg,** reappointed as a member of the Committee on Water Pollution for a term expiring March 1, 1985. Section 73-14-3, UCA, 1953.

48. **Harold B. Lamb,** reappointed as a member of the Committee on Water Pollution for a term expiring March 1, 1985. Section 73-14-3, UCA, 1953.

49. **W. Lynn Cottrell,** reappointed as a member of the Committee on Water Pollution for a term expiring March 1, 1985. Section 73-14-3, UCA, 1953.

50. **Nancy Reuling,** appointed as a member of the Aeronautical Committee for a term expiring March 15, 1985. Section 2-1-2, UCA, 1953.

51. **Charles W. Massie,** reappointed as a member of the Aeronautical Committee for a term expiring March 15, 1985. Section 2-1-2, UCA, 1953.

52. **Ted C. Hatch,** reappointed as a member of the Aeronautical Committee for a term expiring March 15, 1985. Section 2-1-2, UCA, 1953.

53. **Clinton L. Oaks,** reappointed as a member of the State Money Management Committee for a term expiring March 1, 1985. Section 51-7-16, UCA, 1953.

54. **Jerald N. Engstrom,** reappointed as a member of the State Money Management Committee for a term expiring March 1, 1985. Section 51-7-16, UCA, 1953.

55. **J. Thomas Greene, Esq.,** reappointed as a member of the State Building Board Ownership Authority for a term expiring January 15, 1985. S.B. 238, 1979 General Session, Section 63-9a-4, UCA, 1953.

56. **Dan S. Bushnell, Esq.,** reappointed as a member of the State Building Board Ownership Authority for a term expiring January 15, 1985. S.B. 238, 1979 General Session, Section 63-9a-4, UCA, 1953.

I respectfully request that the Senate take immediate action on the above appointments so that these individuals will have the constitutional and legal authority to assume their duties should the Senate advise and consent in the affirmative.

Scott M. Matheson
Governor, State of Utah

Dear President Ferry: March 9, 1981

In accordance with Section 67-1-2, Utah Code Annotated, 1953, I propose to make the following appointments:

1. **Troy Donald Gill,** reappointed as a member of the Board of Mental Health for a term expiring March 1, 1985. Section 26-17-1.1, UCA, 1953.

2. **Gerald R. Christensen,** appointed as a member of the State Money Mangement Council for a term expiring March 1, 1985. Section 51-7-16, UCA, 1953.

3. **Margaret R. Bird,** appointed as a member of the Board of Oil, Gas and Mining for a term expiring March 1, 1983. Section 40-6-3.2, UCA, 1953.

I respectfully request that the Senate take immediate action on the above appointments so that these individuals willhave the constitutional and legal authority to assume their duties should the Senate advise and consent in the affirmative.

Scott M. Matheson
Governor, State of Utah

Dear President Ferry: March 12, 1981

In accordance with Section 67-1-2, Utah Code Annotated, 1953, I propose to make the following appointments:

1. **Roger Day,** reappointed as the Commissioner of Insurance for a term expiring March 31, 1985. Section 31-2-2, UCA, 1953.

2. **Dee C. Hansen,** reappointed as the State Engineer, Director of Division of Water Rights for a term expiring March 1, 1985. Section 73-2-1, UCA, 1953.

I respectfully request that the Senate take immediate action on the above appointments so that these individuals will have the constitutional and legal authority to assume their duties should the Senate advise and consent in the affirmative.

Scott M. Matheson
Governor, State of Utah

Dear President Ferry: March 12, 1981

In accordance with Section 67-1-2, Utah Code Annotated, 1953, I propose to make the following appointment:

1. **Walter T. Axelgard,** appointed as a member of the Utah Industrial Commission for a term expiring March 1, 1987. Section 35-1-1, UCA, 1953.

I respectfully request that the Senate take immediate action on the above appointment so that Mayor Axelgard will have the constitutional and legal authority to assume his duties should the Senate advise and consent in the affirmative.

Scott M. Matheson
Governor, State of Utah

On motion of Senator Cornaby, the Senate voted unanimously to advise and consent in the affirmative to the above listed appointments.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House has voted to return, as requested by the Senate, **H.B. No. 222,** RETIREMENT SYSTEM CONTRIBUTION, by Representative Gardner, for an amendment and a technical correction.

Allan M. Acomb, Chief Clerk

On motion of Senator Halverson and under suspension of the rules, the Senate voted to reconsider **H.B. No. 222** and place it at the top of Third Reading Calendar.

On motion of Senator Halverson, the Senate voted to strike the enacting clause of **H.B. No. 222,** and the bill was filed.

JOINT CONFERENCE COMMITTEE REPORT

(H.B. No. 203, Assumption of Real Estate Security Interests)

Mr. Speaker and Mr. President: March 12, 1981

Your Conference Committee, consisting of Senators Barlow, Bunnell and Jeffs, and Repre-

sentatives Fox, Harmer and Pace, to which was referred **Substitute H.B. No. 203,** ASSUMPTION OF REAL ESTATE SECURITY INTERESTS, by Representative Lorin N. Pace, et al, reports:

The committee reports to keep the House and Senate amendments with the following amendments:

Page 3, Line 33:
Delete *"owner occupied"*

Page 5, Line 33:
After ";" insert *"and"*

Representative Lorin N. Pace, House Chairman
Senator A. Dean Jeffs, Senate Chairman

On motion of Senator Sowards, the Senate voted to adopt the Joint Conference Committee report, and the bill passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Asay	Bunnell	Kimball	Snow
Bangerter	Carling	Money	Sowards
Barlow	Christensen	Peterson, C.	Swan
Bennett	Farley	Peterson, L.	Wayment
Black	Finlinson	Pugh	Mr. President (Ferry)
Bullen	Flamm	Sandberg	

Voting in the negative was: Senator
Jeffs

Absent and not voting were: Senators

Barton	Halverson	Jones	Matheson
Cornaby			

H.B. No. 203 was returned to the House.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 405,** APPROPRIATIONS ACT, by Representative Brockbank, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 405 was read the first time and on motion of Senator Pugh, the rules were suspended with no dissenting votes, and the bill was read the second and third time, placed on final passage, and passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sandberg
Bangerter	Cornaby	Kimball	Snow
Barlow	Farley	Matheson	Swan
Barton	Finlinson	Money	Wayment
Black	Flamm	Peterson, C.	Mr. President (Ferry)
Bullen	Halverson	Peterson, L.	
Carling	Jeffs	Pugh	

Voting in the negative was: Senator
Bennett

Absent and not voting were: Senators
Bunnell Sowards

H.B. No. 405 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

Mr. President: March 12, 1981

I am directed to request the Senate to return to the House of Representatives, **S.B. No. 306**, EXECUTIVE AND JUDICIAL SALARIES, by Senator Snow, for purposes of a technical correction.

Allan M. Acomb, Chief Clerk

S.B. No. 306 was returned to the House.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, the **House Second Substitute** to **S.B. No. 22,** GENERAL AND MUNICIPAL ELECTION LAW MODIFICATIONS, by Senator Finlinson, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Finlinson, the Senate voted to concur in the House amendments and the bill passed on the following roll call:

Yeas, 17; Nays, 11; Absent, 1

Voting in the affirmative were: Senators

Carling	Halverson	Peterson, C.	Snow
Christensen	Jeffs	Peterson, L.	Sowards
Cornaby	Jones	Pugh	Wayment

Finlinson	Matheson	Sandberg	Mr. President (Ferry)
Flamm			

Voting in the negative were: Senators

Bangerter	Bennett	Bunnell	Money
Barlow	Black	Farley	Swan
Barton	Bullen	Kimball	

Absent and not voting was: Senator
Asay

House Second Sub. S.B. No. 22 was transmitted to the House.

* * *

On motion of Senator Jones, the rules were suspended with no dissenting votes, and **H.B. No. 333**, CARE OF INDIGENT AMENDMENTS, was read the second and third times, placed on final passage, and the bill passed on the following roll call:

Yeas, 18; Nays, 8; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Finlinson	Matheson	Sowards
Bullen	Flamm	Money	Wayment
Carling	Halverson	Peterson, C.	Mr. President (Ferry)
Christensen	Jeffs	Pugh	
Cornaby	Jones	Snow	

Voting in the negative were: Senators

Barlow	Black	Farley (expln.)	Sandberg
Bennett	Bunnell	Kimball (expln.)	Swan

Absent and not voting were: Senators

Asay	Barton	Peterson, L.

H.B. No. 333 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Finlinson and under suspension of the rules, **H.B. No. 20**, BUDGETS OF JUDICIAL BRANCH, was lifted from Third Reading Table and passed on the following roll call:

Yeas, 24; Nays, 4, Absent, 1

Voting in the affirmative were: Senators

Bangerter	Christensen	Jeffs	Pugh
Barton	Cornaby	Jones	Sandberg
Black	Farley	Kimball	Snow

Bullen	Finlinson	Money	Sowards
Bunnell	Flamm	Peterson, C.	Swan
Carling	Halverson	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Barlow	Bennett	Matheson	Wayment

Absent and not voting was: Senator
Asay

H.B. No. 20 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, **S.B. No. 271,** STATE PERSONNEL MANAGEMENT ACT AMENDMENTS, by Senator Snow, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, the Senate voted to concur in the House amendments and the bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Kimball	Snow
Barton	Farley	Matheson	Sowards
Bennett	Finlinson	Money	Swan
Black	Flamm	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)
Bunnell	Jeffs	Pugh	

Absent and not voting were: Senators

Asay	Carling

S.B. No. 271 was transmitted to the House.

* * *

On motion of Senator Black, the rules were suspended with no dissenting votes, and **H.B. No. 267,** RESOURCE DEVELOPMENT COORDINATING COMMITTEE, was read the second and third times, placed on final passage, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Cornaby	Matheson	Sowards
Bangerter	Farley	Money	Swan
Barlow	Finlinson	Peterson, C.	Wayment
Barton	Flamm	Peterson, L.	Mr. President (Ferry)
Bennett	Halverson	Pugh	
Black	Jones	Sandberg	
Bunnell	Kimball	Snow	

Absent and not voting were: Senators

Bullen	Carling	Christensen	Jeffs

H.B. No. 267 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, **Substitute S.B. No. 301,** MATERIAL ON CABLE TELEVISION, by Senator Jones, et al, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Jones, the Senate voted to concur in the House amendments and the bill passed on the following roll call:

Yeas, 21; Nays, 5; Absent, 3

Voting in the affirmative were: Senators

Asay	Cornaby	Matheson	Sowards
Barlow	Finlinson	Money	Wayment
Barton	Flamm	Peterson, C.	Mr. President (Ferry)
Bennett	Halverson	Peterson, L.	
Bunnell	Jeffs	Pugh	
Christensen	Jones	Snow	

Voting in the negative were: Senators

Black	Kimball	Sandberg	Swan
Farley			

Absent and not voting were: Senators

Bangerter	Bullen	Carling

Sub. S.B. No. 301 was transmitted to the House.

* * *

On motion of Senator Bangerter, and under suspension of the rules, **H.B. No. 330**, RIGHTS OF DEAF AND BLIND PERSONS, was read the second and third times, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Pugh
Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Kimball	Snow
Barton	Farley	Matheson	Sowards
Bennett	Finlinson	Money	Swan
Black	Flamm	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)

Absent and not voting was: Senator
Carling

H.B. No. 330 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

On motion of Senator Sowards, the rules were suspended with no dissenting votes, and **Sub. H.B. No. 21**, FUEL CONSERVATION SPEED LIMIT, was read the second and third times and placed on final passage.

Mr. President: February 27, 1981

The Transportation and Public Safety Committee, to which was referred **Substitute H.B. No. 21**, FUEL CONSERVATION SPEED LIMIT, by Representative P. Lloyd Selleneit, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted and the bill passed on the following roll call:

Yeas, 21; Nays, 8; Absent, 0

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Snow
Bangerter	Christensen	Jones	Sowards
Barlow	Cornaby	Matheson	Wayment
Barton	Finlinson	Peterson, C.	
Black	Flamm	Peterson, L.	
Bullen	Halverson	Pugh	

Voting in the negative were: Senators

Bennett	Farley	Money	Swan

Bunnell	Kimball	Sandberg	Mr. President (Ferry)

Sub. H.B. No. 21 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day refused to recede from its amendments to **S.B. No. 152,** SUNSET ACT AMENDMENTS, by Senator Carling, et al, and has appointed a Conference Committee consisting of Representatives Harward, Hunter, and LeFevre, to act with a like Committee from the Senate on this bill.

Allan M. Acomb, Chief Clerk

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day adopted the Joint Conference Committee Report as of March 12, 1981, and passed **S.B. No. 152,** SUNSET ACT AMENDMENTS, by Senator Carling, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

JOINT CONFERENCE COMMITTEE REPORT

Mr. Speaker and Mr. President: March 12, 1981

Your Conference Committee, consisting of Senators Carling, Swan, and Cornaby, and Representatives Harward, Hunter and LeFevre to which was referred **S.B. No. 152,** SUNSET ACT AMENDMENTS, by Senator Carling, et al, begs leave to report as follows:

The House rescind from its amendments on Page 3, Line 6 removing the House amendment of July 1, 1983 and restore July 1, 1981.

Senator Richard J. Carling, Senate Chairman
Representative Merrill W. Harward, House Chairman

On motion of Senator Carling, the Senate voted to adopt the Joint Conference Committee Report and the bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Jones	Sandberg
Bangerter	Christensen	Kimball	Snow
Barlow	Cornaby	Matheson	Sowards
Bennett	Farley	Money	Swan
Black	Flamm	Peterson, C.	Wayment

Bullen	Halverson	Peterson, L.	Mr. President (Ferry)
Bunnell	Jeffs	Pugh	

Absent and not voting were: Senators

Barton	Finlinson

S.B. No. 152 was transmitted to the House.

* * *

Senator Barton's motion to consider **H.B. No. 102,** AUTOMOBILE INSPECTION REPEAL, failed.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day rejected the Joint Conference Committee Report as of March 12, 1981 on **H.B. No. 132,** UTAH STATE RETIREMENT OFFICE ACT AMENDMENT, by Representative Gardner, et al, and has this day appointed a Conference Committee consisting of Representatives Mecham, Gardner, and Smith to act with a like committee from the Senate on this bill.

Allan M. Acomb, Chief Clerk

* * *

Mr. President: March 10, 1981

This is to inform you that on March 9, 1981, Governor Scott M. Matheson did sign into law the following bills, which have been forwarded to the Lt. Governor's Office for filing.

H.B. No. 43	RESTITUTION BY CRIMINALS
H.B. No. 99	POLITICAL CONVENTION AMENDMENTS,
H.B. No. 101	GENERAL ASSISTANCE REVISIONS
H.B. No. 124	CONDUCT AND EXPENSE OF INSURANCE EXAMINATIONS

Allan M. Acomb, Chief Clerk

Communication filed.

* * *

Mr. President: March 12, 1981

I have been directed to request that the Senate return to the House **H.B. No. 216,** MEDICAL MALPRACTICES PROCEDURES, by Representative Richards for purposes of reconsideration.

Allan M. Acomb, Chief Clerk

H.B. No. 216 arrived in the Senate too late for official action to be taken and was returned to the House, for filing.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, **S.B. No. 103**, MAINTENANCE OF LEASED PREMISES, by Senator Barton, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

S.B. No. 103 was returned to the Senate after midnight. No action was taken to concur in the House amendments, and the bill was filed.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **S.B. No. 290**, SPECIAL SERVICE DISTRICT ACT AMENDMENTS, by Senator Matheson, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

S.B. No. 290 arrived in the Senate too late for official action. The bill was filed.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **S.B. No. 179**, WATER AND SEWER IMPROVEMENT DISTRICT AMENDMENTS, by Senator Barlow, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

S.B. No. 179 was amended in the House. The bill was received in the Senate as the Senate was adjourning. It was too late to concur in the House amendments and return the bill to the House for the Speaker's signature. The bill was filed.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day adopted the Joint Conference Committee Report as of March 12, 1981, and passed **S.B. No. 72**, WEIGHING OF MOTOR VEHICLES, by Senator Pugh, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

JOINT CONFERENCE COMMITTEE REPORT

(S.B. No. 72, Weighing of Motor Vehicles)

Mr. President and Mr. Speaker: March 12, 1981

Your Conference Committee, consisting of Senators Pugh, Bangerter, and Money and

Representatives Richards, Johnson, and Pace to which was referred **S.B. No. 72,** WEIGHING OF MOTOR VEHICLES, by Senator Pugh, begs leave to report as follows:

Page 1, Line 25:
Accept the House amendment.

Rep. LaMont Richards, Chairman House Committee
Senator Warren E. Pugh, Chairman Senate Committee

S.B. No. 72, with the Joint Conference Committee Report arrived in the Senate too late for official action. **S.B. No. 72** was filed.

* * *

On motion of Senator Halverson, the Senate voted to strike the enacting clause of all Senate and House bills and resolutions on the Second Reading Calendar, Second Reading Table, Third Reading Calendar, Third Reading Table, in Rules (Sifting) Committee and all bills and resolutions remaining in committee and tabled in committee. The motion carried.

COMMUNICATION FROM THE HOUSE

(House strikes enacting clause on Senate bills and resolutions)

Mr. President: March 12, 1981

I am directed to inform you that the House on this day struck the enacting clause on the following Senate Bills:

S.B. No. 10	HERITAGE TREES
S.B. No. 30	(**Sub.**) CONTINUING EDUCATION FOR PHARMACISTS
S.B. No. 41	UTAH SCHOOL IMMUNIZATION ACT
S.B. No. 44	AUTOMOBILE INSURANCE AMENDMENTS
S.B. No. 71	HIGHWAY DAMAGE ASSESSMENTS
S.B. No. 73	PUBLIC EMPLOYEES POLITICAL ACTIVITIES
S.B. No. 77	HEALTH MAINTENANCE ORGANIZATIONS AMENDMENTS
S.B. No. 83	(**Sub.**) MAIL ORDER SALES ACT
S.B. No. 96	NOTARY PUBLIC CHANGES
S.B. No. 104	SALES TAX ON HEARING AIDS
S.B. No. 118	INSURANCE INFORMATION AND PRIVACY PROTECTION ACT
S.B. No. 123	MX IMPACT PLANNING ACT
S.B. No. 127	KINDERGARTEN ENTRANCE DATE
S.B. No. 132	CRITICAL SCHOOL BUILDING PROJECTS
S.B. No. 135	COMPLIANCE WITH COUNTY PLANS
S.B. No. 137	(**Sub.**) UTAH ANTITRUST ACT AMENDMENTS
S.B. No. 149	(**2nd Sub.**) HUMANE TREATMENT OF ANIMALS
S.B. No. 155	(**3rd Sub.**) STANDARD STATE BUILDING CODES

S.B. No. 159	COUNTY SURVEYOR – COUNTY ENGINEER
S.B. No. 160	BURGLAR ALARM SECURITY CERTIFICATION ACT
S.B. No. 163	TRANSIT DISTRICT ESTABLISHMENT LIMITATIONS
S.B. No. 168	AUTO DEATHS-MEDICAL EXAMINER
S.B. No. 171	JUVENILE COURT JURISDICTION EXTENSION
S.B. No. 192	LIQUOR COMMISSION HEARING AND INVESTIGATION COSTS
S.B. No. 194	U.C.C.C. EXEMPTION PROVISIONS
S.B. No. 201	PHYSICAL THERAPY REGISTRATION AMENDMENTS
S.B. No. 204	ATHLETIC COMMISSION REORGANIZATION
S.B. No. 206	STATE AGENCIES' LAND LEASING
S.B. No. 207	STATE LAND SALES
S.B. No. 212	LIGHT BEER ADVERTISING
S.B. No. 214	COURT REPORTER ACT
S.B. No. 222	VEHICLE REGISTRATION FEE INCREASE
S.B. No. 228	(**Sub.**) BUSINESS ENTERPRISES FOR VISUALLY HANDICAPPED
S.B. No. 229	KILLING UNBORN CHILD
S.B. No. 239	(**Sub.**) TITLES OF VESSELS AND OUTBOARD MOTORS
S.B. No. 240	STATE BOARD OF EDUCATION PERSONNEL
S.B. No. 250	OCCUPATION TAX INCREASE
S.B. No. 256	COMPARATIVE NEGLIGENCE
S.B. No. 262	TRAMWAY REGISTRATIONS
S.B. No. 263	DISPOSITION OF RECEIPTS FROM SOVEREIGN LANDS
S.B. No. 281	SCHOOL AND PUBLIC EMPLOYEES' RETIREMENT BENEFITS
S.B. No. 282	JUNKYARD CONTROL ACT AMENDMENT
S.B. No. 284	INTERSTATE CORRECTIONS COMPACT AMENDMENTS
S.B. No. 294	WATER AND SEWAGE DISTRICT FEE DELINQUENCIES
S.B. No. 296	GROUNDWATER RECHARGE TEST APPROPRIATIONS
S.B. No. 299	UTAH UNIFORM PROBATE CODE AMENDMENTS
S.B. No. 300	REPEAL OF HIGHWAY PATROL MANPOWER STANDARD
S.B. No. 309	SCHOOL DISTRICT ALTERNATIVE LEVIES REPEAL
S.J.R. No. 1	TAX ARTICLE REVISION
S.J.R. No. 2	SCHOOL PROGRAM SUPPORT LIMITATION
S.J.R. No. 8	MANUEL A'RIVAS RESOLUTION

Allan M. Acomb, Chief Clerk

Communications filed.

HOUSE BILLS

(Senate struck enacting clause)

Mr. Speaker: March 12, 1981

I am directed to inform you that the Senate on this day struck the enacting clause on the following House Bills on the Second Reading Calendar:

H.B. No. 102	AUTOMOBILE INSPECTIONS REPEAL
H.B. No. 50	(**Sub.**) ANNEXATION POLICY DECLARATIONS
H.B. No. 5	(**Sub.**) AUDIT OF PUBLIC TRANSIT DISTRICTS
H.B. No. 245	FISCAL IMPACT ESTIMATES
H.B. No. 287	COUNTY FISCAL PROCEDURES
H.B. No. 207	MUNICIPAL FISCAL PROCEDURES
H.B. No. 25	STATE PAYMENT OF CLAIMS
H.B. No. 88	(**Sub.**) EXPEDITING CRIMINAL TRIALS
H.B. No. 188	PORNOGRAPHIC MATERIAL DISTRIBUTION PENALTY
H.B. No. 134	DIVORCE PAYMENTS AUTHORITY
H.B. No. 211	LAND SALES PRACTICES ACT EXEMPTION
H.B. No. 274	COMPLIANCE WITH COUNTY PLANS
H.B. No. 392	CRIMINAL POSSESSIONOF RENTED OR LEASED PROPERTY
H.B. No. 297	(**Sub.**) EQUIPPING AND OPERATING MINES
H.B. No. 235	DEPUTY SHERIFFS' PROBATIONARY PERIOD
H.B. No. 90	(**Sub.**) SOCIAL SERVICES PROVIDING
H.B. No. 117	JUVENILE COURT ACT AMENDMENTS
H.B. No. 179	UNAPPROPRIATED FEDERAL FUNDS REVIEW
H.B. No. 123	DEFENSE OF ENTRAPMENT STANDARD
H.B. No. 219	MUNICIPAL SERVICES FUNDS
H.B. No. 218	PROPERTY DESTRUCTION AMENDMENT
H.B. No. 266	ALTERNATIVE LEVEL BUDGETING
H.B. No. 309	FREEDOM OF MEDICATION
H.B. No. 310	FEDERAL PLANS IMPLEMENTATION REQUISITE
H.B. No. 328	FEDERAL PLANS IMPLEMENTATION APPROVAL
H.B. No. 346	TRANSIT DISTRICT PASSES FOR STUDENTS
H.B. No. 116	FOURTH AMENDMENT ENFORCEMENT ACT—1981
H.B. No. 272	SELF INSURANCE — WORKMEN'S COMPENSATION
H.B. No. 105	REMOVAL OF PUBLIC OFFICIALS
H.B. No. 303	(**Sub.**) MODIFICATIONS TO GOVERNMENTAL IMMUNITY ACT
H.B. No. 171	EXECUTION BY INJECTION

H.B. No. 156 ACCESS TO DEATH CERTIFICATES

The following bills were tabled on Second Reading Calendar:

H.B. No. 201 SCHOOL MILL LEVY ADJUSTMENT
H.B. No. 3 STATE MINERAL LANDS RENTALS AND ROYALTIES

I am directed to inform you that the Senate on this day struck the enacting clause on the following House Bills and Resolutions in Senate Standing Committees.

H.B. No. 12 (**Sub.**) SMALL CLAIMS COURT LIMITATION
H.B. No. 32 (**Sub.**) FAIR GASOLINE PRICING ACT
H.B. No. 34 (**Sub.**) RESTRICTION OF PUBLIC FINDS IN ELECTIONS
H.B. No. 37 PEACE OFFICERS TRAINING EXEMPTION
H.B. No. 60 (**3rd Sub.**) STATE AND LOCAL REVENUE AND APPROPRIATION LIMITATION
H.B. No. 63 RETIREMENT INCOME DEDUCTION INCREASES
H.B. No. 138 SUPPORTIVE PERSONNEL FOR PHARMACISTS
H.B. No. 159 (**Sub.**) SCHOOL BASIC TAX LEVY
H.B. No. 169 PRIVATE CONTRACTS BONDS
H.B. No. 193 BASIC LOCAL SCHOOL SALES AND USE TAX LAW
H.B. No. 194 LOCAL SALES TAX FOR MINIMUM SCHOOL PROGRAM
H.B. No. 195 REPEAL OF LOCAL OPTIONAL SALES TAX
H.B. No. 243 COST OF LIVING CHANGE AMENDMENTS
H.B. No. 250 FINANCIAL IMPACT OF REGULATIONS
H.B. No. 260 STATE HIRING MORATORIUM
H.B. No. 286 COMPULSORY ATTENDANCE AGE
H.B. No. 295 STATE TRAINING SCHOOL — COSTS RESPONSIBILITY
H.B. No. 305 ANTELOPE ISLAND CONDEMNATION
H.B. No. 325 LIMITATION ON LEGISLATION
H.B. No. 393 (**Sub.**) POPULATION AND PERSONAL INCOME FIGURES ADOPTION
H.J.R. No. 1 LEGISLATIVE JOURNAL CONTENTS
H.J.R. No. 12 DISABLED VETERANS' EXEMPTION
H.J.R. No. 28 PROVO BAY ACRETION RESOLUTION

Sophia C. Buckmiller, Secretary of the Senate

SENATE BILLS
(Senate struck enacting clause)

Mr. President: March 12, 1981

Your Sifting (Rules) Committee recommends that the enacting clause be stricken on the following Senate Bills and that they be filed:

S.B. No. 8 UTAH FOREIGN JUDGMENT ACT

S.B. No. 59	REVENUE AND APPROPRIATION LIMITATION AMENDMENTS
S.B. No. 62	(**Sub.**) SPOUSE ABUSE AMENDMENTS
S.B. No. 117	WATER CONDITION INSTALLERS REPEAL
S.B. No. 140	WASTEWATER TREATMENT FACILITIES FUND
S.B. No. 145	UTAH COMMUNITY FINANCE ACT
S.B. No. 150	ONE LICENSE PLATE
S.B. No. 158	CIRCUIT BREAKER MODIFICATIONS
S.B. No. 164	HEARING AID COMMITTEE
S.B. No. 198	COUNTY ORDINANCE COMPLIANCE
S.B. No. 218	TITLE INSURANCE RATES
S.B. No. 225	BIG GAME DAMAGE RESTRICTION
S.B. No. 230	SALARY SURVEY REQUISITES
S.B. No. 232	UTAH FIRE EMPLOYEE RELATIONS ACT
S.B. No. 233	RETIREMENT PROGRAMS FOR PERSONNEL OF HIGHER EDUCATION INSTITUTIONS
S.B. No. 236	FIRE EXTINGUISHER LIMITATIONS
S.B. No. 238	REVENUE STABLIZATION RESERVE FUND
S.B. No. 242	UNIFORM TRADE SECRETS ACT
S.B. No. 243	COLLECTION PRACTICES ACT
S.B. No. 251	COMMUNITY IMPACT ACCOUNT AMENDMENTS
S.B. No. 255	SCHOOL LUNCH FUNDING
S.B. No. 257	REASSESSMENT AND SCHOOL DISTRICT LEVIES
S.B. No. 264	BOAT OPERATOR'S LICENSURE
S.B. No. 265	BUSINESS REGULATION RESTRICTED REVENUE ACCOUNT
S.B. No. 266	INDUSTRIAL FACILITIES DEVELOPMENT ACT
S.B. No. 267	SUBDIVISION STANDARDS
S.B. No. 268	HOSPITAL STATEMENTS OF CHARGES
S.B. No. 270	URANIUM TAILINGS RESTRICTIONS
S.B. No. 275	BAIL FORFEITURES
S.B. No. 277	STATE LIQUOR STORES BEER SALES
S.B. No. 288	RETALIATION BY LANDLORDS
S.B. No. 289	UNFAIR TRADE PRACTICES AMENDMENTS
S.B. No. 291	ADMINISTRATIVE RULES – LEGISLATIVE OVERSIGHT
S.B. No. 292	MINIMUM BASIC SCHOOL DISTRICT TAX LEVY
S.J.R. No. 5	METRIC SYSTEM STUDY
S.J.R. No. 6	TRANSIT SYSTEMS STUDY RESOLUTION
S.J.R. No. 7	HOSPITAL NURSING PRACTICES STUDY
S.J.R. No. 3	PROPERTY TAX RELIEF STUDY

The following bills were tabled in committees and the enacting clause was stricken on each bill.

State and Local Affairs Committee

S.B. No. 24	REGISTRATION AGENTS AND ELECTION JUDGES
S.B. No. 35	WRITE-IN CANDIDATES
S.B. No. 37	INITIATIVE AND REFERENDUM PETITIONS
S.B. No. 46	RIGHTS OF OVERSEAS VOTERS
S.B. No. 47	RESIDENCY AND AGE REQUIREMENTS – ELECTIONS
S.B. No. 48	ELECTION MODIFICATIONS
S.B. No. 49	MILITARY VOTING PROCEDURES
S.B. No. 122	WATER CONSERVANCY DISTRICT OFFICERS
S.B. No. 193	CONDOMINIUM RECORDINGS

Social Services Committee

S.B. No. 34	RESIDENTIAL FACILITY ZONING LIMITATION
S.B. No. 259	NOISE EXPOSURE
S.B. No. 269	PRENATAL DIAGNOSIS FUNDING
S.B. No. 287	UTAH CHILDREN IN HOUSING

Revenue and Taxation Committee

S.B. No. 86	INCREASED RETIREMENT INCOME DEDUCTION
S.B. No. 154	PRIVILEGE TAX AMENDMENTS
S.B. No. 260	REASSESSMENT LIMITATIONS
S.B. No. 286	HOME IMPROVEMENTS TAX INCENTIVE

Business, Labor and Economic Development Committee

S.B. No. 1	CONDOMINIUM CONVERSION APPROVALS
S.B. No. 52	CHECK GUARANTEE CARDS
S.B. No. 111	LICENSURE OF HEARING AID SPECIALISTS
S.B. No. 174	TENANT-LANDLORD RELATIONSHIPS
S.B. No. 196	PROPERTY RIGHTS PROTECTION
S.B. No. 220	WORKMAN'S COMPENSATION – TIME LIMITATION AND DEFINITIONS
S.B. No. 227	APPRENTICESHIP COUNCIL CHARGES
S.B. No. 244	DIVISION OF EXPOSITIONS TRANSFER
S.B. No. 280	PROFESSIONAL CORPORATIONS – PSYCHOLOGISTS

Public Education Committee

S.B. No. 27	VOTED LEEWAY TERMINATION
S.B. No. 119	EDUCATION IMPASSE PROCEDURES
S.B. No. 190	SCHOOL BUILDING CONSTRUCTION REQUIREMENTS

Energy and Natural Resources Committee

S.B. No. 108	WATER RESOURCE PROJECTS
S.B. No. 186	WATER CONSERVANCY DISTRICT BOARDS

Higher Education Committee

S.B. No. 247	INSURANCE COVERAGE CHANGE

Judiciary Committee

S.B. No. 153	INDUSTRIAL COMMISSION MODIFICATIONS

Agriculture Committee

S.B. No. 60	BRUCELLOSIS VACCINATION REQUIREMENT
S.B. No. 195	OCCASIONAL SALES OF MOBILE HOMES SALES TAX EXEMPTION

The enacting clause should also be stricken on the following bills tabled on Second Reading Table.

S.B. No. 249	CERTIFIED LAY MIDWIFERY PRACTICE ACT
S.B. No. 253	MUNICIPAL GOVERNMENT
S.B. No. 217	OPTOMETRIC REFERALS MODIFICATION

Ronald T. Halverson, Rules Committee Chairman

Communication filed.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day adopted the Joint Conference Committee Report as of March 12, 1981, and passed **H.B. No. 203,** ASSUMPTION OF REAL ESTATE SECURITY INTERESTS, by Representative Pace, et al, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

H.B. No. 203 was signed by the President in open session of the Senate and returned to the House for further action.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day concurred in **H.B. No. 230,** MEDICAL EXAMINER'S FINDINGS, by Representative Taylor, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.B. No. 198,** EXCESS APPROPRIATION EXPENDI-

TURES, by Representative McAllister, et al, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

H.B. Nos. 230 and **198** were sig' 'd by the President in open session of the Senate and returned to the House for further action.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day rejected **S.B. No. 215,** RENEWABLE ENERGY USE, by Senator Farley, et al, and the same is returned herewith, and

I am directed to inform the Senate that the House of Representatives has this day rejected **S.B. No. 293,** STATE WATERFOWL STAMP, by Senator Barlow, and the same is returned herewith.

Allan M. Acomb, Chief Clerk

S.B. Nos. 215 and **293** were filed.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the Speaker has signed open session, **S.B. No. 80,** UTAH COSMETOLOGIST AND BARBER LICENSING ACT, by Senator Black, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 81,** SOCIAL WORK LICENSING AMENDMENTS, by Senator Christensen, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 82,** PSYCHOLOGISTS' LICENSING AMENDMENTS, by Senator Carling, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 84,** OSTEOPATHIC MEDICINE LICENSING ACT, by Senator Black, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 89,** OMBUDSMAN FOR INSTITUTIONALIZED ELDERLY, by Senator Carling,

which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 94,** NATUROPATHIC LICENSING AND REGULATION, by Senator Carling, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 95,** MEDICAL PRACTICES ACT REVISION, by Senator Carling, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 98,** HIGHWAY REVENUE AMENDMENTS, by Senator Sowards, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 100,** MARRIAGE AND FAMILY THERAPIST LICENSING, by Senator Carling, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **Substitute S.B. No. 131,** CHIROPRACTIC PRACTICE, by Senator Cornaby, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 148,** CONDEMNED PROPERTY USES, by Senator Peterson, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 151,** DIVISION OF REGISTRATION AMENDMENTS, by Senator Wayment, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 161,** DRINKING IN MOTOR VEHICLES, by Senator Jeffs, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 165,** RACKETEERING ENTERPRISE ACT, by Senator Jeffs, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 169,** COUNCIL ON SCIENCE AND TECHNOLOGY, by Senator Sowards, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 173,** DECEPTION DETECTION EXAMINERS, by Senator Carling, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 175,** INSURANCE GUARANTY ASSOCIATION AMENDMENTS, by Senator Flamm, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 177,** CAMPUS BUILDINGS ACT AMENDMENTS, by Senator Barlow, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 178,** UTAH COMMUNITY REDEVELOPMENT LAW AMENDMENTS, by Senator Barlow, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 180,** HOUSING AUTHORITY ACT AMENDMENTS, by Senator Barlow, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 181,** UTAH REFUNDING BOND ACT, by Senator Barlow, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 183,** INVESTMENT OF REDEMPTION FUND REPEAL, by Senator Barlow, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 185,** TAX EQUIVALENT PROPERTY, by Senator Sowards, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 184,** INDEBTEDNESS OF SCHOOL DISTRICT AMENDMENTS, by Senator Barlow, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 187,** WORKMEN'S COMPENSATION MODIFICATIONS, by Senator Cornaby, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 188,** POWERS OF CITIES AND TOWNS, by Senator Halverson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 189,** JUVENILES TRIED AS ADULTS, by Senator Barlow, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 209,** MANUFACTURED HOUSING AND RECREATIONAL VEHICLES STANDARDS, by Senator Bunnell, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 210,** PUBLIC ACCOUNTANTS LICENSING ACT, by Senator Sandberg, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 213,** SOLAR ENERGY UTILIZATION IN MUNICIPALITIES, by Senator Sowards, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 234,** SCHOOL DISTRICT BOUNDARY CHANGES, by Senator Bennett, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 245,** STANDARD VALUATION AND NONFORFEITURE LAW, by Senator Flamm, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 271,** STATE PERSONNEL ACT AMENDMENTS, by Senator Snow, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 272,** UTAH MUNICIPAL BUILDING AUTHORITY ACT, by Senator Cornaby, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 273,** STATE BUILDING OWNERSHIP AUTHORITY AMENDMENTS, by Senator Bullen, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 274,** PENSION DISTRIBUTIONS TAXING, by Senator Bullen, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 276,** SEXUAL EXPLOITATION OF MINORS, by Senator Wayment, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **Substitute S.B. No. 285,** PRIVATE CLUB NONPROFIT CORPORATION ACT, by Senator Jeffs, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **S.B. No. 304,** FUEL COST INCREASE — PUBLIC UTILITY RATES, by Senator Sowards, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 308,** SCHOOL FINANCE, by Senator Barlow, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.J.R. No. 9,** INTERIM STUDY ASSIGNMENTS, by Senator Halverson, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.C.R. No. 5,** ALCOHOL WARNING LABEL RESOLUTION, by Senator Jeffs, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day adopted the Joint Conference Committee Reports as of March 12, 1981, and passed **S.B. No. 254,** PROCUREMENT CODE AMENDMENTS, by Senator Snow, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. Nos. 80, 81, 82, 84, 89, 94, 95, 98, 100, 131, 148, 151, 161, 165, 169, 173, 175, 177, 178, 180, 181, 183, 185, 184, 187, 188, 189, 209, 210, 213, 234, 245, 271, 272, 273, 274, 276, 285, 304, 308, S.J.R. No. 9, S.C.R. No. 5 and **S.B. No. 254** were signed by the President on March 13, 1981, then referred to the Committee on Rules to be enrolled and transmitted to the Governor. **S.J.R. No. 9** was transmitted to the Lt. Governor.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the Speaker has signed in open session, **Sub. S.B. No. 202,** JOINT APPRENTICESHIP COMMITTEES, by Senator Christensen, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.C.R. No. 7,** AUTOMOBILE EMISSIONS AND CLEAN AIR DAY, by Senator Cornaby, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **House Second Substitute S.B. No. 22,** GENERAL AND MUNICIPAL ELECTION LAW MODIFICATIONS, by Senator Finlinson, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. No. 202, S.C.R. No. 7 and **S.B. No. 22** were signed by the President on March 13, 1981, then referred to the Committee on Rules to be enrolled and transmitted to the Governor.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day rejected **S.B. No. 67,** CORRUPT PRACTICES AMENDMENTS, by Senator Finlinson, and same is returned herewith, and

I am directed to inform the Senate that the House of Representatives has this day rejected **S.B. No. 306,** EXECUTIVE AND JUDICIAL SALARIES, by Senator Snow, et al, and the same is returned herewith, and

I am directed to inform the Senate that the House of Representatives has this day rejected **S.B. No. 124,** WINTER RECREATIONAL PARKING, by Senator Farley, et al, and the same is returned herewith.

Allan M. Acomb, Chief Clerk

S.B. Nos. 67, 306 and **124** were filed.

* * *

Mr. President: March 10, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **Substitute S.B. No. 29,** STATE BUILDING BOARD POWERS, by Senator Halverson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

Mr. President: March 12, 1981

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 298,** PEACE OFFICER CLASSIFICATIONS, by Senator Sowards, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.B. No. 251,** ELECTRICIAN AND PLUMBING APPRENTICE CHANGES, by Representative Myers, et al, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. No. 29 was signed by the President on March 12, 1981; **S.B. No. 298** was signed by the President on March 13, 1981, then referred to the Committee on Rules to be enrolled and transmitted to the Governor. **H.B. No. 251** was signed by the President on March 12, 1981 and returned to the House for further action.

* * *

Mr. President: March 13, 1981

I am directed to inform the Senate that the Speaker of the House of Representatives signed **S.B. No. 152,** SUNSET ACT AMENDMENTS, by Senator Carling, on the 13th day of March 1981, and the fact of such signing duly entered upon the Journal as of the same date. The bill is returned herewith for the signature of the President of the Senate.

Allan M. Acomb, Chief Clerk

S.B. No. 152 was signed by the President on March 13, 1981, then referred to the Committee on Rules to be enrolled and transmitted to the Governor.

* * *

Mr. President: March 12, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate, **S.B. No. 307,** SUPPLEMENTAL APPROPRIATIONS ACT, BY Senator Pugh, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Mr. President: March 13, 1981

I am directed to inform the Senate that the Speaker of the House of Representatives signed **S.B. No. 301,** MATERIAL ON CABLE TELEVISION, by Senator Jones, on the 13th day of March 1981, and the fact of such signing duly entered upon the Journal as of the same date. The bill is returned herewith for the signature of the President of the Senate.

Allan M. Acomb, Chief Clerk

S.B. No. 307 was signed by the President on March 12, 1981 and **S.B. No. 301** was signed by the President on March 13, 1981, then referred to the Committee on Rules to be enrolled and transmitted to the Governor.

Mr. President: January 27, 1981

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 38,** ELECTION REGISTRATION AMENDMENTS, by Senator Finlinson, et al, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. No. 38 was signed by the President in open session of the Senate, then referred to the Committee on Rules to be enrolled and transmitted to the Governor.

It was 12:00 (midnight), and the official business of the Senate concluded.

PRESENTATION OF RESOLUTIONS

On motion of Senator Jeffs, the Senate voted to allow introduction of the following Senate Resolution:

MAJOR JACKSON R. HOWARD RESOLUTION

S.R. No. 1 A. Dean Jeffs

A JOINT RESOLUTION OF THE GENERAL SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH EXPRESSING CONDOLENCES TO THE FAMILY OF MAJOR JACKSON R. HOWARD.

S.R. No. 1 was read the first time. On motion of Senator Jeffs, and under suspension of the rules, the resolution was read the second and third times, and passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Pugh
Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Kimball	Snow
Barton	Farley	Matheson	Sowards
Bennett	Finlinson	Money	Swan
Black	Flamm	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)
Bunnell			

S.R. No. 1 was signed by the President, then referred to the Committee on Rules to be enrolled and filed.

* * *

On motion of Senator Flamm, the Senate voted to allow introduction of the following Senate Resolution:

TAX FREE BONDS FOR HOME CONSTRUCTION

S.R. No. 2 Senators Flamm, Jeffs, Pugh, Asay

A RESOLUTION OF THE SENATE OF THE GENERAL SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH RELATING TO THE AVAILABILITY OF MONEY FOR CONSTRUCTION OR PURCHASE OF HOMES; URGING THE CONGRESS OF THE UNITED STATES TO PASS A BILL PROVIDING FOR THE ISSUANCE OF TAX FREE BONDS TO RAISE LOAN MONEY FOR HOME CONSTRUCTION AND PURCHASE.

S.R. No. 2 was read the first time. On motion of Senator Flamm, and under suspension of the rules, the resolution was read the second and third times, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Snow
Bangerter	Christensen	Kimball	Sowards
Barlow	Cornaby	Matheson	Swan
Bennett	Farley	Money	Wayment
Black	Finlinson	Peterson, C.	Mr. President (Ferry)
Bullen	Flamm	Peterson, L.	
Bunnell	Halverson	Sandberg	

Absent and not voting were: Senators

Barton	Jones	Pugh

S.R. No. 2 was signed by the President, then referred to the Committee on Rules to be enrolled and filed.

* *

On motion of Senator Kimball, the Senate voted to allow introduction of the following Senate Resolution:

RIGHT TO QUALITY LIFE RESOLUTION

S.R. No. 3 Arthur L. Kimball

A RESOLUTION OF THE SENATE OF THE 44TH LEGISLATURE OF THE STATE OF UTAH DIRECTING THE LEGISLATIVE MANAGEMENT COMMITTEE TO ASSIGN TO AN APPROPRIATE INTERIM STUDY COMMITTEE THE RESPONSIBILITY TO STUDY AND REPORT TO THE GENERAL SESSION OF THE 45TH LEGISLATURE OF THE STATE OF UTAH THE ADVISABILITY AND FEASIBILITY OF LEGALIZING AND REGULATING ADULTHOOD IN THE STATE, THE IMPOSITION OF A STATE FOUNDLING SUSTENANCE LEVY, AND THE USE OF THE FUNDS DERIVED FROM SUCH LEVY.

S.R. No. 3 was read the first time. On motion of Senator Kimball, and under suspension of the rules, the resolution was read the second and third time, and failed on the following roll call:

Yeas, 11; Nays, 16; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Bennett	Jones	Pugh
Barlow	Farley	Kimball	Swan
Barton	Flamm	Peterson, L.	

Voting in the negative were: Senators

Asay	Carling	Jeffs (exln.)	Snow
Black	Christensen	Matheson	Sowards
Bullen	Cornaby	Money	Wayment
Bunnell	Finlinson	Peterson, C.	Mr. President (Ferry)

Absent and not voting were: Senators

Halverson	Sandberg

S.R. No. 3 was filed.

COMMITTEE TO READ, REVISE AND CERTIFY THE SENATE JOURNAL

At the direction of President Ferry, Sophia C. Buckmiller and Joan B. Thomas are to read

and make minor corrections to the Daily Journals and be responsible for certifying the indexed and bound copies as the full, true and accurate record of the proceedings of the 1981 General Session of the Forty-fourth Legislature.

Senator Bangerter expressed, on behalf of the Senators and the staff, appreciation for the minority leadership, Senator Black and Senator Swan.

Senator Black noted that the majority leaders *"have tried on every occasion to be fair and to keep us informed of leadership decisions. We appreciate them and feel they have been great to work with."*

Senator Snow expressed thanks to the interns who served each legislator throughout the session. *"... they have done an absolutely superb job, and we appreciate their support."*

Senator Asay, Chairman of the Employee and Patronage Committee, asked that all Senate Employees stand and receive the thanks of the Senators. Senator Asay also thanked all the employees serving the Legislature in the Office of Legislative Research, General Counsel, Fiscal Analyst and Auditor General.

President Ferry expressed warm appreciation to Senator Warren Pugh for his service as Appropriations Chairman. Senator Halverson was thanked for the skill and excellence he exhibited as Rules Committee Chairman and Senator Sandberg for serving so well as Speaker of the Third House. President Ferry said, *"We didn't have many problems — a few minor ones, but it is a lot of hard work. I appreciate all the help I have received from the employees and from both sides of the aisle. I want to particularly thank those in the circle. They have so much to do and they really do a good job. We really appreciate them and the rest of our employees."*

Senator Swan acknowledged the respect that *"we on the minority side, have for the appropriations executive committee leadership. I think Senator Pugh and Representative Brockbank, although they didn't let the Democrats win any issues, treated us with the greatest courtesy and exhibited a great deal of patience. We knew where the votes were and we knew what the results would be — but we had to make our point — and we appreciate your patience. Thank you."*

President Ferry appointed Senators Sandberg, Bunnell and Christensen to act with a like committee from the House of Representatives to wait upon the Governor and to ascertain whether he has any further business to bring before the Legislature.

A Committee from the House of Representatives comprised of Representatives Rector, Neilson and Dahl notified the Senate that the House had concluded business and was ready to adjourn sine die.

President Ferry appointed Senators Carling, Bennett and Sowards to notify the House of Representatives that the Senate has concluded its business and is now ready to adjourn sine die.

Senator Carling notified members of the Senate that the House of Representatives has been notified that the business of the Senate has concluded and the Senate is ready to adjourn sine die.

Senator Sandberg reported that his committee, with a like committee from the House of Representatives, had notified the Governor. The Governor requested that the committee convey to their respective houses that he has no further business to bring before the Legislature. He did state that he would like to speak before each House before adjournment sine die.

The Honorable Scott M. Matheson, *Governor, State of Utah, briefly addressed the Senate.*

Senator Snow stated *"As we come to the close of the 60 day session in which we have worked together, hopefully in the best interest of the state, and while we have had disagreements between the parties and within our own party, I think that we recognize that this is part of the process in which we make an effort to determine the public interest. For the most part we have collectively acted fairly, justly and disinterestedly in an effort to budget for the State of Utah and to plan for the future as we know that we are going to grow. I want to offer appreciation personally for the support given me by members of the other side of the aisle and by members of my own party. I would especially like to recognize the support I have received from Senator Finlinson, who held this position before me, and has given me a lot of good advice. Mr. President, I would move that we adjourn sine die."*

On motion of President Snow, the Senate voted to adjourn sine die.

BENEDICTION

Senator E. Verl Asay

"OUR HEAVENLY FATHER, how grateful we are for the opportunity to live in America, a land of such great promise, and particularly for the privilege that we have had to participate in the great legislative process of one of its states — the sovereign State of Utah. OUR FATHER, we are grateful for the opportunity we have had of working together these past sixty days.

WE HUMBLY PRAY as we now return to our homes, to our families and our jobs, may we do so with a feeling that we have contributed to the betterment of this state and that the people will be better off because we have met. WE PRAY, particularly now, for those who have the great responsibility of enforcing these laws, that they may govern fairly, that the people will not feel oppressed, and that we may maintain the freedom of America and the liberty we enjoy.

WE ARE GRATEFUL for our president and for his fairness in presiding over us while in session, and for our leaders who have been so diligent in meeting their responsiblities. We are grateful for the other house, and for the cooperation we have felt in working together and accomplishing the purpose for which we have met.

We are particularly grateful, OUR FATHER, for members of our staff. We do remember before thee, Sophia, for her untiring effort to make sure that everything is in order to accomplish the many tasks and responsibilities that are part of the record keeping... and for Joan, for her untiring effort in keeping the minutes... and for Shauna, for the many, many times she has called the roll and kept the bills in order. And for all the staff, and others, who have been so faithful in making this, the 44th Legislature, a success. May we return to our homes in peace and safety. We ask thy benediction now upon this meeting and we do so in the name of Jesus Christ. Amen."

VETO MESSAGE
S.B. No. 78, MOTION PICTURE FILMS AS INVENTORY

Dear Governor Matheson: March 3, 1981

Pursuant to your request, we have reviewed **S.B. No. 78** for constitutionality.

S.B. 78 presents a constitutional problem. Article XIII, Section 2, of the Utah Constitution provides that all tangible property shall be taxed in proportion to its value, except for a number of exemptions that are enumerated in the section. One of these exemptions reads as follows:

> ... tangible personal property present in Utah on January 1, m., held for *sale* in the ordinary course of business and which constitutes the inventory of any retailer, or wholesaler or manufacturer or farmer, or livestock raiser may be deemed for purposes of ad valorem property taxation to be exempted. . . . (emphasis added.)

Section 2 is implemented by Section 59-2-25, U.C.A. 1953, which defines "inventory." **S.B. 78 amends Section 59-2-25 by adding the sentence: "Inventory" includes motion picture films** and video tapes held for *rent, distribution* or sale. Thus, the question is, do the words "rent" and "distribution" go beyond the constitutional provision that personal property held for "sale" may be deemed exempt from ad valorem taxation?

Exemptions from taxation provided for in a Constitution are to be strictly construed. The rule was stated by the Utah Supreme Court in *State v. Salt Lake County*, 85 P.2d 851, as follows:

> The presumption is that all exemptions intended to be granted were granted in express terms. In such cases the rule of strict construction applies, and, in order to relieve any species of property from its due and just proportion of the burdens of the government, the language relied on as creating the exemption should be so clear as not to admit of reasonable controversy about its meaning, for all doubts must be resolved against the exemption.

In *Salt Lake City v. Tax Comm'n, Ex Rel. Good Shephard*, 548 P.2d 630, the Utah Supreme Court held that a parsonage which was used by the pastor of the church, and which was used for some church functions, could not be classified as being "used exclusively for . . . religious worship," within the meaning of the exempting provision of the State Constitution, and thus was subject to ad valorem taxation by the county. In so holding, the court said:

> Counsel invites our attention to the provisions of Section 59-2-30 and 31, U.C.A. 1953, which seem to expand exemption spelled out in the Constitution above referred to by adding "incidental to and reasonably necessary for the accomplishment of such religious worship or charitable purposes." It is beyond the constitutional powers of the legislature to amend or to modify the provisions of the Constitution. It appears to us that the problem here involved is one of interpretation rather than implementation.

It is my opinion that **S.B. 78** is unconstitutional in that it amends and enlarges the exemption in Article XIII, Section 2, of the Constitution. Property held in the inventory of a business for "rent" is held for an entirely different transaction than property held for "sale" and would greatly enlarge the constitutional exemption which is clearly limited to property "held for sale in the ordinary course of business."

A further constitutional question raised by **S.B. 78** is whether it violates the equal protection of the law provisions of Utah and United States Constitutions in that on the face of it there appears to be no rational or justifiable basis for exempting motion picture films and video tapes for rent from ad valorem taxation and not exempting the inventory held for rent of others similarly situated. I don't think that we can say that **S.B. 78** is clearly unconstitutional on this ground because there may be some plausible arguments that could be made to the effect that there is a rational basis for exempting this particular type of property, but the bill does present a constitutional problem on this point.

H. Wright Volker,
Assistant Attorney General

pg - 1028

Pg. 1029

STATE OF UTAH

SENATE JOURNAL

FIRST VETO OVERRIDE SESSION OF THE FORTY-FOURTH LEGISLATURE

May 5, 1981

CERTIFICATION

The undersigned, as the duly appointed committee on revision of the Senate Journal for the First Veto Override Session of the Forty-Fourth Legislature of the State of Utah, do hereby certify that herein contained is a full, true and accurate record of the proceedings of the First Veto Override Session convening Tuesday, May 5, 1981 at 1:00 p.m. and adjourning sine die at 4:30 p.m.

Sophia C. Buckmiller
Secretary of the Senate

Joan B. Thomas
Senate Minute Clerk

STATE OF UTAH
SENATE JOURNAL
FIRST VETO OVERRIDE SESSION
of the
FORTY-FOURTH LEGISLATURE
May 5, 1981

Senate Chamber
State Capitol
Salt Lake City, Utah

Pursuant to the provisions of the Constitution of the State of Utah, the Senators of the Forty-Fourth Legislature of the State of Utah convened the Veto Override Session in the Senate Chamber at 1:00 p.m.

The Senate was called to order by President Miles 'Cap' Ferry.

Prayer — Senator Ronald T. Halverson (Weber, Dist. 18)

Sophia C. Buckmiller, Secretary of the Senate, read the following Certification and Membership of the 1981 Veto Override Session of the Utah State Senate.

CERTIFICATION

I, DAVID S. MONSON, Lieutenant Governor of the State of Utah, do hereby certify that in accordance with Article VII, Section 8, of the Constitution of the State of Utah, documents have been filed in my office by the Presiding Officers of the House of Representatives and the Senate of the Utah State Legislature, indicating that at least two-thirds of the membership of each House approve the convening of a Legislative Veto Override Session to consider the bills and items of appropriation passed by the 1981 Legislature, meeting in General Session, which were subsequently disapproved by Governor Scott M. Matheson after the adjournment sine die of said Legislative Session.

I further certify that the membership of the Utah State Senate has not changed from that of the 1981 General Session of the Utah State Legislature.

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, this 30th day of April, 1981.

David S. Monson, Lieutenant Governor

Roll Call — All senators present except Senator Barlow (excused).

Officers — Senator Snow moved that the President of the Senate and the Officers of the Senate for the 1981 First Veto Override Session be the same as for the General Session. The motion carried.

Senate Rules — Senator Halverson moved that the Senate Rules of the General Session of the Forty-Fourth Legislature be adopted as the Senate Rules for the 1981 Veto Override Session. The motion carried.

Joint Rules — Senator Halverscn moved that the Joint Rules of the General Session of the Forty-Fourth Legislature be adopted as the Joint Rules of the 1981 Veto Override Session. The motion carried.

Senator Snow moved that the President appoint a committee to notify the House of Representatives that the Senate is duly organized and ready to do business. The motion carried.

President Ferry appointed Senators Cornaby, Asay and Money to notify the House of Representatives that the Senate is duly organized and ready to do business and also to notify the Governor that the Senate is convened in the First Veto Override Session.

Committee to Read and Revise the Daily Journal — President Ferry appointed Senators L. Peterson, C. Peterson and Bennett as a committee to read and revise the Daily Journal for the 1981 Veto Override Session.

A committee from the House of Representatives comprised of Representatives Harmer, Redd and Johnson appeared before the Senate and reported that the House is organized and ready to do business.

COMMUNICATION FROM LIEUTENANT GOVERNOR

Dear President Ferry: April 30, 1981

Inasmuch as the respective presiding officers of the Utah State Senate and the Utah House of Representatives have called the Utah State Legislature into a Legislative Veto Override Session to convene at 1:00 p.m. on Tuesday, May 5, 1981 to consider overriding the disapproval by Governor Scott M. Matheson of certain bills or items of appropriation passed by the Legislature during its General Session of the 44th Legislature, which adjourned on March 12, 1981, but which were disapproved after the adjournment of the Legislature, we enclose herewith the following bills for consideration by the Legislative Veto Override Session, together with original veto letters:

S.B. No. 29	STATE BUILDING BOARD POWERS
S.B. No. 129	IN LIEU PAYMENTS TO LOCAL SUBDIVISIONS
S.B. No. 188	POWERS OF CITIES AND TOWNS
S.B. No. 297	PROPERTY TRANSFER TO WEBER STATE
S.B. No. 307	SUPPLEMENTAL APPROPRIATIONS ACT
	(Line item veto regarding intent statement about purchase of

Board of Education Administration Building and Social Services Administration Building)

David S. Monson, Lieutenant Governor

Received by Sophia C. Buckmiller, April 31, 1981. Communication filed.

Senator Snow moved that, under suspension of the rules, the reading of the following bills and accompanying veto messages be suspended and further that **S.B. Nos. 29, 129, 188, 297** and **307** be placed on Third Reading Calendar for reconsideration. The motion further directs that the veto messages be printed in the Senate Journal. The motion carried.

VETO MESSAGES

S.B. No. 29, STATE BUILDING BOARD POWERS

Dear Lt. Governor Monson: March 24, 1981

I have found it necessary to disapprove **S.B. No. 29,** STATE BUILDING BOARD POWERS, as there is a conflict between **S.B. No. 191** and **S.B. No. 29, S.B. No. 29** amends Section 63-10-10, Utah Code Annotated, 1953, while **S.B. No. 191** repeals Chapter 10 Title 63 in its entirety. It is my intention to sign **S.B. No. 191.** Additionally, Senate Majority Leader Karl Snow has requested the disapproval, not on the bill's merits but due to this conflict.

Scott M. Matheson, Governor, State of Utah

S.B. No. 129, IN-LIEU PAYMENTS TO LOCAL SUBDIVISIONS

Dear Lt. Governor Monson: March 27, 1981

Today, I am disapproving **Senate Bill No. 129,** IN LIEU PAYMENTS TO LOCAL SUBDIVISIONS. The bill amends Chapter 11, Title 65, Utah Code Ann. (1953), commonly referred to as the Sagebrush Rebellion bill. **Senate Bill No. 129** would amend that chapter to provide for state in lieu payments to the counties which now recieve payments from the federal government under Public Law 94-565 (90 Stat. 2662).

The language of the bill and its placement in the "Sagebrush Rebellion" title imply that state in lieu payments would be triggered by a total transfer of public lands to state ownership. Those payments would prevent a drastic revenue reduction to county governments and would ease the ownership transition. This concept has considerable merit and I would likely support such a policy. Unfortunately, the language of **Senate Bill No. 129** is imprecise and does not limit its applicability to the "Sagebrush Rebellion" circumstances, and creates several unanticipated problems which force my disapproval.

The basic administrative confusion that might arise from the bill is in determining whether it applies to all "claims of the federal government to public lands located within the state," as the bill provides, or whether it merely applies to any part of the public domain acquired pursuant to

a legal action brought under Chapter 11 of Title 65 or to any part of the public domain acquired under an as yet unenacted federal statute transferring the ownership of public lands to the states.

As noted above, the latter interpretation causes no immediate problems, but if the former interpretation were to be applied, which is the literal wording of the bill, there would be enormous confusion. The entire school land grant to the State of Utah is a process whereby claims of the federal government are extinguished through and pursuant to acts of Congress.

Furthermore, if the bill is construed as applying to all school land grant lands, our ability to generate revenue for the permanent school trust fund, as directed by the Enabling Act, would be limited. The statute may also be interpreted to apply to all federal claims in lands that are adjudicated to be owned by the State of Utah, such as the bed of the Great Salt Lake, which Utah already has won, and the bed of Utah Lake, which is now in litigation, and which might be compromised and settled through judicial decree. It is my impression that the Legislature enacted this statute to address a potential problem of the future, not to disrupt current land acquisition processes.

Finally, I must express some concern over the fiscal impacts of the bill. The bill may bind future Legislatures to significant outlays yet no revenue sources are identified. This is not consistent with our mutual efforts toward fiscal restraint and budget planning. If the statute is applied to limited exchanges or selections, the State would incur new liabilities without any net increase in land resources.

I am not rejecting the concept of state in lieu payments. If the type of land transfer envisioned by this legislation becomes a reality we should work together to address this problem and design a solution. All this time, however, I cannot approve the language of **Senate Bill No. 129.**

Scott M. Matheson, Governor, State of Utah

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S.B. No. 188, POWERS OF CITIES AND TOWNS

Dear Mr. Monson: March 31, 1981

I am returning, disapproved, **S.B. No. 188,** POWERS OF CITIES AND TOWNS, for reasons of constitutionality.

I am attaching the Attorney General's opinion for your information.

Scott M. Matheson, Governor, State of Utah

Dear Governor Matheson: March 31, 1981

Pursuant to your request, we have reviewed **S.B. No. 188** for constitutionality.

S.B. No. 188 adds §§ (2) and (3) to § 10-8-14. Section (2) prohibits cities from condemning any property of an electric utility if such property is located beyond the city limits and is not to be used by the city for municipal purposes within the city limits. The possible controversy is

whether this contradicts the cities' power to condemn utility property within or without its boundaries granted by Article XI, § 5(b) of the State Constitution. There is an exception to this power which says the power is "subject to restrictions imposed by law for the protection of other communities." Since it can be logically argued that the Bill, which restricts the community's power of eminent domain outside of its corporate boundaries, may provide "protection" for other communities, there is no clear violation of Article XI, § 5(b) of the Utah Constitution.

The more important issue is whether there is pre-emption and that the Bill is in violation of the Supremacy Clause of the U.S. Constitution. Given the fact that pre-emption issues are seldom simple to resolve, and given the time constraints which have prevented as detailed an analysis of relevant case law as we would have preferred, we have concluded that **S.B. No. 188** is pre-empted by Part I of the Federal Power Act, 15 U.S.C.S., § 791, et seg.

A number of cases have articulated the applicable test for the determination of pre-emption. An early such case, although still a leading case, is *Savage v. Jones*, 225 U.S. 533 (1912). There the U.S. Supreme Court stated:

> The test is not whether a state law happens to block action which a Federal agency may chance to approve. Instead, it is whether the state law frustrates the operation of the Federal law, prevents accomplishment of its purpose, refuses to give its provisions their natural effect.

The purpose of the provisions of the Federal Power Act in question is to provide for the regulation and licensing of hydro-electric power projects. The Act specifically gives a preference in the granting of licenses and the acquiring of expired licenses to states and municipalities. See 16 U.S.C.S., § 800.

Where a new licensee acquires an expired license, the new licensee must compensate the previous holder for the project works. Specifically, they must compensate the old licensee for the "net investment" in the project taken, not to exceed the fair value of the property taken, plus reasonable damages. Also, the Act provides that the net investment and the amount of damages "shall be determined by the Commission [FERC]."

The effect of **S.B. No. 188** is to make it extremely difficult or even financially prohibitive for a municipality to acquire the hydro-electric project of an expired licensee. This is accomplished by requiring the new licensee municipality to compensate the utility for the lost capacity, the cost of replacement fuel during the period of the license and the cost of other facilities acquired.

In addition, the method of determining compensation and damages for the taking of the property is expressly set forth in the Federal Act, and the FERC is the body given authority to determine the amount of compensation and damages, pursuant to the statutory method. Because **S.B. No. 188** contains a differing method of compensating a prior licensee for the property taken, and attempts to take away from the FERC the authority to make the determination of the amount of compensation and damages, the operation of the Federal Law is frustrated and its provisions are prevented from having their natural effect. For a leading case applying the principle of pre-emption where Part I of the Federal Power Act was involved, see *First Iowa Hydro-Electric Cooperative v. FPC*, 328 U.S. 152 (1945).

Because we have concluded that pre-emption exists, it is our opinion that **S.B. No. 188** is unconstitutional, being in violation of the Supremacy Clause of the U.S. Constitution.

H. Wright Volker, Assistant Attorney General

S.B. No. 297, PROPERTY TRANSFER TO WEBER STATE

Dear Mr. Monson: March 30, 1981

I am returning disapproved, **S.B. No. 297,** PROPERTY TRANSFER TO WEBER STATE, for reasons of constitutionality.

A copy of the Attorney General's opinion is attached.

Scott M. Matheson, Governor, State of Utah

Dear Governor Matheson: March 25, 1981

Pursuant to your request, we have received **S.B. No. 297** for constitutionality.

It is our opinion that **S.B. No. 297** is unconstitutional in that it violates Article XIII, Section 13, of the Constitution. Attached is a memorandum from Stephen Sorenson of our office which explains the reason for our conclusion.

H. Wright Volker, Assistant Attorney General

To: H. Wright Volker, Assistant Attorney General: March 20, 1981

Paul Tinker suggested that I give you a brief memo regarding **Senate Bill 297** which was passed by both houses of the Utah Legislature this past session. It would appear that the bill have some constitutional difficulty. The bill, of which I have attached a copy, provides for the transfer of a parcel of vacant property presently owned by the Utah Department of Transportation to Weber State College. It provides that the parcel may be used by the College for any of the College's purposes, and makes no provisions for any compensation to be paid by the College to the Department.

Article XIII, Section 13, of the Utah Constitution provides that the proceeds from any tax or charge related to the operation of a motor vehicle and from any gasoline or motor fuel tax are to be used exclusively for the construction, improvement, and maintenance of highways and necessary administrative costs; and administration of a driver education program; the enforcement of state motor vehicle and traffic laws; and tourist and publicity expense. Since the real property which is the subject of **Senate Bill 297** was purchased with monies from the transportation fund, it would appear that an appropriate reimbursement should be made to the transportation fund before the property could be transferred to other state agencies for non-transportation purposes. Otherwise, an expenditure would have been made from the transportation fund for purposes of assisting one of the state's institutions of higher education, and such an expenditure would seem to run afoul of Article XIII, Section 13.

I hope this is of some assistance, and trust you will call me if further questions remain.

Stephen J. Sorenson, Assistant Attorney General

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S.B. No. 307, SUPPLEMENTAL APPROPRIATION ACT

Dear Governor Matheson: March 28, 1981

Pursuant to your request, I have reviewed **S.B. No. 307** for constitutionality, and it is my opinion that the bill does not present any constitutional problems.

H. Wright Volker, Assistant Attorney General

Dear Lt. Governor Monson: March 30, 1981

I am today signing **Senate Bill No. 307,** SUPPLEMENTAL APPROPRIATION ACT, for fiscal year 1980-81; however, I'd like to take note of a specific legislative intent statement that goes beyond the proper exercise of legislative authority.

Item 47 appropriates no money, but provides intent language to the Building Board regarding negotiations on the purchase-option of the Board of Education Administration Building and the Social Services Administration Building. In itself, I do not object to this requisite and the Building Board will carry out that mandate.

The second sentence of the intent statement requires the purchase price "to be submitted to the Legislature during the Special Session to be called during FY 1981 for reapportionment." Article XII, Section 6 of the State Constitution allows the Governor to call the Legislature into sessions "on extraordinary occasions." It further states that only the Governor shall state the purpose of the session and the Legislature "shall transact no legislative business except that for which it was especially convened, . . . "

The Legislature cannot compel the Building Board to submit anything to the Legislature unless the Governor specifically places it on the agenda. Further, although I may call a Special Session on reapportionment, that is the final prerogative of the Govenor.

Scott M. Matheson, Governor, State of Utah

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On motion of Senator Snow, the Senate voted to place **S.B. Nos. 29, 129, 188, 297** and **307** on Third Reading Table.

The Senate sauntered at 1:25 p.m. The Senate reassembled at 2:15 p.m.

COMMUNICATIONS FROM THE HOUSE

Mr. President: May 5, 1981

I am directed to inform the Senate that on the 31st day of March the Governor did veto a line

item appropriation of **H.B. No. 144,** AIR CONDITIONING SCHOOL BUILDINGS, by Rep. Garff, and the House of Representatives, upon reconsideration of **H.B. No. 144,** by a vote of 58 ayes, 16 nays, and 1 absent, overrode the Governor's veto, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, the Senate voted to place **H.B. No. 144** at the top of Third Reading Calendar for reconsideration. Senators Snow, Pugh, Bunnell, Black and Swan commented. The Senate voted to override the Governor's veto on the following roll call:

Yeas, 21, Nays, 7; Absent 1

Voting in the affirmative were: Senators

Asay	Cornaby	Jones	Sandberg
Bangerter	Finlinson	Matheson	Snow
Barton	Flamm	Peterson, C.	Sowards
Bullen	Halverson	Peterson, L.	Wayment
Carling	Jeffs	Pugh	Mr. President (Ferry)
Christensen			

Voting in the negative were: Senators

Bennett	Bunnell	Kimball	Swan
Black	Farley	Money	

Absent and not voting was: Senator
Barlow

* * *

H.B. No. 333, CARE OF INDIGENTS AMENDMENTS

Mr. President: May 5, 1981

I am directed to inform the Senate that on the 31st day of March the Governor did veto **H.B. No. 333,** CARE OF INDIGENTS AMENDMENTS, by Rep. Rogers, and the House of Representatives, upon reconsideration of **H.B. No. 333,** by a vote of 53 ayes, 21 nays, 1 absent, overrode the Governor's veto, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, the Senate voted to place **H.B. No. 333** at the top of Third Reading Calendar for reconsideration. Senators Snow, Jeffs and Kimball commented. The Senate voted to override the Governor's veto on the following roll call:

Yeas, 21; Nays, 7; Absent 1

Voting in the affirmative were: Senators

Asay	Cornaby	Jones	Sandberg

Bangerter	Finlinson	Matheson	Snow
Barton	Flamm	Peterson, C.	Sowards
Bullen	Halverson	Peterson, L.	Wayment
Carling	Jeffs	Pugh	Mr. President (Ferry)
Christensen			

Voting in the negative were: Senators

Bennett	Bunnell	Kimball	Swan
Black	Farley	Money	

Absent and not voting was: Senator
Barlow

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The Senate sauntered at 3:05 p.m. The Senate reassembled at 3:25 p.m.

H.B. No. 224, JUDICIAL SELECTION

Mr. President: May 5, 1981

I am directed to inform the Senate that on the 24th day of March, the Governor did veto **H.B. No. 224,** JUDICIAL SELECTION, by Rep. Garff, et al, and the House of Representatives, upon reconsideration of **H.B. No. 224,** by a vote of 52 ayes, 22 nays, 1 absent, overrode the Governor's veto, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, the Senate voted to place **H.B. No. 224** at the top of Third Reading Calendar for reconsideration. The Senate voted to override the Governor's veto on the following roll call:

Yeas, 21; Nays, 6; Absent 2

Voting in the affirmative were: Senators

Asay	Cornaby	Jones	Sandberg
Bangerter	Finlinson	Matheson	Snow
Barton	Flamm	Peterson, C.	Sowards
Bullen	Halverson	Peterson, L.	Wayment
Carling	Jeffs	Pugh	Mr. President (Ferry)
Christensen			

Voting in the negative were: Senators

Bennett	Bunnell	Money	Swan
Black	Farley		

Absent and not voting were: Senators

Barlow	Kimball

* * *

Senator Farley's motion to adjourn failed. On motion of Senator Snow and at 3:35 p.m. the Senate recessed. The Senate reassembled at 4:20 p.m.

H.B. No. 262, FILLING VACANIES OF ELECTED OFFICES

Mr. President: May 5, 1981

I am directed to inform the Senate that on the 31st day of March, the Governor did veto **H.B. No. 262,** FILLING VACANCIES OF ELECTED OFFICES, by Rep. Farnsworth, et al, and the House of Representatives, upon reconsideration of **H.B. No. 262,** by a vote of 58 ayes, 16 nays, 1 absent, overrode the Governor's veto, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, the Senate voted to place **H.B. No. 262** at the top of Third Reading Calendar for reconsideration. Senators Snow and Finlinson commented. The Senate voted to override the Governor's veto on the following roll call:

Yeas, 21, Nays, 7; Absent 1

Voting in the affirmative were: Senators

Asay	Cornaby	Jones	Sandberg
Bangerter	Finlinson	Matheson	Snow
Barton	Flamm	Peterson, C.	Sowards
Bullen	Halverson	Peterson, L.	Wayment
Carling	Jeffs	Pugh	Mr. President (Ferry)
Christensen			

Voting in the negative were: Senators

Bennett	Bunnell	Kimball	Swan
Black	Farley	Money	

Absent and not voting was: Senator
Barlow

On motion of Senator Snow, the Senate voted to lift **S.B. Nos. 29, 129, 188, 297** and **307** from the Third Reading Table and return them to the Lieutenant Governor's Office for filing.

H.B. No. 251, ELECTRICIAN AND PLUMBING APPRENTICE CHANGES

Mr. President: May 5, 1981

I am directed to inform the Senate that on the 31st day of March, the Governor did veto **H.B. No. 251,** ELECTRICIAN AND PLUMBING APPRENTICE CHANGES, by Rep. Myers, et al, and the House of Representatives, upon reconsideration of **H.B. No. 251,** by a vote of 52 ayes, 22 nays, 1 absent, overrode the Governor's veto, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, the Senate voted to return **H.B. No. 251** to the House of Representatives.

President Ferry appointed Senators Cornaby, Asay and Money to notify the House of Representatives that the Senate has concluded its business and is now ready to adjourn sine die.

A committee from the House of Representatives comprised of Representatives Doane, Schmutz and Reese notified the Senate that the House had concluded its business and was ready to adjourn sine die.

Senator Cornaby notified members of the Senate that the House of Representatives has been notified that the business of the Senate has concluded and the Senate is ready to adjourn sine die.

On motion of Senator Wayment, and at 4:40 p.m., the First Veto Override Session of the Forty-Fourth Legislature of the State of Utah adjourned sine die.

Pg. 1042

Pg. 1044

SUBJECT INDEX

ALL SENATE AND HOUSE BILLS
AND RESOLUTIONS

FORTY-FOURTH LEGISLATURE
GENERAL SESSION
1981

SUBJECT INDEX

AERONAUTICS
AGRICULTURE
ANIMALS (See FISH, GAME AND WILDLIFE PRESERVATION)
APPROPRIATIONS
BANKS, BANKING AND FINANCIAL INSTITUTIONS
BUSINESS REGULATION (See also LICENSES-REGULATIONS; REGISTRATION)
CITIES, TOWNS AND SUBDIVISIONS
CODE OF CRIMINAL PROCEDURE (See CRIMINAL CODE)
COMMERCE AND TRADE
CONSUMER INTERESTS
CONTRACTORS — ELECTRICIANS
CORPORATIONS
COUNTIES
COURTS — JUDGES
CREDIT UNION
CRIMINAL CODE (Penal Code, Code of Criminal Procedures, Judicial Code)
General
Police and Fire Department Concerns
Pornography and Sexual Offenses
Prisons
DISCRIMINATION
EDUCATION (See SCHOOLS)
ELECTIONS
ENERGY — CONSERVATION AND DEVELOPMENT (See also WATER; ENVIRONMENT; MINES AND MINING)
ENVIRONMENT
EXECUTIVE
FAMILIES
FEES
FISH, GAME AND WILDLIFE PRESERVATION
HANDICAPPED (See also HEALTH AND MEDICINE; SOCIAL SERVICES)
HEALTH AND MEDICINE (See also HANDICAPPED; SOCIAL SERVICES)
HIGHER EDUCATION (See SCHOOLS "Higher Education")
HIGHWAYS (See also TRANSPORTATION)
HOMESTEADS AND HOUSING
HUSBAND AND WIFE
INSURANCE
INTOXICATING LIQUOR (See LIQUOR)
JUDICIAL CODE (See CRIMINAL CODE)

LABOR
LEGISLATURE
LICENSES-REGULATIONS (See also BUSINESS REGULATIONS, REGISTRATION)
LIENS, Mechanics & Other
LIQUOR
MEDIA
MEDICINE (See HEALTH AND MEDICINE)
MILITARY (See VETERAN'S AND MILITARY CONCERNS)
MINES AND MINING
MOTOR VEHICLES
NATURAL RESOURCES AND ENERGY CONSERVATION (See ENERGY-CONSERVATION AND DEVELOPMENT)
NEWSPAPERS AND PUBLIC BROADCASTING (See MEDIA)
OPEN AND PUBLIC MEETINGS (See LEGISLATURE; STATE AFFAIRS)
PARENT AND CHILD (See FAMILIES)
PARKS AND RECREATION
PEACE OFFICER TRAINING (See CRIMINAL CODE "Police and Fire Concerns")
PENSIONS AND RETIREMENT
PORNOGRAPHY (See CRIMINAL CODE "Pornography and Sexual Offenses")
PROBATE, Trusts and Estates
PUBLIC OFFICERS (See STATE OFFICERS AND EMPLOYEES)
PUBLIC EDUCATION (See SCHOOLS "Public Education")
PUBLIC FUNDS AND AMOUNTS (See REVENUE)
PUBLIC UTILITIES (See UTILITIES, Public)
PUBLIC WELFARE (See SOCIAL SERVICES)
RAILROADS
REAL ESTATE
REGISTRATION (See also LICENSES — REGULATION; BUSINESS REGULATION)
RESOLUTIONS
RETIREMENT (See PENSIONS)
REVENUE (See TAXES)
SCHOOLS
General
Public Education
Higher Education
Technical and Vocational
SECURITIES — BONDS
SOCIAL SERVICES (See also HANDICAPPED; HEALTH AND MEDICINE)
STATE AFFAIRS, General, Buildings and Grounds, History and Preservation
STATE BUILDINGS AND GROUNDS (See STATE AFFAIRS)
STATE HISTORY AND PRESERVATION (See STATE AFFAIRS)
STATE INSTITUTIONS
STATE AND FEDERAL LANDS

STATE OFFICERS AND EMPLOYEES
TAXES
General
Excise
Corporate Tax 'Franchise'
Income
Inheritance
Property
Sales
TRAFFIC RULES AND REGULATIONS
TRANSPORTATION (See also HIGHWAYS)
UNIFORM COMMERCIAL CODE
UNIFORM CONSUMER CODE
UTILITIES, Public
VETERAN'S AND MILITARY CONCERNS
WATER

(P) passed (F) failed (V) vetoed

AERONAUTICS

Airport Security Officers (Sowards)	S.B. 302	(P)

AGRICULTURE

Agricultural Funds (Matheson)	S.B. 231	(P)
Agricultural Exposition Complex (Harmer)	H.B. 383	(F)
Agricultural Activities — Nuisances (Schmutz)	H.B. 6	(P)
Big Game Damage Payments (Barlow)	S.B. 17	(F)
Brand Inspection Fees (L. Peterson)	S.B. 116	(P)
Brucellosis Vaccination Requirement (Matheson)	S.B. 60	(F)
Cattle Tuberculosis Certificates (G. Brown)	H.B. 68	(P)
Division of Expositions Transfer (Matheson)	S.B. 244	(F)
Food Donations — Good Samaritan (Bullen)	S.B. 112	(P)
Implied Warranties Livestock Sale (Money)	S.B. 235	(P)
Industrial and Agricultural Activities — Nuisances (Schmutz)	H.B. 6	(P)
Label Guarantees Provisions (Schmutz)	H.B. 7	(P)
Milk and Cream Assessment (Brown)	H.B. 45	(P)
Motor Fuels Testing and Labeling (Money)	S.B. 16	(P)
Moving Farm Machinery (J. White)	H.B. 192	(P)
Nuisances in Manufacturing Activities (Barton)	S.B. 226	(P)
Sale of Estrays (Olsen)	H.B. 69	(P)

Sale of Raw Milk (Selleneit)	H.B. 271	(P)
Toxicants for Predator Control Research (Matheson)	S.C.R. 6	(P)

ANIMALS
(See FISH, GAME AND WILDLIFE PRESERVATION)

Animal Disease Investigations (Peterson)	S.B. 76	(P)
Beef Promotion Amount (Myrin)	H.B. 111	(P)
Big Game Damage Payments (Barlow)	S.B. 17	(F)
Falconry Meets Fees (Myrin)	H.B. 170	(P)
Humane Treatment of Animals (Bennett)	S.B. 149	(F)
Sale of Estrays (Olsen)	H.B. 69	(P)

APPROPRIATIONS

Appropriations Act (Brockbank)	H.B. 404	(P)
Supplemental Appropriations Act (Brockbank)	H.B. 405	(P)
Supplemental Appropriations Act (Pugh)	S.B. 307	(P)

BANKS, BANKING AND FINANCIAL INSTITUTIONS

Alternative Mortgage Instruments (Harmer)	H.B. 17	(P)
Bank Examination (Harmer)	H.B. 10	(P)
Bonds of Notary Publics (Pace)	H.B. 27	(F)
Check Guarantee Cards (Asay)	S.B. 52	(F)
Consumer Related Loan Amendments (Barlow)	S.B. 141	(P)
Direct Deposit — Employee Wages (Williams)	H.B. 374	(F)
Exemption From Execution — Bankruptcy (Harrison)	H.B. 64	(P)
Financial Institutions of 1981 (Cornaby) *	S.B. 134	(P)
Increase On Notary Bond Amounts (Pace)	H.B. 402	(F)
Interest Limitation Increase (Carling)	S.B. 65	(P)
Interest Rates Increase (Carling)	S.B. 21	(P)
Investment of Redemption Fund Repeal (Barlow)	S.B. 183	(P)
Reserve Account Amendments (Rogers)	H.B. 185	(P)
Utah Community Finance Act (Bunnell)	S.B. 145	(F)
Utah Refunding Bond Act (Barlow)	S.B. 181	(P)

BUSINESS REGULATIONS
(See also LICENSES AND REGULATIONS and REGISTRATION)

Burglar Alarm Security Certification Act (Christensen)	S.B. 160	(F)
Business Corporation Act (Pace)	H.B. 181	(F)
Business Enterprises for Visually Handicapped (Bennett)	S.B. 228	(F)

Business License Fees (Harmer)	H.B. 11	(P)
Business Opportunity Disclosure Documents (Cornaby)	S.B. 2	(P)
Business Regulation Dedicated Revenue Account (Rawson)	H.B. 366	(F)
Business Regulation Restricted Revenue Account (Sandberg)	S.B. 265	(F)
Collection Practices Act (Carling)	S.B. 243	(F)
Computer Fraud Revisions (Gardner)	H.B. 362	(F)
Coverage of Professional Corporation Act (Carling)	S.B. 133	(P)
Department of Business Regulation Fees (Pugh)	S.B. 279	(P)
Display of Price of Goods (Farnsworth)	H.B. 220	(F)
Fair Competition in Steel Industry (Jeffs)	S.C.R. 2	(P)
Financial Impact of Regulations (Brown)	H.B. 250	(F)
Fair Gasoline Pricing Act (Harmer)	H.B. 32	(F)
Fire Extinguisher Limitations (Money)	S.B. 236	(F)
Fraudulent Chains or Pyramids (McKeachnie)	H.B. 234	(F)
Hazardous Waste Facilities Management Act (Finlinson)	S.B. 278	(P)
Junkyard Control Act Amendment (Bangerter)	S.B. 282	(F)
Light Beer Advertising (Asay)	S.B. 212	(F)
Manufacturing Activities-Nuisances (Harmer)	H.B. 280	(F)
Motor Fuel Marketing (Money)	S.B. 200	(P)
Notary Public Changes (Cornaby)	S.B. 96	(F)
Nuisances in Manufacturing Activities (Barton)	S.B. 226	(P)
Public Utility Regulatory Act (Williams)	H.B. 202	(F)
Regulation of Contractors, Plumbers and Electricians (Christensen)	S.B. 28	(P)
Sale of Raw Milk (Selleneit)	H.B. 271	(F)
Self-Service Storage Regulation (Garff)	H.B. 265	(P)
State Fireworks Act (Pace)	H.B. 152	(F)
State Liquor Stores Beer Sales (Wayment)	S.B. 277	(F)
Trucking Deregulation (Fox)	H.B. 340	(F)
Uniform Trade Secrets Act (Carling)	S.B. 242	(F)
Utah Court of Appeal Act (Stratford)	H.B. 277	(F)
Utah Dram Shop Act (Jeffs)	S.B. 283	(P)
Wage and Price Controls (Taylor)	H.J.R. 11	(F)
Wage Claim Limitation (Rogers)	H.B. 15	(P)

CITIES, TOWNS AND SUBDIVISIONS

Bidding Requirement Limits (McKeachnie)	H.B. 223	(F)
Cemetery and Fire Commissioner Appointments (Finlinson)	S.B. 23	(P)
City Ordinance Amount Increase (Richards)	H.B. 118	(P)
Community Impact Funding (Dmitrich)	H.B. 288	(F)
Earthquake Zoning, and Planning Cities (Nielsen)	H.B. 30	(F)
Electrical Power Purchase (Rawson)	H.B. 244	(F)
Endowment Care Cemetery Deposits (B. White)	H.B. 288	(F)

Financial Assistance to Political Subdivisions (Saunders)	H.J.R. 22	(F)
Improvement District Board of Equalization (Harrison)	H.B. 22	(P)
Industrial Facilities Development Act Amendment (Finlinson)	S.B. 101	(P)
Land Sales Exemption (Peterson, L.)	S.B. 208	(P)
Municipal Bond Election (Farnsworth)	H.B. 212	(P)
Municipal Fiscal Procedures (Brockbank)	H.B. 207	(F)
Municipal Government (Snow)	S.B. 253	(F)
Municipal Government Amendments (Harrison)	H.B. 23	(P)
Power Generation by Towns (Peterson)	S.B. No. 261	(P)
Powers of Cities and Towns (Halverson)	S.B. 188	(F)
Proposed Incorporation of City Amendments (Barton)	S.B. 12	(P)
Public Assistance Burial Trust (Harmer)	H.B. 384	(P)
Repeal of Local Optional Sales Tax (Saunders)	H.B. 227	(F)
Residential Facility Zoning Limitation (Money)	S.B. 34	(F)
Residential Facility Zoning Limitation (Doane)	H.B. 126	(P)
Sales and Use Tax Distribution (Saunders)	H.B. 228	(F)
Sales Tax in Small Cities (Hunter)	H.B. 395	(F)
Special Service District Act Amendments (Matheson)	S.B. 290	(F)
Subdivision Standards (Bangerter)	S.B. 267	(F)
Tax Equivalent Property (Sowards)	S.B. 185	(P)
Utah Municipal Building Authority Act (Cornaby)	S.B. 272	(P)
Utah Municipal Bond Act Amendment (Garff)	H.B. 146	(P)
Utah Refunding Bond Act (Barlow)	S.B. 181	(P)

CODE OF CRIMINAL PROCEDURE

(See CRIMINAL CODE)

COMMERCE AND TRADE

Business Opportunity Disclosure Documents (Cornaby)	S.B. 2	(P)

CONSUMER INTERESTS

Committee on Consumer Services Continuation (Swan)	S.B. 91	(P)
Committee on Consumer Services Extension (Fox)	H.B. 341	(F)
Consumer Related Loan Amendments (Barlow)	S.B. 141	(P)
Display of Price of Goods (Farnsworth)	H.B. 220	(F)
Public Advocacy Corporation (Pace)	H.B. 400	(F)

CONTRACTORS — ELECTRICIANS

Air Conditioning School Buildings (Garff)	H.B. 144	(P)
Building Requirements for Earthquake Safety (Nielsen)	H.B. 29	(F)

Business License Fees (Harmer)	H.B. 11	(P)
Construction Occupancy Effect (Richards)	H.B. 93	(P)
Electrician and Plumbing Apprentice Changes (Myers)	H.B. 251	(F)
Mechanics' Lien Modifications (McMullin)	H.B. 51	(P)
Private Contracts Bonds (Hillyard)	H.B. 169	(F)
Public Construction — Sales Taxes (L. Peterson)	S.B. 109	(F)
Regulation of Contractors, Plumbers and Electricians (Christensen)	S.B. 28	(P)
Standard State Building Codes (Christensen)	S.B. 155	(F)

CORPORATIONS

Audits of Political Subdivisions (Bullen)	S.B. 114	(P)
Coverage of Professional Corporation Act (Carling)	S.B. 133	(P)
Health Planning & Resources Development Act Amendments (Cornaby)	S.B. 15	(P)
Physical Therapist — Professional Corporation (Anderson)	H.B. 236	(P)
Private Club Nonprofit Corporation Act (Jeffs)	S.B. 285	(P)
Public Advocacy Corporation (Pace)	H.B. 400	(F)
Use of Corporation Names (Cornaby)	S.B. 113	(F)
Windfall Profits Tax (Myrin)	H.J.R. 27	(F)

COUNTIES

Additional Optional Form for County Government (Cornaby)	S.B. 64	(P)
Annexation Policy Declarations (Bangereter)	H.B. 50	(F)
Audits of Political Subdivision (Bullen)	S.B. 114	(P)
Bidding Requirement Limits (McKeachnie)	H.B. 223	(F)
Care of Indigent Amendments (Rogers)	H.B. 333	(P)
Cemetery Commissioner Appointments (Finlinson)	S.B. 23	(P)
Community Corrections Assistance Act (Doane)	H.B. 233	(F)
Community Impact Funding (Dmitrich)	H.B. 335	(F)
Compliance with County Plans (Anderson)	H.B. 274	(F)
Compliance with County Plans (Sowards)	S.B. 135	(F)
County and Municipal Approval of Condominiums (Bishop)	H.B. 46	(F)
County Collection Costs (Gardner)	H.B. 229	(F)
County Designation on License Plates (Hillyard)	H.B. 128	(F)
County Fiscal Procedures (Brockbank)	H.B. 287	(F)
County Improvement District Act Amendment (Schmutz)	H.B. 375	(P)
County Indebtedness Amendments (Garff)	H.B. 108	(P)
County Mill Levy Limitation Increase (Pace)	H.B. 397	(F)
County Ordinance Compliance (Sowards)	S.B. 198	(F)
County Personnel Management Act (Sykes)	H.B. 81	(P)
County Referendum and Initiative (Schmutz)	H.B. 42	(P)
County Service Area Act Amendments (Dahl)	H.B. 180	(P)

County Surveyor — County Engineer (Jeffs)	S.B. 159	(F)
County Vehicle Inspection and Maintenance (Finlinson)	S.B. 50	(F)
Direct Legislation Petition (McMullin)	H.B. 130	(P)
Earthquake Planning and Zoning Counties (Nielsen)	H.B. 31	(F)
Endowment Care Cemetery Deposits (B. White)	H.B. 288	(F)
Fees of Delinquent Taxes (Myrin)	H.B. 217	(P)
Financial Assistance to Political Subdivisions (Saunders)	H.J.R. 22	(F)
Grant Anticipation Notes (Barlow)	S.B. 182	(F)
Instrument Recordation Requisite (Palmer)	H.B. 36	(P)
Municipal Employee Discharge (Sykes)	H.B. 360	(F)
Municipal Finance Modifications (Gardner)	H.B. 129	(P)
Municipal Finances Reporting (Mecham)	H.B. 95	(P)
Municipal Financial Reports (Mecham)	H.B. 77	(P)
Municipal Improvement District Act Amendments (Schmutz)	H.B. 301	(P)
Municipal Incorporation Amendments (Barton)	S.B. 13	(P)
Municipal Officers Ethics (Bunnell)	S.B. 126	(P)
Municipal Personnel Management Act (Sykes)	H.B. 358	(F)
Municipal Services Funds (McMullin)	J.B. 219	(F)
Municipalities Giving Security (Gardner)	H.B. 246	(F)
Notice of Tax Sale (Walker)	H.B. 73	(P)
Parking and Improvement District Amendments (Kimball)	S.B. 142	(P)
Property Rights Protection (Cornaby)	S.B. 196	(F)
Public Assistance Burial Trust (Harmer)	H.B. 384	(P)
Public Officials' Salary Increases (Barton)	S.B. 61	(F)
Public Transportation Limitations (Brown)	H.B. 172	(P)
Records of Legal Actions (Pace)	H.B. 28	(P)
Removal of Police and Fire Chiefs (Selleneit)	H.B. 140	(F)
Repeal of Local Optional Sales Tax (Saunders)	H.B. 227	(F)
Residential Facility Zoning Limitation (Doane)	H.B. 126	(P)
Sales and Use Tax Distribution (Saunders)	H.B. 228	(F)
Solar Energy Utilization in Municipalities (Sowards)	S.B. 213	(P)
Special Improvement District Assessments (Richards)	H.B. 122	(F)
Special Service District Act Amendments (Matheson)	S.B. 290	(F)
Subdivision Standards (Bangerter)	S.B. 267	(F)
Tax Equivalent Property (Sowards)	S.B. 185	(P)
Unauthorized Use of Municipal Property (Barton)	S.B. 85	(P)
Uniform Appraisal and Assessment Amendment (Pace)	H.B. 44	(F)
Utah Community Redevelopment Law Amendment (Barlow)	S.B. 178	(P)
Utah Municipal Bond Act Amendments (Garff)	H.B. 146	(P)
Utah Municipal Building Authority Act (Cornaby)	S.B. 272	(P)

COURTS - JUDGES

Appearances After Misdemeanor Arrest (Richards)	H.B. 119	(F)
Appellate Division of District Court (Williams)	H.B. 294	(F)
Attorney Disciplinary Proceedings (Smith)	H.B. 70	(P)
Attorney's Fees in Civil Cases (Maxfield)	H.B. 100	(P)
Children's Rights (Rogers)	H.B. 289	(P)
Circuit Court Amendments (McKeachnie)	H.B. 213	(P)
Costs of District Courts (Pace)	H.B. 184	(F)
Court Reporter Act (Carling)	S.B. 214	(F)
Disqualification of Judges (Selleneit)	H.B. 339	(F)
Equal Access to Justice (Sykes)	H.B. 357	(F)
Exemption From Execution (Harrison)	H.B. 64	(P)
Expediting Criminal Trials (Sykes)	H.B. 88	(F)
Family Court Study Resolution (Walker)	H.C.R. 8	(F)
First Judicial District Judgeship (Hillyard)	H.B. 150	(P)
Governance of Attorneys	H.B. 67	(F)
Grand Jury Requirement (Taylor)	H.B. 344	(F)
Judicial Salaries (Selleneit)	H.B. 65	(P)
Judicial Selection (Garff)	H.B. 224	(P)
Jury Demand - Criminal Trials (Redd)	H.B. 49	(P)
Justice and Small Claims Court Amounts (Free)	H.B. 9	(F)
Justice of Peace Precincts (Finlinson)	S.B. 36	(P)
Justices of Peace in Cities (Strong)	H.B. 202	(F)
Juvenile Court Act Amendments (Cornaby)	S.B. 143	(P)
Juvenile Court Act Amendments (Rogers)	H.B. 117	(F)
Juvenile Court Fines and Fees (Jeffs)	S.B. 75	(F)
Juvenile Court Jurisdiction Extension (Peterson)	S.B. 171	(F)
Juvenile Court Subpoenas and Warrants (Wayment)	S.B. 166	(P)
Juveniles Tried As Adults (Barlow)	S.B. 189	(P)
Neglect or Delinquency of Children (Wayment)	S.B. 167	(P)
Place of Juvenile Detention (Bunnell)	S.B. 90	(P)
Restitution by Criminals (Selleneit)	H.B. 43	(P)
Return of Attorney's Fees Amount (Selleneit)	H.B. 24	(P)
Short Term Youth Commitment (Cornaby)	S.B. 45	(P)
Small Claims Court Hours (Pace)	H.B. 53	(P)
Small Claims Court Limitation (Rogers)	H.B. 12	(F)
Utah Court of Appeals Act (Stratford)	H.B. 277	(F)
Utah Court of Appeals Act (Stratford)	H.B. 330	(P)
Utah Executive and Judicial Salary Act (Harward)	H.B. 256	(P)
Utah Foreign Judgment Act (Carling)	S.B. 8	(F)

CREDIT UNIONS

U.C.C.C. Exemption Provisions (Matheson)	S.B. 194	(F)

CRIMINAL CODE
(Penal Code, Code of Criminal Procedures, Judicial Code)

CRIMINAL CODE, General

Abortion Restrictions (Sykes)	H.B. 83	(P)
Abuse of Personal Identity Act (Carling)	S.B. 241	(P)
Accrual of Incidences of Fraud (Cornaby)	S.B. 58	(P)
Automobile Negligence - Death or Injury (Harrison)	H.B. 86	(P)
Bail Forfeitures (Carling)	S.B. 275	(F)
Budgets of Judicial Branch (Selleneit)	H.B. 20	(P)
Burglary Amendments (Selleneit)	H.B. 89	(F)
Childrens' Rights (Rogers)	H.B. 289	(P)
City Ordinance Amount Increase (Richards)	H.B. 118	(P)
Comparative Negligence (Kimball)	S.B. 256	(F)
Controlled Substances Act Amendments (Rector)	H.B. 175	(P)
Counsel for Indigent Defendants (Jeffs)	S.B. 87	(P)
Counsel for Indigent Defendants (Selleneit)	H.B. 71	(F)
Counsel for Indigents (Sykes)	H.B. 361	(F)
Criminal Defense Costs Reimbursement (Farnsworth)	H.B. 177	(F)
Criminal Defendant's Preliminary Examination (Haddow)	H.B. 182	(F)
Criminal Justice Study (Karras)	H.J.R. 39	(F)
Criminal Possession of Rented or Leased Property (Brockbank)	H.B. 392	(F)
Deception Detection Examiners (Carling)	S.B. 173	(P)
Defense of Entrapment Standard (Sykes)	H.B. 123	(F)
Execution by Injection (Christensen)	H.B. 171	(F)
Fraud Control in Public Assistance (Sykes)	H.B. 133	(F)
Jury Demand - Criminal Trials (Redd)	H.B. 49	(P)
Juvenile Court Act Amendments (Rogers)	H.B. 117	(F)
Juvenile Court Act Amendments (Cornaby)	S.B. 143	(P)
Juvenile Detention Facilities (Walker)	H.B. 281	(F)
Juveniles Tried as Adults (Barlow)	S.B. 189	(P)
Killing Unbord Child (Asay)	S.B. 229	(F)
Library Theft (Bishop)	H.B. 112	(P)
Material on Cable Television (Jones)	S.B. 301	(P)
Medical Malpractices Procedures (Richards)	H.B. 216	(F)
Misdemeanor Expungements (Harward)	H.B. 318	(F)
Misdemeanor Jurisdiction Amendments (Sykes)	H.B. 160	(F)
Misdemeanor Ordinance Authority (Sykes)	H.B. 161	(F)

Misdemeanor Procedure Changes (Farnsworth)	H.B. 231	(F)
Misdemeanor Violation Revisions (Sykes)	H.B. 359	(F)
Modifications to Governmental Immunity Act (Harrison)	H.B. 303	(F)
Ordinance Violation Penalties (Richards)	H.B. 121	(F)
Property Destruction Amendment (Sykes)	H.B. 218	(F)
Public Intoxication Treatment Act (LeFevre)	H.B. 183	(P)
Racketeering Enterprise Act (Jeffs)	S.B. 165	(P)
Records of Legal Actions (Pace)	H.B. 28	(P)
Resisting Lawful Arrest (Harrison)	H.B. 85	(P)
Restitution by Criminals (Selleneit)	H.B. 43	(P)
Scheme to Defraud (Rector)	H.B. 190	(F)
Shoplifting Amendments (Carling)	S.B. 66	(P)
Special Prosecution Fund (Stratford)	H.B. 373	(F)
State Payment of Claims (Selleneit)	H.B. 25	(P)
Subsequent Prosecution Allowances (Richards)	H.B. 137	(F)
Uniform Arbitration Act (Stratford)	H.B. 259	(F)
Uniform Reciprocal Enforcement of Support Act Amendments (Cornaby)	S.B. 57	(P)
Utah Antitrust Act Amendments (Jeffs)	S.B. 137	(F)
Utah Child Abuse Act (Harrison)	H.B. 87	(P)
Utah Dram Shop Act (Jeffs)	S.B. 283	(P)
Utah Drug Paraphernalia Act (Finlinson)	S.B. 51	(P)
Utilities Services - Hostage Situation (Finlinson)	S.B. 156	(P)
Violence Exhibition Study (Selleneit)	H.J.R. 37	(F)

CRIMINAL CODE, Police and Fire Department Concerns

Designation as Peace Officers Amendments (Cornaby)	S.B. 56	(P)
Fire Extinguisher Limitations (Money)	S.B. 236	(F)
Fire Loss Information (Sykes)	H.B. 215	(F)
Fire Training Programs (Harmer)	H.B. 347	(P)
Off Duty Police Officers (Carling)	S.B. 11	(P)
Officer's Command to Stop (Schmutz)	H.B. 91	(P)
Peace Officer Classifications (Sowards)	S.B. 298	(P)
Peace Officer Training (Nielsen)	H.B. 54	(P)
Peace Officers Training Exemption (Christensen)	H.B. 37	(F)
Police Training Resolution (Taylor)	H.J.R. 10	(F)
Public Safety Retirement Benefits (Carling)	S.B. 144	(P)
Radar Use Prohibition (Cornaby)	S.B. 7	(F)
Repeal of Highway Patrol Manpower Standard (Barlow)	S.B. 300	(F)
Review of Shootings by Police (Taylor)	H.B. 345	(F)
State Fireworks Act (Pace)	H.B. 152	(F)
Uniform Fire-Prevention-Code Panel (Asay)	S.B. 4	(P)
Utah Fire Employee Relations Act (Kimball)	S.B. 232	(F)

CRIMINAL CODE, Pornograph and Sexual Offenses

Material on Cable Television (Jones)	S.B. 301	(P)
Pornographic Material Distribution Penalty (Richards)	H.B. 188	(F)
Sexual Exploitation of Minors (Wayment)	S.B. 276	(P)

CRIMINAL CODE, Prisons

Adult Probation and Parole (Stratford)	H.B. 308	(P)
Expediting Criminal Trials (Sykes)	H.B. 88	(F)
Restitution by Criminals (Selleneit)	H.B. 43	(P)

DISCRIMINATION

Civil Rights - Age Discrimination (McAllister)	H.B. 284	(F)
Health Issuance Competition and Discrimination (Cornaby)	S.B. 63	(F)

EDUCATION

(See SCHOOLS)

ELECTIONS

Candidates at Primaries (Taylor)	H.B. 78	(F)
Corrupt Practices Amendments (Finlinson)	S.B. 67	(F)
County Personnel Management Act (Sykes)	H.B. 81	(P)
County Referendum and Initiative (Schmutz)	H.B. 42	(P)
Direct Legislation Petition (McMullin)	H.B. 130	(P)
Election Outcome Information (Taylor)	H.C.R. 4	(F)
Election Modifications (Finlinson)	S.B. 48	(F)
Election Procedure Limitations (Rogers)	H.B. 240	(F)
Election Registration Amendments (Finlinson)	S.B. 38	(P)
Filling Vacancies in Elected Offices (Farnsworth)	H.B. 262	(P)
Fourth Amendment Enforcement Act 1981 (Selleneit)	H.B. 116	(F)
General and Municipal Election Law Modifications (Finlinson)	S.B. 22	(P)
Initiative and Referendum Petitions (Finlinson)	S.B. 37	(F)
Justice of Peace Precints (Finlinson)	S.B. 36	(P)
Judicial Selection (Garff)	H.B. 224	(P)
Mass Meeting Date (Sykes)	H.B. 80	(P)
Military Voting Procedures (Finlinson)	S.B. 49	(F)
Municipal Bond Elections (Farnsworth)	H.B. 212	(P)
Municipal Election Code (Farnsworth)	H.B. 8	(P)
Political Campaign Amendments (Haddow)	H.B. 204	(F)
Political Convention Amendments (White)	H.B. 99	(P)

Presidential Primary Establishment (Rector)	H.B. 371	(F)
Procedure for Filling Local Vacated Elective Office (Matheson)	S.B. 9	(F)
Registration Agents and Election Judges (Finlinson)	S.B. 24	(F)
Removal of Public Officials (Selleneit)	H.B. 105	(F)
Residency and Age Requirements (Finlinson)	S.B. 47	(F)
Restriction of Public Funds in Elections (Harrison)	H.B. 34	(F)
Rights of Overseas Voters (Finlinson)	S.B. 46	(F)
Transit District Elections (Hillyard)	H.B. 369	(P)
Vacancies in Candidacies (Hunter)	H.B. 242	(F)
Voter Information Pamphlets (Farnsworth)	H.B. 293	(P)
Write-In Candidates (Finlinson)	S.B. 35	(F)

ENERGY - CONSERVATION AND DEVELOPMENT

(See also WATER and ENVIRONMENT and MINES AND MINING)

Antelope Island Condemnation (Hollingshaus)	H.B. 305	(F)
Coal Leasing Policy (Garr)	H.C.R. 7	(P)
Condemnation Amendments (Wayment)	S.B. 219	(P)
Energy Saving System Tax Credit Amendments (Sowards)	S.B. 211	(P)
Geothermal Resource Conservation Act (Finlinson)	S.B. 43	(P)
Nuclear Fallout Resolution (Hunter)	H.C.R. 3	(F)
Oil Rerefining Amendments (Black)	S.B. 33	(P)
Placement of Nuclear Waste (Farley)	S.B. 18	(P)
Property Tax Prepayment — Impact Development (Bunnell)	S.B. 170	(P)
Reorganization of Natural Resource and Energy Functions (Sowards)	S.B. 139	(P)
Resource Development Coordinating Committee (Rawson)	H.B. 267	(P)
Solar Energy Utilization in Municipalities (Sowards)	S.B. 213	(P)
State Natural Resources and Energy Functions Reorganization (Sowards)	S.B. 139	(P)
Transportation of Forest Products (Gardner)	H.B. 279	(F)
Utah Major Facility Siting Act (Rawson)	H.B. 302	(F)

ENVIRONMENT

Building Requirements for Earthquake Safety (Nielsen)	H.B. 29	(F)
Coal Mining and Reclamation Act Amendments (Garr)	H.B. 66	(P)
County Vehicle Inspection and Maintenance (Finlinson)	S.B. 50	(F)
Development Impact on Utah Labor Force (Haddow)	H.J.R. 35	(F)
Earthquake Planning and Zoning Counties (Nielsen)	H.B. 31	(F)
Earthquake Preparedness Resolution (Money)	S.J.R. 4	(P)
Earthquake Safety Act (Nielsen)	H.B. 92	(F)
Earthquake Zoning, and Planning Cities (Nielsen)	H.B. 30	(F)
Forestry and Fire Control Amendment (Brown)	H.B. 173	(F)
Hazardous Waste Facilities Management Act (Finlinson)	S.B. 278	(P)

Hazardous Waste Facility Siting Act (Finlinson)	S.B. 258	(P)
Low-Level Radioactive Waste (Brandt)	H.C.R. 12	(P)
Moving of Hazardous Waste (B. White)	H.B. 174	(F)
MX Impact Planning Act (Farley)	S.B. 123	(F)
Noise Exposure (Barlow)	S.B. 259	(F)
Nuclear Fallout Resolution (Hunter)	H.C.R. 3	(F)
Nuisances in Manufacturing Activities (Barton)	S.B. 226	(P)
Placement of Nuclear Waste (Farley)	S.B. 18	(P)
State Veto of EPA Regulations (Rogers)	H.J.R. 30	(F)
Transportation of Forest Products (Gardner)	H.B. 279	(F)
Uranium Tailings Restrictions (Swan)	S.B. 270	(F)

EXECUTIVE

Billings by Attorney General (Hillyard)	H.B. 249	(P)
Budgets of Judicial Branch (Selleneit)	H.B. 20	(P)
Executive and Judicial Salaries (Snow)	S.B. 306	(F)
Federal Plans Implementation Approval (Redd)	H.B. 328	(F)
Federal Plans Implementation Requisite (Redd)	H.B. 310	(F)
Utah Executive and Judicial Salary Act (Harward)	H.B. 256	(P)

FAMILIES

Adoption Amendments (Bangerter)	H.B. 62	(F)
Baby Sitting Operations (Haddow)	H.B. 316	(F)
Child Care Tax Credit (McMullin)	H.B. 368	(F)
Childrens' Rights (Rogers)	H.B. 289	(P)
Division of Family Services Fees (Cornaby)	S.B. 40	(P)
Divorce Payments Authority (Pace)	H.B. 134	(F)
Family Court Study Resolution (Walker)	H.C.R. 8	(F)
General Assistance Revisions (Rogers)	H.B. 101	(P)
Guardianship of Incapacitated Persons (Doane)	H.B. 377	(F)
Habitual Truancy (Cornaby)	S.B. 252	(P)
Increased Retirement Income Deducation (Bullen)	S.B. 86	(F)
Juvenile Court Jurisdiction Extension (L. Peterson)	S.B. 171	(P)
Juvenile Court Subpoenas and Warrants (Wayment)	S.B. 166	(P)
Killing Unborn Child (Asay)	S.B. 229	(F)
Marriage and Family Therapist Licensing (Carling)	S.B. 100	(P)
Neglect or Delinquency of Children (Wayment)	S.B. 167	(P)
Ombudsman for Institutionalized Elderly (Bangerter)	S.B. 89	(P)
Place of Juvenile Detention (Bunnell)	S.B. 90	(P)
Placing Children for Adoption (Bangerter)	H.B. 61	(F)
Planned Parenthood Audit Resolution (Masur) Changhed to H.R. 7	H.J.R. 17	(P)

Prenatal Diagnosis Funding (Bangerter)	S.B. 269	(F)
Residential Facility Zoning Limitation (Doane)	H.B. 126	(P)
Sexual Exploitation of Minors (Wayment)	S.B. 276	(P)
Spouse Abuse Act Amendments (Cornaby)	S.B. 62	(F)
Support, Maintenance and Divorce Amendments (Cornaby)	S.B. 55	(F)
Teenage Sex Problems Study (Masur)	H.R. 3	(F)
Uniform Reciprocal Enforcement of Support Act Amendments (Cornaby)	S.B. 57	(P)
Utah Child Abuse Act (Harrison)	H.B. 87	(P)
Utah Children in Housing (Kimball)	S.B. 287	(F)
Youth Correction Agency (Stratford)	H.B. 263	(P)

FEES

Attorney's Fees in Civil case (Maxfield)	H.B. 100	(P)
Brand Inspection Fees (L. Peterson)	S.B. 116	(P)
Division of Family Services Fees (Cornaby)	S.B. 40	(P)
Fees on Delinquent Taxes (Myrin)	H.B. 217	(P)
Studded Tire Tax Removal (Bullen)	S.B. 6	(P)

FISH, GAME AND WILDLIFE PRESERVATION

Big Game Damage Areas (Phelps)	H.B. 350	(F)
Big Game Damage Restriction (Christensen)	S.B. 225	(F)
Cattle Tuberculosis Certification (Brown)	H.B. 68	(P)
Falconry Meet Fees (Myrin)	H.B. 170	(P)
Humane Treatment of Animals (Bennett)	S.B. 149	(F)
Licensing of Outfitters (McKeachnie)	H.B. 58	(P)
Residency - Hunting and Fishing Licenses (McKeachnie)	H.B. 348	(P)
Sale of Estrays (Olsen)	H.B. 69	(P)
State Waterfowl Stamp (Barlow)	S.B. 293	(F)
Wild Game Feed Resolution (Myrin)	H.J.R. 15	(P)
Wildlife Arrest Procedures (McKeachnie)	H.B. 143	(P)

HANDICAPPED

(See also HEALTH AND MEDICINE and SOCIAL SERVICES)

Architectural Barriers to Handicapped (Smith)	H.B. 48	(F)
Business Enterprises for Visually Handicapped (Bennett)	S.B. 228	(F)
Disabled Veterans' Exemption (B. White)	H.J.R. 12	(F)
Funds for DD/MR Programs (Rogers)	H.B. 313	(F)
Guardianship of Incapacitated Person (Doane)	H.B. 377	(F)
Hearing Aid Committee (Barlow)	S.B. 164	(F)
Housing Finance Agency Amendments (Smith)	H.B. 14	(F)

Residential Facility Zoning Limitation (Money)	S.B. 34	(F)
Residential Facility Zoning Limitation (Doane)	H.B. 126	(P)
Rights of Deaf and Blind Persons (Smith)	H.B. 47	(P)
Rights of Deaf and Blind Persons (Smith)	H.B. 330	(P)
Year of Disabled Persons Amendment (Brandt)	H.C.R. 10	(P)

HEALTH AND MEDICINE

(See also HANDICAPPED and SOCIAL SERVICES)

HEALTH AND MEDICINE

(See also HANDICAPPED and SOCIAL SERVICES)

Abortion Restrictions (Sykes)	H.B. 83	(P)
Abortions in State Facilities (Sykes)	H.B. 255	(F)
Abortions — Contraception or Abortion Services or Devices (Snow)	S.B. 3	(P)
Access to Death Certificates (Fox)	H.B. 156	(F)
Alcoholism Insurance Coverage (Richards)	H.B. 257	(P)
Amendmens to Health Maintenance Organizations (McMullin)	H.B. 221	(F)
Anatomical Gift Act Amendments (Barton)	S.B. 97	(P)
Auto Deaths — Medical Examiner (Farley)	S.B. 168	(F)
Certified Lay Midwifery Practice Act (Bangerter)	S.B. 249	(F)
Chiropractic Modifications (McMullin)	H.B. 252	(F)
Chiropractic Practice (Cornaby)	S.B. 131	(P)
Continuing Education for Pharmacists (Sowards)	S.B. 30	(F)
Dental Hygienist Amendments (Considine)	H.B. 148	(P)
Freedom of Medication (Selleneit)	H.B. 309	(F)
Governmental Immunity for Clinical Care Students (Richards)	H.B. 353	(P)
Health Code Revision (Snow) *	S.B. 74	(P)
Health Insurance Competition and Discrimination (Cornaby)	S.B. 63	(F)
Health Insurance Premiums Tax (Knowlton)	H.B. 283	(F)
Health Maintenance Organizations Amendments (Cornaby)	S.B. 77	(F)
Health Planning and Resources Development Act Amendments (Cornaby)	S.B. 15	(P)
Hearing Aid Committee (Barlow)	S.B. 164	(F)
Hospital Nursing Practices Study (Kimball)	S.J.R. 7	(F)
Hospital Statements of Charges (Bangerter)	S.B. 268	(F)
Medical Examiner Jurisdiction (Bangerter)	S.B. 88	(P)
Medical Examiner's Findings (Taylor)	H.B. 230	(P)
Medical Malpractices Procedures (Richards)	H.B. 216	(F)
Medical Practices Act Revision (Carling)	S.B. 95	(P)
Medical Problem Reflection (Barton)	S.B. 125	(P)
Medical Responsibilities (Cornaby)	S.B. 54	(P)
Medical Side Effects Notification (Selleneit)	H.B. 97	(F)
Medicare Supplement Insurance Act (Gardner)	H.B. 176	(P)

Mental Health Amendments (B. White)	H.B. 247	(P)
Mental Health Service Amendments (Rogers)	H.B. 248	(P)
Naturopathic Licensing and regulation (Carling)	S.B. 94	(P)
Nurse Practitioners Pilot Project Extension (Carling)	S.B. 110	(P)
Optometric Referrals Modifications (Halverson)	S.B. 217	(F)
Physical Therapist - Professional Corporation (Anderson)	H.B. 236	(P)
Physical Therapy Registration Amendments (Carling)	S.B. 201	(F)
Planned Parenthood Audit Resolution (Masur) Changed to H.R. No. 7	H.J.R. 17	(P)
Prenatal Diagnosis Funding (Bangerter)	S.B. 269	(F)
Professional Corporation Act Amendments (Finlinson)	S.B. 280	(F)
Repeal of Pharmacy Provisions (Carling)	S.B. 93	(P)
Skiing Collision Duties (Carling)	S.B. 172	(F)
Support Maintenance and Divorce Amendments (Cornaby)	S.B. 55	(F)
Supportive Personnel for Pharmacists (Rees)	H.B. 138	(F)
Training and Licensing of Facial Operators (B. White)	H.B. 151	(F)
Treatment of Human Ailments Repeal (Free)	H.B. 187	(F)
Utah Drug Paraphernalia Act (Finlinson)	S.B. 51	(P)

HIGHER EDUCATION

(See SCHOOLS, HIGHER EDUCATION)

HIGHWAYS

(See also TRANSPORTATION)

Collector Road System Designations (Strong)	H.B. 55	(P)
Damage to Roads by Vehicles (Brown)	H.B. 136	(F)
Highway Damage Assessments (Bangerter)	S.B. 71	(F)
Highway Revenue Amendments (Sowards)	S.B. 98	(P)
Interstate Corrections Compact (Jeffs)	S.B. 284	(F)
Moving Farm Machinery (J. White)	H.B. 192	(P)
Multistate Highway Transportation Agreement (McMullin)	H.B. 57	(P)
Off Highway Vehicles (Dmitrich)	H.B. 334	(F)
Ports of Entry Fines (Bangerter)	S.B. 31	(F)
Roadside Signs Amendments (Christensen)	S.B. 106	(P)
State Highway Designations (Strong)	H.B. 56	(P)

HOMESTEADS AND HOUSING

Condemned Property Uses (Peterson)	S.B. 148	(P)
Condominium Conversion Approvals (Cornaby)	S.B. 1	(F)
Condominium Recordings (Matheson)	S.B. 193	(F)
Construction Occupancy Effect (Richards)	H.B. 93	(P)
County and Municipal Approval of Condominium (Bishop)	H.B. 46	(F)

Criminal Possession of Rented or Leased Property (Brockbank)	H.B. 392	(F)
Exemption from Execution (Harrison)	H.B. 64	(P)
Home Insulation Credit (McMullin)	H.B. 391	(F)
Homestead Exemption (Knowlton, F.)	H.B. 232	(F)
Homestead Exemptions and State Support for Schools Resolution (Brockbank)	H.J.R. 14	(F)
Housing Authority Act Amendments (Barlow)	S.B. 180	(P)
Housing Authority Bond Interests (Alldredge)	H.B. 206	(F)
Housing Finance Agency Amendments (Smith)	H.B. 14	(F)
Maintenance of Leased Premises (Barton)	S.B. 103	(F)
Mobile Home and Recreational Vehicle Standards (Bunnell)	S.B. 209	(P)
Mobile Home Definition (Harward)	H.B. 209	(F)
Mobile Home Park Residency Act (Matheson)	S.B. 237	(P)
Mortgage Revenue Bond Act (Richards)	H.B. 285	(F)
Owner Tenant Remedies (Barlow)	S.B. 128	(P)
Property Destruction Amendment (Sykes)	H.B. 218	(F)
Retaliation by Landlords (Kimball)	S.B. 288	(F)
Taxation of Certain Mobile Homes (Barlow)	S.B. 14	(P)
Tenant - Landlord Relationships (Kimball)	S.B. 174	(F)
Tenants' Rent Deposits (Barton)	S.B. 102	(P)
Utah Children in Housing (Kimball)	S.B. 287	(F)

HUSBAND AND WIFE

(See FAMILIES)

INSURANCE

Alcoholism Insurance Coverage (Richards)	H.B. 257	(P)
Amendments to Health Maintenance Organizations (McMullin)	H.B. 221	(F)
Automobile Insurance Amendments (Cornaby)	S.B. 44	(F)
Bulk Reinsurance (Flamm)	S.B. 105	(P)
Fire Loss Information (Sykes)	H.B. 215	(F)
Group Insurance Policy Conversion (Hunter)	H.B. 225	(F)
Health Insurance Competition and Discrimination (Cornaby)	S.B. 63	(F)
Health Maintenance Organizations Amendments (Cornaby)	S.B. 77	(F)
Insurance Agents Education Requisites (Harmer)	H.B. 381	(F)
Insurance Code Recodification (Rector)	H.B. 157	(P)
Insurance Coverage Changes (Bennett)	S.B. 247	(F)
Insurance Department Examinations (Free)	H.B. 124	(P)
Insurance Guaranty Association Amendments (Flamm)	S.B. 175	(P)
Insurance Industry — Regulatory Fees (Rector)	H.B. 158	(P)
Insurance Information and Privacy Protection Act (Snow)	S.B. 118	(F)
Insurance Premium Taxes (Knowlton, E. Ute)	H.B. 226	(P)
Insurers Supervision Rehabilitation and Liquidation Act (Harmer)	H.B. 379	(F)

Life Insurance Policy Loan Interest Rate Bill (Pugh)	S.B. 99	(P)
Medicare Supplement Insurance Act (Gardner)	H.B. 176	(P)
Reserve Account Amendments (Rogers)	H.B. 185	(P)
Self Insurance - Workmen's Compensation (Reese)	H.B. 272	(F)
Standard Valuation and Nonforfeiture Laws (Flamm)	S.B. 245	(P)
Support, Maintenance and Divorce Amendments (Cornaby)	S.B. 55	(F)
Title Insurance Amendments (McKeachnie)	H.B.197	(P)
Title Insurance Rates (Sandberg)	S.B. 218	(F)
Unfair Trade Practices Amendments (Flamm)	S.B. 289	(F)
Utah Public Employees' Disability Act (Gardner)	H.B. 367	(F)
Utah State Retirement Office Act Amendments (Gardner)	H.B. 132	(P)

INTOXICATING LIQUOR

(See LIQUOR)

JUDICIAL CODE

(See CRIMINAL CODE)

LABOR

Apprenticeship Council Charges (Peterson, L.)	S.B. 227	(F)
Cost of Living Change Amendments (Gardner)	H.B. 243	(F)
Deception Detection Examiners (Carling)	S.B. 173	(P)
Direct Deposit of Employee Wages (Williams)	H.B. 374	(F)
Disability Benefits Increase (Reese)	H.B. 35	(P)
Equal Opportunity to Employment (Sykes)	H.B. 241	(F)
Fair Construction Bidding Procedure (Haddow)	H.B. 329	(F)
Industrial Commission Modifications (Wayment)	S.B. 153	(F)
Joint Apprenticeship Committees (Christensen)	S.B. 202	(P)
Noise Exposure (Barlow)	S.B. 259	(P)
Recording of Administrative Hearings (Sykes)	H.B. 82	(P)
Repeal of Prevailing Wage Rates (Haddow)	H.B. 1	(P)
Salary Survey Requisites (Mecham)	H.B. 298	(F)
Self Insurance - Workmen's Compensation (Reese)	H.B. 272	(F)
Transit District Establishment Limitations (Finlinson)	S.B. 163	(F)
Unemployment Compensation Penalties (Stratford)	H.B. 200	(F)
Utah Fire Employee Relations Act (Kimball)	S.B. 232	(F)
Wage and Price Controls (Taylor)	H.J.R. 11	(F)
Wage Claim Limitation (Rogers)	H.B. 15	(P)
Workmen's Compensation Modifications (Cornaby)	S.B. 187	(P)
Workmen's Compensation Time Limitations and Definitions (Christensen)	S.B. 220	(F)

LEGISLATURE

Administrative Rules - Legislative Oversight (Matheson)	S.B. 291	(F)
Casual Meetings of Public Bodies (Peterson)	S.B. 32	(P)
Federal Plans Implementation Approval (Redd)	H.B. 328	(F)
Federal Plans Implementation Requisite (Redd)	H.B. 310	(F)
Fiscal Impact Estimations (Richards)	H.B. 245	(F)
Fiscal Note Requirements (Knowlton)	H.B. 103	(F)
Interim Study Assignments (Halverson)	S.J.R. 9	(P)
Interim Study of the Lay Midwifery Program (Bangerter)	S.C.R. 8	(P)
Legislation Sponsorship (Saunders)	J.B. 311	(F)
Legislative Employees' Salaries (Harmer)	H.J.R. 13	(P)
Legislative Journal Contents (Selleneit)	H.J.R. 1	(F)
Legislative Salaries Return (Myers)	H.J.R. 45	(F)
Legislators' Retirement (Bullen)	S.B. 115	(F)
Legislators' Voting Record (Knowlton)	H.J.R. 32	(F)
Limitation on Introduction of Bills (Dahl)	H.J.R. 29	(F)
Limitation on Legislation (Garr)	H.B. 325	(F)
Metric System Study (Carling)	S.J.R. 5	(F)
Residency of Legislators (Taylor)	H.J.R. 5	(F)
State Government Printing Resolution (Haddow)	H.J.R. 31	(P)
Sunset Act Amendments (Carling)	S.B. 152	(P)
Unappropriated Federal Funds Review (McAllister)	H.B. 179	(F)

LICENSES - REGULATIONS
(See also BUSINESS REGULATIONS and REGISTRATION)

Athletic Events Amendments (Swan)	S.B. 25	(P)
Business License Fees (Harmer)	H.B. 11	(P)
Chauffeur's License Amendments (McMullin)	H.B. 59	(P)
Chiropractic Practice (Cornaby)	S.B. 131	(P)
Controlled Substances Act Amendments (Rector)	H.B. 175	(P)
Coverage of Professional Corporation Act (Carling)	S.B. 133	(P)
Deception Detection Examiners (Carling)	S.B. 173	(P)
Dental Hygienist Amendments (Considine)	H.B. 148	(P)
Drivers' License Fees (Sandberg)	S.B. 223	(F)
Election Licensing (Harward)	H.B. 139	(F)
Licensing of Outfitters (McKeachnie)	H.B. 58	(P)
Licensure of Hearing Aid Specialists (Barlow)	S.B. 111	(F)
Marriage and Family Therapist Licensing (Carling)	S.B. 100	(P)
Massage Pratice Act (Halverson)	S.B. 26	(P)
Medical Practices Act Revision (Carling)	S.B. 95	(P)
Mopen Operations (Richards)	H.B. 326	(F)

Naturopathic Licensing and Regulation (Carling)	S.B. 94	(P)
Nurse Practitioner Pilot Project Extension (Carling)	S.B. 110	(P)
Osteopathic Medicine Licensing Act (Black)	S.B. 84	(P)
Psychologists' Licensing Amendments (Carling)	S.B. 82	(P)
Public Accountants Licensing Act (Sandberg)	S.B. 210	(P)
Real Estate License Amendments (Barlow)	S.B. 107	(P)
Regulation of Contractors, Plumbers and Electricians (Christensen)	S.B. 28	(P)
Repeal of Pharmacy Provisions (Carling)	S.B. 93	(P)
Social Work Licensing Amendments (Christensen)	S.B. 81	(P)
Utah Cosmetologist and Barber Licensing Act (Black)	S.B. 80	(P)

LIENS, Mechanic & Other

Mechanic's Liens - Items Covered (Richards)	H.B. 191	(P)
Mechanics' Lien Modifications (McMullin)	H.B. 51	(P)
Miscellaneous Liens Amendments (Garff)	H.B. 389	(P)
Notice of Enforcement - Mechanic's Liens (Carling)	S.B. 176	(P)
Self-Service Storage Regulation (Garff)	H.B. 265	(P)

LIQUOR

Citizens Council on Liquor Control Repeal (Evans)	H.B. 314	(F)
Community Impact Account Amendments (Farley)	S.B. 251	(F)
Drinking in Motor Vehicles (Jeffs)	S.B. 161	(P)
Light Beer Advertising (Asay)	S.B. 212	(F)
Liquor Commission Hearing and Investigation Costs (Jeffs)	S.B. 192	(F)
Liquor Tax Increase (Williams)	H.B. 291	(F)
Medical Problem Reflection (Barton)	S.B. 125	(P)
Private CLub Nonprofit Corporations Act (Jeffs)	S.B. 285	(P)
Public Intoxication Treatment Act (LeFevre)	H.B. 183	(P)
School Proximity to Liquor Stores (Kimball)	S.B. 295	(F)
Siting of Liquor Stores (Burningham)	H.B. 278	(F)
State Liquor Stores Beer Sales (Wayment)	S.B. 277	(F)
Utah Dram Shop Act (Jeffs)	S.B. 283	(P)
Violations in State Parks (Selleneit)	H.B. 342	(F)

MEDIA

Mail Order Sales Act (Black)	S.B. 83	(F)
Motion Picture Films as Inventory (Black)	S.B. 78	(F)
Sales Taxes - Motion Picture Films (Black)	S.B. 79	(P)
Material on Cable T.V. (Jones)	S.B. 301	(P)

MEDICINE
(See HEALTH AND MEDICINE)

MILITARY
(See VETERANS' AND MILITARY CONCERNS)

MINES AND MINING

Coal Leasing Policy (Garr)	H.C.R. 7	(P)
Coal Mining and Reclamation Act Amendments (Garr)	H.B. 66	(P)
County Ordinance Compliance (Sowards)	S.B. 198	(F)
Equipping and Operating Mines (Garr)	H.B. 297	(F)
Mined Land Reclamation (Dmitrich)	H.B. 336	(F)
Mined Land Reclamation (Dmitrich)	H.J.R. 46	
Mining Taxation Amendments (Harward)	H.B. 312	(F)
Oil Rerefining Amendments (Black)	S.B. 33	(P)

MOTOR VEHICLES

Anatomical Gift Act Amendments (Barton)	S.B. 97	(P)
Appearances After Misdemeanor Arrest (Richards)	H.B. 119	(F)
Auto Deaths - Medical Examiner (Farley)	S.B. 168	(F)
Automobile Inspections Repeal (Knowlton)	H.B. 102	(F)
Automobile Insurance Amendments (Cornaby)	S.B. 44	(F)
Automobile Negligence - Death or Injury (Harrison)	H.B. 86	(P)
Automobile Ownership Presumption (Richards)	H.B. 120	(F)
Automotive Repairs (Maxfield)	H.B. 254	(F)
Boat Operator's Licensure (Halverson)	S.B. 264	(F)
Chauffeur's Drivers License Points (Whitesides)	H.B. 154	(F)
Chauffeur's License Amendments (McMullin)	H.B. 59	(P)
County Designation on License Plates (Gardner)	H.B. 128	(F)
County Vehicle Inspection and Maintenance (Finlinson)	S.B. 50	(F)
Designated Lane Traveling (Selleneit)	H.B. 38	(F)
Drinking in Motor Vehicles (Jeffs)	S.B. 161	(P)
Drivers' License Fees (Sandberg)	S.B. 223	(F)
Fuel Tax Transfer - Off Road Vehicles (Harmer)	H.B. 380	(F)
Fuel Tax Transfer - Recreational Vehicles (Harmer)	H.B. 74	(F)
Highway Revenue Amendments (Sowards)	S.B. 98	(P)
License Plates for Former Prisoners of War (Christensen)	H.B. 141	(F)
Manufactured Housing and Recreational Vehicle Standards (Bunnell)	S.B. 209	(P)
Motor Fuel Marketing (Money)	S.B. 200	(P)
Motor Fuel Sales (Bangerter)	S.B. 216	(F)
Motor Fuel Testing and Labeling (Money)	S.B. 16	(P)

Motor Vehicle Safety Amendments (Black)	S.B. 146	(P)
Motor Vehicle Act Modification (Garff)	H.B. 387	(P)
Motor Vehicle Safety Responsibility (Kimball)	S.B. 224	(F)
Off Highway Vehicles (Dmitrich)	H.B. 334	(F)
Officers Command to Stop (Schmutz)	H.B. 91	(P)
One License Plate (Bangerter)	S.B. 150	(F)
Parking and Improvement District Amendments (Kimball)	S.B. 142	(P)
Radar Detector Elimination (Mecham)	H.B. 127	(F)
Signal Lights - Volunteer Firemen (Bangerter)	S.B. 138	(P)
Small Trucks Laden Weight (Bullen)	S.B. 19	(P)
Studded Tires Tax Removal (Bullen)	S.B. 6	(P)
Titles of Boats and Vessels (Sowards)	S.B. 239	(F)
Tow Truck Operators (Stratford)	H.B. 331	(F)
Towing Recreation Vehicles (Christensen)	H.B. 149	(P)
Tramway Registrations (Finlinson)	S.B. 262	(F)
Transfer of Personalized License Plates (Cornaby)	S.B. 120	(P)
Trucking Deregulation (Fox)	H.B. 340	(F)
Utah Boating Act (Garr)	H.B. 162	(F)
Utah Ridesharing Act (Dmitrich)	H.B. 239	(P)
Vehicle Registration Fee Increase (Sandberg)	S.B. 222	(F)
Vehicle Registration Information (Farnsworth)	H.B. 40	(F)
Weighing of Motor Vehicles (Pugh)	S.B. 72	(F)
Winter Recreational Parking (Farley)	S.B. 124	(F)

NATURAL RESOURCES AND ENERGY CONSERVATION
(See also ENERGY-CONSERVATION AND DEVELOPMENT)

Renewable Energy Use (Farley)	S.B. 215	(F)
Solar Energy Utilization in Municipalities (Sowards)	S.B. 213	(P)
State Natural Resources and Energy Function Reorganization (Sowards)	S.B. 139	(P)
Volunteer Workers in the Department of Natural Resources (Hollinghaus)	H.B. 110	(P)

NEWSPAPERS AND PUBLIC BROADCASTING
(See also MEDIA)

Political Advertising by Newspapers (B. White)	H.B. 356	(F)

OPEN AND PUBLIC MEETINGS
(See LEGISLATURE and STATE AFFAIRS)

PARENT AND CHILD
(See FAMILIES)

PARKS AND RECREATION

Construction by Division of Parks and Recreation (Gardner)	H.B. 364	(F)
Intoxication in State Parks (Selleneit)	H.B. 342	(F)
Mobile Home and Recreational Vehicle Standards - Manufactured Housing and Recreational Vehicle Standards (Bunnell)	S.B. 209	(P)
Provo-Jordan River State Parkway (Snow)	S.B. 203	(P)
State Veterans' Cemetery (Black)	S.B. 221	(P)
Winter Recreational Parking (Farley)	S.B. 124	(F)

PEACE OFFICER TRAINING

(See CRIMINAL CODE "POLICE AND FIRE CONCERNS")

PENSION AND RETIREMENT

Firemen's Retirement Benefit Offset (Harmer)	H.B. 163	(P)
Modification of Firemen's Retirement Benefits (Gardner)	H.B. 131	(P)
Pension Distributions Taxing (Bullen)	S.B. 274	(P)
Public Safety Retirement Benefits (Carling)	S.B. 144	(P)
Retirement Fund Real Estate Investment Limitations (Mecham)	H.B. 167	(F)
Retirement Income Deduction Increases (Bangerter)	H.B. 63	(F)
Retirement Office Amendments (Mecham)	H.B. 166	(F)
Retirement Programs for Personnel of High Education Institutions (Halverson)	S.B. 233	(F)
Retirement System Contributions (Gardner)	H.B. 222	(F)
School and Public Employees' Retirement Benefits (Bennett)	S.B. 281	(F)
Senior Citizens' Property Tax Relief (Curran)	H.J.R. 8	(F)
State Veterans' Cemetery (Black)	S.B. 221	(P)
Utah State Retirement Office Act Amendments (Gardner)	H.B. 132	(F)
Utah State Retirement Act Modifications (Flamm)	S.B. 199	(P)

PORNOGRAPHY

(See CRIMINAL CODE, PORNOGRAPH AND SEXUAL OFFENSES)

PROBATE, Trusts and Estates

PUBLIC OFFICERS

(See STATE OFFICERS AND EMPLOYEES)

PUBLIC EDUCATION

(See SCHOOLS, PUBLIC EDUCATION)

PUBLIC FUNDS AND AMOUNTS

(See TAXES)

PUBLIC UTILITIES
(See UTILITIES, PUBLIC)

PUBLIC WELFARE
(See SOCIAL SERVICES)

RAILROADS

REAL ESTATE

Assumption of Real Estate Security Interests (Pace)	H.B. 203	(P)
Condominium Conversion Approvals (Cornaby)	S.B. 1	(F)
Condemnation Amendments (Wayment)	S.B. 219	(P)
Condemned Property Uses (Peterson, C.)	S.B. 148	(P)
Foreclosure of Trust Deeds (Carling)	S.B. 248	(P)
Instrument Recordation Requisite (Palmer)	H.B. 36	(P)
Land Sales Exemption (Peterson, L.)	S.B. 208	(P)
Real Estate License Amendments (Barlow)	S.B. 107	(P)
Real Estate Recovery Fund (Knowlton)	H.B. 323	(F)
Retirement Fund Real Estate Investment Limitation (Mecham)	H.B. 167	(F)

REGISTRATION
(See also LICENSES-REGULATIONS and BUSINESS REGULATIONS)

Business License Fees (Harmer)	H.B. 11	(P)
Continuing Education for Pharmacists (Sowards)	S.B. 30	(F)
Division of Registration Amendments (Wayment)	S.B. 151	(P)
Hearing Aid Committee (Barlow)	S.B. 164	(F)
Vehicle Registration Information (Farnsworth)	H.B. 40	(F)

RESOLUTIONS

Acord Resolution (Barton)	S.C.R. 4	(P)
Alcohol Warning Label Resolution (Jeffs)	S.C.R. 5	(P)
Assessment of Property Study Resolution (Pace)	H.J.R. 41	(F)
Automobile Emissions and Clean Air (Cornaby)	S.C.R. 7	(P)
Basketball Teams in Utah Commendation (Farnsworth)	H.C.R. 14	(P)
Chris Ritzakis Resolution	H.J.R. 9	(P)
Clean Air Day (Cornaby)	S.C.R. 7	(P)
Coal Leasing Policy Resolution (Garr)	H.C.R. 7	(P)
Criminal Justice Study (Karras)	H.J.R. 39	(F)
David Terry Warner Resolution (Gardner)	H.C.R. 13	(P)
Dr. T. H. Bell Resolution (Richards)	H.C.R. 15	(P)
Earthquake Preparedness Resolution (Money)	S.J.R. 4	(P)

Fair Competition in Steel Industry (Jeffs)	S.C.R. 2	(P)
Federal Judicial Reform Resolution (Selleneit)	H.J.R. 4	(F)
Federal Legislation Resolution (Selleneit)	H.J.R. 3	(F)
Federal Taxation Limitation Resolution (Selleneit)	H.J.R. 36	(F)
Herbert B. Maw Resolution (Garr)	H.C.R. 16	(P)
Hostage Return Resolution (All Members)	H.C.R. 2	(P)
Impeachment Rules Resolution (Selleneit)	H.R. 1	(P)
Interim Study Assignments (Halverson)	S.J.R. 9	(P)
Interim Study of the Lay Midwife Program (Bangerter)	S.C.R. 8	(P)
Irene Evans Rawlinson Resolutions (All Members)	H.R. 4	(P)
J. McKinnon Smith Resolution (Selleneit)	H.J.R. 38	(F)
Karl A. Peterson Resolution (Dmitrich)	H.J.R. 19	(F)
Legislative Employees' Salaries (Harmer)	H.J.R. 13	(P)
Low-Level Radioactive Wastes (Brandt)	H.C.R. 12	(P)
Maestro Varujan Kojian Resolution (Sykes)	H.J.R. 18	(F)
Major Jackson R. Howard Resolution (Jeffs)	S.R. 1	(P)
Manual A. Rovas Resolution (Swan)	S.J.R. 8	(F)
Mined Land Reclamation Resolution (Dmitrich)	H.J.R. 46	(P)
National Forensics League Resolution (Bishop)	H.C.R. 1	(P)
Porcelain Painting Resolution (Bishop)	H.J.R. 24	(F)
President Ronald Reagan Resolution (All Members)	S.C.R. 3	(P)
Right to Quality Right Resolution (Kimball)	S.R. 3	(F)
Royal Thomas Harward Resolution (Halverson)	S.C.R. 1	(P)
Salt Lake Art Center Resolution (Garff) Changed to H.C.R. No. 11)	H.J.R. 21	(P)
Sheldon Riser Brewster Resolution (Sykes)	H.C.R. 5	(P)
State Expenditure Limitation (Redd)	H.J.R. 44	(F)
State Government Printing Resolution (Haddow)	H.J.R. 31	(P)
State's Rights Resolution (Selleneit)	H.J.R. 2	(F)
Toxicants for Predator Control Research (Matheson)	S.C.R. 6	(P)
Violence Exhibition Study (Selleneit)	H.J.R. 37	(F)
Wild Game Feed Resolution (Myrin)	H.J.R. 15	(P)
Year of Disabled Persons Resolution (Brandt)	H.C.R. 10	(P)

RETIREMENT

(See PENSIONS AND RETIREMENT)

REVENUE

(See TAXES)

SCHOOLS, GENERAL

Air Conditioning School Buildings (Garff)	H.B. 144	(P)
Basic Local School Sales and Use Tax Law (Pace)	H.B. 193	(F)

Board of Education Vacancies (Farnsworth)	H.B. 79	(P)
Board of Regents Increase (Peterson, C.)	S.B. 130	(P)
Building Code Waivers (Asay)	S.B. 5	(F)
Character Trait Instruction (Walker)	H.J.R. 34	(F)
Collection of Student Loans (Burningham)	H.B. 338	(F)
Critical School Building Projects (Peterson, C.)	S.B. 132	(F)
District Indebtedness Amendments (Garff)	H.B. 147	(F)
Education of Youth in Custody (Halverson)	S.B. 121	(P)
Educational Program Study (Pace)	H.J.R. 42	(F)
Educators' Termination Procedures Modifications (Dmitrich)	H.B. 135	(F)
Engineering Teaching as Experience (Gardner)	H.B. 363	(F)
Fees for Teachers' Certificates and Renewals (Bishop)	H.B. 16	(F)
Government Immunity for Clinical Care Students (Richards)	H.B. 353	(P)
Homestead Exemptions and State Support for Schools Resolution (Brockbank)	H.J.R. 14	(F)
Indebtedness of School District Amendments (Barlow)	S.B. 184	(P)
Kindergarten Entrance Date (Carling)	S.B. 127	(F)
Library Theft (Bishop)	H.B. 112	(P)
Local Sales Tax for Minimum School Programs (Pace)	H.B. 194	(F)
Minimum Basic School District Tax Levy (Pugh)	S.B. 292	(F)
National Forensics League Resolution (Bishop)	H.C.R. 1	(P)
Periodic Refresher Educational Courses (Johnson)	H.B. 253	(F)
Private Post High Schools (Burningham)	H.B. 327	(F)
Reassessment and School District Levies (Barlow)	S.B. 257	(F)
Recertification of Teachers (Farnsworth)	H.B. 98	(F)
Sale of Surplus Schools (Considine)	H.B. 142	(F)
Sales Taxes - School Districts (Haddow)	H.B. 290	(F)
School and Public Employees' Retirement Benefits (Bennett)	S.B. 281	(F)
School Basic Tax Levy (McKeachnie)	H.B. 159	(F)
School Building Construction Requirements (Swan)	S.B. 190	(F)
School Building Equalization Program (Garff)	H.B. 321	(P)
School Building Revolving Account (Peterson)	S.B. 246	(P)
School Building Utilization Pilot Program (Garff)	H.B. 145	(P)
School Compliance Officers (Sykes)	H.B. 84	(P)
School Crossing Operation (McMullin)	H.B. 52	(F)
School District Boundary Changes (Bennett)	S.B. 234	(P)
School Finance (Barlow)	S.B. 308	(P)
School Levy Rollback Requirements (Knowlton)	H.B. 322	(F)
School Lunch Funding (Wayment)	S.B. 255	(F)
School Program Support Limitation (Bunnell)	S.J.R. 2	(F)
School Proximity to Liquor Stores (Kimball)	S.B. 295	(F)
State Training School - Costs Responsibility (Rees)	H.B. 295	(F)
Tax Credit for Tuition to Private Schools (Redd)	H.B. 184	(F)
Transit District Passes for Students (Taylor)	H.B. 346	(F)

Utah Municipal Building Authority Act (Cornaby)	S.B. 272	(P)
Voted Leeway Termination (Farnsworth)	H.B. 386	(F)

SCHOOLS, Public Education

Bird Day Repeal (Redd)	H.B. 273	(P)
Compulsory Attendance Age (Regg)	H.B. 286	(F)
Course of Study Committee (Walker)	H.B. 106	(P)
Education Impasse Procedures (Halverson)	S.B. 119	(F)
Free Education Extension (Garff)	H.B. 189	(F)
Habitual Truancy (Cornaby)	S.B. 252	(P)
School District Alternative Levies Repeal (Pugh)	S.B. 309	(F)
School Mill Levy Adjustment (Brown)	H.B. 201	(F)
State Board of Education Personnel (Carling)	S.B. 240	(F)
State Levy for School Support (Swan)	S.B. 92	(F)
Teacher Termination Modifications	H.B. 327	(F)
Teacher Termination Procedures (Redd)	H.B. 270	(F)
Textbooks in Public Schools (Curran)	H.B. 261	(P)
University Credits in Secondary Schools Study (Buringham)	H.J.R. 20	(F)
Utah School Immunization Act (Farley)	S.B. 41	(F)
Vandalism of Public Education Facilities (Myers)	H.B. 332	(F)
Voted Leeway Termination (Peterson)	S.B. 27	(F)

SCHOOLS, Higher Education

Board of Regents Increase (Peterson, C.)	S.B. 130	(P)
Board of Regents Members (Matheson)	S.B. 147	(F)
Campus Buildings Act Amendments (Barlow)	S.B. 177	(P)
Higher Education Classified Personnel Salaries (Reese)	H.B. 208	(F)
Higher Education Loans Interest (Richards)	H.B. 354	(P)
Private Post High Schools (Burningham)	H.B. 337	(F)
Retirement Programs for Personnel of Higher Education Institutions (Halverson)	S.B. 233	(F)
Self Insurance — Workmens' Compensation (Reese)	H.B. 272	(F)

SCHOOLS, Technical and Vocational

Utah Technical College at Provo Associate in Science Degree (Gardner)	H.B. 258	(P)

SECURITIES — BONDS

Municipal Bond Elections (Farnsworth)	H.B. 212	(P)

SOCIAL SERVICES
(See also HANDICAPPED and HEALTH AND MEDICINE)

Abortion Restrictions (Sykes)	H.B. 83	(P)
Access to Death Certificates (Fox)	H.B. 156	(F)
Accrual of Incidences of Fraud (Cornaby)	S.B. 58	(P)
Adoption Amendments (Bangerter)	H.B. 62	(F)
Architectural Barriers to Handicapped (Smith)	H.B. 48	(F)
Asian Refugees Resolution (Sykes)	H.R. 2	(P)
Care of Indigent Amendments (Rogers)	H.B. 333	(P)
Contraception or Abortion Services or Devices (Snow)	S.B. 3	(P)
County Payment — Medical Assistance (Rogers)	H.B. 319	(F)
Division of Family Services Fees (Cornaby)	S.B. 40	(P)
Food Donations - Good Samaritan (Bullen)	S.B. 112	(P)
Fraud Control in Public Assistance (Sykes)	H.B. 133	(F)
Funds for DD/MR Programs (Rogers)	H.B. 313	(F)
General Assistance Revisions (Rogers)	H.B. 101	(P)
Juvenile Court Act Amendments (Rogers)	H.B. 117	(F)
Medical Responsibilities (Cornaby)	S.B. 54	(P)
Ombudsman for Institutionalized Elderly (Bangerter)	S.B. 89	(P)
Peace Officers Amendments (Cornaby)	S.B. 56	(P)
Place of Juvenile Detention (Bunnell)	S.B. 90	(P)
Placing Children for Adoption (Bangerter)	H.B. 61	(F)
Professional Counselors (McMullin)	H.B. 114	(F)
Public Assistance Burial Trust (Harmer)	H.B. 384	(P)
Public Assistance Overpayments (Considine)	H.B. 324	(F)
Rights of Deaf and Blind Persons (Smith)	H.B. 47	(P)
Rights of Deaf and Blind Persons (Smith)	H.B. 330	(P)
Senior Citizens' Property Tax Relief (Curran)	H.J.R. 8	(F)
Signal Lights Volunteer Firemen (Bangerter)	S.B. 138	(P)
Social Services Providing (Doane)	H.B. 90	(F)
Social Services Reorganization Resolution (Doane)	H.J.R. 48	(F)
Social Services Subpoenas (Doane)	H.B. 107	(P)
Utah Child Abuse Act (Harrison)	H.B. 87	(P)
Youth Correction Agency (Stratford)	H.B. 263	(P)

STATE AFFAIRS
General, Buildings and Grounds, History and Preservation

Disability — Statute of Limitations (Richards)	H.B. 237	(F)
Administrative Services Act (Snow)	S.B. 191	(P)
Alternative Level Budgeting (Harward)	H.B. 266	(F)

Athletic Commission Reorganization (Swan)	S.B. 204	(F)
Athletic Events Amendments (Swan)	S.B. 25	(P)
Budgets of Judicial Branch (Selleneit)	H.B. 20	(P)
Building Board Amendments (Harward)	H.B. 300	(F)
Building Requirements for Earthquake Safety (Nielsen)	H.B. 29	(F)
Casual Meetings of Public Bodies (Peterson)	S.B. 32	(P)
Civil Defense/Emergency Services Study (Selleneit)	H.J.R. 26	(F)
Commission on Black Affairs (Williams)	H.B. 307	(F)
Council on Hispanic Affairs (Florez)	H.B. 296	(F)
Council on Science and Technology (Sowards)	S.B. 169	(P)
Disaster Response and Recovery Act (Black)	S.B. 69	(P)
Division of Expositions Transfer (Matheson)	S.B. 244	(F)
Economic and Industrial Division and Board (Brandt)	H.B. 370	(F)
Emergency Management Act (Black)	S.B. 70	(P)
Excess Appropriation Expenditures (McAllister)	H.B. 198	(F)
Fire Training Program (Harmer)	H.B. 347	(P)
Heritage Trees (Carling)	S.B. 10	(F)
Heritage Trees (Strong)	H.B. 13	(F)
Industrial Facilities Development Act Amendments (Finlinson)	S.B. 101	(P)
Industrial Facilities Development Act (Bennett)	S.B. 266	(F)
Industrial Park Definition (Harmer)	H.B. 210	(F)
Landscape Architects Continuance (B. White)	H.B. 264	(F)
Land Sales Exemption (Peterson, L.)	S.B. 208	(P)
Land Sales Practices Act Exemption (Smith)	H.B. 211	(F)
Library Theft (Bishop)	H.B. 112	(P)
MX Impact Planning Act (Farley)	S.B. 123	(F)
Moroni L. Jensen State House Fellows Program (Bunnell)	S.B. 197	(P)
Placement of Nuclear Waste (Farley)	S.B. 18	(P)
Porcelain Painting Resolution (Bishop)	H.J.R. 24	(F)
Procurement Code Amendments (Snow)	S.B. 254	(P)
Property Transfer to Weber State (Halverson)	S.B. 297	(F)
Recording of Administrative Hearings (Sykes)	H.B. 82	(P)
Resource Development Coordinating Committee (Rawson)	H.B. 267	(P)
Return of Attorney's Fees Amount (Selleneit)	H.B. 24	(P)
Revenue Stabilization Reserve Fund (Bennett)	S.B. 238	(F)
State and Local Revenue and Appropriations Limitations (Hollingshaus)	H.B. 41	(F)
State Budget Reduction Procedures (Bangerter)	H.B. 343	(F)
State Building Board Powers (Halverson)	S.B. 29	(F)
State Building Ownership Authority Amendments (Bullen)	S.B. 273	(P)
State Convocation on Federalism (Rawson)	H.C.R. 9	(F)
State Government Printing Resolution (Haddow)	H.J.R. 31	(P)
State Governmental Expenditures (Farnsworth)	H.J.R. 47	(F)
State Holiday Change (Sykes)	H.B. 125	(P)

State Lands Trust Investments (Finlinson) S.B. 205 (F)
State Payment of Claims (Selleneit) H.B. 25 (P)
State Personnel Management Act Amendments (Snow) S.B. 271 (P)
State Risk Management Fund (McKeachnie) H.B. 349 (P)
State Training School — Costs Responsibility (Rees) H.B. 295 (F)
Status of Women Commission Discontinuance (Hollingshaus) H.B. 238 (F)
Sunset Act Amendments (Carling) S.B. 152 (P)
Utah Community Redevelopment Law Amendments (Barlow) S.B. 178 (P)
Utah Council on Criminal Justice (Selleneit) H.B. 372 (F)
Utah Refunding Bond Act (Barlow) S.B. 181 (P)

STATE BUILDINGS AND GROUNDS
(See also STATE AFFAIRS)

Controlled Substances Act Amendments (Rector) H.B. 175 (P)
State Building Board Powers (Halverson) S.B. 39 (F)

STATE HISTORY AND PRESERVATION
(See STATE AFFAIRS)

STATE INSTITUTIONS

Community Corrections Assistance Act (Doane) H.B. 233 (F)
Disability — Statute of Limitations (Richards) H.B. 237 (F)
Division of Expositions Leases (Mecham) H.B. 76 (F)
Education of Youth in Custody (Halverson) S.B. 121 (P)
Prisoner's Place for Voting (Free) H.B. 165 (F)
Youth Correction Agency (Stratford) H.B. 263 (P)

STATE AND FEDERAL LANDS

Condemnation Amendments (Wayment) S.B. 219 (P)
Disposition of Receipts from Sovereign Lands (Finlinson) S.B. 263 (F)
Heritage Trees (Strong) H.B. 13 (F)
Heritage Trees (Carling) S.B. 10 (F)
In Lieu Payments on State Lands (Myrin) H.J.R. 25 (F)
Industrial Facilities Development Act Amendment (Finlinson) S.B. 101 (P)
MX Impact Planning Act (Farley) S.B. 123 (F)
Provo Bay Acretion (Phelps) H.J.R. 28 (F)
Provo-Jordan River State Parkway (Snow) S.B. 203 (P)
Repeal of State Consent (Redd) H.R. 4 (P)
State Agencies' Land Leasing (Finlinson) S.B. 206 (F)
State Land Sales (Finlinson) S.B. 207 (F)

State Lands Amendments (Finlinson)	S.B. 39	(P)
State Mineral Lands Rentals and Royalties (Redd)	H.B. 3	(F)
State Property Sale Requirement (Sykes)	H.B. 214	(F)
Utah Major Facility Sitting Act (Rawson)	H.B. 302	(F)
Withdrawl of Consent to Federal Jurisdiction over State Lands (Redd)	H.B. 2	(P)

STATE OFFICERS AND EMPLOYEES

Adult Probation and Parole (Stratford)	H.B. 308	(P)
Audit of Public Transit Districts — State Auditor (Taylor)	H.B. 5	(F)
Billings by Attorney General (Hillyard)	H.B. 249	(P)
Cost of Living Change Amendments (Gardner)	H.B. 243	(F)
Deputy Sheriffs' Probationary Period (Selleneit)	H.B. 235	(F)
Equal Opportunity to Employment (Sykes)	H.B. 241	(F)
Filling Vacancies — Elected Offices (Farnsworth)	H.B. 262	(P)
Fire Training Programs (Harmer)	H.B. 347	(P)
Government Employees — National Guard (Farnsworth)	H.B. 96	(P)
Interstate Corrections Compact (Jeffs)	S.B. 284	(F)
Investment of Redemption Fund Repeal (Barlow)	S.B. 183	(P)
Legislative Employees Salaries (Harmer)	H.J.R. 13	(P)
Meetings of Public Bodies (Peterson, L.)	S.B. 32	(P)
Modification of Firemen's Retirement Benefits (Gardner)	H.B. 131	(P)
Municipal Employee Discharge (Sykes)	H.B. 360	(F)
Peace Officer Classification (Sowards)	S.B. 298	(P)
Police Training Resolution (Taylor)	H.J.R. 10	(F)
Public Employees Negotiation (Reese)	H.B. 355	(F)
Public Employees' Political Activities (Black)	S.B. 73	(F)
Public Officials' Salary Increases (Barton)	S.B. 61	(F)
Removal of Police and Fire Chiefs (Selleneit)	H.B. 140	(F)
Removal of Public Officials (Selleneit)	H.B. 105	(F)
Repeal of Highway Patrol Manpower Standard (Barlow)	S.B. 300	(F)
Review of Shooting by Police (Taylor)	H.B. 345	(F)
Salary Survey Requisites (Mecham)	H.B. 298	(F)
Salary Survey Requisites (All Members)	S.B. 230	(F)
Shorthand Reporters Act (Pace)	H.B. 401	(F)
Signal Lights Volunteer Firemen (Bangerter)	S.B. 138	(P)
State Hiring Moratorium (Harward)	H.B. 260	(F)
State Personnel Management Act Amendments (Snow)	S.B. 271	(P)
Utah Executive and Judicial Salary Act (Harward)	H.B. 256	(P)
Utah Public Employees' Disability Act (Gardner)	H.B. 367	(F)
Utah State Retirement Act Modifications (Flamm)	S.B. 199	(P)
Utah State Retirement Office Act Amendments (Gardner)	H.B. 132	(P)
Volunteer Workers in the Department of Natural Resources (Hollingshaus)	H.B. 110	(P)
Water Conservancy District Offices (Farley)	S.B. 122	(F)

TAXES, General

Civil Defense/Emergency Services Study (Selleneit)	H.J.R. 26	(F)
Coal Occupation Tax (Farley)	S.B. 305	(F)
County Mill Levy Limitation Increase (Pace)	H.B. 397	(F)
Disabled Veterans' Exemption (White, B.)	H.J.R. 12	(F)
Energy Saving System Tax Credit Amendments (Sowards)	S.B. 211	(P)
Financial Assistance to Political Subdivisions (Saunders)	H.J.R. 22	(F)
Fuel Tax Transfer — Off Road Vehicles (Harmer)	H.B. 380	(F)
Government Expenditure Limitation Resolution (Brockbank)	H.J.R. 7	(F)
Increase of Occupation Taxes (Pace)	H.B. 398	(F)
Increased Retirement Income Deduction (Bullen)	S.B. 86	(F)
Minimum Basic School District Tax Levy (Barlow)	S.B. 292	(F)
Mining Taxation Amendments (Harward)	H.B. 312	(F)
Nonresident Use Tax Exemption (Harward)	H.B. 320	(F)
Occupation Tax Increase (Farley)	S.B. 250	(F)
Pension Distributions Taxing (Bullen)	S.B. 274	(P)
Research Park — Subject to Privilege Tax (Whitesides)	H.B. 153	(F)
Revenue and Appropriations Limitation Amendments (Barton)	S.B. 59	(F)
Revenue and Appropriation Limitation Amendments (Brockbank)	H.B. 394	(F)
Revision of Tax Article (Harrison)	H.J.R. 6	(F)
School Basic Tax Levy (McKeachnie)	H.B. 159	(F)
School Levy Rollback Requirements (Knowlton)	H.B. 322	(F)
Special Taxing District Levies (Brockbank)	H.B. 269	(P)
State and Local Revenue and Appropriation Limitation (Bishop)	H.B. 60	(F)
State Expenditure Limitation (Redd)	H.J.R. 44	(F)
State Governmental Expenditures (Farnsworth)	H.J.R. 47	(F)
State Mill Levy Use (Pace)	H.B. 396	(F)
Tax Article Revision (Sowards)	S.J.R. 1	(F)
Tax Credit Homeowners Renters Repeal (Snow)	S.B. 303	(P)
Tax Credit Study Resolution (Nielsen)	H.J.R. 23	(F)
Tax Free Bonds Home Construction (Flamm)	S.R. 2	(P)
Taxation of Certain Mobile Homes (Barlow)	S.B. 14	(P)
Taxation of Regulated Investment Companies (Evans)	H.B. 315	(F)
Transient Room Tax (Harmer)	H.B. 382	(F)
Unappropriated Federal Funds Review (McAllister)	H.B. 179	(F)
Uniform Appraisal and Assessment Amendment (Pace)	H.B. 44	(F)
Utah Uniform Probate Code Amendments (Barlow)	S.B. 299	(F)

TAXES, Excise

Fuel Tax Transfer — Recreational Vehicles (Harmer)	H.B. 74	(F)
State and Local Revenue and Appropriation Limitation (Hollingshaus)	H.B. 41	(F)

TAXES, Corporate Tax 'Franchise'

Utility Franchise Tax Limitation (Harrison)	H.B. 19	(P)

TAXES, Income

Armed Forces Income Tax Exemption (Merrill)	H.B. 306	(F)
Child Care Tax Credit (McMullin)	H.B. 368	(F)
Health Insurance Premiums Tax (Knowlton)	H.B. 283	(F)
Income Tax Rate Changes (B. White)	H.B. 168	(P)
Payments of Withholding Taxes (Bullen)	S.B. 20	(P)
Pension Distribution Taxing (Bullen)	S.B. 274	(P)
Population and Personal Income Figures Adoption (Brockbank)	H.B. 393	(F)
Tax Credit for Homeowners and Renters Repeal (Snow)	S.B. 303	(P)
Tax Credit for Tuition to Private Schools (Redd)	H.B. 186	(F)

TAXES, Inheritance

TAXES, Property

Assessment of Property Study Resolution (Pace)	H.J.R. 41	(F)
Basis of Revaluations (Brown)	H.B. 75	(F)
Circuit Breaker Modifications (Barlow)	S.B. 158	(F)
Exemption from Execution (Harrison)	H.B. 64	(P)
Fees on Delinquent Taxes (Myrin)	H.B. 217	(P)
Home Improvements Tax Incentive (Bennett)	S.B. 286	(F)
Homestead Exemption (Knowlton, F.)	H.B. 232	(F)
In Lieu Payments To Local Subdivisions (Matheson)	S.B. 129	(F)
Interest on Personal Property Tax (Harmer)	H.B. 155	(P)
Interest on Real Property Taxes (Harmer)	H.B. 109	(P)
Notice of Tax Sale (Walker)	H.B. 73	(P)
Prepayment of Property Taxes to Mitigate Impact of Development (Bunnell)	S.B. 170	(P)
Privilege Tax Amendments (Pugh)	S.B. 154	(F)
Property Tax Increase Limitations (Knowlton)	H.B. 104	(F)
Property Tax Limitation Study (Masur)	H.J.R. 33	(F)
Property Tax Prepayment - Impact Development (Bunnell)	S.B. 170	(P)
Property Tax Procedures Study (Rogers)	H.J.R. 16	(F)
Property Tax Relief Study (Barlow)	S.J.R. 3	(F)
Real Property Tax Revaluation Repeal (F. Knowlton)	H.B. 196	(P)
Reasonable Fair Cash Value Components (Knowlton)	H.B. 164	(P)
Reassessment Limitations (Peterson)	S.B. 260	(F)
Reserve Account Amendments (Rogers)	H.B. 185	(P)
Senior Citizens' Property Tax Relief (Curran)	H.J.R. 8	(F)

Tax Equivalent Property (Sowards)	S.B. 185	(P)
Tax Forms Elimination (Bullen)	S.B. 162	(P)
Taxation of Certain Mobile Homes (Barlow)	S.B. 14	(P)
Veterans' Property Tax Exemption (Harmer)	H.B. 378	(F)
Veterans' Tax Exemption Applications (B. White)	H.B. 199	(F)

TAXES, Sales

Basic Local School Sales and Use Tax Law (Pace)	H.B. 193	(F)
Collection of Sales Tax (Pace)	H.B. 26	(F)
Distribution of Sales Tax Modification (McMullin)	H.B. 115	(F)
Local Sales Tax for Minimum School Programs (Pace)	H.B. 194	(F)
Occasional Sales of Mobile Home Sales Tax Exemption (Flamm)	S.B. 195	(F)
Repeal of Local Optional Sales Tax (Pace)	H.B. 195	(F)
Repeal of Local Optional Sales Tax (Saunders)	H.B. 227	(F)
Sales and Use Tax Distribution (Saunders)	H.B. 228	(F)
Sales and Use Tax Jurisdiction Standard (Bullen)	S.B. 157	(P)
Sales Tax Exemption for Oxygen (Swan)	S.B. 53	(P)
Sales Tax in Small Cities (Hunter)	H.B. 395	(F)
Sales Tax on Hearing Aids (Barton)	S.B. 104	(F)
Sales Tax Exemption on Gold and Silver Coin (Selleneit)	H.B. 39	(F)
Sales Tax — Public Transit Allocation (Finlinson)	S.B. 68	(F)
Sales Tax — Vending Machine Sales (Harward)	H.B. 304	(F)
Sales Tax — Motion Picture Films (Black)	S.B. 79	(P)
Sales Taxes — Public Construction (L. Peterson)	S.B. 109	(F)
Sales Taxes — School Districts (Haddow)	H.B. 290	(F)

TRAFFIC RULES AND REGULATIONS

Airport Security Officers (Sowards)	S.B. 302	(F)
Chauffeur's Drivers License Points (Whitesides)	H.B. 154	(F)
Designated Lane Traveling (Selleneit)	H.B. 38	(F)
Driver Training Study Resolution (Pace)	H.J.R. 43	(F)
Fair Gasoline Pricing Act (Harmer)	H.B. 32	(F)
Fuel Conservation Speed Limit (Selleneit)	H.B. 21	(F)
Motor Fuels Testing and Labeling (Money)	S.B. 16	(P)
Motor Vehicle Safety Responsibility (Kimbell)	S.B. 224	(F)
Non-Resident Violator Compact (Free)	H.B. 94	(F)
Radar Use Prohibition (Cornaby)	S.B. 7	(F)
Speed Limit Changes (Haddow)	H.B. 205	(F)
Towing Recreation Vehicles (Christensen)	H.B. 149	(P)

TRANSPORTATION
(See also HIGHWAYS)

Audit of Public Transit Districts (Taylor)	H.B. 5	(F)
Moving Farm Machinery (J. White)	H.B. 192	(P)
Moving of Hazardous Waste (B. White)	H.B. 174	(F)
Multistate Highway Transportation Agreement (McMullin)	H.B. 57	(P)
Port of Entry Fines (Bangerter)	S.B. 31	(F)
Property Transfer to Weber State (Halverson)	S.B. 297	(F)
Public Transit Decisions (Taylor)	H.B. 33	(F)
Public Transit Act Amendments (Finlinson)	S.B. 136	(P)
Public Transportation Limitation (Brown)	H.B. 172	(P)
Sales Tax — Public Transit Allocation (Finlinson)	S.B. 68	(F)
Tramway Registration (Finlinson)	S.B. 262	(F)
Transit District Audits (Merrill)	H.B. 178	(F)
Transit District Elections (Hillyard)	H.B. 369	(P)
Transit District Establishment Limitations (Finlinson)	S.B. 163	(F)
Transit District Passes for Students (Taylor)	H.B. 346	(F)
Transit Systems Study Resolution (Bangerter)	S.J.R. 6	(F)
Transportation of Forest Products (Gardner)	H.B. 279	(F)
Utah Boating Act (Garr)	H.B. 162	(F)
Utah Ridesharing Act (Dmitrich)	H.B. 239	(P)

UNIFORM COMMERCIAL CODE

Implied Warranties in Livestock Sales (Money)	S.B. 235	(P)

UNIFORM CONSUMER CODE

Alternative Mortgage Instruments (Harmer)	H.B. 17	(P)
Consumer Related Amendments (Barlow)	S.B. 141	(P)
Interest Limitation Increase (Carling)	S.B. 65	(P)

UTILITIES, Public

Committee on Consumer Services Continuation (Swan)	S.B. 91	(P)
Department of Business Regulation Fees (Pugh)	S.B. 279	(P)
Electrical Power Purchase (Rawson)	H.B. 244	(F)
Fuel Cost Increase — Public Utility Rates (Sowards)	S.B. 304	(P)
Power Generation by Towns (Peterson)	S.B. 261	(P)
Powers of Cities and Towns (Halverson)	S.B. 188	(F)

Providing Lighting Power Limit (Dmitrich)	H.C.R. 6	(F)
Public Service Commission Hearing Procedures (Harward)	H.B. 275	(P)
Public Service Commission Rate Hearings (Harward)	H.B. 403	(F)
Public Utilities Inclusion (Garr)	H.B. 299	(F)
Public Utility Regulatory Act (Williams)	H.B. 292	(F)
Regulation of Public Utilities (Harward)	H.B. 276	(F)
Special Improvement District Assessments (Richards)	H.B. 122	(F)
Utilities Rate Structure (Harrison)	H.B. 18	(F)
Utilities Services — Hostage Situation (Finlinson)	S.B. 156	(P)
Utility Franchise Tax Limitations (Harrison)	H.B. 19	(F)

VETERAN AND MILITARY CONCERNS

Armed Forces Income Tax Exemption (Merrill)	H.B. 306	(F)
Civil Defense/Emergency Services (Selleneit)	H.J.R. 26	(F)
Disabled Veterans' Exemption (B. White)	H.J.R. 12	(F)
Government Employees — National Guard (Farnsworth)	H.B. 96	(P)
License Plates — Former Prisoners of War (Christensen)	H.B. 141	(F)
MX Impact Planning Act (Farley)	S.B. 123	(F)
MX Missile Basing Resolution (Fox)	H.B. 5	(F)
State Veterans' Cemetery (Black)	S.B. 221	(P)
Veterans' Property Tax Exemption (Harmer)	H.B. 378	(F)
Veterans' Representative (Myrin)	H.B. 268	(P)
Veterans' Tax Exemption Applications (B. White)	H.B. 199	(F)

WATER

Flood Control Amendments (Hollingshaus)	H.B. 72	(P)
Geothermal Resource Conservation Act (Finlinson)	S.B. 43	(P)
Groundwater Recharge Test Appropriation (Halverson)	S.B. 296	(F)
Utah Boating Act (Garr)	H.B. 162	(F)
Wastewater Treatment Facilities Fund (Finlinson)	S.B. 140	(F)
Water and Sewage District Fee Delinquencies (Finlinson)	S.B. 294	(F)
Water and Sewer Improvement District Amendments (Barlow)	S.B. 179	(F)
Water Conditioner Installers (Anderson)	H.B. 282	(F)
Water Conditioner Installers Repeals (Matheson)	S.B. 117	(F)
Water Conservancy Act Amendments (Finlinson)	S.B. 42	(P)
Water Conservancy District Boards (Farley)	S.B. 186	(F)
Water Conservancy District Officers (Farley)	S.B. 122	(F)
Water Resource Projects (Barlow)	S.B. 108	(F)

pg. 1082

Pg. 1083

COLUMNAR INDEX

SENATE BILLS AND RESOLUTIONS

FORTY-FOURTH LEGISLATURE
GENERAL SESSION
1981

(Check Reference Code on Page 1084)

REFERENCE CODE
(For Columnar Index)

A	— Amended on Floor
(a)	— Amended in Committee
Ag	— Agriculture Committee
BL-ED	— Business, Labor and Economic Dev. Committee
CC	— Consent Calendar
CCO	— Consent Calendar Objection
C of W	— Committee of the Whole
C.R.	— Committee Report
C.R.(a)	— Committee Report as amended
E-NR	— Energy and Natural Resources Committee
HA	— House Amends
Hc	— House Committee
HC	— House Concurs
H.E.	— Higher Education Committee
HRC	— House Refuses to Concur
HRR	— House Refuses to Recede
HSEC	— House Struck Enacting Clause
J	— Judiciary Committee
JCCR	— Joint Conference Committee Report
P.E.	— Public Education Committee
R	— Rules (Sifting) Committee
(R)	— Read
R-T	— Revenue and Taxation Committee
SA	— Senate Amends
SC	— Senate Concurs
Sc	— Senate Committee
S-LA	— State and Local Affairs
SRR	— Senate Refuses to Recede
S.S.	— Social Service Committee
SSEC	— Senate Struck Enacting Clause
Sub.	— Substitute bill or resolution
T	— Tabled
T-PS	— Transportation and Public Safety
V	— Vote

SENATE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading)	Introduced Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and Other Action
SB 1	**Condominum Conversion Approvals** K.S. Cornaby	81(R) R	107 BL-ED 1012. SSEC								SSEC-3 12 81
2	**Business Opportunity Disclosure Documents** K.S. Cornaby	81(R) R	107 BL-ED		151(R) C.R. A. A. V	161(R) V	161 285 307 396	285 371	413	412	735 396-HA. SC 3 3 81 Effective 7 1 81 Chap. 69
3	**Contraception or Abortion Services or Devices** Karl N. Snow. Jr.	81(R) R	202 S.S.	341	505(R) C.R. C of W V	515(R) 524. 527 538 545. 548 C of W A.V	549 712 736	712 Sub. 736 H Second Sub.	763	763	3 26 81 HA-SC. 736 Effective 5 12 81 Chap. 123
4	**Uniform Fire-Prevention-Code Panel** E. Verl Asay. et al	82(R) R	107 PE	130	138(R) C.R. A. V	146(R) A. V 148. 169	169	311	312	311	493 Effective 5 12 81 2 13 81 Chap. 251

SENATE BILLS

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5	**Building Code Waivers** E. Verl Asay, et al	82(R) R	107 PE	130	139(R) C.R.(a) 140 C of W T 148 A. V	159(R) A. A 172 A 177 T 207 AA V-failed 222. 231 235. 239 248. T 313. A. V 333. 334 335 336. 340	337 644	556 676	557 676	556 676	930 Veto 3 11 81 631-Sub.. A. V 644 V 676 Veto Message Printed. 931
6	**Studded Tires Tax Removal** Charles W. Bullen, et al	82(R) R	107 R-T	136	185(R) C.R.. V	197(R) V	198	311	312	311	493 2 13 81 Effective 5 12 81 Chap. 270
7	**Radar Use Prohibition** K.S. Cornaby	82(R) R	107 BL-ED	610	749. R 751 783(R) C.R. 792. A	804(R) A. C of W V-failed					Failed in Senate 3 6 81

8	**Utah Foreign Judgment Act** Richard J. Carling	82(R) R	107 J	136	190(R) C.R., T 750, R 1010 SSEC							SSEC-3 12 81
9	**Procedure for Filling Local Vacated Elective Office** Ivan M. Matheson, et al	83(R) R	107 S-LA	180	265(R) C.R.(a) V	275(R) V	276 660	660 700 H-Rejected				660 HA-SRC H-Rejected 3 3 81
10	**Heritage Trees** Richard J. Carling	83(R) R	107 A	237	356(R) C.R.(a) V	364(R) V	365 1007 HSEC					HSEC-3 12 81
11	**Off Duty Police Officers** Richard J. Carling	83(R) R	107 T-PS	166	260(R) C.R. C of W, V	274(R) V	275 648	648 680	680	680	3 27 81	648 HA-SC Effective 5 12 81 Chap. 21
12	**Proposed Incorporation of City Amendments** William T. Barton, et al	83(R) R	107 S-LA	180	210(R) C.R.(a) V	229(R) V	229 559	467 575	575	575	3 31 81	467 HA SRC, 487, Hc, Sc 558, HC, JCCR 559, SC Effective 5 12 81 Chap. 54
13	**Municipal Incorporation Amendments** William T. Barton, et al	84(R) R	107 S-LA	142	203(R) C.R. 211, V	229(R) V	230	469	469	469	735 3 3 81	Effective 5 12 81 Chap. 55
14	**Taxation of Certain Mobile Homes** Haven J. Barlow, et al	84(R) R	107 A	142	213(R) C.R. A, V	230(R) A, V	231	383	383	383	584 2 20 81	Effective 5 12 81 Chap. 236

SENATE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading)	Introduced Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and Other Action	
15	**Health Planning and Resources Development Act Amendments** K.S. Cornaby	84(R) R	107 S.S.	186	270(R) C.R.(a) V	277(R) V. 479	277 482	479 494	494	494	894 3 10 81	482. HA SC Effective 3 25 81 Chap. 124
16	**Motor Fuels Testing and Labeling** Eldon A. Money, et al	85(R) R	107 A	142	218(R) C.R. A. C of W A. V	231(R) V	232 482	371 511	371 511	371 511	877 3 9 81	479 482. A.V 511. HC. SA Effective 5 12 81 Chap. 8
17	**Big Game Damage Payments** Haven J. Barlow, et al	85(R) R	107 E-NR	136	164(R) C.R.(a) V-failed							Failed in Senate 1 16 81
18	**Placement of Nuclear Waste** Frances Farley, et al	85(R) R	107 E-NR	186	306(R) C.R.(a) Sub. A. V	320(R) V	320	919	919	919	3 26 81	Effective 5 12 81 Chap. 125
19	**Small Trucks Laden Weight** Charles W. Bullen, et al	86(R) R	107 R-T	136	185(R) C.R., V	198(R) V	198	311	312	311	493 2 13 81	Effective 5 12 81 Chap. 183
20	**Payments of Withholding Taxes** Charles W. Bullen	86(R) R	108 R-T	136	189(R) C.R., V	198(R) V	198	311	312	311	493 2 13 81	Effective 7 1 81 Chap. 235

21	**Interest Rates Increase** Richard J. Carling	86(R) R	108 J	136	190(R) C.R. A. V	199(R) A. V	200	538 557	557	556	3 27 81	538 HA-SC Effective 5 12 81 Chap. 73
22	**General and Municipal Election Law Modifications (Unknown Voter Identification)** Fred W. Finlinson, et al	86(R) R	108 S-LA	237	358(R) C.R.(a) V	365(R) 369. 373 375 V A A V	377 999	999 1019	1019	1019	3 28 81	HA-SC. 999 House 2nd Sub. Effective 5 12 81 Chap. 109
23	**Cemetery and Fire Commissioner Appointments** Fred W. Finlinson, et al	87(R) R	108 S-LA	237	378(R) C.R. A. V	397(R) 399 V	399	530	531	531	894 3 10 81	Effective 5 12 81 Chap. 38
24	**Registration Agents and Election Judges** Fred W. Finlinson, et al	87(R) R	108 S-LA 1012. SSEC									SSEC-3 12 81
25	**Athletic Events Amendments** Karl G. Swan	87(R) R	108 BL-ED	186	269(R) C.R. Sub. A. V	277(R) A. 284 289 302. V	302 540	540 556	557	556	3 23 81	540 HA-SC Effective 5 12 81 Chap. 252
26	**Massage Practice Act** Ronald T. Halverson, et al	88(R) R	108 BL-ED	136	148(R) C.R.(a) AAAAV	160(R) AA	161 312	312 322	322	322	530 2 17 81	312 HA-SC Effective 2 17 81 Chap. 22
27	**Voted Leeway Termination** Lowell S. Peterson	88(R) R	108 PE 1012 SSEC									SSEC-3 12 81

SENATE BILLS

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28	Regulation of Contractors, Plumbers, and Electricians Arnold Christensen, et al	88(R) R	108 BL-ED		245(R) C.R.(a) A. V	256(R) A. V	257 405 479	394 478 494	494	494	968 3 12 81 394 HA. SC 405. HA-SRC 425-Hc. Sc 478-JCCR 479-SC-HC Effective 5 12 81 Chap. 23
29	State Building Board Powers Ronald T. Halverson	89(R) R	108 HE	142	212(R) C.R.(a), T 429-Sub. A. V	456(R) V	456	1020	1020	1020	Veto 3 25 81 1030. 1031 1035. T. 1038
30	Continuing Education for Pharmacists Glade M. Sowards	89(R) R	108 BL-ED	157	257(R) C.R.(a) A-failed 263. 279 304 307. V	327(R) A. V	327 1007 HSEC				HSEC 3 12 81

31	**Ports of Entry Fines** Jack M. Bangerter	89(R) R	108 T-PS	144	219(R) C.R.(a) A. V-failed 228 234-A. V	238(R) A. V	238	539 HSEC				HSEC-2 11 81
32	**Casual Meetings of Public Bodies** Lowell S. Peterson	89(R) R	108 HE	286	403(R) C.R.(a). V	416(R) V	416	556	557	556	3 24 81	Effective 7 1 81 Chap. 191
33	**Oil Rerefining Amendments** Wilford R. Black, Jr.	90(R) R	108 E-NR	136	175(R) C.R.(a) Sub. AA C of W. T 184 208 A. V	228(R) V	229 476 544	476 556	557	556	3 27 81	476 HA. SRC 512. Hc. Sc 543-HC. JCCR 544-SC Effective 5 12 81 Chap. 176
34	**Residential Facility Zoning Limitation** Eldon A. Money	90(R) R	108. S.S. 1012-SSEC									SSEC-3 12 81
35	**Write-In Candidates** Fred W. Finlinson, et al	90(R) R	108 S-LA 1012-SSEC									SSEC-3 12 81
36	**Justice of Peace Precincts** Fred W. Finlinson, et al	90(R) R	108 S-LA	180	379(R) C.R., A C of W. V	397(R) V	398 551	550 575	575	575	3 27 81	550 HA-SC Effective 5 12 81 Chap. 86
37	**Initiative and Referendum Petitions** Fred W. Finlinson, et al	91(R) R	108 S-LA 1012-SSEC									SSEC-3 12 81

SENATE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading)	Introduced Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and	Other Action
38	**Election Registration Amendments** Fred W. Finlinson, et al	91(R) R	108 S-LA	237	380(R) C.R., V	398(R) V	398 661	661 1021	1021	1021	3 31 81	661 HA-SC Effective 5/12/81 Chap. 110
39	**State Lands Amendments** Fred W. Finlinson, et al	91(R) R	108 S-LA	150	223(R) C.R.(a) 227 C of W A, V	239(R) VV	239 551 575 708 736	551 575 708	575 736	575 736	968 3 12 81	551, HA-SC 708-HA-SC Effective 5/12/81 Chap. 264
40	**Division of Family Service Fees** K.S. Cornaby	92(R) R	108 S.S.	136	162(R) C.R.(a) V	173(R) V	173 322 650	322 650	680	680	3 23 81	322, HA-SRC 351-Hc, Sc 650-HC, JCCR, SC Effective 5/12/81 Chap. 158
41	**Utah School Immunization Act** Frances Farley	92(R) R	109 P.E.	166	261(R) C.R.(a), A 265, 271 304, A, V	319(R) V	319 1007 HSEC					HSEC-3/12/81

42	**Water Conservancy Act Amendments** Fred W. Finlinson. et al	92(R) R	109 E-NR	150	222(R) C.R.. 224 243. 245 291. V	314(R) V	314 917	917	942	942	3 27 81 HA-SC. 917 Effective 5 12 81 Chap. 285
43	**Geothermal Resource Conservation Act** Fred W. Finlinson. et al	93(R) R	109 E-NR	136	184(R) C.R. C of W. V	197(R) A. V	197	393	393	393	584 Effective 5 12 81 2 20 81 Chap. 188
44	**Automobile Insurance Amendments** K.S. Cornaby	93(R) R	109 BL-ED	214	348(R) C.R. AA. C of W V	362(R) V	362 662 663	662 1007 HSEC			662 HA-SRC 871 HSEC-3 12 81
45	**Short Term Youth Commitment** K.S. Cornaby	94(R) R	109 S.S.	150	222(R) C.R.(a). V	232(R) V	232	371	371	371	584 Effective 5 12 81 2 20 81 Chap. 159
46	**Rights of Overseas Voters** Fred W. Finlinson	94(R) R	109 S-LA 1012-SSEC								SSEC-3 12 81
47	**Residency and Age Requirements** Fred W. Finlinson. et al	94(R) R	109 S-LA 1012-SSEC								SSEC-3 12 81
48	**Election Modifications** Fred W. Finlinson	95(R) R	109 S-LA 1012-SSEC								SSEC-3 12 81
49	**Military Voting Procedures** Fred W. Finlinson. et al	95(R) R	109 S-LA 1012-SSEC								SSEC-3 12 81

SENATE BILLS

Bill No.	(Check Reference Code on Page 1094) Title and Sponsor (co-sponsors listed on First Reading)	Introduced Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and Other Action
50	**County Vehicle Inspection and Maintenance** Fred W. Finlinson	95(R) R	109 T-PS	180	267(R) C.R., 271 331 C of W. A V-failed						Failed in Senate 2 2 81
51	**Utah Drug Paraphernalia Act** Fred W. Finlinson, et al	95(R) R	109 J	166	258(R) C.R.(a) C of W. V	274(R) V 538	274 545	477 556	478 557	477 556	3 24 81 538 545-A. V
52	**Check Guarantee Cards** E. Verl Asay	96(R) R	109 BL-ED 1012-SSEC								SSEC-3 12 81
53	**Sales Tax Exemption For Oxygen** Karl G. Swan, et al	96(R) R	109 R-T	136	189(R) C.R., V	198(R) V	198	371	371	371	584 Effective 5 12 81 2 20 81 Chap. 238
54	**Medical Responsibilities** K.S. Cornaby	96(R) R	109 BL-ED	214	349(R) C.R.(a), V	362(R)	362	662	662	662	3 23 81 Effective 5 12 81 Chap. 219

55	**Support, Maintenance, and Divorce Amendments** K.S. Cornaby	96(R) R	109 S.S.	186	306(R) C.R.(a). 309 T. 320 346-A C of W V-failed							Failed in Senate 2 3 81
56	**Designation As Peace Officers Amendments** K.S. Cornaby	97(R) R	109 S.S.	264	388(R) C.R. Sub.. V	401(R) V	401 550	549	574	574	3 27 81	550. HA-SC Effective 5 12 81 Chap. 220
57	**Uniform Reciprocal Enforcement of Support Act Amendments** K.S. Cornaby	97(R) R	109 S.S.	136	162(R) C.R.. V	173(R) V	174	312	312	312	493 2 13 81	Effective 5 12 81 Chap. 66
58	**Accrual of Incidences of Fraud** K.S. Cornaby	97(R) R	109 S.S.	136	163(R) C.R.(a) V	174(R) V	174 312 614	312 614	650	650	3 23 81	312. HA-SRC 340-Hc. Sc 614-JCCR. HC. SC Effective 5 12 81 Chap. 221
59	**Revenue and Appropriation Limitation Amendments** William T. Barton	97(R) R	109 S-LA	324	463 486. T 517. 570(R) C.R.(a). T 750. R 1011-SSEC							SSEC-3 12 81
60	**Brucellosis Vaccination Requirement** Ivan M. Matheson	98(R) R	109. A 1012-SSEC									SSEC-3 12 81

SENATE BILLS

Bill No.	(Check Reference Code on Page 1094) Title and Sponsor (co-sponsors listed on First Reading)	Introduced Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and Other Action
61	**Public Officials' Salary Increases** William T. Barton	98(R) R	109 H.E.	136	153(R) C.R. V-failed 164 168 174. AAV	183(R) A.V-failed 711. 763 774. 792 796 A-failed					Failed in Senate 3 6 81
62	**Spouse Abuse Act Amendments** K.S. Cornaby	98(R) R	110 S.S.	738	750. R 1011-SSEC						SSEC-3 12 81
63	**Health Insurance Competition and Discrimination** K.S. Cornaby	99(R) R	110 BL-ED	195	308. 309 T. 320 347(R) C.R.(a) 358. 378 391. 403 411. 422 Sub. C of W. A 424. 431 V-failed						Failed in Senate 2 10 81

64	**Additional Optional Form for County Government** K.S. Cornaby	99(R) R	110 S-LA	142	211(R) C.R. C of W. V	230(R) V. 235 A. V	235 389	389	413	412	736 3-3-81	389-HA. SC Effective 5-12-81 Chap. 87
65	**Interest Limitation Increase** Richard J. Carling	99(R) R	110 BL-ED	214	349(R) Sub. C.R. 354. V	363(R) C of W V	363	635	635	635	968 3-12-81	Effective 5-12-81 Chap. 278
66	**Shoplifting Amendment** Richard J. Carling	99(R) R	110 J	136	191(R) C.R. A. A. V	200(R) T. 220 Sub. V	220 540	477 Failed in House 2-12-81 556	557	556	894 3-10-81	494. 540 HA. SC Effective 5-12-81 Chap. 93
67	**Corrupt Practices Amendments** Fred W. Finlinson	100(R) R	110 S-LA	553	748. R 751, 780 801(R) C.R. (Sub.) AAAA	803(R) V	803 1019 Rejected					Failed in House 3-12-81
68	**Sales Tax — Public Transit Allocation** Fred W. Finlinson	100(R) R	110 R-T	202	347(R). C.R. 430 C of W A. V	456(R). A V-failed 476						Failed in Senate 2-11-81
69	**Disaster Response and Recovery Act** Wilford R. Black, Jr.	101(R) R	110 T-PS	130	139(R) C.R.(a). A C of W A. V	147(R) A. A. V	147 541	541 556	557	556	894 3-10-81	541. HA-SC Effective 5-12-81 Chap. 253
70	**Emergency Management Act** Wilford R. Black, Jr., et al	101(R) R	110 T-PS	130	141(R) C.R.(a) V	146(R) V	147 542	452 556	557	556	894 3-10-81	542. HA-SC Effective 5-12-81 Chap. 254

SENATE BILLS

Bill No.	(Check Reference Code on Page 1094) Title and Sponsor (co-sponsors listed on First Reading)	Introduced Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and	Other Action
71	**Highway Damage Assessments** Jack M. Bangerter	101(R) R	110 T-PS	144	221(R) C.R.(a) 224, 243-V	254(R) A, V	254 1007 HSEC					HSEC-3/12 81
72	**Weighing of Motor Vehicles** Warren E. Pugh	101(R) R	110 T-PS	144	221(R) C.R. V-failed 224 233 234-A, V	238(R) 248 T 560 V	561 649	649				649, HA-SRC 680-Hc, Sc 1007-JCCR, HC Arrived too late for official action 3 12/81
73	**Public Employees Political Activities** Wilford R. Black, Jr.	101(R) R	110 S-LA	180	266(R) C.R.(a) 271, 305 A, V	319(R) V-failed 320, 332 345-A, V	345 1007 HSEC					HSEC-3/12 81
74	**Health Code Revision** Karl N. Snow, Jr.	102(R) R	247 S.S.	423	602(R) C.R.(a) 608, C of W AAAAV	619(R) C of W, A C of W, A 638 AAAAA A, V	639 864	864	886	886	3 26 81	HA-SC, 864 Effective 5 12 81 Chap. 126

75	**Juvenile Court Fines and Fees** A. Dean Jeffs	102(R) R	110 J	136	200(R) C.R. V-failed							Failed in Senate 1 21 81
76	**Animal Disease Investigations** Lowell S. Peterson	103(R) R	110 A	166	265(R) C.R.(a) A. V	275(R) V	275	393	393	393	584 2 20 81	Effective-5 12 81 Chap. 9
77	**Health Maintenance Organizations Amendments** K.S. Cornaby	103(R) R	110 BL-ED	214	354(R) C.R.(a) AAVV	363(R) 369 373, 391 397, 411 419, C of W V-failed 847, 865 881, A. V	882 1007 HSEC					HSEC-3 12 81
78	**Motion Picture Films as Inventory** Wilford R. Black, Jr.	103(R) R	110, H.E. 144 R-T	157	243(R) C.R.(a) A. V	255(R) A. V	255	478	478	478	724 Veto 3 3 81	Veto message printed - 1026
79	**Sales Taxes — Motion Picture Films** Wilford R. Black, Jr.	103(R) R	110, H.E. 144, R-T	157	244(R) C.R.(a), V	255(R) V	256	478	478	478	736 3 3 81	Effective 5 12 81 Chap. 239
80	**Utah Cosmetologist and Barber Licensing Act** Wilford R. Black, Jr.	104(R) R	110 BL-ED 291, 294	264	500(R) C.R.(a) V	514(R) V	514 979	979 1014	1019	1014	3 28 81	HA-SC, 979 Effective 5 12 81 Chap. 24
81	**Social Work Licensing Amendments** Arnold Christensen	104(R) R	110 BL-ED	214	356(R) C.R. V	369(R) A, V 377, 392 T. 428, 429 C of W 434, 455, V	456	1014	1019	1014	3 28 81	Effective 5 12 81 Chap. 25

SENATE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading)	Introduced Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and Other Action
82	Psychologists' Licensing Amendments Richard J. Carling	104(R) R	110 BL-ED		278(R) C.R., C.C.	329(R) V	330	1014	1019	1014	3 28 81 Effective 5 12 81 Chap. 26
83	Mail Order Sales Act Wilford R. Black, Jr.	104(R) R	110 P.E.	324	488(R) C.R.(a) Sub. A. V	496(R) V-failed 510. 513 524. 527. V	527 1007 HSEC				HSEC-3 12 81
84	Osteopathic Medicine Licensing Act Wilford R. Black, Jr.	105(R) R	111 BL-ED	297	464(R) C.R.(a) V-failed 466, 476 489. V	495(R) V	495	1014	1019	1014	3 27 81 Effective 5 12 81 Chap. 27
85	Unauthorized Use of Municipal Property William T. Barton	105(R) R	111 Ag	142	219(R) C.R., 224 242, AAV	254(R) V	254 384	383	413	412	584 384-SC 2 20 81 Effective 5 12 81 Chap. 56
86	Increased Retirement Income Deduction Charles Bullen	105(R) R	111, R-T 1012-SSEC								SSEC-3 12 81
87	Counsel for Indigent Defendants A. Dean Jeffs, et al	106(R) R	111 P.E.	180	267(R) C.R. V	276(R) V	276 467	467 486	486	486	736 467, HA. SC 3 3 81 Effective 5 12 81 Chap. 67

88	**Medical Examiner Jurisdiction** Jack M. Bangerter, et al	106(R) R	111 J	136	192(R) C.R. V	200(R) V	200 542	542 556	557	556	877 3-9-81	542, HA, SC Effective 5-12-81 Chap. 127
89	**Ombudsman for Institutionalized Elderly** Richard J. Carling	113(R) R	180 S.S.	264	506(R) C.R.(a) V	515(R) V	515	1014	1019	1014	3-30-81	Effective 5-12-81 Chap. 128
90	**Place of Juvenile Detention** Omar B. Bunnell, et al	113(R) R	150 S.S.	341	507(R) C.R.(a), V	515(R) V	515	942	942	942	3-28-81	Effective 5-12-81 Chap. 222
91	**Committee on Consumer Service Continuation** Karl G. Swan	114(R) R	131 BL-ED	423	517, 569(R) C.R.(a) C of W, V	576(R), VT 645 A, V	646	964	965	964	3-23-81	Effective 5-12-81 Chap. 216
92	**State Levy for School Support** Karl G. Swan	114(R) R	268 P.E.	351	508(R) C.R. Failed							Unfavorable committee report adopted Failed-2-16-81
93	**Repeal of Pharmacy Provisions** Richard J. Carling	114(R) R	151 S.S.		264(R) C.R., C.C.	328(R) V	329	469	469	469	736 3-3-81	Effective 5-12-81 Chap. 28
94	**Naturopathic Licensing and Regulation** Richard J. Carling	114(R) R	131 BL-ED	460	716(R) C.R.(a), V	727(R) V	727	1015	1019	1015	3-25-81	Effective 5-12-81 Chap. 29
95	**Medical Practices Act Revision** Richard J. Carling	114(R) R	180 BL-ED	298	409(R) C.R., A.V	418(R) 421, V	422	1015	1019	1015	3-28-81	Effective 5-12-81 Chap. 30
96	**Notary Public Changes** K.S. Cornaby	115(R) R	151 S-LA		205(R) C.R.(a) C.C.	240(R) V	240 1007 HSEC					HSEC-3-12-81
97	**Anatomical Gift Act Amendments** William T. Barton	115(R) R	247 S.S.	409	599(R) C.R.(a), V	619(R) V	619	919	919	919	3-24-81	Effective 5-12-81 Chap. 129

SENATE BILLS

Bill No.	(Check Reference Code on Page 1094) Title and Sponsor (co-sponsors listed on First Reading)	Introduced Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and Other Action
98	Highway Revenue Amendments Glade M. Sowards	115(R) R	180 T-PS	584	723 731(R) C.R. A. V	753(R) V	753 939 957	934 Rej. 957 1015	1019	1015	3-27-81 939 HA-SC, 957 Effective 7-1-81 Chap. 135
99	Life Insurance Policy Loan Interest Rate Bill Warren E. Pugh	116(R) R	180 BL-ED	298	465(R) C.R. A. V	479(R) A.A.V	480	863	863	863	3-30-81 Effective 5-12-81 Chap. 147
100	Marriage and Family Therapist Licensing Richard J. Carling	116(R) R	180 BL-ED	341	502(R) C.R.(a) V-failed 504. V	515(R) 516 A. V	517 970	970 1015	1019	1015	3-28-81 HA-SC, 970 Effective 5-12-81 Chap. 31
101	Industrial Facilities Development Act Amendment Fred W. Finlinson	116(R) R	180 S-I.A	202	308(R) C.R. A. V	320(R) A. V	321 552	551 634 665	665	665	3-26-81 551. HA-SRC 552 575-HRR. Hc. Sc 634-JCCR. HC. SC Effective 5-12-81 Chap. 40
102	Tenants' Rent Deposits William T. Barton	117(R) R	180 BL-ED 196. J	286	405(R) C.R.(a) V	417(R) V	417 670	670	693	692	3-24-81 670. HA-SC Effective 5-12-81 Chap. 74

103	**Maintenance of Leased Premises** William T. Barton	117(R) R	180 BL-ED	286	405(R) C.R.(a) A, V	417(R) V	418	1006				HA-returned to Senate after midnight. No action was taken to concur in House amendments. 3/12/81
104	**Sales Tax on Hearing Aids** William T. Barton	117(R) R	232 R-T	278	389(R) C.R., V	402(R) V	402, 1007 HSEC					HSEC-3/12/81
105	**Bulk Reinsurance** Bryce C. Flamm	117(R) R	181 BL-ED	324	489(R) C.R.(a), V	496(R) V	496	662	662	662	3 27 81	Effective 5/12/81 Chap. 148
106	**Roadside Signs Amendments** Arnold Christensen	118(R) R	247 T-PS		490(R) C.R.(a) Sub., V	496(R) V	497 635	635 665	665	665	3 26 81	635 HA, SC
107	**Real Estate License Amendments** Haven J. Barlow	118(R) R	181 BL-ED		368(R) C.R.(a) C.C.	419(R) V	419 649	649	817	817	3 30 81	649, HA-SRC 681-Hc, Sc 771-JCCR, SC 817-HC
108	**Water Resource Projects** Haven J. Barlow, et al	118(R) R	202 E-NR 1012-SSEC									SSEC-3/12/81
109	**Public Construction — Sales Tax** Lowell S. Peterson	119(R) R	309 R-T	341	500(R) C.R.(a) 510, 517 524, 537 V-failed							Failed in Senate 2 18 81
110	**Nurse Practitioners Pilot Project Extension** Richard J. Carling	119(R) R	181 S.S.		264(R) C.R. C.C.	329(R) V	329	469	469	469	736 3 3 81	Effective 5/12/81 Chap. 32

SENATE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading)	Introduced Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and Other Action
111	Licensure of Hearing Aid Specialists Haven J. Barlow, et al	133(R) R	181 BL-ED 1012-SSEC								SSEC-3/12/81
112	Food Donations — Good Smaritan Charles W. Bullen	133(R) R	181 J		206(R) C.R., C.C.	240(R) V	240	593	593	593	3/23/81 Effective — 5/12/81 Chap. 70
113	Use of Corporation Names K.S. Cornaby	133(R) R	151 BL-ED	264	387(R) C.R., V	400(R) A, V	401	574 Rejected			574-Failed in House 2/20/81
114	Audits of Political Subdivisions Charles W. Bullen, et al	133(R) R	181 S-LA	248	248(R) C.R., C.C.	290(R) V	290	552	552	552	894 Effective 5/12/81 3/10/81 Chap. 198
115	Legislators' Retirement Charles W. Bullen, et al	133(R) R	232 S-LA		324(R) C.R.(a) C.C., 378 386, A,V	398(R) V	399	660 H- Rejected			House rejected 2/26/81
116	Brand Inspection Fees Lowell S. Peterson	137(R) R	181 Ag	202	217(R) C.R. V	231(R) V	231 296	296	302	302	493 HA-SC, 296 2/13/81 Effective-2/1/81 Chap. 10

117	**Water Conditioner Installers Repeal** Ivan M. Matheson	137(R) R	181 BL-ED	367	582(R) C.R., T 750, R 1011-SSEC							SSEC-3/12/81
118	**Insurance Information and Privacy Protection Act** Karl N. Snow, Jr., et al	137(R) R	181 BL-ED	341	503(R) C.R., 510 517, 524 566, A.V	577(R) V	577 1007 HSEC					HSEC-3/12/81 1007
119	**Education Impasse Procedures** Ronald T. Halverson, et al	137(R) R	232, PE 1012-SSEC									SSEC-3/12/81
120	**Transfer of Personalized License Plates** K.S. Cornaby	138(R) R	232 T-PS	248	385(R) C.R. V	399(R) V	400	665	665	665	3/23/81	Effective 5/12/81 Chap. 184
121	**Education of Youth in Custody** Ronald T. Halverson	138(R) R	309 S.S.	409	598(R) C.R., V	618(R) V	618	919	919	919	3/25/81	Effective 5/12/81 Chap. 210
122	**Water Conservancy District Offices** Frances Farley, et al	145(R) R	181 S-LA 1012-SSEC									SSEC-3/12/81
123	**MX Impact Planning Act** Frances Farley, et al	145(R) R	232 E-NR	278	388(R) C.R., V 396	401(R) V	402 1007 HSEC					HSEC-3/12/81
124	**Winter Recreational Parking** Frances Farley, et al	146(R) R	202 E-NR	460	720(R)	720(R) C.R. A.A.V	721 1020 Rejected					Failed in Senate 3/12/81
125	**Medical Problem Reflection** William T. Barton	158(R) R	368 S.S.	460	719(R) C.R.(Sub.) 723	731(R) V	731	919	919	919	3/24/81	Effective 5/12/81 Chap. 137

SENATE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading)	Introduced Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and	Other Action
126	**Municipal Officers Ethics** Omar B. Bunnell, et al	158(R) R	202 S-LA	286	404(R) C.R. V	416(R) 417 421. V	421 890	890 919	919	919	3 28 81	890-HA, SC Effective-5 12 81 Chap. 57
127	**Kindergarten Entrance Date** Richard J. Carling	158(R) R	283 P.E.	384	588(R), A C.R., V	596(R) V	996. 1007 HSEC					HSEC-3 12 81
128	**Owner-Tenant Remedies** Haven J. Barlow	158(R) R	181 J	286	407(R) C.R.(a), A.V	418(R) V	418 671	671	693	692	3 24 81	671 HA-SC Effective 5 12 81 Chap. 160
129	**In Lieu Payments to Local Subdivisions** Ivan M. Matheson	159(R) R	534 Ag		586(R) C.R.(Sub.) C.C.	646(R) V	647 872	872 920	920	920	Veto 3 27 81	HA-SRC 872 1030-1035, T 1038
130	**Board of Regents Increase** Cary G. Peterson, et al	171(R) R	232 HE	286	391(R) C.R.(a) A. V	403(R) V	403 636	636 665	665	665	3 27 81	636. HA-SC Effective 7 1 81 Chap. 139
131	**Chiropractic Practice** K.S. Cornaby	171(R) R	247 BL-ED	460	717(R) C.R., 723 731, 746 Sub., V	758(R) V	759	1015	1019	1015	3 27 81	Effective 5 12 81 Chap. 33

132	**Critical School Building Projects** Cary G. Peterson	171(R) R	309 P.E.	351	517(R) C.R.(a) A, V	528(R) V	428 1007 HSEC					HSEC-1007
133	**Coverage of Professional Corporation Act** Richard J. Carling	172(R) R	247 BL-ED	278	582(R) C.R. V	595(R) A, V	595 889	889 920	920	920	3 24 81	HA-SC 889 Effective 5-12-81 Chap. 78
134	**Financial Institutions Act of 1981** K.S. Cornaby	182(R) R	309 BL-ED	544	612, 678 684(R) C.R.(a) C of W 695 C of W 702, AA C of W A,A,V	726(R) 751, T 764, AA C of W A, V	769 934 944	895 HSEC	957	956	3 31 81	934 HA-SC. 944 Effective 7 1 81 Chap. 16
135	**Compliance with County Plans** Glade M. Sowards	182(R) R	232 S-LA	286	405(R) C.R., 411 431, A.V	457(R) A, V	458 1007 HSEC					HSEC-3 12 81
136	**Public Transit Act Amendments** Fred W. Finlinson	183(R) R	232 T-PS	120	386(R) C.R. V	400(R) V	400 559 575	559 575	575	575	894 3 10 81	559, HA-SC Effective 5 12 81 Chap. 275
137	**Utah Antitrust Act Amendments** A. Dean Jeffs, et al	183(R) R	247 J	324	491(R) C.R.(a) 492, T 586-Sub. A, V	596(R) 600 A, C of W V	600 1007 HSEC					HSEC-3 12 81
138	**Signal Lights-Volunteer Firemen** Jack M. Bangerter, et al	188(R) R	247 T-PS	278	390(R) C.R., A,V	402(R) V	403 663	663	693	692	3/23/81	663, HA-SRC Effective 5-12-81 Chap. 271

SENATE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading)	Introduced Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and	Other Action
139	**Reorganization of Natural Resource and Energy Functions** Glade M. Sowards	195(R) R	410 E-NR	460	721(R) C.R. V	728(R) V	728 848	848 877	877	877	3-26-81	HA-SC. 848 Effective 5-12-81 Chap. 189
140	**Wastewater Treatment Facilities Fund** Fred W. Finlinson	195(R) R	332 E-NR	368	520(R) C.R.(a), T 750, R 1011-SSEC							SSEC-3-12-81
141	**Consumer Related Loan Amendments** Haven J. Barlow, et al	196(R) R	268 J	341	492(R) C.R., V	497(R) V	497	693	693	693	3-25-81	Effective 5-12-81 Chap. 279
142	**Parking and Improvement District Amendments** Arthur L. Kimball	196(R) R	423 S-LA	474	741(R)	741(R) C.R. V	741	942	942	942	3-27-81	Effective 5-12-81 Chap. 41
143	**Juvenile Court Act Amendments** K.S. Cornaby	206(R) R	309 J	341	499(R) C.R., V	513(R) V	513	662	662	662	3-23-81	Effective 5-12-81 Chap. 91
144	**Public Safety Retirement Benefits** Richard J. Carling	206(R) R	423 S-LA		473(R) C.R.(a) C.C.	498(R) V	499	707	707	707	3-23-81	Effective 7-1-81 Chap. 195
145	**Utah Community Finance Act** Omar B. Bunnell	207(R) R	423 S-LA	694	750, R 1011-SSEC							SSEC-3-12-81

146	**Motor Vehicle Accident Report** William T. Barton, et al	215(R) R	309 T-PS	324	490(R) C.R. V	497(R) 510 513, V	513 649	649	680	680	3/27/81	649, HA-SC Effective 5/12/81 Chap. 185
147	**Board of Regents' Members** Ivan M. Matheson, et al	215(R) R	350 H.E.	433	656(R) C.R.(a) A-failed							Failed in Senate 2/26/81
148	**Condemned Property Uses** Cary G. Peterson, et al	215(R) R	309 S-LA	409	597(R) C.R. 599, V	618(R) V	619	1015	1019	1015	3/31/81	Effective 5/12/81 Chap. 161
149	**Humane Treatment of Animals** Charles E. Bennett, Sr., et al	215(R) R	283 Ag	360	518(R) C.R.(a) Sub. 524-T 529, 537 538, 563 Second Sub. AAAAAAV	576(R) 578-A V	579 1007 HSEC					HSEC-3/12/81
150	**One License Plate** Jack M. Bangerter, et al	216(R) R	410 T-PS	433	658(R) C.R.(a) 659, T 750, R 1011-SSEC							SSEC-3/12/81
151	**Division of Registration Amendments** Sherman A. Wayment	216(R) R	268 BL-ED	341	503(R) C.R., A.A,V	514(R) 517, V	517 971	971 1015	1019	1015	3/30/81	HA-SC, 971 Effective 5/12/81 Chap. 34

SENATE BILLS

Bill No.	(Check Reference Code on Page 1094) Title and Sponsor (co-sponsors listed on First Reading)	Introduced Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and Other Action	
152	**Sunset Act Amendments** Richard J. Carling, et al	217(R) R	268 BL-ED	368	583(R) C.R., AA C of W 586, V	595(R) V	595 1005	1005 1021	1021	1020	3-28-81	HA-SRC, 980, Sc HRR, Hc, 1004 HC, SC-1005 JCCR-1005 Effective 5-12-81 Chap. 255
153	**Industrial Commission Modifications** Sherman A. Wayment	217(R) R	268, J 1012-SSEC									SSEC-3-12-81
154	**Privilege Tax Amendments** Warren E. Pugh	227(R) R	368, R-T 1012-SSEC									SSEC-3-12-81
155	**Standard State Building Codes** Arnold Christensen, et al	227(R) R	332 BL-ED	434	717(R) C.R. Sub., A 723, 730 AAAV	753(R) 792, 795 3rd Sub. A-failed 859, V	859 1007 HSEC					HSEC-3-12-81
156	**Utilities Services — Hostage Situation** Fred W. Finlinson, et al	237(R) R	309 J	341	500(R) C.R., V	514(R) V	514	662	662	662	3-23-81	Effective 5-12-81 Chap. 217
157	**Sales and Use Tax Jurisdiction Standard** Charles W. Bullen, et al	238(R) R	423 R&T		523(R) C.R. C.C.	562(R) V	562	635	635	635	3-24-81	Effective 5-12-81 Chap. 240

158	**Circuit Breaker Modifications** Haven J. Barlow, et al	252(R) R	423 R&T	622	749, R 1011-SSEC							SSEC-3/12/81
159	**County Surveyor — County Engineer** A. Dean Jeffs	252(R) R	350 S-LA	409	597(R) C.R.(a) A, V	617(R) C of W A, V	618 1008 HSEC					HSEC-3/12/81
160	**Burglar Alarm Security Certification Act** Arnold Christensen	253(R) R	475 T-PS	553	748, R 751 782(R(	782(R) C.R. V	783 1008 HSEC					HSEC-3/12/81
161	**Drinking in Motor Vehicles** A. Dean Jeffs	253(R) R	350 T-PS	434	658(R) C.R.(a) A,A,V	664(R) A, V	665	1015	1019	1015	3/28/81	Effective 5/12/81 Chap. 272
162	**Tax Forms Elimination** Charles W. Bullen	253(R) R	350 R-T	409	590(R) C.R.(a) Sub., A	596(R) V	597	864	864	864	3/24/81	Effective 1/1/82 Chap. 241
163	**Transit District Establishment Limitations** Fred W. Finlinson, et al	273(R) R	332 T-PS	368	519(R) C.R., 523 568-VAV	577(R) V	578 1008 HSEC					HSEC-3/12/81
164	**Hearing Aid Committee** Haven J. Barlow, et al	274(R) R	332 R-T	706	750, R 1011-SSEC							SSEC-3/12/81
165	**Racketeering Enterprise Act** A. Dean Jeffs	286(R) R	382 J	434	715(R) C.R., V	727(R) V	727	1015	1019	1015	3/27/81	Effective 7/1/81 Chap. 94
166	**Juvenile Court Subpoenas and Warrants** Sherman A. Wayment	287(R) R	350 J	368	520(R) C.R., V	527(R) V	528	662	662	662	3/23/81	Effective 5/12/81 Chap. 92
167	**Neglect or Delinquency of Children** Sherman A. Wayment	287(R) R	350 J	368	521(R) C.R. V	528(R) 538, 545 V	546 670	670	693	692	3/23/81	670, HA-SC Effective 5/12/81 Chap. 162

SENATE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading)	Introduced Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and	Other Action
168	Auto Deaths — Medical Examiner Frances Farley, et al	287(R) R	382 S.S.	460	719(R)	719(R) C.R. C of W	720 1008 HSEC					HSEC-3/12/81
169	Council on Science and Technology Glade M. Sowards	287(R) R	410 E-NR	460	695 714(R)	714(R) V	714	1016	1019	1016	3/27/81	Effective 5/12/81 Chap. 256
170	Prepayment of Property Taxes to Mitigate Impact of Development Omar B. Bunnell	288(R) R	410 R-T	474	740(R) C.R. AAAV	755(R) V	755 872	872 920	920	920	3/31/81	HA-SC 872 Effective 5/12/81 Chap. 242
171	Juvenile Court Jurisdiction Extension Lowell S. Peterson	298(R) k	382 J	566	749, R 770(R) C.C.	832(R) C.R.(a) V	833 1008 HSEC					HSEC-3/12/81
172	Skiing Collision Duties Richard J. Carling, et al	298(R) R	382 J	434	715(R) C.R.	716(R) V	716	984 Rejected				Failed in House 3/12/81
173	Deception Detection Examiners Richard J. Carling	298(R) R	382 J	474	734(R) C.R.(a)	734(R) V	734 979	979 1016	1019	1016	3/28/81	HA-SC. 979 Effective 5/12/81 Chap. 98
174	Tenant-Landlord Relationships Arthur L. Kimball, et al	299(R) R	382 BL-ED 1012-SSEC									SSEC-3 12/81

175	**Insurance Guaranty Association Amendments** Bryce C. Flamm	299(R) R	382 BL-ED	460	717(R) C.R., A.V	727(R) V	728	1016	1019	1016	3 30 81	Effective 5 12 81 Chap. 149
176	**Notice of Enforcement — Mechanics Liens** Richard J. Carling, et al	299(R) R	368		433 (R) C.R., C.C.	483(R) V	484	864	864	864	3 31 81	Effective 5 12 81 Chap. 173
177	**Campus Buildings Act Amendments** Haven J. Barlow, et al	299(R) R	382 H.E.	434	657(R) C.R. (a), V	664(R) V	664	1016	1019	1016	3 28 81	Effective 5 12 81 Chap. 37
178	**Utah Community Redevelopment Law Amendments** Haven J. Barlow, et al	300(R) R	382 S-LA	434	675(R) C.R. V	681, 697 712(R) V	712	1016	1019	1016	3 27 81	Effective 3 27 81 Chap. 42
179	**Water and Sewer Improvement District Amendments** Haven J. Barlow, et al	300(R) R	382 E-NR	487	743(R) C.R. V	757(R) V	758	1006				HA-Arrived too late for official action. 3 12 81
180	**Housing Authority Act Amendments** Haven J. Barlow, et al	300(R) R	382 S-LA	434	676(R) C.R., 681 710, V	726(R) V	726	1016	1019	1016	3 28 81	Effective 5 12 81 Chap. 223
181	**Utah Refunding Bond Act** Haven J. Barlow, et al	301(R) R	382 R-T	523	745(R) C.R., V	758(R) V	758	1016	1019	1016	3 28 81	Effective 5 12 81 Chap. 43
182	**Grant Anticipation Notes** Haven J. Barlow, et al	301(R) R	383 R-T	523	746(R) C.R., V	759(R) C of W, V	759	984 Rejected				Failed in House 3 12 81
183	**Investment of Redemption Fund Repeal** Haven J. Barlow, et al	301(R) R	383 S-LA		433(R) C.R. C.C.	483(R) V	483	1016	1019	1016	3 28 81	Effective 3 28 81 Chap. 153
184	**Indebtedness of School District Amendments** Haven J. Barlow, et al	301(R) R	350 P.E.	384	589(R) C.R.(a) V	596(R) V	596	1017	1019	1017	3 28 81	Effective 5 12 81 Chap. 199
185	**Tax Equivalent Property** Glade M. Sowards, et al	325(R) R	410 R-T	553	748, R 790, 850(R)	850(R) C.R., A,V	850	1016	1019	1016	3 30 81	Effective 3 29 81 Chap. 243

SENATE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading)	Introduced Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and Other Action
186	**Water Conservancy District Boards** Frances Farley	325(R) R	410 E-NR 1012-SSEC								SSEC-3 12 81
187	**Workmen's Compensation Modifications** K.S. Cornaby, et al	325(R) R	410 BL-ED	566	749, R 750,774(R)	774(R) C.R., V	775	1017	1019	1017	3 28 81 Effective 5 12 81 Chap. 287
188	**Powers of Cities and Towns** Ronald T. Halverson, et al	326(R) R	509 BL-ED	610	749, R 790-811 819(R) C.R., A C of W, V	840(R) A.A.V 873	873	1017	1019	1017	Veto 1030-1032 3 31 81 1033-1035, T 1038
189	**Juveniles Tried as Adults** Haven J. Barlow, et al	326(R) R	410 J	652	749, R 790,823(R)	823(R) C.R.(a),V	824	1017	1019	1017	3 30 81 Effective 5 12 81 Chap. 163
190	**School Building Construction Requirements** Karl G. Swan, et al	326(R) R	410 P.E. 1012-SSEC								SSEC-3 12 81
191	**Administrative Services Act** Karl N. Snow, Jr., et al	342(R) R	611 S-LA	706	723 734(R) C.R. 739, A.V	754(R) V 772 A, V	774 891	891 920	921	920	3 26 81 1031 HA-SC 891 Effective 7 1 81 Chap. 257

192	**Liquor Commission Hearing and Investigation Costs** A. Dean Jeffs	343(R) R	423 J	474	735(R)	735(R) C.R. V	735 1008 HSEC					HSEC-3 12 81
193	**Condominium Recordings** Ivan M. Matheson	343(R) R	410 S-LA 1012-SSEC									SSEC-3 12 81
194	**U.C.C.C. Exemption Provisions** Ivan M. Matheson	343(R) R	423 BL-ED	652	749. R 770(R) C.C.	834(R) C.R.(a) V	835 1008 HSEC					HSEC-3 12 81
195	**Occasional Sales of Mobile Homes Sales Tax Exemption** Bryce C. Flamm, et al	343(R) R	522 Ag 1012-SSEC									SSEC-3 12 81
196	**Property Rights Protection** K.S. Cornaby	344(R) R	423 BL-ED 1012-SSEC									SSEC-3/12 81
197	**Moroni L. Jensen State House Fellows Program** Omar B. Bunnell, et al	344(R) R	410 S-LA		474(R) C.R. C.C.	498(R) V	498	556	557	556	894 3/10/81	Effective 5/12/81 Chap. 258
198	**County Ordinance Compliance** Glade M. Sowards	344(R) R	423 S-LA	566	748. R 1011-SSEC							SSEC-3/12/81
199	**Utah State Retirement Act Modifications** Bryce C. Flamm	345(R) R	423 S-LA		473(R) C.R. C.C.	497(R) V	498	693	693	693	3/23/81	Effective 7/1/81 Chap. 196
200	**Motor Fuel Marketing** Eldon A. Money, et al	345(R) R	410 Ag	434	678 714(R) C.R., 723 728. A,V	753(R) 756 A, V	757	965	965	964	3/30/81	Effective 5/12/81 Chap. 71

SENATE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading)	Introduced Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and Other Action
201	**Physical Therapy Registration Amendments** Richard J. Carling	351(R) R	424 BL-ED	531	748. R 790 851(R)	851(R) C.R. A. V	852 1008 HSEC				HSEC-3 12 81
202	**Joint Apprenticeship Committees** Arnold Christensen. et al	352(R) R	424 BL-ED	531	748. R 790 843(R)	843(R) C.R. Sub., A,V	844	1019	1019	1019	3/28/81 Effective 5 12 81 Chap. 167
203	**Provo-Jordan River State Parkway** Karl N. Snow. Jr.. et al	352(R) R	569 E-NR	694	749. R 769 787(R)	787(R) C.R.	788 889	889 920	921	920	3 25 81 HA-SC 889 Effective 7 1 81 Chap. 197
204	**Athletic Commission Reorganization** Karl G. Swan. et al	352(R) R	424 T-PS	474	742(R)	742(R) C.R.. V	742 1008. HSEC				HSEC-3 12 81
205	**State Lands Trust Investments** Fred W. Finlinson. et al	353(R) R	432 S-LA 524 E-NR	694	749. R 769. 783 C of W 784(R) C.R. SSEC						SSEC-3 12 81

206	**State Agencies' Land Leasing** Fred W. Finlinson. et al	353(R) R	432 E-NR	610	749. R 769. 783 C of W 785(R)	785(R) C.R.(a) V	785 1008 HSEC				HSEC-3 12 81
207	**State Land Sales** Fred W. Finlinson. et al	353(R) R	432 E-NR	566	748. R 769. 783 C of W 785(R) C.R.. A.V	797(R) V	797 1008 HSEC				HSEC-3 12 81
208	**Land Sales Exemption** Lowell S. Peterson	361(R) R	424 Ag	474	742(R) C.R.. A.V	755(R) A.V	756	864	864	864	3 30 81 Effective 5 12 81 Chap. 226
209	**Mobile Home and Recreational Vehicle Standards Manufactured Housing and Recreational Vehicle Standards** Omar B. Bunnell. et al	361(R) R	475 Ag	523	748 R 751 775(R)	775(R) C.R. A. V	776	1017	1019	1017	3 28 81 Effective 5 12 81 Chap. 177
210	**Public Accountants Licensing Act** Wayne L. Sandberg. et al	361(R) R	424 BL-ED	531	748. R 790 842(R)	842(R) C.R.(a) A. V	843	1017	1019	1017	3 26 81 Effective 7 1 81 Chap. 35
211	**Energy Saving System Tax Credit Amendments** Glade M. Sowards	361(R) R	432 R-T		672(R) C.R.(a) C.C.	684(R) V	684	877	877	877	3 26 81 Effective 5 12 81 Chap. 244
212	**Light Beer Advertising** E. Verl Asay. et al (12)	372(R) R	424 J	652	749. R 852 854(R)	854(R) C.R.(a) A. V	854 1008 HSEC				HSEC-3 12 81
213	**Solar Energy Utilization in Municipalities** Glade M. Sowards	372(R) R	424 E-NR	487	744(R)	744(R) C.R.(a) V	744	1017	1019	1017	3 28 81 Effective 5 12 81 Chap. 44

SENATE BILLS

Bill No.	(Check Reference Code on Page 1094) Title and Sponsor (co-sponsors listed on First Reading)	Introduced Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and Other Action
214	**Court Reporter Act** Richard J. Carling	372(R) R	636 J		807(R) C.R. C.C.	839(R) V	839 1008 HSEC				HSEC-3 12 81
215	**Renewable Energy Use** Frances Farley, et al	373(R) R	487		744(R)	744(R) C.R.(a), V	745	1014 Rejected			Failed in House 3 12 81
216	**Motor Fuel Sales** Jack M. Bangerter, et al	373(R) R	475 T-PS	553	748. R 769. 787(R)	787(R) C.R.(a), V	787	984 Rejected			Failed in House 3 12 81
217	**Optometric Referrals Modifications** Ronald T. Halverson, et al	373(R) R	475 S.S. 563	531 610	749. R 790. 812 825. T 856. V Failed. T 1012-SSEC						SSEC-3 12 81
218	**Title Insurance Rates** Wayne L. Sandberg	394(R) R	475 BL-ED	652	749. R 1011-SSEC						SSEC-3 12 81
219	**Condemnation Amendments** Sherman A. Wayment, et al	394(R) R	509 Ag	523	748. R 751 778(R)	778(R) C.R.(a) Sub., V	778	920	921	920	3 12 81 Effective 5 12 81 Chap. 164

220	**Workmen's Compensation Time Limitations and Definitions** Arnold Christensen	395(R) R	553 BL-ED 1012-SSEC								SSEC-3 12 81	
221	**State Veterans' Cemetery** Wilford R. Black, et al (5)	395(R) R	475 S-LA		565(R) C.R., C.C.	581(R) V	582	877	877	877	3 27 81	Effective 5 12 81 Chap. 283
222	**Vehicle Registration Fee Increase** Wayne L. Sandberg	395(R) R	475 T-PS	584	723 732(R) C.R. C of W. V	753(R) V	754 1008 HSEC				HSEC-3 12 81	
223	**Drivers' License Fees** Wayne L. Sandberg	395(R) R	423 T-PS	475	723 733(R) C.R. C of W. V	754(R) V-failed					Failed in Senate 3 5 81	
224	**Motor Vehicle Safety Responsibility** Arthur L. Kimball, et al	396(R) R	509 T-PS 695 SSEC								SSEC-3 2 81	
225	**Big Game Damage Restriction** Arnold Christensen	396(R) R	509 E-NR	884, R 1011-SSEC							SSEC-3 12 81	
226	**Nuisances in Manufacturing Activities** William T. Barton	413(R) R	475 S-LA		585(R) C.R., C.C.	647(R) V	647	893	893	893	3 24 81	Effective 5 12 81 Chap. 190
227	**Apprenticeship Council Charges** Lowell S. Peterson, et al	413(R) R	475 BL-ED 1012-SSEC								SSEC-3 12 81	
228	**Business Enterprises for Visually Handicapped** Charles E. Bennett, Sr.	419(R) R	522 PE	672	749, R 751 780(R)	780(R) C.R.(Sub.) V	781 1008 HSEC				HSEC-3 12 81	

SENATE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading)	Introduced Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and Other Action
229	**Killing Unborn Child** E. Verl Asay	419(R) R	509 J	652	749. R 790 814(R)	814(R) C.R. V	815 1006 HSEC				HSEC-3 12 81
230	**Salary Survey Requisites** Wayne L. Sandberg, et al (23)	419(R) R	509 S.S.	531	748. R 1011-SSEC						SSEC-3 12 81
231	**Agricultural Funds** Ivan M. Matheson	426(R) R	522 Ag		553(R) C.R., C.C.	518(R) V	581	864	864	864	3 28 81 Effective-5 12 81 Chap. 11
232	**Utah Fire Employee Relations Act** Arthur L. Kimball	427(R) R	522 S-LA	738	750. R 1011-SSEC						SSEC-3 12 81
233	**Retirement Programs for Personnel of Higher Education Institutions** Ronald T. Halverson	427(R) R	611 S-LA	694	750 R 1011-SSEC						SSEC-3 12 81
234	**School District Boundary Changes** Charles E. Bennett, Sr.	427(R) R	522 PE	584	749. R 770(R) C.C.	835(R) C.R. A. V	836	1017	1019	1017	3 28 81 Effective 5 12 81 Chap. 200
235	**Implied Warranties in Livestock Sales** Eldon A. Money, et al (3)	428(R) R	509 Ag		523(R) C.R., C.C.	562(R) V	562	805	805	805	3 31 81 Effective 5 12 81 Chap. 276

236	**Fire Extinguisher Limitations** Eldon A. Money, et al (2)	428(R) R	1011 SSEC									SSEC-3 12/81
237	**Mobile Home Park Residency Act** Ivan M. Matheson	428(R) R	509 Ag	622	749, R 751 776(R)	776(R) C.R.(Sub.) A, V	778	920	921	920	3/26/81	Effective 5/12/81 Chap. 178
238	**Revenue Stabilization Reserve Fund** Charles E. Bennett, Sr.	428(R) R	509 R-T	706	750,R 1011-SSEC							SSEC-3 12/81
239	**Titles of Boats and Vessels** Glade M. Sowards	437(R) R	534 E-NR	610	749, R 769 788(R) C.R. Sub., V	797(R) A	798 1008 HSEC					HSEC-3 12/81
240	**State Board of Education Personnel** Richard J. Carling	437(R) R	522 PE	584	749, R 769(R) C.C.	830(R) C.R. V	831 1008 HSEC					HSEC-3 12/81
241	**Abuse of Personal Identity Act** Richard J. Carling	438(R) R	509 J	566	749, R 790 812(R)	812(R) C.R.(a) Sub.,A,V	814	940	940	940	3/27/81	Effective 5/12/81 Chap. 95
242	**Uniform Trade Secrets Act** Richard J. Carling	438(R) R	509 HE	553	748, R 1011-SSEC							SSEC-3 12/81
243	**Collection Practices Act** Richard J. Carling	438(R) R	509 PE	553	748, R 1011-SSEC							SSEC-3 12/81
244	**Division of Expositions Transfer** Ivan M. Matheson, et al	438(R) R	522 BL-ED 1012-SSEC									SSEC-3 12/81
245	**Standard Valuation and Nonforfeiture Laws** Bryce C. Flamm	439(R) R	636 BL-ED	738	750, R 790 841(R)	841(R) C.R. V	842	1017	1019	1017	3/30/81	Effective 5/12/81 Chap. 150

SENATE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading)	Introduced Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and Other Action
246	**School Building Revolving Account** Cary G. Peterson	439(R) R	636 P.E.	706	750. R 852 856(R)	856(R) C.R.(a) V	857	921	921	920	3 31 81 Effective 5 12 81 Chap. 211
247	**Insurance Coverage Changes** Charles E. Bennett, et al	440(R) R	509 H.E. 1013-SSEC								SSEC-3 12 81
248	**Foreclosure of Trust Deeds** Richard J. Carling	440(R) R	509 J		651(R) C.R., C.C.	682(R)	682	877	877	877	3 28 81 Effective 5 12 81 Chap. 100
249	**Certified Lay Midwifery Practice Act** Jack M. Bangerter, et al (2)	440(R) R	509 S.S.	531	748. R 790. 815 816. T 1013-SSEC						SSEC-3 12 81
250	**Occupation Tax Increase** Frances Farley, et al (2)	440(R) R	534 R-T	622	749. R 820(R) C.R.(a), A	822(R) V	823 1008 HSEC				HSEC-3 12 81
251	**Community Impact Account Amendments** Frances Farley, et al (4)	441(R) R	569 R-T	672	749. R 1011-SSEC						SSEC-3 12 81

252	**Habitual Truancy** K.S. Cornaby	441(R) R	509 S-LA		585(R) C.R.(a) C.C.	648(R) V	648 874	874 920	921	920	3 27 81	874. HA-SC Effective 5/12/81 Chap. 212
253	**Municipal Government** Karl N. Snow, Jr.	441(R) R	591 S-LA	653	749. R 769. 786(R) C.R. 792. 808 825. T 1013-SSEC							SSEC-3/12/81
254	**Procurement Code Amendments** Karl N. Snow, Jr., et al	442(R) R	611 S-LA		652(R) C.R. C.C.	683(R) V	683 863 958	863 957 1019	1019	1019	3 28 81	HA. SRC. 863 888-Sc, Hc 957-HC, JCCR, SC Effective 3/28/81 Chap. 259
255	**School Land Funding** Sherman A. Wayment, et al	442(R) R	611 P.E.	706	750, R 1011-SSEC							SSEC-3/12/81
256	**Comparative Negligence** Arthur L. Kimball	442(R) R	569 J	806 R	858 861(R)	861(R) C.R., A,V	862, 1008 HSEC					HSEC-3/12/81
257	**Reassessment and School District Levies** Haven J. Barlow, et al	443(R) R	591 PE	884 R								SSEC-3/12/81
258	**Hazardous Waste Facility Siting Act** Fred W. Finlinson	443(R) R	636 E-NR	694	749. R 769 808(R) C.R., V	810(R) A, V	811	921	921	921	3 28 81	Effective 5/12/81 Chap. 130
259	**Noise Exposure** Haven J. Barlow	443(R) R	611 S.S. 1012-SSEC									SSEC-3/12/81

SENATE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading)	Introduced Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and Other Action
260	**Reassessment Limitations** Cary G. Peterson	443(R) R	636. R-T 1012-SSEC								SSEC-3 12 81
261	**Power Generation By Towns** Cary G. Peterson. et al	444(R) R	553 S-LA		610(R) C.R. C.C. 667	673(R) V	674	877	877	877	3 27 81 Effective 5 12 81 Chap. 58
262	**Tramway Registrations** Fred W. Finlinson. et al (2)	444(R) R	553 T-PS	584	749. R 769(R) C.C.	839(R) C.R. V	829 1008 HSEC				HSEC-3 12 81
263	**Disposition of Receipts from Sovereign Lands** Fred W. Finlinson. et al	444(R) R	534 E-NR	570	749. R 769. 783 C of W 784(R) C.R.. V	798(R) V	798 1008 HSEC				HSEC-3 12 81
264	**Boat Operator's Licensure** Ronald T. Halverson	444(R) R	534 E-NR	884 R							SSEC-3 12 81
265	**Business Regulation Restricted Revenue Account** Wayne L. Sandberg	445(R) R									SSEC-3 12 81

266	**Industrial Facilities Development Act** Charles E. Bennett, Sr.	445(R) R	1011-SSEC								SSEC-3 12 81
267	**Subdivision Standards** Jack M. Bangerter, et al	445(R) R	522 S-LA	584	749. R 1011-SSEC						SSEC-3 12 81
268	**Hospital Statements of Charges** Jack M. Bangerter	446(R) R	636 S.S.	738	750. R 1011-SSEC						SSEC-3 12 81
269	**Prenatal Diagnosis Funding** Jack M. Bangerter	446(R) R	696. S.S. 1012-SSEC								SSEC-3 12 81
270	**Uranium Tailings Restrictions** Karl G. Swan	446(R) R	696 E-NR	1011 SSEC							SSEC-3 12 81
271	**State Personnel Management Act Amendments** Karl N. Snow, Jr., et al	446(R) R	611 S-LA	653	749. R 790 844(R)	844(R) C.R. A.A.V	845 1001	1001 1018	1019	1018	3 30 81 HA-SC. 1001 Effective 5 12 81 Chap. 268
272	**Utah Municipal Building Authority Act** K.S. Cornaby	446(R) R	591 S-LA	653	749. R 751 779(R)	779(R) C.R. 781. A.V	782	1018	1019	1018	3 28 81 Effective 5 12 81 Chap. 45
273	**State Building Ownership Authority Amendments** Charles W. Bullen	447(R) R	636 R-T	738	750. R 790 812(R)	812(R) C.R. V	812	1018	1019	1018	3 28 81 Effective 5 12 81 Chap. 260
274	**Pension Distributions Taxing** Charles W. Bullen	448(R) R	611 R-T	672	749. R 790 811(R)	811(R) C.R. V	811	1018	1019	1018	3 30 81 Effective 5 12 81 Chap. 245
275	**Bail Forfeitures** Richard J. Carling	448(R) R	534 J	806 R	1011 SSEC						SSEC-3 12 81
276	**Sexual Exploitation of Minors** Sherman A. Wayment	448(R) R	569 J		709(R) C.R., C.C.	799(R) V	799	1018	1019	1018	3 27 81 Effective 5 12 81 Chap. 96

SENATE BILLS

Bill No.	(Check Reference Code on Page 1094) Title and Sponsor (co-sponsors listed on First Reading)	Introduced Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and Other Action
277	State Liquor Stores Beer Sales Sherman A. Wayment	448(R) R	636 J	806 R	1011 SSEC						SSEC-3/12/81
278	Hazardous Waste Facilities Management Act Fred W. Finlinson	448(R) R	636 E-NR	694	749, R 769 809(R)	809(R) C.R. AV	810	921	921	921	3/28/81 Effective 5/12/81 Chap. 131
279	Department of Business Regulations Fees Warren E. Pugh	449(R) R	611 BL-ED	738	750, R 792 824(R)	824(R) C.R.(Sub.) V	825	921	921	921	3/30/81 Effective 5/12/81 Chap. 36
280	Professional Corporation Act Amendments Fred W. Finlinson	449(R) R	534 BL-ED 1012-SSEC								SSEC-3/12/81
281	School and Public Employees Retirement Benefits Charles E. Bennett, Sr., et al	449(R) R	569 S-LA	653	749, R 852 860(R) C.R., A,V	866 878(R) A-T 896, V	896 1008 HSEC				HSEC-3/12/81
282	Junkyard Control Act Amendments Jack M. Bangerter	449(R) R	637 S-LA		694(R) C.R. C.C.	759(R) V, 761 A, V	762 1008 HSEC				HSEC-3/12/81

283	**Utah Dram Shop Act** A. Dean Jeffs	450(R) R	696 J	806 R	854(R) 	854(R) C.R., A.V	855 950	950 	965 	965 	3-28-81	HA-SRC. 950 HRA-965 Effective 5-12-81 Chap. 152
284	**Interstate Corrections Compact** A. Dean Jeffs	450(R) R	591 J		807(R) C.R., C.C.	838(R) V	838 1008-HSEC					HSEC-3-12-81
285	**Private Club Nonprofit Corporations Act** A. Dean Jeffs	450(R) R	534 BL-ED	652	749. R 769(R) C.C.	831(R) C.R. Sub., V	832 950	950 1018	1019	1018	3-27-81	HA-SRC. 950 Effective 7-1-81 Chap. 79
286	**Home Improvements Tax Incentive** Charles E. Bennett, Sr., et al	450(R) R	534. R-T 1012-SSEC									SSEC-3-12-81
287	**Utah Children in Housing** Arthur L. Kimball	451(R) R	696. S.S. 1012-SSEC									SSEC-3-12-81
288	**Retaliation by Landlords** Arthur L. Kimball	451(R) R	1011 SSEC									SSEC-3-12-81
289	**Unfair Trade Practices Amendments** Bryce C. Flamm	451(R) R	590 BL-ED	652	749. R 1011-SSEC							SSEC-3-12-81
290	**Special Service District Act Amendments** Ivan M. Matheson	451(R) R	637 S-LA		694(R) C.R. C.C.	760(R) V	760	1006				HA-Arrived in Senate too late for official action-3-12-81
291	**Administrative Rules — Legislative Oversight** Ivan M. Matheson	453(R) R	1011-SSEC									SSEC-3-12-81
292	**Minimum Basic School District Tax Levy** Warren E. Pugh, et al	453(R) R	591 PE	884. R 1011- SSEC								SSEC-3-12-81

SENATE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading)	Introduced Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and Other Action
293	State Waterfowl Stamp Haven J. Barlow	453(R) R	534 E-NR	652	749, R 852 860(R) C.R., V	866 878(R) V	878	1014 Rejected			Failed in House 3-12-81
294	Water and Sewage District Fee Delinquencies Fred W. Finlinson	453(R) R	591 S-LA		695(R) C.R. C.C.	760(R) V	760 1008 HSEC				HSEC-3-12-81
295	School Proximity to Liquor Stores Arthur L. Kimball, et al	454(R) R	569 J	806 R	858 862(R) C.R. Failed						Failed in Senate (Unfavorable committee report) 3-9-81
296	Groundwater Recharge Test Appropriation Ronald T. Halverson	454(R) R	569 E-NR		790 849(R), V	866(R) V	866 1008-HSEC				HSEC-3-12-81
297	Property Transfer to Weber State Ronald T. Halverson	454(R) R	591 H.E.	622	749, R 770(R) C.C.	833(R) C.R. V	833	921	921	921	Veto 1030, 1034 3-30-81 1035, T-1038
298	Peace Officer Classifications Glade M. Sowards	454(R) R	611 T-PS	653	749, R 770(R) C.C.	833(R) C.R. V	939	939 1020	1020	1020	3-28-81 HA-SC. 939 Effective 5-12-81 Chap. 68

299	**Utah Uniform Probate Code Amendments** Haven J. Barlow	455(R) R	553 J		769(R) C.C.	830(R) V	830, 1008 HSEC					HSEC-3/12/81
300	**Repeal of Highway Patrol Manpower Standard** Haven J. Barlow	455(R) R	611 J		807(R) C.R. C.C.	838(R) V	838 1008 HSEC					HSEC-3 12 81
301	**Material on Cable Television** William N. Jones, et al (2)	461(R) R	533 J	652	749, R 751 778(R)	799(R) C.R.(a) Sub. 789 A.V	789 1002	1002 1021	1021	1021	3 31 81	HA-SC. 1002 Effective 5/12/81 Chap. 97
302	**Airport Security Officers** Glade M. Sowards	528(R) R	611 T-PS	652	749, R 770(R) C.C.	834(R) C.R. V	834	940	940	940	3 27 81	Effective-5-12/81 Chap. 2
303	**Tax Credit For Homeowners and Renters Repeal** Karl N. Snow, Jr., et al (3)	594(R) R	637 R-T		638 695 713(R)	713(R) V	714 924	924	934	934	3/27 81	HA-SC, 924 Effective 5/12/81 Chap. 246
304	**Fuel Cost Increase — Public Utility Rates** Glade M. Sowards	697(R) R	748 BL-ED		790 845(R)	845(R) A. V	846 968	942 1018	942 1019	942 1018	3 30 81	966-A. V Effective 5/12/81 Chap. 218
305	**Coal Occupation Tax** Frances Farley, et al	866(R) R			973(R) V-failed							Failed in Senate 3/12/81
306	**Executive and Judicial Salaries** Karl N. Snow, Jr., et al (4)	884(R)			884 892(R)	892(R) V	893	960, Rej. 999, 1020 Rejected				Failed in House 3/12/81
307	**Supplemental Appropriations Act** Warren E. Pugh	925(R) R			951(R)	951(R) A.V	952	1021	1021	1021	3 31 81	1030-1035, T 1038 Effective 3/30/81 Chap. 290

SENATE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading)	Introduced Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and Other Action
308	School Finance Haven J. Barlow	925(R) R			926(R)	926(R) V	926 956 976	956 1018	1019	1018	3-31-81 HA-SRC. 956 Hc. Sc-965 JCCR. HC. SC-976 Effective 7-1-81 Chap. 213
309	School District Alternative Levies Repeal Warren E. Pugh	943(R)			943(R)	943(R) V	943. 1008 HSEC				HSEC-3-12-81

SENATE JOINT RESOLUTIONS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading)	Introduced Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Transmitted to Lt. Gov./Sec. of State and Other Action
SJR 1	Tax Article Revision Karl N. Snow, Jr., et al	112(R) R	181 R-T	237	357, 359 T. 655(R) C.R.(a) 659, 672 674, A.A.V	681, 697 710(R) A, V	711 1008 HSEC				HSEC-3/12/81
2	School Program Support Limitation Omar B. Bunnell, et al (2)	145(R) R	181 R-T	237	357(R) C.R. 359, T 674 675, V	681 711(R) V	712 1008 HSEC				HSEC-3/12/81
3	Accord Resolution	71	(Became S.C.R. No. 4 on Day 16)								
3	Property Tax Relief Study Haven J. Barlow	436(R) R	1011 SSEC								SSEC-3/12/81
4	Earthquake Preparedness Resolution Eldon A. Money	195(R) R	233 E-NR		264(R) C.R. C.C.	327(R) V	327	468	469	468	2/12/81
5	Metric System Study Richard J. Carling	436(R) R	1011 SSEC								SSEC-3/12/81

SENATE JOINT RESOLUTIONS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading)	Introduced Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Transmitted to Lt. Gov./Sec. of State and Other Action
6	Transit Systems Study Resolution Jack M. Bangerter	436(R) R	1011 SSEC								SSEC-3-12-81
7	Hospital Nursing Practices Study Arthur L. Kimball	437(R) R	1011 SSEC								SSEC-3-12-81
8	Manuel A. Rivas Resolution Karl G. Swan, et al	846(R)			846(R)	846(R) V	847, 1008 HSEC				HSEC-3-12-81
9	Interim Study Assignments Ronald T. Halverson	943(R) R			959(R)	959(R) A.A.V	960 985	985 1018	1019	1016	3-12-81 HA-SC, 985

SENATE CONCURRENT RESOLUTIONS

Bill No.	(Check Reference Code on Page 1084)	Introduced Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and Other Action	
SCR 1	**Royal Thomas Harward Resolution** Haven J. Barlow	106(R) R	106		107, C.R. 134(R), A	134(R) V	134	204	204	204	272	Signed by Governor 1 27 81
2	**Fair Competition in Steel Industry** A. Dean Jeffs, et al (3)	144(R) R	181		181 269(R), V	276(R) V	276	371	371	371	584	Signed by Governor 2 20 81
3	**President Ronald Reagan Resolution** All Members of Senate	187(R)			187(R)	187(R) Printed V	188 251	204 273	204 273	204 273	370	251, Sub.-V Signed by Governor 2 3 81
4	**Acord Resolution** William T. Barton	252(R) R	332 E-NR		369(R) C.R., C.C.	418(R) V	419	602	602	602	679	Signed by Governor 2 27 81
5	**Alcohol Warning Label Resolution** A. Dean Jeffs, et al (3)	426(R) R	522 HE	533	748, R 770(R) C.C.	836(R) C.R. V	836	1019	1019	1019	3 27 81	Signed by Governor 3 27 81
6	**Toxicants for Predator Control Research** Ivan M. Matheson	436(R) R	637 Ag		672(R) C.R. C.C.	683(R) V	684	864	864	864	3 27 81	Signed by Governor 3 27 81
7	**Automobile Emission and Clean Air Day** K.S. Cornaby	789(R) R	817 S.S.		907(R)	907(R) C.R. V	908 984	984 1019	1019	1019	3 27 81	HA-SC, 984 Signed by Governor 3 27 81

SENATE CONCURRENT RESOLUTIONS

Bill No.	(Check Reference Code on Page 1084)	Introduced Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and Other Action
8	Interim Study of the Lay Midwifery Program Jack M. Bangerter, et al (2)	815(R)			815(R)	815(R) V	816 960	960 House Sub.	972	972	3 27 81 HA-SC. 960 Signed by Governor 3/27/81

SENATE RESOLUTIONS

Bill No.	(Check Reference Code on Page 1004) Title and Sponsor (co-sponsors listed on First Reading)	Introduced Read (1)	Read (2)	Read (3)	Signed by Governor and Other Action
SR 1	**Major Jackson R. Howard Resolution** A. Dean Jeffs	1022(R)	1022(R)	1022(R) V	1022 March 12, 1981
2	**Tax Free Bonds for Home Construction** Bryce C. Flamm	1022(R)	1022(R)	1022(R) V	1022 March 12, 1981
3	**Right to Quality Life Resolution** Arthur L. Kimball	1023(R)	1023(R)	1023(R) V-failed	Failed in Senate March 12, 1981

pg 1136

Pg. 1137

COLUMNAR INDEX

HOUSE BILLS AND RESOLUTIONS

which were considered by the

SENATE

FORTY-FOURTH LEGISLATURE

GENERAL SESSION

1981

(Check Reference Code on Page 1084)

HOUSE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading in House Journal)	Received from House Introduced Read (1)	Committee	Secretary of Senate Report	Read (2)	Read (3)	Returned to House	Signed by President	Signed by Governor and Other Action
HB 1	Repeal of Prevailing Wage Rates C. McClain Haddow	273(R) R	283 BL-ED	460	464 472(R) C.R. C of W 481 VV	495(R) V	495 713	495	Vetoed by Governor 3 2 81 H-override. 713 3 3 81 S-override. 713 3 3 81 Effective 5 12 81 Chap. 165
2	Withdrawal of Consent to Federal Jurisdiction over State Lands Charles Hardy Redd	205(R) R	233 Ag	248	295(R) C.R. V	316(R) V	316	316	613 2 20 81 Effective 5 12 81 Chap. 262
3	State Mineral Lands Rentals and Royalties Charles Hardy Redd	205(R) R	233 E-NR	341	358. T 750. R 876. 910(R) C.R., 937-T 1010-SSEC				SSEC-3 12 81
4	Repeal of State Consent Charles Hardy Redd	205(R) R	233 Ag	248	295(R) C.R., V	316(R) V	316	316	613 2 20 81 Effective-5 12 81 Chap. 263

5	**Audit of Public Transit Districts** Samuel S Taylor	560(R) R	569 T-PS	694	749, R 876, C.C. 893, C.C.O. 1009, SSEC					SSEC-3/12/81
6	**Agricultural Activities — Nuisances** Ray S. Schmutz	170(R) R	181 Ag	202	281(R), C.R. 284, 291 292-A.A.V	315(R) V	315 340	340	865 3/6/81	HC-340 Effective-5/12/81 Chap. 154
7	**Label Guarantees Provisions** Ray S. Schmutz	250(R) R	268 Ag	—	278(R) C.R., C.C.	330(R) V	330	330	679 2/19/81	Effective-5/12/81 Chap. 3
8	**Municipal Election Code** (Second Sub.) Lee W. Farnsworth	848(R) R			876 911(R)	911(R), A 916, V	916 942	942	3/27/81	Effective 5/12/81 Chap. 101
10	**Bank Examination** Sherman D. Harmer, Jr.	157(R) R	181 BL-ED	367	461(R) C.R., V	470(R) V	470	470	865 3/6/81	Effective 5/12/81 Chap. 14
11	**Business License Fees** Sherman D. Harmer, Jr.	135(R) R	151 BL-ED	264	296(R) C.R.(a), V	317(R) V	317 371	371	865 3/6/81	HC-371 Effective 5/12/81 Chap. 19
12	**Small Claims Court Limitation** (Sub.) Paul Rogers	793(R) R	816 J	885 R	1010 SSEC					SSEC-3/12/81
15	**Wage Claim Limitation** Paul Rogers	525(R) R	534 BL-ED		876 C.C. 903(R)	903(R) C.R.(a) V-failed V-passed	904 927	927	3/27/81	SA-HC, 927 Effective 5/12/81 Chap. 166
17	**Alternative Mortgage Instruments** Sherman D. Harmer, Jr.	143(R) R	151 R-T 236 BL-ED	409	462(R), C.R. 466, 472-A 529-A C of W, A.V	546(R) V	546 602	602	3/28/81	552 SA-HC, 601 Effective 5/12/81 Chap. 277

HOUSE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading in House Journal)	Received from House Introduced Read (1)	Committee	Secretary of Senate Report	Read (2)	Read (3)	Returned to House	Signed by President	Signed by Governor and Other Action	
18	**Utilities Rate Structures** Orval C. Harrison	227(R) R	247 BL-ED	278	461(R), C.R. 466, 531-A V-failed 546 C of W 555, 622 631, V	645(R) V	645 676	676	Veto 3 25 81	676, SA-HC
19	**Utility Franchise Tax Limitation** Orval C. Harrison	170(R) R	181 S-LA 248	248	458(R) C.R.(a) C of W A.A.V	470(R) V	470 527 539	539	3 24 81	487, HRC-SA 487-Sc 512-Hc 626-JCCR, SC 539-HC Effective 1 1 82 Chap. 214
20	**Budgets of Judicial Branch** P. Lloyd Selleneit	616(R) R	637 J		808(R) C.R., C.C.	839(R), 862 T. 1000, V	1001	1001	3 28 81	Effective 5 12 81 Chap. 18
21	**Fuel Conservation Speed Limit** (Sub.) P. Lloyd Selleneit	602(R) R	611 T-PS	694	749, R 888, 1003(R)	1003(R) C.R., V	1004	1004	Vetoed 3 27 81	

22	**Improvement District Board of Equalization** Orval C. Harrison	179(R) R	201 S-LA		324(R) C.R., C.C.	385(R) V	385	385	865 3 6 81	Effective-5 12 81 Chap. 46
23	**Municipal Government Amendments** Orval C. Harrison	205(R) R	233 S-LA 268		585(R) C.R.(a) (Sub.) C.C. 629 (Second Sub.) A, V	643(R) 644 A, V	268 323 644 676	676	3 25 81	SA-HC, 676 Effective 5 12 81 Chap. 47
24	**Return of Attorney's Fees Amount** P. Lloyd Selleneit	135(R) R	151 S-LA		205(R) C.R.(a), C.C.	240(R) V	241 273	273	679 2 19 81	272-HC Effective 5 12 81 Chap. 155
25	**State Payment of Claims** P. Lloyd Selleneit	576(R) R	591 J	885 R	969 1009-SSEC					SSEC-3 12 81
27	**Bonds of Notary Publics** Lorin N. Pace	250(R) R	268 J	324	366(R), C.R. V-failed		367			Failed in Senate 2 4 81
28	**Records of Legal Actions** Lorin N. Pace	112(R) R	131 J		165(R) C.C.	188(R) V	189	189	679 2 19 81	Effective-5 12 81 Chap. 80
32	**Fair Gasoline Pricing Act** (Sub.) Sherman D. Harmer, Jr.	593(R) R	611 E-NR		715, 806 2nd Sub. R. 977 982 1010-SSEC					SSEC-3 12 81
34	**Restrictions of Public Funds in Elections** (Sub.) Orval C. Harrison	552(R) R	570 S-LA	884 R	1010 SSEC					SSEC-3 12 81
35	**Disability Benefits Increase** D. Leon Reese	179(R) R	201 J	237	272(R) C.R.(a), A 303, A, V	318(R) V	318 341	341	865 3 6 81	Effective-5 12 81 Chap. 286

HOUSE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading in House Journal)	Received from House Introduced Read (1)	Committee	Secretary of Senate Report	Read (2)	Read (3)	Returned to House	Signed by President	Signed by Governor and Other Action
36	**Instrument Recordation Requisite** E. Reed Palmer	144(R) R	151 S-LA		280(R) C.R.(a), A, V	288(R) A, V	288 323	323	680 2-19-81 322-HC Effective 5-12-81 Chap. 99
37	**Peace Officers Training Exemption** Tom Christensen	323(R) R	332, T-PS 1010-SSEC						SSEC-3-12-81
42	**County Referendum and Initiative** Ray S. Schmutz	165(R) R	182 S-LA	248	248(R) C.R., C.C.	290(R) V	290	290	680 2-19-81 Effective 5-12-81 Chap. 102
43	**Restitution by Criminals** P. Lloyd Selleneit	250(R) R	268 S.S.	341	377(R) A, V	397 V	397 422	422	1005 3-9-81 422-HC Effective 5-12-81 Chap. 59
45	**Milk and Cream Assessment** Glen E. Brown	165(R) R	182 Ag	202	281(R) C.R., V	289(R) V	289	289	680 2/19/81 Effective 5-12/81 Chap. 4
47	**Rights of Deaf and Blind Persons** John E. Smith	144(R) R	151 PE	202	279(R), C.R. C of W	279(R) V	280	280	680 2-19-81 Effective 5-12-81 Chap. 17
49	**Jury Demand — Criminal Trials** Charles Hardy Redd	512(R) R	522 J	566	624(R) C.R., V	640(R) V	640	640	3-24-81 Effective 5-12-81 Chap. 60

50	**Annexation Policy Declaration** (Sub.) Norman H. Bangerter	793(R) R	816 S-LA	884 R	888, 974(R) C of W 983 1009-SSEC					SSEC-3/12/81
51	**Mechanics' Lien Modifications** (Sub.) Dix Holt McMullin	323(R) R	332 J	474	533(R) C.R.(a), V	547(R) V	547 557	557	3/24/81	Effective 5/12/81 Chap. 169
53	**Small Claims Court Hours** Lorin N. Pace	131(R) R	151 J		206(R) C.R.(a), C.C.	241(R) V	241 273	273	680 2/19/81	272-HC Effective 5/12/81 Chap. 88
54	**Peace Officer Training Assessments** Ray Nielsen	827(R) R			852 872(R)	872(R) V	873	873	3/26/81	Effective-7/1/81 Chap. 265
55	**Collector Road System Designations** Don R. Strong	157(R) R	182 T-PS	202	282(R) C.R., V	289(R) 293, V	293	293	680 2/19/81	Effective 5/12/81 Chap. 132
56	**State Highway Designations** Don R. Strong	157(R) R	182 T-PS	203	283(R) C.R., V	289(R) 293, V	294	294	680 2/19/81	Effective 5/12/81 Chap. 133
57	**Multistate Highway Transportation Agreement** Dix Holt McMullin	793(R) R	816 T-PS	847 R	876, C.C. 929(R)	929(R) C.R.(a), V	930 942	942	3/28/81	Effective 5/12/81 Chap. 179
58	**Licensing of Outfitters** Gayle F. McKeachnie	214(R) R	233 E-NR		264(R) C.R., C.C.	328(R) V	328	328	613 2/20/81	Effective 5/12/81 Chap. 112
59	**Chauffeur's License Amendments** Dix Holt McMullin	179(R) R	201 J	237	294(R) V	315(R) V	316	316	613 2/20/81	Effective 5/12/81 Chap. 180
60	**State and Local Revenue and Appropriations Limitation** (Second Sub.) Gary H. Brockbank	360(R) R	368 R-T	433	463, 486, T 510, 517 571(R), C.R. Third Sub. A,V,A,V	579(R) A,V,V,	581			SA-HRC-Sc, 610 698 Hc 1010-SSEC 3/12/81

HOUSE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading in House Journal)	Received from House Introduced / Read (1)	Committee	Secretary of Senate Report	Read (2)	Read (3)	Returned to House	Signed by President	Signed by Governor and Other Action
63	**Retirement Income Deduction Increases** John Hollingshaus	818(R) R	1010 SSEC						SSEC-3/12/81
64	**Exemption From Execution** Orval C. Harrison	602(R) R	612 J		709(R) C.R.(a), C.C.	799(R) V	800 847	847	3 30 81 SA-HC, 847 Effective 5/12/81 Chap. 111
65	**Judicial Salaries** P. Lloyd Selleneit	708(R) R	747 S-LA		876 C.C. 887(R)	887(R) C.R., A 892 V	892 921	921	3 27 81 SA-HC, 918 Effective 7/1/81 Chap. 156
66	**Coal Mining and Reclamation Act Amendments** John M. Garr	157(R) R	182 E-NR	214	291(R) C.R., V	314(R) V	314	314	680 Effective 5/12/81 2 19 81 Chap. 175
68	**Cattle Tuberculosis Certificates** Glen E. Brown	250(R) R	268 Ag		285(R) C.R., C.C.	330(R) V	330	330	613 Effective 5/12/81 2 20 81 Chap. 5
69	**Sale of Estrays** Evan L. Olsen	157(R) R	182 Ag	202	209(R) C.R., C.C.	241(R) V	242	242	613 Effective 5/12/81 2 20 81 Chap. 6

70	**Attorney Disciplinary Proceedings** John E. Smith	512(R) R	522 J	566	625(R) C.R.(a), V	640(R) V	640 676	676	3 24 81	SA-HC, 676 Effective 5/12/81 Chap. 12
72	**Flood Control Amendments** John Hollinghaus	413(R) R	424 E-NR	487	535(R) C.R.(a), V	561(R) V	561 575	575	3 27 81	575-HC, SA Effective 7/1/81 Chap. 284
73	**Notice of Tax Sale** Olene S. Walker	194(R) R	201 R-T	278	303(R) C.R., V	318(R) V	318	318	613 2 20 81	Effective 5/12/81 Chap. 227
77	**Municipal Financial Reports** Paul F. Mecham	323(R) R	332 S-LA		410(R) C.R., C.C.	420(R) V	420	420	865 3 6 81	Effective 5/12/81 Chap. 48
79	**Board of Education Vacancies** (Sub.) Lee W. Farnsworth	273(R) R	283 P.E.	351	458(R) C.R.(a), V	469(R) V	469 487	487	865 3 6 81	HC-SA, 486 Effective 5/12/81
80	**Mass Meeting Date** Robert B. Sykes	413(R) R	424 S-LA		474(R) C.R., C.C.	499(R) V	499	499	865 3 6 81	Effective 5/12/81 Chap. 103
81	**County Personnel Management Act** Robert B. Sykes	576(R) R	591 S-LA	738	750, R 876 C.C. 886(R)	886(R) C.R. C of W A.A.A.V	887 921	921		SA-HC, 918 Became law without signature of Governor Effective 7 1 81 Chap. 81
82	**Recording of Administrative Hearings** Robert B. Sykes	236(R) R	247 J	324	367(R) C.R., V	374(R) V	375	375	3 25 81	Effective 5/12/81 Chap. 1
83	**Abortion Restrictions** (Sub.) Robert B. Sykes	593(R) R	611 S.S.	738	750, R 888, 931 962(R)	962(R) C.R.	963	963	3 28 81	Effective 5/12/81 Chap. 61
84	**School Compliance Officers** Robert B. Sykes	435(R) R	475 P.E.	523	534(R) C.R., V	555(R) V	555	555	3 24 81	Effective 5/12/81 Chap. 202

HOUSE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading in House Journal)	Received from House Introduced Read (1)	Committee	Secretary of Senate Report	Read (2)	Read (3)	Returned to House	Signed by President	Signed by Governor and Other Action
85	**Resisting Lawful Arrest** Orval C. Harrison	179(R) R	201 J		237(R) C.R., C.C.	289(R) V	289	289	613 Effective 5 12 81 2 20 81 Chap. 62
86	**Automobile Negligence — Death or Injury** Orval C. Harrison	214(R) R	233 J	286	365(R) V	374(R) V	374	374	865 Effective 5 12 81 3 6 81 Chap. 63
87	**Utah Child Abuse Act** Orval C. Harrison	179(R) R	201 S.S.	264	302(R) C.R., V	317(R) V	318	318	613 Effective 5 12 81 2 20 81 Chap. 64
88	**Expediting Criminal Trials** (Sub.) Robert B. Sykes	763(R) R	791 J	885 R	969 1009-SSEC				SSEC-3 12 81
90	**Social Services Providers** (Sub.) Charles L. Doane	602(R) R	611 S.S.	806 R	970 1009-SSEC				SSEC-3 12 81
91	**Officer's Command to Stop** Ray S. Schmutz	494(R) R	510 T-PS	584	628(R) C.R., V	642(R) V	643	643	3 23 81 Effective 5 12 81 Chap. 269
93	**Construction Occupancy Effect** George LaMont Richards	273(R) R	283 BL-ED	367	462(R) C.R. A. V	471(R) A, V	471 487 558	487	3 23 81 HC-SA, 486, 546 SC-HA, 558 Effective 5 12 81 Chap. 72

95	**Municipal Finances Reporting** Paul F. Mecham	323(R) R	333 S-LA		410(R) C.R., C.C.	419(R) V	420	420	865 3 6 81	Effective 5/12/81 Chap. 49
96	**Government Employees' — National Guard** (Sub.) Lee W. Farnsworth	486(R) R	510 Ag	523	536(R) C.R. 537-V	561(R) V	576	576	3 31 81	Effective-5/12/81 Chap. 174
99	**Political Convention Amendments** Beverly J. White	179(R) R	201 S-LA		410(R) C.R., C.C.	420(R) V	421	421	1005 3 9 81	Effective 5/12/81 Chap. 104
100	**Attorney's Fees in Civil Cases** Richard L. Maxfield	413(R) R	423 J	474	534(R) C.R., V	547(R) V	548	548	3 23 81	Effective 5/12/81 Chap. 13
101	**General Assistance Revisions** Paul Rogers	341(R) R	350 S.S.	423	463(R) C.R. V	471(R) A, V	471 487	487	1005 3 9 81	486, HC-SA Effective upon approval- 3/9/81 Chap. 117
102	**Automobile Inspections Repeal** Franklin W. Knowlton	426(R) R	432 T-PS	653	749, R 888, 1005 1009-SSEC					SSEC-3/12/81
104	**Property Tax Increase Limitation** Franklin W. Knowlton	576(R) R	591 R-T		868(R) C.R.(a) A,A,V	879(R) A, V	880 921	921	3 30 81	SA-HC, 918 Effective 5/12/81 Chap. 228
105	**Removal of Public Officials** P. Lloyd Selleneit	737(R) R	747 S-LA	884 R	970 1009-SSEC					SSEC-3/12/81
106	**Course of Study Committee** Olene S. Walker	560(R) R	570 P.E.	584	628(R) C.R., V	642(R) V	642	642	3 25 81	Effective 5/12/81 Chap. 203
107	**Social Services Subpoenas** Charles L. Doane	435(R) R	475 S.S.	531	623(R) C.R., V	639(R) V	640	640	3 27 81	Effective-5/12/81 Chap. 118

HOUSE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading in House Journal)	Received from House Introduced Read (1)	Committee	Secretary of Senate Report	Read (2)	Read (3)	Returned to House	Signed by President	Signed by Governor and Other Action
108	**County Indebtedness Amendments** Robert H. Garff	131(R) R			132(R)	132(R) V	132	132 202	273 1 26 81 Effective upon approval 1 26 81 Chap. 82
109	**Interest on Real Property Taxes** Sherman D. Harmer, Jr.	132(R) R			132(R)	132(R) V	133	133	165 1 14 81 Effective 1/1/81 Chap. 229
110	**Volunteer Workers in the Department of Natural Resources** John Hollingshaus	576(R) R	591 E-NR		625(R) C.R. C.C.	681(R)	682	682	3 28 81 Effective 5/12/81 Chap. 186
111	**Beef Promotion Amounts** Alarik Myrin	251(R) R	268 Ag	286	365(R) C.R. V	373(R) V	374 593	374 593	3 28 81 HA-SC. 593 Effective 5/12/81 Chap. 7
112	**Library Theft** (Sub.) Rob W. Bishop	413(R) R	424 J	566	624(R), C.R. J. 709 C.R., C.C.	800(R) V	800 817	817	3 27 81 HC-SA. 817 Effective 5/12/81 Chap. 168
116	**Fourth Amendment Enforcement Act — 1981** Gayle F. McKeachnie	593(R) R	611 J	707	750, R 970 1009-SSEC				SSEC-3/12/81

117	**Juvenile Court Act Amendments** Paul Rogers	701(R) R	722 J	885 R	970 1009-SSEC					SSEC-3/12/81
118	**City Ordinance Amount Increase** George LaMont Richards	494(R) R	510 J		651(R) C.R., C.C.	682(R) V	682	682	3 23 81	Effective 5/12/81 Chap. 50
123	**Defense of Entrapment Standard** Robert B. Sykes	512(R) R	522 J	653	749. R 970 1009-SSEC					SSEC-3/12/81
124	**Insurance Department Examinations** (Sub.) Ray D. Free	340(R) R	350 Ag		384(R) C.R., C.C.	419(R) V	419	419	1005 3 9 81	Effective 5/12/81 Chap. 140
125	**State Holiday Change** Robert B. Sykes	617(R) R	637 S-LA		899(R)	899(R) C.R.(a) V	900 927	927	3 27 81	SA-HC, 927 Effective upon approval- 3 27 81 Chap. 248
126	**Residential Facility Zoning Limitation** Charles L. Doane	341(R) R	350 S-LA		463(R) C.R. 466 532-Sub. V	547, 555 561, 587(R) Second Sub. A-C of W 591, 594-V 609, 617 620, A.V	621 707	707	3 27 81	SA-HRC-Sc, 659 671, Hc 691, JCCR-SC 707-HC Effective 5/12/81 Chap. 51
129	**Municipal Finances Modifications** (Sub.) Willard Hale Gardner	616(R) R	637 S-LA		583(R) C.R., C.C.	899(R) V	899	899	3 25 81	Effective 5/12/81 Chap. 52
130	**Direct Legislation Petition** (Sub.) Dix Holt McMullin	512(R) R	522 S-LA		853(R) C.R., C.C.	898(R) V	898	898	3 27 81	Effective 5/12/81 Chap. 105
131	**Modification of Firemen's Retirement Benefits** Willard Hale Gardner	602(R) R	611 S-LA		737(R) C.R. C.C.	829(R) V	829 895	829 895	3 28 81	891 895-V Effective 7/1/81 Chap. 192

HOUSE BILLS

Bill No.	(Check Reference Code on Page 1094) Title and Sponsor (co-sponsors listed on First Reading in House Journal)	Received from House Introduced Read (1)	Committee	Secretary of Senate Report	Read (2)	Read (3)	Returned to House	Signed by President	Signed by Governor and Other Action	
132	Utah State Retirement Office Act Amendments Willard Hale Gardner	700(R) R	722 S-LA	852	855(R)	855(R) C.R. A. V 935, A.V	936 975	976	3/28/81	963-Hc, Sc, 972 975-JCCR, SC Effective 3/28/81 Chap. 193
134	Divorce Payments Authority Lorin N. Pace	525(R) R	534 J	885 R	969 1009-SSEC					SSEC-3/12/81
137	Subsequent Prosecution Allowances George LaMont Richards	525(R) R	534 J		710(R) C.R., C.C.	800(R) V	801	801	Vetoed 3/30/81	
138	Supportive Personnel for Pharmacists Stephen J. Rees	512(R) R	522 S.S.	694	750, R 1010-SSEC					SSEC-3/12/81
141	License Plates for Former Prisoners of War Tom Christensen	827(R) R			876, C.C. 905(R)	905(R) V-failed	906			Failed in Senate 3/11/81
143	Wildlife Arrest Procedures Gayle F. McKeachnie	525(R) R	534 E-NR		611(R) C.R., C.C.	667(R) V	667	667	3/23/81	Effective 5/12/81 Chap. 113

144	**Air Conditioning School Buildings** Robert H. Garff	560(R) R	570 PE	584	626(R) C.R.(a) V	641(R) V, T 880 A, V	881 921	921		SA-HC, 918 Signed with line item veto 3 31 81 Overridden 5 5 81, 1036 Effective 7 1 81 Chap. 204
145	**School Building Utilization Pilot Program** Robert H. Garff	560(R) R	570 PE	584	627(R) C.R., V	641(R) V	641	641	3 23 81	Effective 7 1 81 Chap. 205
146	**Utah Municipal Bond Act Amendments** Robert H. Garff	194(R) R	201 BL-ED 202		202, 203 210, 224 225(R), A	226(R) V	226 234	234	273 1 26 81	HC-233 Effective upon approval- 1 26 81 Chap. 280
148	**Dental Hygienist Amendments** James F. Considine	526(R) R	534 BL-ED	610	629(R) C.R. V	643(R) A, V	643 692 805	805	3 24 81	677, SA-HRC-Sc 691, Hc 770 JCCR-SC 805 HC Effective 5 12 81 Chap. 20
149	**Towing Recreation Vehicles** Tom Christensen	616(R) R	637 T-PS		709(R) C.R., C.C.	799(R) V	799	799	3 24 81	Effective 5 12 81 Chap. 181
150	**First Judicial District Judgeship** Lyle W. Hillyard	794(R) R	816 J		876 930(R)	930(R) V	930	930	3 25 81	Effective 5 12 81 Chap. 89
152	**State Fireworks Act** Lorin N. Pace	827(R) R			876, C.C. 904(R)	904(R) V	905	905	Vetoed 3 31 81	
155	**Interest on Personal Property Taxes** Sherman D. Harmer, Jr.	525(R) R	534 R-T		622(R) C.R., C.C.	681(R) V	681	681	3 23 81	Effective 1 1 81 Chap. 230
156	**Access to Death Certificates** Jeff Fox	616(R) R	637 S.S.	806 R	970 1010-SSEC					SSEC-3 12 81

HOUSE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading in House Journal)	Received from House Introduced Read (1)	Committee	Secretary of Senate Report	Read (2)	Read (3)	Returned to House	Signed by President	Signed by Governor and Other Action
157	**Insurance Code Recodification** (Sub.) J. Kirk Rector	435(R) R	475 BL-ED	694	750, R 858, 867(R) C.R.	875(R) A. V	876 921	921	3/26/81 SA-HC, 918 Effective 5/12/81 Chap. 141
158	**Insurance Industry — Regulatory Fees** (Sub.) J. Kirk Rector	435(R) R	475 BL-ED	694	750 R 861, 874(R)	874(R) C.R.(a) V	875 921	921	3/26/81 SA, HC-919 Effective 5/12/81 Chap. 142
159	**School Basic Tax Levy** (Sub.) Gayle F. McKeachnie	700(R) R	722 R-T	1010 SSEC					SSEC-3/12/81
163	**Firemen's Retirement Benefit Offset** Sherman D. Harmer, Jr.	593(R) R	611 S-LA		737(R) C.R., C.C.	828(R) V	829	830	3/24/81 Effective 7 1 81 Chap. 194
164	**Reasonable Fair Cash Value Components** Franklin W. Knowlton	560(R) R	570 R-T	707	750, R 852, 870(R) C.R. Senate Sub. A-C of W A. V	879(R) 2nd Senate Sub., V	879 921	921	SA-HC, 918 Became law without signature of Governor Effective 5 12 81 Chap. 231
168	**Income Tax Rates Changes** Beverly J. White	593(R) R	611 R-T	738	750, R 852, 857(R)	857(R) C.R., V	858	858	3/28/81 Effective 1 1 81 Chap. 232
169	**Private Contracts Bonds** Lyle W. Hillyard	701(R) R	722 J	885, R 1010-SSEC					SSEC-3/12/81

170	**Falconry Meet Fees** (Sub.) Alarik Myrin	806(R) R	817 E-NR		876 C.C., 905(R)	905(R) V	905	905	3 26 81	Effective 5 12 81 Chap. 114
171	**Execution by Injection** Tom Christensen	576(R) R	591 J	707	750, R 970 1009-SSEC					SSEC-3 12 81
172	**Public Transportation Limitation** Glen E. Brown	594(R) R	611 T-PS	707	750, R 853(R) C.R., C.C.	900(R) V	901	901	3 27 81	Effective 5 12 81 Chap. 53
174	**Moving of Radioactive Tailings** (Sub.) Beverly J. White	848(R) R			888 977(R)	977(R) V	978	978	Vetoed 3 30 81	
175	**Controlled Substances Act** J. Kirk Rector	530(R) R	535 J		805(R) C.R., C.C.	839(R) V	840	840	3 27 81	Effective 5 12 81 Chap. 75
176	**Medicare Supplement Insurance Act** (Sub.) Willard Hale Gardner	763(R) R	791 S.S.		876 C.C. 901(R)	901(R) C.R., 937 944, V	945	945	3 28 81	Effective 5 12 81 Chap. 143
179	**Unappropriated Federal Funds Review** LeRay L. McAllister	616(R) R	637 R-T	885 R	970 1009-SSEC					SSEC-3 12 81
180	**County Service Area Act Amendments** Donna M. Dahl	494(R) R	510 Ag	523	536(R) C.R., 538 623, 627, V	641(R) V	642	642	3 23 81	Effective upon approval- 3 23 81 Chap. 83
183	**Public Intoxication Treatment Act** (Sub.) Clifford S. LeFevre	693(R) R	696 S.S.		867(R) C.R.(a) A.V	895(R) V	896 927	927	3 27 81	SA-HC, 927 Effective 7 1 81 Chap. 151
185	**Reserve Account Amendments** (Sub.) Paul Rogers	526(R) R	534 R-T	622	654(R) C.R., V	663(R) V,	664	664	3 30 81	Effective 5 12 81 Chap. 15
188	**Pornographic Material Distribution Penalty** George LaMont Richards	616(R) R	637 J	885 R	969 1009-SSEC					SSEC-3 12 81

HOUSE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading in House Journal)	Received from House Introduced Read (1)	Committee	Secretary of Senate Report	Read (2)	Read (3)	Returned to House	Signed by President	Signed by Governor and Other Action
191	**Mechanic's Liens — Items Covered** George LaMont Richards	468(R) R	476 BL-ED		695(R) C.R., C.C.	762(R) V	762	762	3 27 81 Effective 5/12/81 Chap. 170
192	**Moving Farm Machinery** James J. White	530(R) R	534 Ag		586(R) C.R.(a), C.C.	647(R) V	647 693	693	3 12 81 692, SA-HC Effective 5/12/81 Chap. 134
193	**Basic Local School Sales and Use Tax Law** Lorin N. Pace	700(R) R	722 R-T	1010 SSEC					SSEC-3/12/81
194	**Local Sales Tax for Minimum School Program** Lorin N. Pace	693(R) R	696, PE 722, R-T 791, S-LA	1010 SSEC					SSEC-3/12/81
195	**Repeal of Local Optional Sales Tax** (Sub.) Lorin N. Pace	700(R) R	722 R-T	1010 SSEC					SSEC-3/12/81
196	**Real Property Tax Revaluation Repeal** (Second Sub.) Franklin W. Knowlton	818(R) R			871(R) A, V	880(R) V	880 921	921	SA-HC, 919 Became law without signature of Governor Effective 5/12/81 Chap. 233

197	**Title Insurance Amendments** (Sub.) Gayle F. McKeachnie	848(R) R			888 972(R)	972(R) V	973	973	3/30/81	Effective 7/1/81 Chap. 144
198	**Excess Appropriation Expenditure** LeRay L. McAllister	661(R) R	696 S-LA	885 R	980(R)	980(R) A, V	981 1013	1013	Vetoed 3/31/81	SA-HC, 1013
201	**School Mill Levy Adjustment** Glen E. Brown	793(R) R	816 P.E.	885 R	928(R)	928(R) 937, T 1010-SSEC				SSEC-3/12/81
203	**Assumption of Real Estate Security Interests (Due-On-Sale)** (Sub.) Lorin N. Pace	701(R) R	722 BL-ED	849 R	925 931(R)	931(R) C of W A,A.A.V 940 A,A.V	941 1013	1013	3/31/81	SA-HRC, 969, Sc Hc, 972 JCCR, 997, SC HC, 1013 Effective 5/12/81 Chap. 224
207	**Municipal Fiscal Procedures** Gary H. Brockbank	726(R)	747 S-LA	884 R	928 1009-SSEC					SSEC-3/12/81
211	**Land Sales Practice Act — Exemption** Sherman D. Harmer, Jr.	701(R) R	722 BL-ED	849 R	969 1009-SSEC					SSEC-3/12/81
212	**Municipal Bond Elections** Lee W. Farnsworth	677(R) R	696 S-LA		853(R) C.R., C.C.	898(R) V	899	899	3/27/81	Effective 5/12/81 Chap. 281
213	**Circuit Court Amendments** Gayle F. McKeachnie	849(R) R			876 927(R)	927(R) V	927	927	3/27/81	Effective 7/1/81 Chap. 90
216	**Medical Malpractice Procedures** George LaMont Richards	1005							Arrived in Senate too late for official action	
217	**Fees on Delinquent Taxes** Alarik Myrin	763(R) R	791 R-T		909(R)	909(R) C.R., V	909	909	3/26/81	Effective 5/12/81 Chap. 234
218	**Property Destruction Amendment** Robert B. Sykes	616(R) R	637 J	885 R	970 1009-SSEC					SSEC-3/12/81

HOUSE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading in House Journal)	Received from House Introduced Read (1)	Committee	Secretary of Senate Report	Read (2)	Read (3)	Returned to House	Signed by President	Signed by Governor and Other Action	
219	**Municipal Services Funds** Dix Holt McMullin	849(R) R			970 1009-SSEC					SSEC-3/12/81
222	**Retirement System Contributions** Willard Hale Gardner	737(R) R	747 S-LA		774(R) C.R., C.C.	836(R) V	837	837		977, 997 SSEC-3/12/81
223	**Bidding Requirement Limits** Gayle F. McKeachnie	616(R) R	637 S-LA		888 961(R)	961(R) C.R., A V-failed	961			Failed in Senate 3/12/81
224	**Judicial Selection** Robert H. Garff	661(R)			661 665(R)	665(R) V	666	666	Vetoed 3/24/81	Overridden 5/5/81, 1037 Effective 5/12/81 Chap. 106
226	**Insurance Premium Taxes** E. Ute Knowlton	708(R) R	747 BL-ED	849 R	852 858(R)	858(R) A, V	859 921	921	3/27/81	SA-HC, 918 Effective 7/1/81 Chap. 145
227	**Repeal of Local Optional Sales Tax** Carl R. Saunders	701(R) R	722 R-T	806 R	888 916 922(R)	922(R) C.R., 935 956, V	956	956	Vetoed 3/31/81	

228	**Sales and Use Tax Distributions** (Second Sub.) Carl R. Saunders	701(R) R	722 R-T	806 R	888 916(R)	916(R) C.R. C of W 921 V-failed V-failed 935, V 953 VAVAAAV	922 956 980	980	Vetoed 3/31/81	940 SA-HC, 980
230	**Medical Examiner's Findings** Samuel S Taylor	763(R) R	791 J	885 R	888 974(R)	974(R) A, V	975 1013	1013	3/28/81	SA-HC, 1013 Effective 5/12/81 Chap. 119
233	**Community Corrections Assistance Act** Charles L. Doane	794(R) R	816 S.S.		908(R)	908(R) C.R.(a) S.S.E.C.	909			SSEC-3/11/81
235	**Deputy Sheriff's Probationary Period** P. Lloyd Selleneit	827(R) R			970 1009-SSEC					SSEC-3/2/81
236	**Physical Therapists' Professional Corporation** Carl D. Anderson	677(R) R	696 BL-ED		738(R) C.R., C.C.	829(R) V	829	829	3/24/81	Effective 5/12/81 Chap. 77
239	**Utah Ridesharing Act** (Sub.) Mike Dmitrich	737(R) R	747 T-PS	847 R	853(R) C.R., C.C.	901(R) V	901	901	3/28/81	Effective 5/12/81 Chap. 273
243	**Cost of Living Change Amendments** Willard Hale Gardner	622(R) R	637 S-LA	1010 SSEC						SSEC-3/12/81
245	**Fiscal Impact Estimations** LeRay L. McAllister	752(R) R	790 R-T		909(R), C.R. 1009-SSEC					SSEC-3/12/81
247	**Mental Health Amendments** Beverly J. White	737(R) R	747 S.S.	806 R	853(R) C.R., C.C.	897(R) V	898	898	3/27/81	Effective 5/12/81 Chap. 261

HOUSE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading in House Journal)	Received from House Introduced Read (1)	Committee	Secretary of Senate Report	Read (2)	Read (3)	Returned to House	Signed by President	Signed by Governor and Other Action
248	**Mental Health Service Amendments** Paul Rogers	617(R) R	637 S.S.	806 R.	853(R) C.R., C.C.	897(R) V	897	897	3 28 81 Effective 5 12 81 Chap. 120
249	**Billings by Attorney General** (Sub.) Lyle W. Hillyard	701(R) R	722 J		807(R) C.R.(a) C.C.	839(R) V	839	839	3 27 81 Effective 5 12 81 Chap. 266
250	**Financial Impact of Regulations** Glen E. Brown	763(R) R	791 S-LA	884. R 010-SSEC					SSEC-3 12 81
251	**Electrician and Plumbing Apprentice Change** Alarik Myrin	668(R)			668(R)	668(R) V	669 963 1020	1020	Vetoed 960. H. Subst. R 3 31 81 970 1038 983-A. V 1020-SA-HC
256	**Utah Executive and Judicial Salary Act** (Sub.) Merrill W. Harward	763(R) R	791 S-LA		876 883(R)	883(R) C.R.(a). V	884 921	921	3 27 81 SA-HC. 919 Effective 7 1 82 Chap. 267
257	**Alcoholism Insurance Coverage** George LaMont Richards	818(R) R			876 C.C., 902(R)	902(R) V	902	902	3 26 81 Effective 5 12 81 Chap. 146

258	**Utah Technical College at Provo Associate in Science Degree** Willard Hale Gardner	794(R) R	816 H.E.		978(R)	978(R) C.R. V	978	978	3 28 81	Effective 5 12 81 Chap. 206
260	**State Hiring Moratorium** Merrill W. Harward	794(R) R	816 S-LA	884 R	1010 SSEC					SSEC-3 12 81
261	**Textbooks in Public Schools** (Sub.) Robert Curran	828(R) R			888 961(R)	961(R) A	962 980	980	3 28 81	SA-HC. 980 Effective 5 12 81 Chap. 207
262	**Filling Vacancies — Elected Officials** Lee W. Farnsworth	661(R)			661 666(R)	666(R) A. V	667 882	677 882	Vetoed 3 31 81	673. A. V. 677 SA-HC 882-HA-SC Overridden 5 5 81 Effective 5 12 81. 1038 Chap. 107
263	**Youth Correction Agency** Dale E. Stratford	701(R) R	722 S.S.		808(R) C.R., C.C.	840(R) V	840	840	3 24 81	Effective 5 12 81 Chap. 247
265	**Self-Service Storage Regulation** Robert H. Garff	849(R) R			876. C.C. 904(R)	904(R) V	904	904	3 26 81	Effective 7 1 81 Chap. 171
266	**Alternate Level Budgeting** Merrill W. Harward	818(R) R			970 1009-SSEC					SSEC-3 12 81
267	**Resource Development Coordinating Committee** Roger F. Rawson	891(R) R			970 1001(R)	1001(R) V	1002	1002	3 30 81	Effective 7 1 81 Chap. 187
268	**Veterans' Representatives** (Sub.) Alarik Myrin	818(R) R	847 R		925. C.C. 945(R)	945(R) V	945	945	3 26 81	Effective 5 12 81 Chap. 282
269	**Special Taxing District Levies** Gary H. Brockbank	726(R) R	747 S-LA		774(R) C.R., C.C.	837(R) V	837	837	3 24 81	Effective-5 12 81 Chap. 235
272	**Self Insurance Workmen's Compensation** D. Leon Reese	806(R) R	817 BL-ED	849 R	970 1009-SSEC					SSEC-3 12 81

HOUSE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading in House Journal)	Received from House Introduced Read (1)	Committee	Secretary of Senate Report	Read (2)	Read (3)	Returned to House	Signed by President	Signed by Governor and Other Action	
273	**Bird Bay Repeal** Charles Hardy Redd	764(R) R	791 S-LA	847 R	925, C.C. 945(R)	945(R) C.R., V	946	936	3/27/81	Effective 5/12/81 Chap. 208
274	**Compliance With County Plans** Carl D. Anderson	806(R) R	817 S-LA	884 R	969 1009-SSEC					SSEC-3/12/81
275	**Public Service Commission Hearing Procedures** Merrill W. Harward	764(R) R	791 BL-ED	849 R	876 882(R), V	896(R) C of W, V	897	897	3/28/81	Effective 5/12/81 Chap. 215
286	**Compulsory Attendance Age** Charles Hardy Redd	737(R) R	748 P.E.	847 R	1010 SSEC					SSEC-3/12/81
287	**County Fiscal Procedures** Gary H. Brockbank	726(R) R	747 S-LA	884 R	928 1009-SSEC					SSEC-3/12/81
289	**Children's Rights** (Sub.) Paul Rogers	794(R) R	816 J	885 R	969 982(R)	982(R) V	983	983	3/30/81	Effective 5/12/81 Chap. 157
293	**Voter Information Pamphlets** Lee W. Farnsworth	752(R) R	791 S-LA	847 R	876, C.C. 906(R)	906(R) C.R., V	906	906	3/25/81	Effective 5/12/81 Chap. 108
295	**State Training School — Costs Responsibility** Stephen J. Rees	828(R) R	1010 SSEC							SSEC-3/12/81

297	**Equipping and Operating Mines** (Sub.) John M. Garr	960(R) R			970 1009-SSEC					SSEC-3/12/81
298	**Personnel Salary Amendments** **Salary Survey Requisites** Paul F. Mecham	794(R) R	816 S-LA	884 R	888 963(R)	963(R) Sub. C of W, V	964			HSEC-3/12/81
301	**Municipal Improvement District Act Amendments** Ray S. Schmutz	752(R) R	791 S-LA	847 R	888 961(R)	961(R) C.R. V	962	962	3/30/81	Effective upon approval 3/30/81 Chap. 39
303	**Modifications to Governmental Immunity Act** (Sub.) Orval C. Harrison	960(R) R			970 1009-SSEC					SSEC-3/12/81
305	**Antelope Island Condemnation** Charles Hardy Redd	764(R) R	791 E-NR	885 R	1010 SSEC					SSEC-3/12/81
308	**Adult Probation and Parole** Dale E. Stratford	794(R) R	816 S.S.		908(R)	908(R) C.R., V	908	908	3/28/81	Effective 5/12/81 Chap. 65
309	**Freedom of Medication** P. Lloyd Sellenit	794(R) R	817 S.S.	878 R	970 1009-SSEC					SSEC-3/12/81
310	**Federal Plans Implementation Requisite** Charles Hardy Redd	828(R) R			970 1009-SSEC					SSEC-3/12/81
319	**County Payment — Medical Assistance** (Sub.) Paul Rogers	701(R) R	722 S.S.	806 R	888 936(R)	936(R) C.R., A V-failed				Failed in Senate 3/11/81
320	**Nonresident Use Tax Exemption** Merrill W. Harward	960(R) R			965(R)	965(R) V-failed	966			Failed in Senate 3/12/81
321	**School Building Equalization Program** Robert H. Garff	890(R) R			928(R)	928(R) V	928	928	3/28/81	Effective 5/12/81 Chap. 209

HOUSE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading in House Journal)	Received from House Introduced Read (1)	Committee	Secretary of Senate Report	Read (2)	Read (3)	Returned to House	Signed by President	Signed by Governor and Other Action
325	**Limitation on Legislation** John M. Garr	828(R) R	1015 SSEC						SSEC-3 12 81
328	**Federal Plans Implementation Approval** Charles Hardy Redd	764(R) R	791 E-NR	885 R	970 1009-SSEC				SSEC-3 12 81
329	**Fair Construction Bidding Procedure** C. McClain Haddow	668(R)			668(R), V 669, V 678 BL-ED 849, R 925, 959 SSEC				SSEC-3 12 81
330	**Rights of Deaf and Blind Persons** John E. Smith	960(R) R			970 1003(R)	1003(R) V	1003	1003	3 28 81 Effective 5 12 81 Chap. 121
333	**Care of Indigent Amendments** Paul Rogers	890(R) R			970 1000(R)	1000(R) V	1000	1000	Vetoed Overridden 5 5 81, 1036 3 31 81 Effective 5 12 81 Chap. 84
346	**Transit District Passes for Students** Samuel S Taylor	849(R) R			970 1009-SSEC				SSEC-3 12 81

347	**Fire Training Programs** Sherman D. Harmer, Jr.	745(R) R	817 S-LA		876, C.C. 902(R)	902(R) C of W, V	902	902	3 30 81	Effective 5/12/81 Chap. 249
348	**Residency for Hunting and Fishing Licenses** Gayle F. McKeachnie	764(R) R	791 E-NR	885 R	888 973(R)	973(R) V	974	974	3 28 81	Effective 5/12/81 Chap. 115
349	**State Risk Management Fund** Gayle F. McKeachnie	965(R) R			968(R)	968(R) V	968	968	3 28 81	Effective 5/12/81 Chap. 250
353	**Governmental Immunity for Clinical Care Students** George LaMont Richards	617(R) R	637 S-LA		695(R) C.R. C.C.	762(R) V	762	762	3 28 81	Effective 5/12/81 Chap. 116
354	**Higher Education Loans Interest** George LaMont Richards	737(R) R	748 H.E.		790(R) C.R., C.C.	837(R) V	838	838	3 24 81	Effective upon approval 3 24/81 Chap. 138
369	**Transit District Elections** Lyle W. Hillyard	805(R) R			876, C.C. 906(R)	906(R) C.R., V	907	907	3/27 81	Effective 5/12/81 Chap. 274
375	**County Improvement District Act Amendments** Ray S. Schmutz	752(R) R	791 S-LA	847 R	888 982(R)	982(R) C.R., V	982	982	3 30 81	Effective upon approval 3 30/81 Chap. 85
384	**Public Assistance Burial Trusts** Sherman D. Harmer, Jr.	799(R) R.	817 S.S.	878 R	928(R)	928(R) V	928	928	3/27 81	Effective 5/12/81 Chap. 122
387	**Motor Vehicle Act Modificiations** Robert H. Garff	794(R) R	817 T-PS	847 R	876 885(R)	855(R) C.R., V	886	886	3/27 81	Effective 5/12/81 Chap. 182
389	**Miscellaneous Liens Amendments** (Sub.) Robert H. Garff	818(R) R			852 873(R)	873(R) V	873	873	3/27 81	Effective 5/12/81 Chap. 172
392	**Criminal Possession of Rented or Leased Property** Gary H. Brockbank	708(R) R	747 J	885 R	970 1009-SSEC					SSEC-3/12/81

HOUSE BILLS

Bill No.	(Check Reference Code on Page 1084) Title and Sponsor (co-sponsors listed on First Reading in House Journal)	Received from House Introduced / Read (1)	Committee	Secretary of Senate Report	Read (2)	Read (3)	Returned to House	Signed by President	Signed by Governor and Other Action
393	Population and Personal Income Figures Adoption (Sub.) Gary H. Brockbank	838(R) R	1010 SSEC						SSEC-3/12/81
404	Appropriations Act Gary H. Brockbank	934(R)			934 952(R)	952(R) A,A,A,V	953 969 985	985	3/27/81 SA-HRC, 969, Sc line Hc, 972 item JCCR, 985, SC veto Effective 7/1/81 Chap. 288
405	Appropriations Act Gary H. Brockbank	998(R)			998(R)	998(R) V	999	999	3/31/81 Effective 7/1/81 Chap. 289

HOUSE JOINT RESOLUTIONS

Bill No.	Title and Sponsor (co-sponsors listed on First Reading in House Journal)	Received from House Introduced Read (1)	Committee	Secretary of Senate Report	Read (2)	Read (3)	Returned to House	Signed by President	Transmitted to Lt. Gov./Sec. of State and Other Action
HJR 1	**Legislative Journal Contents** P. Lloyd Selleneit	426(R) R	432 S-LA	1010 SSEC					SSEC-3/12/81
3	**Federal Legislation Resolution** P. Lloyd Selleneit	827(R) R			925 C.C., 946(R)	946(R) V-failed	946		Failed in Senate 3/12/81
4	**Federal Judicial Reform** P. Lloyd Selleneit	827(R) R			925 C.C., 946(R)	946(R) V-failed	947		Failed in Senate 3/12/81
9	**Chris Ritzakis Resolution** Samuel S Taylor	494(R) R	510 S.S.	531	623(R)	623(R) C.R., V	624	624	Transmitted to Lt. Governor 3/6/81
12	**Disabled Veterans' Exemption** Beverly J. White	426(R) R	432 R-T	622	653(R), C.R. 659, 714, T 750, R 1010-SSEC				SSEC-3/12/81
13	**Legislative Employees Salaries** Sherman D. Harmer, Jr.	155(R)			155(R)	155(R) Printed 156 V	157	157	Transmitted to Lt. Governor 2/9/81
15	**Wild Game Feed Resolution** Alarik Myrin	552(R) R	569 Ag	622	653(R) C.R.	654 V	654	654	Transmitted to Lt. Governor 3/13/81

Bill No.	Title and Sponsor (co-sponsors listed on First Reading in House Journal)	Received from House Introduced Read (1)	Committee	Secretary of Senate Report	Read (2)	Read (3)	Returned to House	Signed by President	Transmitted to Lt. Gov./Sec. of State and Other Action
18	**Maestro Varujan Kojian Resolution** Robert B. Sykes	579(R)			579(R)	579(R) V, C of W	579	579	Transmitted to Lt. Governor 3/6/81
19	**Karl A. Peterson Resolution** Mike Dmitrich	468(R)			468 476 485(R)	485(R) A, V	485 511	511	511, HC-SA Transmitted to Lt. Governor 3/5/81
21	**Salt Lake Art Center Resolution** (Changed to HCR 11 on Page 615) Robert H. Garff								
28	**Provo Bay Accretion Resolution** W. Robert Phelps	827(R) R	1010 SSEC						SSEC-3/12/81
31	**State Government Printing Resolution** C. McClain Haddow	805(R) R	816 S-LA	884 R	925, C.C. 947(R)	947(R) V	947	947	Transmitted to Lt. Governor 3/23/81
38	**J. McKinnon Smith Resolution** P. Lloyd Selleneit	677(R) R	696		696, 750 R, 900(R)	900(R) V	900	900	Transmitted to Lt. Governor 3/24/81
46	**Mined Lane Reclamation Resolution** Mike Dmitrich	708(R) R	748 E-NR	885 R	925 C.C., 947(R)	945(R) V	948	948	Transmitted Governor 3/24/81

HOUSE CONCURRENT RESOLUTIONS

Bill No.	Title and Sponsor (co-sponsors listed on First Reading in House Journal)	Received from House Introduced Read (1)	Committee	Secretary of Senate Report	Read (2)	Read (3)	Returned to House	Signed by President	Signed by Governor and Other Action
HCR 1	National Forensics League Resolution Rob W. Bishop	425(R)	432 J	566	625(R)	625(R) C.R. V	625	625	3 11 81
2	Hostage Return Resolution All Members of the House	192(R)			192(R)	192(R) V	192 251	192 251	679 251 2 19 81 HA-SC
5	Sheldon Riser Brewster Resolution All Members of the House	699(R)			699(R)	699(R) V	699	699	3 27 81
7	Coal Leasing Policy Resolution John M. Garr	794(R) R	816 E-NR	885 R	925 C.C., 948(R)	948(R) V	948	948	3 27 81
10	Year of Disabled Persons Resolution Jo Brandt	699(R)			699(R)	699(R) V	700	700	3 27 81
11	Salt Lake Art Center Resolution Robert H. Garff (See HJR 21)	370(R) R	383 S-LA		433(R) C.R., C.C.	484(R) V	484 616	484 616	3 23 81 615 HA-SC
12	Low-Level Radioactive Wastes Jo Brandt	827(R) R			925, C.C. 948(R)	948(R) V	949	949	3 27 81
13	David Terry Warner Resolution Willard Hale Gardner	818(R) R			925, C.C. 949(R)	949(R) V	949	949	3 27 81

Bill No.	Title and Sponsor (co-sponsors listed on First Reading in House Journal)	Received from House Introduced Read (1)	Committee	Secretary of Senate Report	Read (2)	Read (3)	Returned to House	Signed by President	Signed by Governor and Other Action	
14	Basketball Teams in Utah Commendation Lee W. Farnsworth	865(R) R			910(R)	910(R) V	910	910	3/27/81	
15	Dr. T.H. Bell Resolution George LaMont Richards	966(R)			966(R)	966(R) V	966	966	3/27/81	
16	Herbert B. Maw Resolution John M. Garr	922(R)			923(R)	923(R) V	923	923	3/11-81 Printed	

STATISTICAL INFORMATION

	Senate	House	Total
Number of Bills Introduced	309	405	714
Number of Bills Passed by Legislature	152	153	305
Number of Bills Signed by Governor	146	137	283
Number of Bills that Became Law Without Governor's Signature	0	3	3*
Number of Bills Vetoed by Governor	6[1]	13[1]	19[1]
Number of Bills Vetoed by Governor and Overridden	0	4	4**
Number of Bills Enacted into Law	**146**	**144**	**290**
Number of Joint Resolutions Introduced	9	48	56
Number of Concurrent Resolutions Introduced	8	16	24
Total Resolutions Introduced	**17**	**64**	**80**
Number of Joint Resolutions Passed by Legislature	2	5	6
Number of Concurrent Resolutions Passed by Legislature	8	11	19
Total Resolutions Passed	**10**	**16**	**26**

[1]Does not include line item vetoes — House Bill 144, House Bill 404 and Senate Bill 307

*H.B. Nos. 81, 164 and 196

**H.B. Nos. 1, 224, 262 and 333

COMMITTEES OF THE WHOLE (SPECIAL)

AMERICAN HOSTAGES IN IRAN, Sen. Karl N. Snow comments....170
Algerian Flag displayed....195
BABBIT, BRUCE, Governor, State of Arizona....951
BELL, T.H., U.S. Secretary of Education....131
GARN, E.J. "JAKE," U.S. Senator....415
GILL, JANET, Utah Right to Life....210
HANSEN, JAMES V., U.S. Congressman....472
HATCH, ORRIN G., U.S. Senator....416
JAPAN, Hiroshi Kitamura, Consul General (remarks printed)....338
KENNEY, MONT G., Legislative Auditor General....196
LAWSON, STEVE, "Ogden Spikers"....281
LAYDEN, FRANK, General Manager, Utah Jazz Basketball....226
MADSEN, ARCH L., Chairman, Executive Reorg. Comm....546
MARRIOTT, DAN, U.S. Congressman....416
MECHAM, GLENN J., President, Utah League of Cities & Towns....320
NIGERIA (visitors)....412
PATTERSON, COL. JERRY K., Commander, Tooele Army Depot....314
REAGAN, RONALD, U.S. President, Inauguration....178
RICHARDSON, ELLIOT G....589
STRACHAN, KRISTINE, member, Executive Reorg. Comm....546
VALENTINE'S DAY....477

pg 1171

JOURNAL INDEX

ADJOURNMENT SINE DIE —
First Special Session 23
General Session 1025
First Veto Override Session 1039

APPOINTMENTS, by Governor Scott M. Matheson 10
Advise and Consent ..... 10, 988 to 997

APPOINTMENTS, Special Commmittee on: 434

APPROPRIATION COMMITTEES,
Executive, Joint and Subcommittees 80

BILLS AND RESOLUTIONS —
Reading of: 80-81
Deadline for introduction of: 383
Returned to Rules (Sifting) Committee 697, 723, 871

CERTIFICATIONS —
First Special Session ii
General Session 26
First Veto Override Session 1029

CERTIFICATION OF MEMBERSHIP —
First Special Session 6
General Session 72
First Veto Override Session 1029

COLUMNAR INDEX 1083
Senate bills and resolutions 1085
House bills and resolutions 1137
Reference Code 1084

COMMITTEES OF THE WHOLE (Special) 1170

CONSTITUTION, Utah State, Legislative Department
(Article VI) 33-37

CONVENE —
First Special Session 3
General Session 71
First Veto Override Session 1027

CONVENTION, JOINT 78, 119-129

CRIMES AGAINST THE LEGISLATIVE POWER 38

EMPLOYEES (SENATE) and oath of office 129-130
Staff, pictures 28

GOVERNOR SCOTT M. MATHESON
Appointments by: 10, 988-997
Executive Order 3
Budget Message 120
State of State Message 78
Adjournment — General Session 1025

INDEXES —
Final Action Index — First Special Session 23
Subject Index (all House and Senate bills) 1043
Columnar Index (Senate) 1083
Columnar Index (House) 1137

INTERIM COMMITTEE RULES 66-69

JENSEN, MORONI L., Tribute to: 11

JOINT CONVENTION 78, 119-129

JOINT RULES ..... 6, 54-64, 77, 166-168, 987 and 1030

LEADERSHIP, SENATE AND HOUSE 6, 1030
Pictures 28
Membership 28
Messages, Senator Karl N. Snow, Jr. (Majority Leader) 76, 1025
Senator Karl G. Swan (Minority Leader) 76-77, 1024

PATRONAGE AND EMPLOYEE COMMITTEE 77, 129-130

POSTING OF COLORS 72

PRESIDENT OF SENATE, MILES 'CAP' FERRY
Picture and Message 27
Messages 74-76, 1024

PROCLAMATION, First Special Session 4

READ AND REVISE JOURNAL, Committee to: 77, 1023, 1030

REFERENCE CODE (for Columnar Indexes) 1084

RULES OF THE SENATE 29-53, 77, 1030
Amended (Veto Override Session) 987

SENATORS 6, 72, 1029
Pictures 30
Membership 31-32

SENATE RULES (see RULES OF THE SENATE)

SENATE STAFF 28, 129-130

STANDING COMMITTEES 79-80

STATISTICAL INFORMATION 1169

SUBJECT INDEX (All Senate and House bills) 1043

VETO MESSAGES 1031-1035

VETO OVERRIDE SESSION 65, 987, 1027
Lieutenant Governor's Communication 1030