STATE OF UTAH

SENATE JOURNAL

EXTRAORDINARY SESSION
OF THE
FORTY-FOURTH
LEGISLATURE

June 26, 1981

CERTIFICATION

The undersigned, as the duly appointed committee on revision of the Senate Journal for the Extraordinary 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 Extraordinary Session convening on Friday, June 26, 1981 at 2:00 p.m. and adjourning sine die at 6:45 p.m.

Sophia C. Buckmiller

Sophia C. Buckmiller
Secretary of the Senate

Joan B. Thomas

Joan B. Thomas
Senate Minute Clerk

STATE OF UTAH

SENATE JOURNAL

EXTRAORDINARY SESSION

of the

FORTY-FOURTH LEGISLATURE

JUNE 26, 1981

Pursuant to a proclamation by His Excellency Governor Scott M. Matheson, the Senate of the Forty-Fourth Legislature of the State of Utah met in the Senate Chamber at the State Capitol in Extraordinary Session at 2:00 p.m. on June 26, 1981.

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

Prayer — Senator Lowell S. Peterson (Weber, District 20)

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

PROCLAMATION

WHEREAS, since the close of the General Session of the 44th 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 proclamation, convene the Legislature in Extraordinary 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 the Laws of the State of Utah, do by this Proclamation call the Senate only of the 44th Legislature of the State of Utah into the First Special Session at the State Capitol at Salt Lake City, Utah, on the 26th day of June, 1981, at 2:00 p.m., for the following purpose:

1. For the Senate to advise and consent to appointments made by the Governor to Boards, Commissions, and positions within the Executive Branch of the government of the State of Utah since the close of the General Session of the 44th Legislature of the State of Utah.

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 15th day of June, 1981.

Scott M. Matheson
Governor, State of Utah

David S. Monson
Lieutenant Governor

CERTIFICATION

I, DAVID S. MONSON, Lieutenant Governor of the State of Utah, do hereby certify that the attached copy of a proclamation issued under date of June 15, 1981, and signed by Governor Scott M. Matheson, is a true and correct copy of the original proclamation calling the Senate only of the Forty-Fourth Legislature into Extraordinary Session at the State Capitol in Salt Lake City, Utah, on the 26th day of June, 1981, at the hour of 2:00 p.m., for the purposes named in the proclamation.

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 except that Senate District 21 is unfilled at the present time due to the death of Senator Sherman A. Wayment.

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 15th day of June, 1981.

David S. Monson
Lieutenant Governor

COMMUNICATIONS FROM THE GOVERNOR

Dear President Ferry: June 22, 1981

This is to officially inform you that to fill the vacancy, due to the recent passing of Senate Sherman Wayment, I have appointed Mrs. Dona M. Wayment. She will serve a term to expire at the next general election.

Please keep her informed of all necessary requirements.

Scott M. Matheson,
Governor, State of Utah

Mrs. Dona M. Wayment was escorted to the podium. President Miles 'Cap' Ferry administered the Oath of Office to Mrs. Wayment. Senator Wayment addressed the Senate.

Roll Call — All Senators present except Senators Carling, Flamm, Matheson and Sowards.

Senate Rules — On motion of Senator Halverson, the Senate voted to adopt the Senate Rules of the General Session of the Forty-Fourth Legislature as the rules for the Extraordinary Session.

President Ferry appointed a committee to wait upon the Governor, comprised of Senators Cornaby, Wayment and Money. The committee was asked to notify the Governor that the Senate is gathered in Extraordinary Session as per his proclamation.

On motion of Senator Snow, and at 2:30 p.m., the Senate recessed for the purpose of Republican Party Caucus. The Senate reassembled at 4:10 p.m.

APPOINTMENTS BY
The Honorable Scott M. Matheson
Governor, State of Utah

The following three communications from Governor Matheson were distributed to members of the Senate. The communications are printed with the technical corrections noted by Senator Cornaby, and approved by motion, incorporated.

Dear President Ferry: June 26, 1981

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

Mirvin D. Borthick, reappointed as a member of the Utah Liquor Control Commission for a term expiring July 1, 1982. Sections 32-1-4.5 and 32-1-5, UCA 1953.

York Jones, appointed as a member of the Safe Drinking Water Committee for a term expiring May 8, 1983. S.B. 149, 1979 General Session.

Dee Roland, appointed as a member of the Safe Drinking Water Committee for a term expiring May 1, 1985. S.B. 149, 1979 General Session.

Wayne S. Winters, reappointed as a member of the Transportation Commission for a term expiring April 1, 1987. Section 27-12-3, UCA 1953.

David Eckhoff, reappointed as a member of the Safe Drinking Water Committee for a term expiring May 8, 1985. S.B. 149, 1979 General Session.

Jay Bingham, reappointed as a member of the Safe Drinking Water Committee for a term expiring May 8, 1985. S.B. 149, 1979 General Session.

Harold Jacobs, reappointed as a member of the Safe Drinking Water Committee for a term expiring May 8, 1985. S.B. 149, 1979 General Session.

James Grey Larkin, reappointed as a member of the Safe Drinking Water Committee for a term expiring May 8, 1985. S.B. 149, 1979 General Session.

Eugene W. Hansen, appointed as a member of the Utah State University Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

John Caine, appointed as a member of the Utah State University Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

Glenn J. Mecham, reappointed as a member of the Utah State University Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

Leonard McDonald, reapppointed as a member of the Utah State University Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

Richard Prows, reappointed as a member of the Utah Technical College at Salt Lake Institutional Council, for a term expiring June 30, 1985. Section 53-16-14, UCA 1953 and S.B. 53, 1978 Budget Session.

Gerald M. Conder, appointed as a member of the Utah Technical College at Salt Lake Institutional Council for a term expiring June 30, 1985. Section 53-16-14, UCA 1953 and S.B. 53, 1978 Budget Session.

Harry Blundell, reappointed as a member of the Utah Technical College at Salt Lake Institutional Council for a term expiring June 30, 1985. Section 53-16-14, UCA 1953 and S.B. 53, 1978 Budget Session.

Howard Pace, reappointed as a member of the Utah Technical College at Provo Institutional Council for a term expiring June 30, 1985. Section 53-16-14, UCA 1953 and S.B. 53, 1978 Budget Session.

Robert Halladay, reappointed as a member of the Utah Technical College at Provo Institutional Council for a term expiring June 30, 1985. Section 53-16-14, UCA 1953 and S.B. 53, 1978 Budget Session.

Eris Y. Sumner, reappointed as a member of the Utah Technical College at Provo Institutional Council for a term expiring June 30, 1985. Section 53-16-14, UCA 1953 and S.B. 53, 1978 Budget Session.

Charles Bates, reappointed as a member of the Utah Technical College at Provo Institutional Council for a term expiring June 30, 1985. Section 53-16-14, UCA 1953 and S.B. 53, 1978 Budget Session.

Wayne Owens, appointed as a member of the Board of Regents for a term expiring June 30, 1987. Section 53-48-5, UCA 1953.

Donald B. Holbrook, reappointed as a member of the Board of Regents for a term expiring June 30, 1987. Section 53-48-5, UCA 1953.

Reba L. Keele, appointed as a member of the Board of Regents for a term expiring June 30, 1987. Section 53-48-5, UCA 1953.

Neal Maxwell, reappointed as a member of the Board of Regents for a term expiring June 30, 1987. Section 53-48-5, UCA 1953.

Ernest Mariani, appointed as a member of the Board of Regents for a term expiring June 30, 1987. Section 53-48-5, UCA 1953.

Bruce Griffin, appointed as a member of the Utah Technical College at Provo Institutional Council for a term expiring June 30, 1985. Section 53-16-4, UCA 1953 and S.B. 53, 1978 Budget Session.

Clyde C. Patterson, reappointed as a member of the Weber State College Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

Gwen S. Williams, reappointed as a member of the Weber State College Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

Jane A. Marquart, appointed as a member of the Weber State College Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

John E. Ulibarri, appointed as a member of the Weber State College Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

Jerry Eitner, reappointed as a member of the Board of Travel Development for a term expiring July 1, 1985. Section 63-16-2, UCA 1953.

Theodore F. Seeholzer, reappointed as a member of the Board of Travel Development for a term expiring July 1, 1985. Section 63-16-2, UCA 1953.

Jay Bone, appointed as a member of the Board of Travel Development for a term expiring July 1, 1985. Section 63-16-2, UCA, 1953.

David S. Kunz, reappointed as a member of the Commission on Uniform State Laws for a term expiring July 1, 1987. Section 68-4-5, UCA 1953.

Ann Seibers, reappointed as a member of the Board of Aging for a term expiring April 1, 1985. Section 63-35-4, UCA 1953, as amended.

Jenniev J. Poulson, reappointed as a member of the Board of Aging for a term expiring April 1, 1985. Section 63-35-4, UCA 1953, as amended.

Carol A. Wright, appointed as a member of the Board of Aging for a term expiring April 1, 1985. Section 63-35-4, UCA 1953, as amended.

Harry Nelson, reappointed as a member of the Board of Aging for a term expiring April 1, 1985. Section 63-35-4, UCA 1953, as amended.

Omar Kadar, appointed as a member of the Dixie College Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

Derrill C. Larkin, reappointed as a member of the Dixie College Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

Douglas Hunt, reappointed as a member of the Dixie College Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

Melvin T. Bowler, reappointed as a member of the Dixie College Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

Garn Huskinson, reappointed as a member of the Southern Utah State College Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

Frank J. Petty, reappointed as a member of the Southern Utah State College Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

Dale O. Zabriskie, reappointed as a member of the Southern Utah State College Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

James Hoyle, reappointed as a member of the Southern Utah State College Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

Paul R. Frischkneckt, reappointed as a member of the Snow College Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

Cyndi Woodbury, appointed as a member of the Snow College Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

LeGrande Terry, reappointed as a member of the Snow College Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

Nolan 'Red' Burnett, reappointed as a member of the Board of Parks and Recreation for a term expiring July 1, 1985. Section 63-11-14, UCA 1953.

John E. Wiemer, reappointed as a member of the Board of Parks and Recreation for a term expiring July 1, 1985. Section 63-11-14, UCA 1953.

Sid Atkins, appointed as a member of the Board of Parks and Recreation for a term expiring July 1, 1985. Section 63-11-14, UCA 1953.

Wendall H. McGarry, reappointed as a member of the Board of Parks and Recreation for a term expiring July 1, 1985. Section 63-11-14, UCA 1953.

Joe Urbanik, appointed as a member of the Hazardous Wastes Committee for a term expiring May 8, 1985. S.B. 269, 1979 General Session.

James B. Bryant, reappointed as a member of the Hazardous Wastes Committee for a term expiring May 8, 1985. S.B. 269, 1979 General Session.

Ron Luri, appointed as a member of the Hazardous Wastes Committee for a term expiring May 8, 1985. S.B. 269, 1979 General Session.

Heber Grant Ivins, appointed as a member of the Utah Liquor Control Commission for a term expiring July 1, 1983. Sections 32-1-4.5 and 32-1-5, UCA 1953.

Arnold C. Roylance, reappointed as a member of the Advisory Council for the Visually Handicapped for a term expiring May 11, 1987. Section 63-3-18.7, UCA 1953.

Robert E. Higginson, reappointed as a member of the Advisory Council for the Visually Handicapped for a term expiring July 1, 1987. Section 64-3-18.7, UCA 1953.

Edward L. Hart, reappointed as a member of the Board of Fine Arts for a term expiring July 1, 1985. Section 64-2-4, UCA 1953.

Dennis Smith, reappointed as a member of the Board of Fine Arts for a term expiring July 1, 1985. Section 64-2-4, UCA 1953.

Maggie M. Sapp, appointed as a member of the Board of Fine Arts for a term expiring July 1, 1985. Section 64-2-4, UCA 1953.

Anthony L. Rampton, reappointed as a member of the Board of Fine Arts for a term expiring July 1, 1985. Section 64-2-4, UCA 1953.

Carole C. Browning, reappointed as a member of the Board of Fine Arts for a term expiring July 1, 1985. Section 64-2-4, UCA 1953.

JoAnn Freed, reappointed as a member of the Board of Fine Arts for a term expiring July 1, 1985. Section 64-2-4, UCA 1953.

Walter G. Smith, reappointed as a member of the Board of Fine Arts for a term expiring July 1, 1985. Section 64-2-4, UCA 1953.

Brent Beck, appointed as a member of the Passenger Tramway Safety Committee for a term expiring July 1, 1984. Section 63-11-39, UCA 1953.

James Quigley, reappointed as a member of the Passenger Tramway Safety Committee for a term expiring July 1, 1984. Section 63-11-39, UCA 1953.

Art Carroll, appointed as a member of the Passenger Tramway Safety Committee for a term expiring July 1, 1982. Section 63-11-39, UCA 1953.

Jean T'aua, appointed as a member of the Board of Family Services for a term expiring April 1, 1985. Section 55-15b-4, UCA 1953, as amended by 63-35-4, UCA 1953.

Bobbie Coray, appointed as a member of the Board of Family Services for a term expiring April 1, 1985. Section 55-15b-4, UCA 1953, as amended by 63-35-4, UCA 1953.

James C. Bergera, reappointed as a member of the Board of Family Services for a term expiring April 1, 1985. Section 55-15b-4, UCA 1953, as amended by 63-35-4, UCA 1953.

Rosemarie Rendon, reappointed as a member of the Board of Family Services for a term expiring April 1, 1985. Section 55-15b-4, UCA 1953, as amended by 63-35-4, UCA 1953.

Jack Dunlop, appointed as a member of the Utah State Building Board for a term expiring April 1, 1983. Section 63-10-1, UCA 1953.

Wayne K. Hinton, reappointed as a member of the Board of State History for a term expiring April 1, 1985. Section 63-18-4, UCA 1953.

Anand Yang, appointed as a member of the Board of State History for a term expiring April 1, 1985. Section 63-18-4, UCA 1953.

Helen Z. Papanikolas, reappointed as a member of the Board of State History for a term expiring April 1, 1985. Section 63-18-4, UCA 1953.

Milton C. Abrams, reappointed as a member of the Board of State History for a term expiring April 1, 1985. Section 63-18-4, UCA 1953.

Elizabeth Griffith, reappointed as a member of the Board of State History for a term expiring April 1, 1985. Section 63-18-4, UCA 1953.

Dr. Eldon Dorman, appointed as a member of the Board of State History for a term expiring April 1, 1983. Section 63-18-4, UCA 1953.

Max Williams, appointed as a member of the State Land Board for a term expiring March 1, 1983. S.B. 39, 1981 General Session.

Maurice P. Marchant, reappointed as a member of the State Library Commission for a term expiring July 1, 1987. Section 37-4-3, UCA 1953.

Dr. James Douglas, appointed as a member of the State Library Commission for a term expiring July 1, 1987. Section 37-4-3, UCA 1953.

Tina Lewis, appointed as a member of the Library Commission for a term expiring July 1, 1987. Section 37-4-3, UCA 1953.

Kenneth B. Creer, reappointed as a member of the Pesticide Committee for a term expiring May 11, 1985. Section 4-4-32, UCA 1953.

William H. Geer, reappointed as a member of the Pesticide Committee for a term expiring May 11, 1985. Section 4-4-32, UCA 1953.

Robert Olsen, reappointed as a member of the Pesticide Committee for a term expiring May 11, 1985. Section 4-4-32, UCA 1953.

Jesse Tuttle, reappointed as a member of the Pesticide Committee for a term expiring May 11, 1985. Section 4-4-32, UCA, 1953.

Walter Axelgard, reappointed as a member of the Utah State Fire Prevention Board for a term expiring June 30, 1987. Section 63-29-4, UCA 1953.

James Wilking, appointed as a member of the Utah State Fire Prevention Board for a term expiring June 30, 1987. Section 63-29-4, UCA 1953.

Albert Thompson, reappointed as a member of the Utah State Fire Prevention Board for a term expiring June 30, 1987. Section 63-29-4, UCA 1953.

Dr. Hiroshi Kuida, appointed as a member of the Health Facilities Council for a term expiring July 1, 1985. S.B. 74, 1981 General Session.

Theron J. Godfrey, appointed as a member of the Health Facilities Council for a term expiring July 1, 1984. S.B. 74, 1981 General Session.

Homer Peterson, appointed as a member of the Health Facilities Council for a term expiring July 1, 1984. S.B. 74, 1981 General Session.

Bruce Brandler, appointed as a member of the Health Facilities Council for a term expiring July 1, 1982. S.B. 74, 1981 General Session.

Carolyn Smith, appointed as a member of the Health Facilities Council for a term expiring July 1, 1985. S.B. 74, 1981 General Session.

David Elliott, appointed as a member of the Health Facilities Council for a term expiring July 1, 1984. S.B. 74, 1981 General Session.

Afton Forsgren, appointed as a member of the Health Facilities Council for a term expiring July 1, 1984. S.B. 74, 1981 General Session.

Anne Milne, appointed as a member of the Health Facilities Council for a term expiring July 1, 1985. S.B. 74, 1981 General Session.

Willard Nelson, appointed as a member of the Health Facilities Council for a term expiring July 1, 1983. S.B. 74, 1981 General Session.

Dr. John Adair, appointed as a member of the Health Facilities Council for a term expiring July 1, 1983. S.B. 74, 1981 General Session.

Bart Anderson, appointed as a member of the Health Systems Agency for a term expiring July 1, 1982. S.B. 15, 1981 General Session.

Bishop Otis Charles, appointed as a member of the Health Systems Agency for a term expiring July 1, 1983. S.B. 15, 1981 General Session.

Don Chase, appointed as a member of the Health Systems Agency for a term expiring July 1, 1984. S.B. 15, 1981 General Session.

Philip Condie, appointed as a member of the Health Systems Agency for a term expiring July 1, 1982. S.B. 15, 1981 General Session.

Lavon Day, appointed as a member of the Health Systems Agency for a term expiring July 1, 1983. S.B. 15, 1981 General Session.

Lloyd Drury, appointed as a member of the Health Systems Agency for a term expiring July 1, 1984. S.B. 15, 1981 General Session.

Gary Farnes, appointed as a member of the Health Systems Agency for a term expiring July 1, 1982. S.B. 15, 1981 General Session.

Mayor James Ferguson, appointed as a member of the Health Systems Agency for a term expiring July 1, 1984. S.B. 15, 1981 General Session.

Michael Fordham, appointed as a member of the Health Systems Agency for a term expiring July 1, 1983. S.B. 15, 1981 General Session.

John Harris, appointed as a member of the Health Systems Agency for a term expiring July 1, 1984. S.B. 15, 1981 General Session.

Laurie D. Holley, appointed as a member of the Health Systems Agency for a term expiring July 1, 1982. S.B. 15, 1981 General Session.

Don Houston, appointed as a member of the Health Systems Agency for a term expiring July 1, 1983. S.B. 15, 1981 General Session.

Pat Johnson, appointed as a member of the Health Systems Agency for a term expiring July 1, 1984. S.B. 15, 1981 General Session.

David LeSueur, appointed as a member of the Health Systems Agency for a term expiring July 1, 1982. S.B. 15, 1981 General Session.

Judy Limb, appointed as a member of the Health Systems Agency for a term expiring July 1, 1983. S.B. 15, 1981 General Session.

Jack Massimino, appointed as a member of the Health Systems Agency for a term expiring July 1, 1984. S.B. 15, 1981 General Session.

Wesley Maughan, appointed as a member of the Health Systems Agency for a term expiring July 1, 1982. S.B. 15, 1981 General Session.

Neil Noorda, appointed as a member of the Health Systems Agency for a term expiring July 1, 1983. S.B. 15, 1981 General Session.

Jean Osborne, appointed as a member of the Health Systems Agency for a term expiring July 1, 1984. S.B. 15, 1981 General Session.

Chase Peterson, appointed as a member of the Health Systems Agency for a term expiring July 1, 1982. S.B. 15, 1981 General Session.

Jed Pitcher, appointed as a member of the Health Systems Agency for a term expiring July 1, 1983. S.B. 15, 1981 General Session.

Edna Seidner, appointed as a member of the Health Systems Agency for a term expiring July 1, 1984. S.B. 15, 1981 General Session.

Mike Stewart, appointed as a member of the Health Systems Agency for a term expiring July 1, 1983. S.B. 15, 1981 General Session.

Boyd Storey, appointed as a member of the Health Systems Agency for a term expiring July 1, 1982. S.B. 15, 1981 General Session.

Maxine Thomas, appointed as a member of the Health Systems Agency for a term expiring July 1, 1983. S.B. 15, 1981 General Session.

Norma Thomas, appointed as a member of the Health Systems Agency for a term expiring July 1, 1984. S.B. 15, 1981 General Session.

Mary Wilson, appointed as a member of the Health Systems Agency for a term expiring July 1, 1983. S.B. 15, 1981 General Session.

Gary Lower, appointed as a member of the Emergency Medical Services Committee for a term expiring July 1, 1984. S.B. 74, 1981 General Session.

Tom Noonan, Appointed as a member of the Emergency Medical Services Committee for a term expiring July 1, 1983. S.B. 74, 1981 General Session.

David Henrie, appointed as a member of the Emergency Medical Services Committee for a term expiring July 1, 1982. S.B. 74, 1981 General Session.

Stewart Jones, appointed as a member of the Emergency Medical Services Committee for a term expiring July 1, 1982. S.B. 74, 1981 General Session.

Brant Johnson, appointed as a member of the Emergency Medical Services Committee for a term expiring July 1, 1983. S.B. 74, 1981 General Session.

Mark Howard, appointed as a member of the Emergency Medical Services Committee for a term expiring July 1, 1983. S.B. 74, 1981 General Session.

Madeline Anderson, appointed as a member of the Emergency Medical Services Committee for a term expiring July 1, 1984. S.B. 74, 1981 General Session.

Larry Dalton, appointed as a member of the Emergency Medical Services Committee for a term expiring July 1, 1985. S.B. 74, 1981 General Session.

Albert Orton, appointed as a member of the Emergency Medical Services Committee for a term expiring July 1, 1984. S.B. 74, 1981 General Session.

Marion Hazelton, appointed as a member of the Emergency Medical Services Committee for a term expiring July 1, 1985. S.B. 74, 1981 General Session.

Bill Levitt, appointed as a member of the Health Systems Agency for a term expiring July 1, 1982. S.B. 15, 1981 General Session.

O. W. Phelps, reappointed as a member of the College of Eastern Utah Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

Gordon H. Newbold, reappointed as a member of the College of Eastern Utah Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

Terry Fry, reappointed as a member of the College of Eastern Utah Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

Flora Ann Weggeland, appointed as a member of the College of Eastern Utah Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

Randy Dryer, appointed as a member of the University of Utah Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

DeAnne D. Hanson, reappointed as a member of the University of Utah Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

Gordon Harmston, appointed as a member of the University of Utah Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

Richard Glauque, reappointed as a member of the University of Utah Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

Kent White, appointed as a member of the Disaster Emergency Advisory Council to serve at the pleasure of the Governor.

Jerry Cozewith, appointed as a member of the Disaster Emergency Advisory Council to serve at the pleasure of the Governor.

Dr. W. James Gardner, III, appointed as a member of the Utah Health Advisory Council for a term expiring July 1, 1985. S.B. 74, 1981 General Session.

Carmen Ochoa, appointed as a member of the Utah Health Advisory Council for a term expiring July 1, 1983. S.B. 74, 1981 General Session.

Richard A. Van Winkle, appointed as a member of the Utah Health Advisory Council for a term expiring July 1, 1982. S.B. 74, 1981 General Session.

Grace G. Brandt, appointed as a member of the Utah Health Advisory Council for a term expiring July 1, 1984. S.B. 74, 1981 General Session.

Alberta Henry, appointed as a member of the Utah Health Advisory Council for a term expiring July 1, 1982. S.B. 74, 1981 General Session.

Robert P. Heufner, appointed as a member of the Utah Health Advisory Council for a term expiring July 1, 1984. S.B. 74, 1981 General Session.

Cullen Y. Christensen, appointed as a member of the Utah Health Advisory Council for a term expiring July 1, 1983. S.B. 74, 1981 General Session.

Nancy C. Shanaman, appointed as a member of the State Course of Study Committee for a term expiring December 31, 1984. H.B. 106, 1981 General Session.

Shu Cheng, appointed as a member of the State Course of Study Committee for a term expiring December 31, 1984. H.B. 106, 1981 General Session.

Herm Olsen, appointed as a member of the Board of Oil, Gas & Mining for a term expiring March 1, 1983. S.B. 1, 1978 Special Session.

JoAnne Rice, appointed as a member of the Board of Youth Corrections for a term expiring July 1, 1985. H.B. 263, 1981 General Session.

Susan Mickelsen, appointed as a member of the Board of Youth Corrections for a term expiring July 1, 1985. H.B. 263, 1981 General Session.

Joseph H. Gallegos, appointed as a member of the Board of Youth Corrections for a term expiring July 1, 1985. H.B. 263, 1981 General Session.

Joyce Tarbett, appointed as a member of the Board of Youth Corrections for a term expiring July 1, 1983. H.B. 263, 1981 General Session.

Betty Gillespie, appointed as a member of the Board of Youth Corrections for a term expiring July 1, 1983. H.B. 263, 1981 General Session.

Dee Henderson, appointed as a member of the Board of Youth Corrections for a term expiring July 1, 1983. H.B. 263, 1981 General Session.

Lucille Taylor, appointed as a member of the Snow College Institutional Council for a term expiring June 30, 1983. Section 53-48-19, 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

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Dear President Ferry: June 26, 1981

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

Larry E. Lunnen, reappointed as Commissioner of Public Safety for a term expiring July 1, 1985. Section 41-13-2, UCA 1953.

Andrew Gallegos, appointed as Executive Director of the Department of Social Services for a term expiring at the pleasure of the Governor. Section 63-55-5, UCA 1953.

Anthony W. Mitchell, appointed as Executive Director of the Department of Administrative Services for a term expiring at the pleasure of the Governor. S.B. 191, 1981 General Session.

Temple A. Reynolds, appointed as Executive Director of the Department of Natural Resources and Energy for a term expiring June 30, 1982. S.B. 139, 1981 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: June 26, 1981

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

Winslow Young, appointed as a member of the Health Facilities Council for a term expiring July 1, 1982. S.B. 74, 1981 General Session.

Eddie P. Mayne, appointed as a member of the Health Systems Agency for a term expiring July 1, 1982. S.B. 15, 1981 General Session.

Joseph A. Jenkins, appointed as a member of the Board of Real Estate Examiners replacing Kent Abel for a term expiring May 8, 1984. Section 61-2-6, UCA, 1953, as amended by S.B. 55, 1979 General Session.

Jeff Clawson, appointed as a member of the Emergency Medical Services Committee for a term expiring July 1, 1985. S.B. 74, 1981 General Session.

Thomas Burton, appointed as a member of the Board of Youth Corrections replacing Glen Vernon for a term expiring July 1, 1983. H.B. 263, 1981 General Session.

Louise Henson, appointed as a member of the Utah Technical College at Salt Lake Institutional Council replacing Bernard Tanner for a term expiring June 20, 1985. Section 53-16-14, UCA 1953, and S.B. 53, 1978 Budget Session.

Pat Greenwood, appointed as a member of the Snow College Institutional Council for a term expiring June 30, 1985. Section 53-48-19, UCA 1953.

Robert E. Higginson, reappointed as a member of the Advisory Council for the Visually Handicapped for a term expiring May 11, 1987. Section 64-3-18.7, UCA 1953.

LaMar Buckner, appointed as a member of the Board of Regents for a term expiring June 30, 1985. Section 53-48-5, UCA 1953.

Gary Kennedy, appointed as a member of the Contractors Advisory Board for a term expiring July 1, 1986. S.B. 28, 1981 General Session.

Byron Poulson, appointed as a member of the Contractors Advisory Board for a term expiring July 1, 1986. S.B. 28, 1981 General Session.

Marvin L. Hendrickson, appointed as a member of the Contractors Advisory Board for a term expiring July 1, 1984. S.B. 28, 1981 General Session.

Harold G. Blumenthal, appointed as a member of the Contractors Advisory Board for a term expiring July 1, 1985. S.B. 28, 1981 General Session.

Glenn E. Hughes, appointed as a member of the Contractors Advisory Board for a term expiring July 1, 1983. S.B. 28, 1981 General Session.

Rebecca Jo Mann, appointed as a member of the Plumbers Committee for a term expiring July 1, 1986. S.B. 28, 1981 General Session.

Dick Fjelstead, appointed as a member of the Plumbers Committee for a term expiring July 1, 1983. S.B. 28, 1981 General Session.

John Dudley, appointed as a member of the Plumbers Committee for a term expiring July 1, 1984. S.B. 28, 1981 General Session.

Charles E. Hagen, appointed as a member of the Plumbers Committee for a term expiring July 1, 1986. S.B. 28, 1981 General Session.

Leland Brown, appointed as a member of the Plumbers Committee for a term expiring July 1, 1985. S.B. 28, 1981 General Session.

Sonny Montoya, appointed as a member of the Electrical Board for a term expiring July 1, 1986. S.B. 28, 1981 General Session.

Erbie Satterfield, appointed as a member of the Electrical Board for a term expiring July 1, 1983. S.B. 28, 1981 General Session.

Marvin G. Miller, appointed as a member of the Electrical Board for a term expiring July 1, 1985. S.B. 28, 1981 General Session.

Richard Bertoch, appointed as a member of the Electrical Board for a term expiring July 1, 1984. S.B. 28, 1981 General Session.

Roger E. Bargar, appointed as a member of the Electrical Board for a term expiring July 1, 1986. S.B. 28, 1981 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

On motion of Senator Black, and at 4:30 p.m., the Senate voted to convene in Executive Session to consider the Governor's proposed appointments.

EXECUTIVE SESSION

The Senate reconvened at 6:05 p.m. On motion of Senator Black, the Senate voted to recess at 6:06 p.m. The Senate reassembled at 6:30 p.m.

On motion of Senator Cornaby, the Senate voted to exclude three names from the list and consider their proposed appointments separately. The proposed appointments to be considered separately are:

Clyde C. Patterson's reappointment as a member of the Weber State College Institutional Council.

Jay Bone's proposed appointment as a member of the Board of Travel Development

Anthony W. Mitchell's proposed appointment as Executive Director of the Department of Administrative Services.

On motion of Senator Cornaby, the Senate voted to advise and consent in the affirmative to all appointments on the three communications, excluding the above listed three names.

The Senate refused to advise and consent in the affirmative to the appointment of Anthony W. Mitchell as Executive Director of the Department of Administrative Services on the following roll call:

Yeas, 16; Nays, 10; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Sandberg
Bangerter	Christensen	Jones	Snow
Barlow	Finlinson	Peterson, C.	Wayment
Barton	Halverson	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Bennett	Bunnell	Kimball	Pugh
Black	Cornaby	Money	Swan
Bullen	Farley		

Absent or not voting were: Senators

Flamm	Matheson	Sowards

The Senate refused to advise and consent in the affirmative to the appointment of Jay Bone as a member of the Board of Travel Development on the following roll call:

Yeas, 19; Nays, 7; Absent, 3

Voting in the affirmative were: Senators

Asay	Christensen	Kimball	Sandberg
Bangerter	Finlinson	Money	Snow
Barlow	Halverson	Peterson, C.	Wayment
Bullen	Jeffs	Peterson, L.	Mr. President (Ferry)
Carling	Jones	Pugh	

Voting in the negative were: Senators

Barton	Black	Cornaby	Swan
Bennett	Bunnell	Farley	

Absent or not voting were: Senators

Flamm	Matheson	Sowards

The Senate refused to advise and consent in the affirmative to the reappointment of Clyde C. Patterson as a member of the Weber State College Institutional Council on the following roll call:

Yeas, 20; Nays, 6; Absent, 3

Voting in the affirmative were: Senators

Asay	Bullen	Halverson	Pugh
Bangerter	Carling	Jeffs	Sandberg
Barlow	Christensen	Jones	Snow
Barton	Cornaby	Peterson, C.	Wayment
Bennett	Finlinson	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Black	Farley	Money	Swan
Bunnell	Kimball		

Absent or not voting were: Senators

Flamm	Matheson	Sowards

President Ferry directed the committee to wait upon the Governor to notify him that the Senate had concluded its business and to ascertain whether he has any further business to bring before the Senate.

Senator Cornaby advised that the committee had notified the Governor that the Senate has concluded its business and that the Governor had no further business to bring before the Senate.

Benediction — Senator Cary Peterson.

On motion of Senator Bangerter, and at 6:45 p.m., the Extraordinary Session of the Forty-Fourth Legislature adjourned sine die.

APPOINTMENT TO THE UTAH STATE SENATE

Senator Arthur L. Kimball submitted his resignation as Utah State Senator representing the Fifth District in Salt Lake County, to be effective October 1, 1981.

Governor Scott Matheson appointed James F. Considine to serve as Senator representing the Fifth District in Salt Lake County beginning October 1, 1981 and continuing until the next general election.

JAMES F. CONSIDINE was administered the Oath of Office by Judge I. Daniel Stewart, Justice of the Utah Supreme Court, in the Senate Chambers on September 30, 1981 at 4:15 p.m. Present in the Senate Chamber as the Oath was taken were: President Miles 'Cap' Ferry, Speaker of the House, Norman H. Bangerter, Senators Jack Bangerter, Wilford R. Black and Karl N. Snow, Dave Dickman and Joan Thomas.

Senator Considine assumed his responsibilities on October 1, 1981.

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STATE OF UTAH

SENATE JOURNAL

(REAPPORTIONMENT)
FIRST SPECIAL SESSION
OF THE
FORTY-FOURTH
LEGISLATURE

October 28, 29 and 30
and November 17 and 20, 1981

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CERTIFICATION

The undersigned, as the duly appointed committee on revision of the Senate Journal for the (Reapportionment) First Special 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 (Reapportionment) First Special Session convening on Wednesday, October 28, 1981 at 10:00 a.m. and adjourning sine die on Friday, November 20, 1981 at 2:50 p.m.

Sophia C. Buckmiller

Sophia C. Buckmiller
Secretary of the Senate

Joan B. Thomas

Joan B. Thomas
Senate Minute Clerk

STATE OF UTAH
SENATE JOURNAL

(REAPPORTIONMENT)
FIRST SPECIAL SESSION

of the

FORTY-FOURTH LEGISLATURE

FIRST DAY

MORNING SESSION

Pursuant to a Proclamation by His Excellency, Governor Scott M. Matheson, the Senate of the Forty-Fourth Legislature of the State of Utah met in the Senate Chamber at the State Capitol in First Special Session, Wednesday, October 28, 1981, at 10:00 a.m.

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

Prayer — Senator Dona M. Wayment

Roll Call — All senators present except Senators Swan.

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

CERTIFICATION

I, DAVID S. MONSON, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, do hereby certify that the attached copy of a proclamation issued under date of October 14, 1981, and signed by Governor Scott M. Matheson, is a true and correct copy of the original proclamation calling the House and Senate of the Forty-Fourth Legislature of the State of Utah into First Special Session at the State Capitol in Salt Lake City, Utah on the 28th day of October, 1981 at 10:00 a.m., for the purposes named in the proclamation.

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 except for the following: James F. Considine has been appointed to fill the vacancy in Senate

District 5 occasioned by the resignation of Senator Arthur L. Kimball, and Dona M. Wayment has been appointed to fill the vacancy in Senate District 21 occasioned by the death of her husband, Senator Sherman A. Wayment.

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 22nd day of October, 1981.

David S. Monson
Lieutenant Governor, State of Utah

PROCLAMATION

WHEREAS, since the close of the General Session of the 44th 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 proclamation convene the Legislature in Special 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 44th Legislature of the State of Utah into Special Session at the State Capitol at Salt Lake City, Utah on the 28th day of October, 1981 at 10:00 a.m. for the following purposes:

1. To consider legislation reapportioning both Houses of the Utah State Legislature, and the Utah State Board of Education.

2. To consider legislation redistricting Utah State Congressional representation.

3. To advise and consent to appointments made by the Executive Branch of the government of the State of Utah since the close of the General Session of the 44th Legislature of the State of Utah.

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

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol in Salt Lake City, Utah, this 14th day of October, 1981.

Scott M. Matheson,
Governor, State of Utah

David S. Monson,
Lieutenant Governor, State of Utah

COMMUNICATION FROM THE GOVERNOR

Members of the 44th Legislature: October 27, 1981

In addition to the matters listed on the proclmation dated October 14, 1981, calling the 44th Legislature of the State of Utah into Special Session on October 28, 1981, I hereby authorized and request you to consider and enact an addendum to the call that would allow:

1. Supplemental appropriation to the following departments:

a. To the Department of Social Services — to the Division of Corrections and to the Department of Administrative Services, Division of Facilities Construction and Management to address the overcrowding at the Utah State Prison.

b. To the Department of Natural Resources and Energy — Division of Parks and Recreation to purchase 1900 front feet of wetlands, and 3000 feet beach front on the east shore of Bear Lake.

2. Legislation amending the Industrial Development Facilities Act, so that said law will permit the use of industrial revenue bonds for the purpose of financing the manufacture of capital equipment for projects having international trade implication.

3. Legislation amending the law concerning the State Board of Loan Commissioners providing for the removal of the interest rate limitation on the sale of State tax anticipated notes and changing the required maturity date to correspond with the State fiscal year.

4. Legislation to amend the requirement that election districts contain not more than 500 voters.

Scott M. Matheson,
Governor, State of Utah

Officers — Senator Snow moved that the President of the Senate and the officers of the Senate for the General Session of the Forty-Fourth Legislature be the officers for the 1981 First Special 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 First Special Session. The motion carried.

Joint Rules — Senator Halverson moved that the Joint Rules of the General Session of the Forty-Fourth Legislature be adopted as the Joint Rules for the 1981 First Special Session. The motion carried.

House Notified — Senator Snow moved that the President appoint a committee to notify the House of Representatives that the Senate is organized and ready to conduct business. The motion carried.

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

Governor Notified — Senator Snow moved that the President appoint a committee to notify the Governor that the Senate is gathered in First Special Session and ready to conduct business. The motion carried.

President Ferry appointed a committee consisting of Senators Matheson, Sowards and Bennett to notify the Governor that the Senate is gathered in First Special Session in compliance with his proclamation, and is organized and ready to receive messages from him.

Journal — The President appointed Senators L. Peterson, C. Peterson and Bennett to read and revise the Journal for the First Special Session. The Senate sauntered at 10:20 a.m. and reconvened at 10:25 a.m.

A committee from the House consisting of Representatives Palmer, Myrin and Smith appeared before the members of the Senate and reported that the House is organized and ready to conduct business.

Senator Lowell Peterson reported that his committee had notified the House that the Senate was organized and ready to conduct business.

Senator Matheson reported that the Governor would address members of the Senate in the Senate Chamber.

READING OF BILLS AND RESOLUTIONS

Senator Halverson, Rules Committee Chairman, moved that as provided by the Utah Constitution, the reading of the full title of all bills and resolutions on the Senate calendar be suspended as they are read the first time and introduced and as bills and resolutions are considered on Second and Third Reading Calendars and on Consent Calendar. Further that this motion apply to all bills and resolutions introduced and read during this Legislative Session, except as any Senator may request the reading of the full title of any House or Senate bill or resolution. The motion carried.

PRESENTATION OF RESOLUTIONS

SHERMAN A. WAYMENT RESOLUTION

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

A CONCURRENT RESOLUTION OF THE FIRST SPECIAL SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH, THE GOVERNOR CONCURRING THEREIN; EXPRESSING GRATITUDE FOR THE SERVICES OF SHERMAN A. WAYMENT AND EXPRESSING CONDOLENCES TO HIS FAMILY UPON HIS PASSING.

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

WHEREAS, Sherman A. Wayment was elected to the Utah State Senate and served therein with distinction for two terms;

WHEREAS, Sherman A. Wayment served as chairman of the Business and Labor Committee and as a member of the Public Education, Taxation and Revenue, Political Subdivision and Judiciary Committee during his tenure in office;

WHEREAS, Sherman A. Wayment was active in community affairs, having served as President of the Sunset Lions Club and as a representative on the 1978 National Comittee for Job Placement and having received the Jaycee Distinguished Service Award in 1962;

WHEREAS, Sherman A. Wayment devoted the later years of his life to the causes of securing the expanding Davis County area services and improving the quality of public education in Davis County;

WHEREAS, Sherman A. Wayment was prominent in local church activities, serving as a Bishop in the Sunset 1st and 5th Wards and as a member of the Sunset and Clinton Stake High Councils in the Church of Jesus Christ of Latter-day Saints.

WHEREAS, Sherman A. Wayment leaves behind a wife, two sons, three daughters, four grandchildren, two sisters and many friends who have benefitted from and will benefit in the future from his service and friendship.

NOW, THEREFORE, BE IT RESOLVED, that the First Special Session of the 44th Legislature of the State of Utah, the Governor concurring therein, hereby express their recognition and gratitude for the outstanding services and contributions of Sherman A. Wayment to his family, community, state, nation and church and further express their deep sense of loss upon his untimely passing.

BE IT FURTHER RESOLVED, that the Lieutenant Governor forward a copy of this Resolution to the wife and family of Sherman A. Wayment as an expression of the condolences of the Utah Legislature and the Governor on the death of one of the Legislature's distinguished members and as an expression of gratitude for the legacy left by him.

S.C.R. No. 1 was read the first time. Senator Barlow read the resolution and commented.

On motion of Senator Snow, the number of grandchildren is to be changed from "four" to "*five*". The motion carried.

On motion of Senator Barlow, the rules were suspended and **S.C.R No. 1** was read the second and third times and passed on a unanimous voice vote of all Senators present. Senators Swan and Carling were absent. **S.C.R. No. 1,** as amended, was transmitted to the House. Senator Dona Wayment responded.

HARVEY FLETCHER RESOLUTION

S.C.R. No. 2 *Karl N. Snow, Jr., A. Dean Jeffs*

A CONCURRENT RESOLUTION OF THE FIRST SPECIAL SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH MEMORIALIZING DR. HARVEY FLETCHER.

S.C.R. No. 2 was read the first time. Senator Snow commented and on motion of Senator Snow, and under suspension of the rules, the resolution was read the second and third times and passed on a unanimous voice vote of all Senators present. Senators Swan and Carling were absent. **S.C.R. No. 2** was transmitted to the House.

On motion of Senator Snow, the Senate voted to place the following remarks by the Governor in the Senate Journal.

REMARKS
The Honorable Scott M. Matheson, Governor, State of Utah

President Ferry, ladies and gentlemen: I appreciate your attendance at this Special Session to consider several urgent issues that represent either opportunities or crises. Insofar as reapportionment is concerned, I suppose that it is a crisis if you are a Democrat and an opportunity if you are a Republican.

I hope your deliberations on this important subject will be without rancor and without blatantly partisan overtones. I also hope that you will consider the splendid work that has been done by the Advisory Commission on Reapportionment. You all have received a copy of their report which emphasizes that values such as compactness, contiguity and community of interest should take precedence over incumbency in the drawing of congressional and legislative lines. I believe the work that this citizens' commission has done provides a valuable backdrop for your discussions and deliberations over the next few days.

An item which I consider to be an opportunity is a measure sponsored by Senator Charles Bullen to appropriate funds for use by the Utah Housing Finance Agency. Since its inception three years ago, the agency has infused over $370 million into the housing industry and economy of the state of Utah, providing homeownership opportunities to nearly 8,700 Utah families and thousands of jobs for Utah workers.

Legislation enacted by Congress last December, however, severely limits the Housing Finance Agency's ability to issue bonds to fund its single family homeownership program. We now have an annual bond ceiling of $200 million, and if bonds are not issued by December 31, the issuing authority for 1981 will be lost.

Utahns have a traditional commitment to homeownership, but unrealistically high interest rates over the past year have kept that goal beyond the reach of many Utah families. The Utah Housing Finance Agency can provide relief to prospective homebuyers, but we have determined that in order for the state to comply with new requirements of the Mortgage Subsidy Bond Tax Act, funds must be contributed from outside the bond issue to ensure an adequate cash flow. Senator Bullen's bill would make such funds available to the agency and enable it to issue bonds and provide much needed mortgage money for Utah's housing industry. I believe I speak for homebuilders across the state and the thousands of people whose livelihood is

dependent upon housing construction when I ask for your favorable consideration of this measure.

An example of a crisis facing the state of Utah which I have placed before you for your consideration is overcrowding at the Utah State Prison.

Public sentiment to hold down government spending has starved corrections programs for the resources necessary to meet rising prison populations and parole caseloads and stifled an atmosphere for positive change. And in response to high media attention to crime rates, judges have become more reluctant to prescribe alternatives to incarceration. The result is a disjointed corrections policy with no clear indication of desired results or the price we are willing to pay.

The situation is not surprising given the destructive paradox that crime presents to the community. Citizens want to feel secure; we want to feel safe in our homes and confident in the knowledge that the rules of our community are strictly enforced. But as taxpayers, we are often reluctant to pay the costs required by law enforcement and corrections agencies to do their jobs effectively.

The situation facing us today is disturbingly reminiscent of the circumstances in New Mexico prior to that riot. The New Mexico Prison was overcrowded and significantly understaffed. Compounding the management problems of overcrowding, New Mexico faced a mixed population requiring different types of treatment, security and even protection for some inmates. No alternatives existed to relieve the pressure at the New Mexico State Prison and although the problems were widely known, no corrective actions were taken because of fiscal restraints.

The state of Utah has made considerable progress in developing its corrections programs. The Board of Corrections, the Board of Youth Corrections, the courts, members of the Legislature and the executive branch have worked hard to deal with problems during the past years. But far more is needed. Substantial steps must be taken to diffuse the current condition at the prison. But once such action is taken, we must be careful not to become complacent, but rather to aggressively pursue the development of a comprehensive state corrections policy, supported not by just a handful of legislators or by the governor or by the directors of the Corrections Division, but by the people of this state so that it may be viewed as a true public policy. The proposals I will outline were drafted in the spirit of being interim measures, mutually interdependent on one another, and designed to see us through the immediate crisis. I believe their implementation will give us a reprieve from a potentially explosive situation and allow us time to formulate a comprehensive policy for the future.

1. Construction should begin immediately on a new 144 bed regional secure facility proposed for northern Utah. We estimate this facility could be operational in 24 months, providing a margin of relief for the projected growth in our state during the next two years. Additionally, I would like you to consider allowing the Division of Youth Corrections to sell its facility in Ogden to the Ogden and Weber School Districts and Weber State College for use as a Skills Center and reserve the proceeds from the sale to fund a youth corrections center. Both school districts and the college have indicated their support for such a proposal, and furthermore, Ogden City and Weber County have agreed to help us locate a site acceptable to the community.

2. Initiate immediate action to reduce prison overcrowding and management problems by transferring 100 inmates to local jails and federal institutions.

3. Immediately increase the staff of the State Prison and other residential correctional programs to assure appropriate supervision and staff safety. The population at the State Prison has increased by over 30 percent since our last increase in custody staff, and in minimum security alone, the population has doubled with no increase in staff.

4. I am recommending that Adult Probation and Parole be provided with adequate funding to develop alternatives to incarceration, such as group homes, for use by the courts. These programs have been shown to be more effective in reducing recidivism than have our prisons.

5. Finally, as a safety valve, I am recommending that the Legislature pass intent language directing the Board of Pardons to reduce prison sentences by 90 days whenever the population of the State Prison at Draper exceeds its operational capacity.

Events are upon us, and it's time to take action — action tempered with the reality of limited financial resources and a willingness to decide how much we should spend on the public offender.

Subtle changes have occurred in corrections philosophy this past year that have manifest themselves in perceptibly increased pressure on our prison facilities. Neither you as legislators, myself as governor nor the administrators of our corrections programs have initiated deliberate actions to alter corrections policy, yet a 10 percent increase in crime in 1981 has resulted in a 45 percent increase in commitments to the State Prison.

Your leadership and I have discussed other issues which we believe to be of sufficient urgency to require your attention. They will be included on the supplemental call but none of them is sufficiently controversial to keep you from Saturday afternoon's football games.

I wish you well in your work and offer the full support of my office in the fulfillment of your public responsibility.

The Senate recessed at 11:00 a.m. and reconvened at 11:40 a.m.

INTRODUCTION OF BILLS

INDUSTRIAL DEVELOPMENT FACILITIES ACT MODIFICATIONS

S.B. No. 1 *Glade M. Sowards, Ronald T. Halverson, Wilford R. Black, Jr.*

AN ACT RELATING TO INDUSTRIAL DEVELOPMENT IN THE STATE OF UTAH; ENLARGING THE PURPOSES OF AND DEFINITIONS INCLUDED IN THE UTAH INDUSTRIAL FACILITIES DEVELOPMENT ACT; PROVIDING THAT CERTAIN FINANCING BE INCLUDED AS A PROJECT UNDER THIS ACT AND THE PROCEDURES REGARDING IT; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 11-17-1.5, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 5, LAWS OF UTAH 1976, SECTION 11-17-2, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 40, LAWS OF UTAH 1981, AND SECTION 11-17-3 UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 14, LAWS OF UTAH 1973, was read the first time.

SUPPLEMENTAL APPROPRIATIONS ACT - BEAR LAKE PROPERTY

S.B. No. 2 *Charles W. Bullen, Glade M. Sowards, Miles 'Cap' Ferry, Wilford R. Black, Jr., Omar B. Bunnell, Karl N. Snow, Jr., Warren E. Pugh*

AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 1982, 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.

ELECTION DISTRICT CHANGES

S.B. No. 3 *Fred W. Finlinson, Ronald T. Halverson, Karl N. Snow, Jr., Ivan M. Matheson, Omar B. Bunnell, Wilford R. Black, Jr.*

AN ACT RELATING TO ELECTION DISTRICTS; PROVIDING FOR THE DIVISION OF ELECTION DISTRICTS AS MAY BE PRESCRIBED BY LAW; REMOVING THE REQUIREMENT THAT ELECTION DISTRICTS CONTAIN NOT MORE THAN 500 VOTERS; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 17-5-18, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 39, LAWS OF UTAH 1969, was read the first time.

On motion of Senator Snow, and under suspension of the rules, **S.B. Nos. 1, 2** and **3** were placed on Second Reading Calendar.

PRESENTATION OF RESOLUTION

LOWELL W. CRANDALL

S.J.R. No. 1 *All members of the Senate*

A JOINT RESOLUTION BY ALL MEMBERS OF THE LEGISLATURE OF THE STATE OF UTAH COMMENDING LOWELL W. CRANDALL FOR HIS SERVICE TO THE LEGISLATURE AND TO THE PEOPLE OF THE STATE OF UTAH.

S.J.R. No. 1 was read the first time. Sophia C. Buckmiller read the resolution. Senator Pugh commented. On motion of Senator Snow, and under suspension of the rules, **S.J.R. No. 1** was read the second and third times and passed on a unanimous voice vote of all Senators present. Senator Swan was absent. **S.J.R. No. 1** was transmitted to the House.

• • •

Senator Finlinson, chairman Legislative Reapportionment Committee, explained the work of the committee and thanked all those involved in the process. The committee report was distributed.

On motion of Senator Snow, and at 11:50 a.m., the Senate voted to recess until 1:30 p.m.

AFTERNOON SESSION

The Senate reassembled at 1:30 p.m. with President Miles 'Cap' Ferry presiding.

INTRODUCTION OF BILLS

SUPPLEMENTAL APPROPRIATIONS ACT

S.B. No. 4 *Ronald T. Halverson, Karl R. Snow, Jr., Bryce C. Flamm*

AN ACT MAKING APPROPRIATIONS FOR FISCAL YEAR ENDING JUNE 30, 1982, 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.

PRISON OVERCROWDING EMERGENCY POWERS ACT

S.B. No. 5 *Ronald T. Halverson*

AN ACT RELATING TO CRIMINAL PROCEDURE; PROVIDING THE DIRECTOR OF THE DIVISION OF CORRECTIONS WITH AUTHORITY TO DECLARE A PRISON OVERCROWDING EMERGENCY UNDER SPECIFIED CIRCUMSTANCES; PROVIDING REMEDIES FOR PRISON OVERCROWDING; PROVIDING FOR RESCISSION OF A DECLARATION OF OVERCROWDING UNDER SPECIFIED CIRCUMSTANCES; AND PROVIDING AN EFFECTIVE DATE, was read the first time.

On motion of Senator Snow, the Senate voted to refer **S.B. Nos. 4** and **5** to the Social Services Standing Committee.

REAPPORTIONMENT OF STATE SENATE DISTRICTS

S.B. No. 6 *Fred W. Finlinson, Karl N. Snow, Jr., Ronald T. Halverson, Ivan M. Matheson*

AN ACT RELATING TO REAPPORTIONMENT OF THE SENATE OF THE STATE OF UTAH; PROVIDING FOR 29 SENATORS AND FOR REAPPORTIONMENT OF THEIR DISTRICTS BY OFFICIAL UNITED STATES CENSUS INFORMATION; PROVIDING A SCHEDULE FOR THE ELECTION AND TERMS OF OFFICE OF THE STATE SENATORS; AND PROVIDING EFFECTIVE DATES. THIS ACT REPEALS SECTION 36-1-10, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 72, LAWS OF UTAH 1965, SECTIONS 36-1-11 AND 36-1-12, UTAH CODE ANNOTATED 1953, AS LAST

AMENDED BY CHAPTER 6, LAWS OF UTAH 1972, AND SECTION 36-1-11.1, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 5, LAWS OF UTAH 1972; AND ENACTS SECTION 36-1-1, 36-1-2, AND 36-1-3, UTAH CODE ANNOTATED 1953, was read the first time and on motion of Senator Snow, and under suspension of the rules, placed on Second Reading Calendar.

COMMUNICATIONS FROM THE HOUSE

Mr. President: October 28, 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. 1,** STATE BOARD OF LOAN COMMISSIONERS' BORROWINGS, by Representative Knowlton, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 1 was read the first time and on motion of Senator Snow, and under suspension of the rules, placed on Second Reading Calendar.

• • •

Mr. President: October 28, 1981

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. 2,** HARVEY FLETCHER RESOLUTION, 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.C.R. No. 2 was signed by the President and referred to the Committee on Rules to be enrolled and transmitted to the Governor.

SECOND READING CALENDAR

On motion of Senator Snow, the Senate voted to place **S.B. No. 3,** ELECTION DISTRICT CHANGES at the top of Second Reading Calendar. On motion of Senator Snow, and under suspension of the rules, **S.B. No. 3** was read the second and third times and passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Flamm	Peterson, L.
Bangerter	Carling	Halverson	Sandberg
Barlow	Christensen	Jeffs	Snow
Barton	Considine	Jones	Sowards
Black	Cornaby	Matheson	Wayment
Bullen	Farley	Money	Mr. President (Ferry)

Voting in the negative were: Senator
Bennett

Absent and not voting were: Senators

Finlinson	Peterson, C.	Pugh	Swan

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

SECOND READING CALENDAR

On motion of Senator Snow, **S.B. No. 2,** SUPPLEMENTAL APPROPRIATIONS ACT - BEAR LAKE PROPERTY was placed at the top of Second Reading Calendar and read the second time. Senator Bullen explained the bill. Senators Sowards, Matheson, Bangerter, Black, Christensen, Jones and Sandberg commented.

On motion of Senator Bullen, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was:

Ross Elliott, Division, Parks and Recreation, Department of Natural Resources. Senators Sandberg, Bullen, Barlow and Flamm commented.

On motion of Senator Snow, the Committee of the Whole was dissolved.

Senator Matheson proposed an amendment relating to water and mineral rights. Senator Bullen proposed a substitute amendment. Senators Matheson, Jones and Sandberg commented. Senator Bullen withdrew his substitute motion. Senator Matheson's amendment failed.

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

Page 1, Line 30:
After *"include"* insert *"at least 4,000 feet"*

Page 1, Line 31:
Delete *"much"*

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

Page 2, Line 2:
After "*water rights*" add a comma

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

Page 2, Line 3:
After "*rights*" delete the comma

On motion of Senator Barlow, and under suspension of the rules, **S.B. No. 2,** as amended, was read the third time and passed on the following roll call:

Yeas, 21; Nays, 4; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Sandberg
Barlow	Carling	Jones	Snow
Barton	Christensen	Matheson	Sowards
Bennett	Considine	Money	Wayment
Black	Farley	Peterson, L.	Mr. President (Ferry)
Bullen			

Voting in the negative were: Senators

Bangerter	Cornaby	Jeffs	Peterson, C.

Absent and not voting were: Senators

Finlinson	Flamm	Pugh	Swan

S.B. No. 2, as amended, was transmitted to the House.

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S.B. No. 1, INDUSTRIAL DEVELOPMENT FACILITIES ACT MODIFICATIONS, was read the second time. Senator Sowards explained the bill. Senator Bunnell commented.

On motion of Senator Sowards, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was: Nicholas G. Smith, Burrows, Smith and Company. Senators Bunnell, Farley and Matheson commented.

On motion of Senator Sowards, the Committee of the Whole was dissolved. Senators Jones, Black, Farley, Matheson, Bunnell and Sowards commented and the bill passed on the following roll call:

Yeas, 19; Nays, 5; Absent, 5

Voting in the affirmative were: Senators

Asay	Bullen	Flamm	Sandberg
Bangerter	Bunnell	Halverson	Sowards
Barlow	Carling	Jones	Wayment
Barton	Considine	Peterson, C.	Mr. President (Ferry)
Black	Finlinson	Peterson, L.	

Voting in the negative were: Senators

Cornaby	Matheson	Money	Snow
Farley			

Absent and not voting were: Senators

Bennett	Jeffs	Pugh	Swan
Christensen			

• • •

On motion of Senator Snow, **H.B. No. 1**, STATE BOARD OF LOAN COMMISSIONERS BORROWINGS, under suspension of the rules, was placed at the top of Second Reading Calendar, read the second and third times and before the Senate. Senator Barlow explained the bill and it passed on the following roll call:

Yeas, 21; Nays, 2; Absent, 6

Voting in the affirmative were: Senators

Asay	Carling	Finlinson	Peterson, L.
Bangerter	Christensen	Flamm	Snow
Barlow	Considine	Jones	Sowards
Barton	Cornaby	Matheson	Wayment
Black	Farley	Peterson, C.	Mr. President (Ferry)
Bunnell			

Voting in the negative were: Senators

Bennett	Halverson

Absent and not voting were: Senators

Bullen	Money	Sandberg	Swan
Jeffs	Pugh		

H.B. No. 1 was signed by the President and returned to the House for further action.

• • •

S.B. No. 6, REAPPORTIONMENT OF STATE SENATE DISTRICTS, was read the second time. On motion of Senator Finlinson, **S.B. No. 6** was amended as follows:

Page 7, Line 27:
Delete "*the*"

On motion of Senator Finlinson, **S.B. No. 6** was amended as follows:

Page 9, Line 20:
Delete "*18*"

Page 9, Line 23:
After "*6, and*" insert on the line the number "*18*"

S.B. No. 6 will remain as unfinished business.

On motion of Senator Snow and at 4:25 p.m., the Senate adjourned until 9:00 a.m., Thursday, October 29, 1981.

SECOND DAY

MORNING SESSION

October 29, 1981

The Senate was called to order at 9:15 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All senators present except Senators Carling and Pugh (excused).

Prayer — Senator E. Verl Asay

READING OF BILLS AND RESOLUTIONS

Please refer to Senator Halverson's motion on page 31.

COMMUNICATIONS FROM THE HOUSE

Mr. President: October 28, 1981

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**, SHERMAN A. WAYMENT 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; and

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.J.R. No. 1**, LOWELL W. CRANDALL, 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; and

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.B. No. 8**, ELECTION DISTRICT CHANGES, 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 Acomb, Chief Clerk

S.C.R. No. 1 and **S.B. No. 8** were signed by the President and referred to the Committee on Rules to be enrolled and transmitted to the Governor. **S.J.R. No. 1** was signed by the President, referred to the Committee on Rules to be enrolled and transmitted to the Lieutenant Governor.

INTRODUCTION OF BILLS

STATE BOARD OF EDUCATION REAPPORTIONMENT

S.B. No. 7 *Fred W. Finlinson*

AN ACT RELATING TO THE STATE BOARD OF EDUCATION; DECREASING THE NUMBER OF MEMBERS OF THE BOARD FROM 11 TO 9; ESTABLISHING NINE SINGLE MEMBER DISTRICTS; PROVIDING FOR TERMS OF OFFICE OF MEMBERS OF THE BOARD; PROVIDING A NEW METHOD FOR FILLING VACANCIES ON THE BOARD; ENACTING SUPPLEMENTAL PROVISIONS; AND PROVIDING EFFECTIVE DATES. THIS ACT AMENDS SECTIONS 53-2-1 AND 53-2-6, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 13, LAWS OF UTAH 1972, AND SECTION 53-2-7, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 201, LAWS OF UTAH 1981; AND REPEALS AND REENACTS SECTION 53-2-2, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 13, LAWS OF UTAH 1972, was read the first time and on motion of Senator Snow placed on Second Reading Calendar.

STATE CONGRESSIONAL DISTRICTS REAPPORTIONMENT

S.B. No. 8 *Ivan M. Matheson*

AN ACT RELATING TO CONGRESSIONAL REAPPORTIONMENT; PROVIDING FOR THREE CONGRESSIONAL DISTRICTS; ESTABLISHING THE FIRST, SECOND AND THIRD CONGRESSIONAL DISTRICTS; ENACTING SUPPLEMENTAL PROVISIONS; AND PROVIDING EFFECTIVE DATES. THIS ACT AMENDS SECTION 20-10-3, UTAH CODE ANNOTATED 1953; ENACTS SECTION 20-10-5, UTAH CODE ANNOTATED 1953; AND REPEALS AND REENACTS SECTION 20-10-4, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 38, LAWS OF UTAH 1971, was read the first time and on motion of Senator Snow placed on Second Reading Calendar.

S.B. No. 6, REAPPORTIONMENT OF STATE SENATE DISTRICTS, being unfinished business was before the Senate and on motion of Senator Snow, the bill was circled.

THIRD READING CALENDAR

On motion of Senator Snow, **S.B. No. 1,** INDUSTRIAL DEVELOPMENT FACILITIES ACT MODIFICATIONS was circled.

SECOND READING CALENDAR

On motion of Senator Snow, **S.B. No. 6,** REAPPORTIONMENT OF STATE SENATE DISTRICTS, was uncircled and before the Senate.

Senator Finlinson moved to place the Legislative Reapportionment Committee Report in the Senate Journal. Senator Black's substitute motion to also place the report of the Utah Advisory Commission on Reapportionment in the Senate Journal failed on a voice vote. Senator Finlinson's motion was adopted.

REPORT OF THE LEGISLATIVE COMMITTEE ON REAPPORTIONMENT

By: Jon M. Memmott, Director
Richard V. Strong, Senior Research Analyst
Betsy D. Jackson, Research Analyst

Office of Legislative Research
436 State Capitol
Salt Lake City, Utah 84114

Research Report No. 36, October 1981

COMMITTEE MEMBERS

Senator Fred W. Finlinson, R - Salt Lake City - Senate Chairman
Representative Merrill W. Harward, R - Salt Lake City - House Chairman
Representative Lee W. Farnsworth, R - Provo - House Vice Chairman
Senator Wilford R. Black, D - Salt Lake City
Senator Omar B. Bunnell, D - Price
Senator Ronald T. Halverson, R - Ogden
Senator Ivan M. Matheson, R - Cedar City
Senator Karl N. Snow, Jr., R - Provo
Representative John M. Garr, D - Price
Representative Orval C. Harrison, R - Salt Lake City
Representative Keith E. Jorgensen, R - Amalga
Representative Clifford S. LeFevre, D - Clearfield
Representative Gayle F. McKeachnie, R - Vernal
Representative C. Hardy Redd, R - LaSal
Representative D. Leon Reese, D - Magna
Representative Carl R. Saunders, R - Ogden

ACKNOWLEDGEMENTS

The process of reapportionment has received a great deal of attention, and well it should because of its extreme importance in the United States' and Utah's democratic system. However, one factor is often overlooked in all the debate and media coverage of reapportionment. That is the work of dedicated individuals who have spent many hours, weeks and months of often very tedious work in preparing these reapportionment plans, reports and legislation. It was because of the tireless efforts of staff and spirit of cooperation that the work of reapportionment has been completed.

Special appreciation is accorded to Richard Strong, Betsy Jackson and Hazel Galt who served as staff to the Reapportionment Committee. Also, the following individuals contributed significantly in the reapportionment work: Judy Gibson, report preparation; Jan Poulson, Serena George, and Karen Blake, computer verification; Ruth Ann Johnson, bill drafting; Robin Riggs and Jane Peterson, proofreading and editing.

Lastly, the Research Director would like to express appreciation to Dennis Dylong and Sheree Anderson of SISC who developed the computer system for the reapportionment verification and also the staff of Legislative Printing, particularly Jenny Okerlund and Judy Garcia for their work in preparing the maps.

• • •

President Miles 'Cap' Ferry
Speaker Norman H. Bangerter
Utah State Legislature
Salt Lake City, Utah 84114

October 28, 1981

Dear Sirs:

The Legislative Reapportionment Committee submits herewith its recommendations for redistricting the state, as required in Article IX of the Utah State Constitution.

This report contains recommendations for Utah's three Congressional Districts, State Senate and State House. It also contains two redistricting proposals for the State School Board.

Fred W. Finlinson, Senate Chairman
Merrill W. Harward, House Chairman

INTRODUCTION

Report Contents

This report is designed to help members of the Utah State Legislature with the difficult process of reapportioning the state's congressional, legislative, and school board districts. Included in the report is not only a summary of the Reapportionment Committee's deliberations, including the public hearing process, but useful information on legal criteria, statistical terminology, policy considerations, and growth trends in Utah. Also, included in this report are maps of the Reapportionment Committee's proposed plans for the three congressional districts, a twenty-nine member senate, a seventy-five member house, and two plans for nine single member school board districts.

The report contains the following information:

A. The introduction contains a brief summary of the legal requirements for valid reapportionment plans, discussion of committee procedures and policy standards, statistical definitions necessary to understand reapportionment terminology, and selected population figures for Utah.

B. The "Legal Guidelines" section includes a history of Supreme Court rulings as well as Utah's constitutional provisions. Included in this section is a discussion of population equality standards, compactness and contiguity, and discriminatory districting.

C. Finally, individual sections cover the Reapportionment Committee's recommendations for congressional, senatorial, house, and school board redistricting. Included in each section are the ideal populations for the new districts, acceptable population ranges in accordance with committee guidelines, rationale for each district, maps showing the statewide plans and individual divisions, and a statistical breakdown of each plan.

The report concludes with a review of the proposed congressional, state senate, house and school board plans.

Legal Background

Reapportionment decisions must closely follow legal guidelines established by the United States and Utah Constitutions, statutes, and reapportionment case law. These legal guidelines limit, but do not totally restrict, the legislature's discretion in reapportionment decisions.

Although the legislature considers such variables as community of interest, existing political subdivisions, and geographical boundaries, the overwhelming consideration is equal population in each district. United States Supreme Court decisions provide the primary standards and guidelines which must be met by each of the legislature's redistricting plans. The legal section provides a detailed summary of those legal standards which must be followed in the congressional, legislative and school board redistricting plans.

1971-72 Reapportionment

Utah's last reapportionment followed the 1970 census enumeration. The state in 1970 had grown from a 1960 population of 890,627 to a population of 1,059,273. To deal with both the great increase and the shifts in geographical location of the state's population, the Utah State Legislature met in Special Session in August, 1971. After much debate on size, preservation of county lines, and allowable deviations, the legislature passed Senate Bill No. 1, which set senate membership at thirty and house membership at sixty-nine, preserved county lines in both houses, and allowed deviations of 40.22 percent (senate) and 37.34 percent (house). The United States District Court subsequently declared the act unconstitutional on the grounds that its provisions did not follow the Supreme Court's edict of "one person, one vote." *See Petuskey v. Clyde.*

The legislature convened in a Second Special Session in February, 1972. After discarding a number of alternatives, the legislature passed Senate Bills 1-A and 2-A and House Bills 6 and 8. The new laws provided for a twenty-nine member senate and a seventy-five member house, up from the 1960's apportioned twenty-eight member senate and sixty-nine member house. The 1972 reapportionment was the first in Utah to cut across county lines, a change necessary for equal representation. The overall deviations for the senate and house plans were 11.02 percent and 12.67 percent respectively. These acts determined Utah's legislative apportionment from the 1972 elections to the present.

Utah's Population Growth

Since 1970, Utah's population has grown from 1,059,273 to 1,461,037 (official Bureau of the Census figures). Although the 1980 figure represents a 37.9 percent change from 1970, Utah's population growth is not distributed evenly throughout the state. (See Appendix II, Table I-1.)

The following examples should illustrate the difficult problems which uneven population growth poses for the 1981 reapportionment.

1. Wasatch Front Counties —

a) Each county's percentage of state population is indicated within parentheses.

Counties	1970 Population	1980 Population
Weber	126,278 (11.9%)	144,616 (9.9%)
Davis	99,028 (9.3%)	146,540 (10.2%)
Salt Lake	458,607 (43.3%)	619,066 (42.4%)
Utah	137,776 (13.0%)	218,106 (14.9%)
	821,689 (77.7%)	1,128,328 (77.2%)

Although the four large Wasatch Front Counties collectively retained almost the same percentage of state population, the rate of growth in Utah and Davis was much greater than Salt Lake or Weber County.

In addition, the trend within Salt Lake County indicates a tremendous growth in the suburban areas and actual decrease in Salt Lake City population. This trend is best illustrated by the following example.

2. Salt Lake County —

a) Each city's percentage of county population is indicated within parentheses.

City	1970 Population	1980 Population
Salt Lake City	175,885 (38.4%)	163,033 (26.3%)
Sandy	6,438 (1.4%)	51,022 (11.1%)
West Jordan	4,221 (.9%)	26,794 (4.3%)

Between 1970 and 1980, Salt Lake City's population decreased from 175,885 to 163,033, a - 7.3 percent change. On the other hand, Sandy City's population increased from 6,438 to 51,022 during the same time period, a 692.5 percent change. West Jordan grew from 4,221 to 26,794, a 534.8 percent change. These figures indicate dramatic population shifts from the northern part of Salt Lake County to the southern part of the county.

3. Selected Population Changes in Other Counties —

County	1970	1980	Percent Change
Box Elder	28,129	33,222	18.1%
Cache	42,331	57,176	35.1%
Duchesne	7,299	12,565	72.1%

Emery	5,137	11,451	122.9%
Summit	5,879	10,198	73.5%
Tooele	21,545	26,033	20.8%
Washington	13,669	26,065	90.7%

The energy rich counties of the Uintah Basin, as well as the booming resort areas of Summit and Washington Counties, have grown greatly in the last decade, while the northernmost counties have maintained a more stable growth pattern.

Committee Procedures and Guidelines

In order to deal with the complex problems of reapportionment, legislative leadership appointed a Reapportionment Committee composed of six senators and ten representatives.

Senator Fred W. Finlinson, R-Salt Lake City - Senate Chairman
Representative Merrill W. Harward, R-Salt Lake City - House Chairman
Senator Wilford R. Black, D-Salt Lake City
Senator Omar B. Bunnell, D-Price
Senator Ronald T. Halverson, R-Ogden
Senator Ivan M. Matheson, R-Cedar City
Senator Karl N. Snow, Jr., R-Provo
Representative Lee W. Farnsworth, R-Provo
Representative John M. Garr, D-Price
Representative Orval C. Harrison, R-Salt Lake City
Representative Keith E. Jorgensen, R-Amalga
Representative Clifford S. LeFevre, D-Clearfield
Representative Gayle F. McKeachnie, R-Vernal
Representative C. Hardy Redd, R-LaSal
Representative D. Leon Reese, D-Magna
Representative Carl R. Saunders, R-Ogden

Committee members were chosen not only to reflect the partisan composition of the senate and the house, but to represent the varied rural/urban interests of Utah. To balance the work load, the committee divided into senate and house subcommittees. Office of Legislative Research and Legislative General Counsel staff assisted committee members in following legal requirements, establishing committee criteria and guidelines, holding public meetings, and developing reapportionment plans.

The Reapportionment Committee first met on September 24, 1980. Because of a law suit filed by the City of Detroit against the Bureau of the Census, the Bureau of

the Census was delayed in releasing the final census figures to the states. Committee work was in turn delayed until release of the final figures and official maps in April, 1981. The Reapportionment Committee began a series of twice monthly meetings on April 1, 1981. Committee members immediately realized the need for uniform guidelines for the development of reapportionment plans. The reapportionment process is impacted not only by legal criteria, but by practical considerations such as community of interest, geographical boundaries, and incumbency. In order to weigh the competing considerations when designing plans, committee members discussed and approved the following *policy guidelines and priorities:*

1. Equal Population — The overriding objective of reapportionment is to have substantial equality of population among the various districts, so that the vote of any citizen in the state is approximately equal in weight to that of any other citizen in the state. The committee established a ±4 percent deviation standard for the senate and house districts and a ±1 percent relative deviation standard for congressional districts.

2. Single Member Districts — "The United States Supreme Court has held that multimember districts are not unconstitutional per se. However, the Court has indicated that it prefers single-member districts, at least where courts draw districts in fashioning a remedy for an invalid plan. The Court has held that the use of multimember districts in court-drawn plans is permissible only in the context of otherwise 'insurmountable difficulties.'" *(Reapportionment: Law and Technology,* National Conference of State Legislatures, June, 1980.)

3. Bureau of the Census Figures — Article IX, Section 2, of the Utah Constitution provides that the legislature must reapportion on the basis of a state enumeration or an enumeration made by the authority of the United States, that is, the Census. The committee adopted the United States Bureau of the Census figures as the basis for the 1981 reapportioment. The official 1980 count gives Utah 1,461,037 persons. The Bureau of the Census provided the legislature with detailed maps and population figures for each city, town, and county in Utah for use in the reapportionment process.

4. Contiguity and Compactness — The committee adopted the policy guideline of having the districts "as contiguous and compact as practicable." (See Minutes of the Reapportionment Committee, April 1, 1981, on file in the Office of Legislative Research.)

5. Existing Political Subdivisions — The committee agreed to "protect the integrity of existing political subdivisions, as far as practicable." Two provisions of

the Utah Constitution have been declared unconstitutional in deference to the Supreme Court's one person, one vote standard:

a) Each county is entitled to at least one representative; and

b) No part of a county is to be united with another county in forming a senate district.

6. Community of Interest and Geographical Barriers — The committee included as a priority the effort to maintain communities of interest and to respect geographical boundaries. The committee recognized, however, that this priority must be superseded by the standards of equal representation.

7. Incumbents — The committee's guideline on incumbents is stated as such: "Do not draw districts to intentionally protect or defeat any incumbent." (See "Legal Guidelines" or material on file in the Office of Legislative Research.)

8. Plan Authorization — Because reapportionment is controversial, the Reapportionment Committee anticipated that the staff would be overwhelmed by requests both for complete plans and for smaller variations. In order to organize staff work, the committee established that all requests must first be cleared by a member of the committee.

Public Hearings

Reapportionment Committee meetings were open to the public and were held at the State Capitol in Salt Lake City. In order to best represent the interests of the people of Utah, committee members actively sought public input. The committee extended to a number of groups invitations to testify before the committee and received input not only from those specifically invited but from representatives of other interests around the state. Listed below is a sample of those speaking before or providing written statements to the committee.

Offices of Representatives Dan Marriott and James V. Hansen
Dale Lambert, State Democratic Chairman
Representatives of the State Democratic Party
Representatives of the State Republican Party
Robert Campbell, Chairman - Utah Advisory Commission on Reapportionment
Vernon Carr, Carr Printing
County Democratic and Republican Chairmen
Dr. Walter Talbot, Superintendent of Public Instruction
Utah Education Association
Utah School Boards Association
Society of Superintendents

Utah Parent-Teacher Association
Utah's Boards of Education
County Clerks
Cal Black, San Juan County Commissioner
Charles Stromberg, Tooele County Commissioner
Loryn Ross, Duchesne County Commissioner
Carbon County Commissioners
Bear River Association of Governments
Mountainland Association of Governments
Five County Association of Governments
Six County Commissioners Organization
Current Legislators
Former Legislators

The committee sent invitations to all Democratic and Republican County Chairmen, whose names and addresses were provided by the state party organizations. Of those fifty-eight persons invited, twelve attended the meetings, testified, and offered prepared statements and maps. Two additional county officers telephoned statements or sent written information which was distributed to committee members.

The Utah Advisory Commission on Reapportionment presented a progress report to the legislative committee on September 2, 1981, and its final report on October 7, 1981. The committee recognized the quality of input and has tried to integrate the public's concerns into its proposals.

Plan Development

Plan development was a complicated, careful process. Based upon public and legislative input, staff began by presenting to the committee alternatives for house, senate, congressional, and State School Board districts (on file in the Office of Legislative Research). These general outlines included state maps, average district populations, and district deviations. Plans which failed to meet the committee's deviation guideline were discarded, as were plans which failed to meet other policy criteria. Eventually, the committee narrowed the choice of alternatives and directed staff, under committee supervision, to provide more detailed plans showing specific cuts within Utah, Salt Lake, Davis, and Weber Counties. Authorized plans underwent careful statistical verification, first by hand and then by computer. Staff worked to insure that maps and census figures matched, and that the districts' deviations met the committee's guideline. After completing the verification process, staff returned the plans for final committee approval. It should be noted that proposed modifications impact not only the immediate district, but surrounding districts.

Plan development and modification is a lengthy process, often requiring days or weeks of concentrated effort.

Plan Summary

Congressional Reapportionment Plan — The Reapportionment Committee recommends an east/west split of the state, with each district having an ideal population of 487,012. In accordance with the committee's ±1 percent deviation guideline, populations may range from 482,142 to 491,882. The proposed district populations range from 485,729 (District III) to 487,833 (District I). The plan's deviations range from -.26 percent to +.17 percent, which represents an overall range of .43 percent which is definitely within the guidelines for equal representation. A detailed summary of the recommended plan including maps and population figures is included in the Congressional Reapportionment section of this report.

Senate Reapportionment Plan — The Reapportionment Committee recommends maintaining a twenty-nine member senate, with each district having an ideal population of 50,381. In accordance with the committee's ±4 percent deviation guideline, populations may range from 48,365 to 52,396. The actual proposed plan's populations range from 51,554 (senate 27) to 48,831 (senate 22). The plan's deviations range from -3.08 percent to +2.33 percent, which represents an overall range of 5.43 percent, well within the guidelines for population equality. A detailed summary of the recommended plan including maps and population figures, is included in the Senate Reapportionment section of this report.

House Reapportionment Plan — The Reapportionment Committee recommends maintaining a seventy-five member house, with each district having an ideal population of 19,480. In accordance with the committee's ±4 percent deviation guideline, populations may range from 18,701 to 20,259. The actual proposed plan's populations range from 18,714 (house 43) to 20,233 (house 52). The plan's deviations range from -3.93 percent to +3.87 percent, which represents an overall range of 7.80 percent, which is within the guidelines for population equality. A detailed summary of the recommended plan, including maps and population figures, is included in the House Reapportionment section of this report.

State School Board Reapportionment Plan — As of the printing of this report, the Reapportionment Committee had not reached a final decision on the State School Board plan. The committee is considering two plans, each with nine single member districts, a departure from the current eleven-member school board. Plan I to a large degree follows school district boundaries. Plan II fashions three single member school board districts in each of Utah's three congressional districts. The ideal population per school board district is 162,337. The committee adopted the ±4

percent deviation standard for school board redistricting; thus, the allowable populations range from 155,844 to 168,830. The actual populations for Plan I range from 156,700 (-3.47 percent) to 168,407 (+3.73 percent); the actual populations for Plan II range from 159,577 (-1.70 percent) to 167,044 (+2.90 percent). Plans I and II are included in detail in the State School Board Reapportionment section. Maps and population summaries illustrate the plans.

Reapportioment Terminology

The reapportionment process has spawned its own language, a language that will be used in this report and during the session. In order to help understand this new language, a glossary of statistical terms is provided in Appendix III.

Reference Sources

Reapportionment: Law and Technology, National Conference of State Legislatures, June, 1980.

Minutes, Reapportionment Committee, September 24, 1980, through October 21, 1980.

United States Bureau of the Census.

Reference materials and other supplementary information are on file in the Office of Legislative Research.

For additional information, contact Richard V. Strong, Senior Research Analyst, (specifically house and congressional plans), or Betsy D. Jackson, Research Analyst, (Senate and State School Board plans), Office of Legislative Research.

LEGAL OVERVIEW

Introduction

Both the United States and the Utah Constitutions provide that state legislatures are to periodically reapportion themselves and their respective congressional districts to reflect changes in population. This important responsibility is subject to legal parameters established by these constitutions and interpreted by the courts. The legal guidelines limit, but do not totally restrict, the legislature's discretion in reapportionment decisions. The intent of the parameters is to insure that basic concepts of fairness are incorporated into the naturally political reapportionment arena.

The purpose of this portion of the report is to provide an overview of these legal limitations and guidelines to assist legislators in their deliberations. This portion of the report is divided into three principal sections:

I. Constitutional Provisions and Standards
II. Case Law Standards
III. Summary

I. Constitutional Provisions and Standards

The reader should note that constitutional provisions are by definition very brief and general. This is particularly true of the United States Constitution. As such, the development of reapportionment guidelines has evolved primarily through court interpretation of these constitutional provisions.

A. United States Constitution — State legislatures are vested, under the United States Constitution, with the authority to redistrict congressional and state legislative boundaries. Article I, Section 2 of the United States Constitution provides that the people of the states will choose members of the House of Representatives ". . . and shall have the qualifications requisite for electors for the most numerous branch of the state legislatures." Article I, Section 4 says that "The times, places and manner of holding elections for senators and representatives, shall be prescribed in each State by the legislature thereof: but Congress may at any time by law make or alter such regulations, except as to places of choosing senators."

The United States Constitution contains only general provisions relating to the specific issue of reapportionment. Article I, Section 2, states that there shall be a representative in congress for no fewer than 30,000 people. It also requires a census for the purpose of apportioning representatives among states.

In addition to these general reapportionment provisions, the Fourteenth Amendment of the United States Constitution guarantees to all citizens the "equal protection of the laws." It is this constitutional guarantee of equal protection which has been the focal point of reapportionment litigation for state and local legislative bodies.

B. Utah Constitution — The Utah Constitution addresses reapportionment in Article IX of that document. Article IX, Section 2, also vests the legislature with the authority to reapportion the state's legislative districts following each decennial census. The constitution sets the maximum and minimum number of state senators and representatives. Senate membership is set at a maximum of thirty. The number of representatives may be increased to no greater than three times and no less than twice the number of senators. (Article IX, Section 3.)

It should be noted that two provisions of Article IX have been declared unconstitutional as being in violation of the Fourteenth Amendment of the United

States Constitution in *Petuskey v. Clyde*.[1] These provisions, both found in Article IX, Section 4, included requirements that each county is entitled to at least one representative and no part of a county is to be divided when united with another county in forming a senate district.

The *Petuskey v. Clyde* decision involved a challenge to the 1963 reapportionment of the state legislature. A three-judge federal court declared that the reapportionment plan offended both the federal and state constitutions because the equal population standard could not be complied with in meeting the Utah constitutional requirements of one representative per county.

It is important to note that the *Petuskey* case represents the court's position vis-a-vis the Utah Constitution as well as the Federal Constitution. The *Petuskey* rationale applied standards enunciated by the United States Supreme Court which continue as the basis for the present reapportionment guidelines, with the overriding concern being equal population, popularly known as "one person, one vote."

In addition to the provision of Article IX, another article of the Utah Constitution contains language which bears on the issue of reapportionment. Article VI, Section 4, states that senatorial terms are to be staggered with one half of the senate to be elected each biennium. A second Utah case *Petuskey v. Rampton*[2] reviewed the 1965 reapportionment plan. The Utah Legislature had reapportioned in 1963, but that plan had been declared unconstitutional in *Petuskey v. Clyde* because the rural areas were greatly over represented in the senate. However, because the election was only a few weeks away when the court made their ruling, they allowed the election to proceed on the 1963 reapportionment plan but retained jurisdiction to review the 1965 plan. In reviewing that plan, the court did not allow senators elected in 1964 for four year terms to continue until 1968, because they were elected under a plan which had been declared unconstitutional. Therefore, to allow staggered terms to continue would delay too long the equal representation standard.

Following the 1970 census, the California Supreme Court addressed the state constitutional requirement of staggered senate terms and held that the plan must observe the state constitutional requirement unless in doing so it would violate the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution. See *Legislature of State of California v. Reinecke*[3] and related cases.[4]

In reviewing these and other related cases, the court rulings indicate that the senate redistricting plan must honor the constitutional mandate of staggered terms, unless, in doing so, the plan would violate the equal protection clause.

II. Case Law Standards

The following review of applicable case law is restricted to federal law, primarily the United States Constitution. This section focuses on the decisions of the United States Supreme Court and includes few references to some of the more significant decisions of the Federal Courts of Appeal. The previous section examined the only major litigation specifically involving Utah reapportionment issues and the Utah Constitution. References to other state court decisions are not included. The major portion of the section was prepared by the National Conference of State Legislature's Subcommittee on Reapportionment to serve as a legal background for the various state legislatures.

A. Equal Representation — The United States Supreme Court first dealt directly with reapportionment in 1946 in *Colegrove v. Green.*[1] In *Colegrove*, the Court dismissed a citizen's suit alleging malapportionment among that state's congressional districts. Specifically, the Court warned against judicial involvement in a "political thicket." The Court nonetheless acknowledged the extreme importance of equitable apportionment but suggested that the remedy for unfair redistricting lay in the political rather than the judicial realm.

In the years following *Colegrove*, it was apparent that these political remedies had failed to address problems of fundamental unfairness associated with the reapportionment process. Thus, in 1962, when the Court was asked to review Tennessee's legislative apportionment in *Baker v. Carr*,[2] the justices responded by affirmatively declaring that reapportionment was indeed a proper subject for court review under the Fourteenth Amendment of the United States Constitution.

The United States Supreme Court's 1962 decision in *Baker v. Carr* was a sharp departure from that Court's longstanding policy of judicial nonintervention in redistricting cases. Many redistricting cases that reached the Supreme Court in the next several years were challenges to situations in which differences in population among legislative districts, or in the number of people represented by members of a single legislative body, were so great that — viewed from the perspective of 1980 —they were not only obviously impermissible but also ludicrous. These situations had nearly all disappeared either before or during the post-1970 round of redistricting. Since 1973 the focus of redistricting cases going before the Supreme Court has shifted from questions of mathematical equality to questions involving what may be termed quality of representation.

That is not to say that states need no longer be greatly concerned about equal representation. This section discusses the case law of population equality for both legislative and congressional districts, with particular emphasis on post-1970 cases.

While the history making decision in *Baker v. Carr* held that state legislative (and, by implication, congressional) districting cases are justiciable, and expressed confidence that courts would prove able to "fashion relief" where constitutional violations might be found, the Supreme Court did not spell out specific standards or criteria for judicial review of state districting, nor for judicial remedies.

Development by the Supreme Court of the substantive case law standards which, to a considerable extent, currently govern state legislative and congressional districting, began the following year with *Gray v. Sanders*,[7] in which the Court held that weighted voting systems are unconstitutional *per se*. That decision included the now familiar statement by former Justice Douglas that "The conception of political equality from the Declaration of Independence, to Lincoln's Gettysburg Address, to the Fifteenth, Seventeenth and Nineteenth Amendments can mean only one thing — one person, one vote."

That emphasis on population equality among districts has continued throughout the succeeding one and one-half decades, although the degree of mathematical equality required by the Supreme Court has varied somewhat with respect to state legislative districts and congressional districts.

In theory, the equal population requirements for two types of districts do not rest on the same stone in the constitutional foundation of the Republic. The Supreme Court has held since *Reynolds v. Sims*[8] that states are required by the Equal Protection Clause of the Fourteenth Amendment to construct legislative districts which are substantially equal in population.

By contrast, the equal population standard for congressional districts, first enunciated by the Supreme Court in *Wesberry v. Sanders*[9] arises from the provisions of Article I, Section 2 of the Constitution. This standard has been quite strictly interpreted by the Court in *Kirkpatrick v. Priesler*[10] and *White v. Weiser*.[11]

1. *Reynolds v Sims* - How Much Flexibility? — *Reynolds v. Sims* is the cornerstone in the development of the federal judiciary's population variance standards for state legislative districting. The case is notable both for the ruling that both houses of a bicameral state legislature must be districted on a population basis, and for comments about what population base would be required for districting. The opinion by former Chief Justice Warren includes the often-quoted comments that "mathematical nicety is not a constitutional requisite"[12] but nevertheless states that "the overriding objective must be substantial equality of population"[13] among the various districts. The court declined at that time to express any view as to what degree of population equality would or would not be held constitutional, observing that what is marginally permissible in one state may be unsatisfactory in another depending on the particular circumstances of the case.

An especially significant comment, as matters later developed, differentiated between congressional and legislative districting. The Warren opinion said: ". . . some distinctions may well be made between congressional and state legislative representation. Since, almost invariably, there is a significantly larger number of seats in state legislative bodies to be distributed within a State than congressional seats, it may be feasible to use political subdivision lines to a greater extent in establishing state legislative districts than in congressional districting while still affording adequate representation to all parts of the State."[14]

In *Wesberry v. Saunders*, the congressional districting case decided shortly before *Reynolds v. Sims*, the Supreme Court had held that the population of congressional districts in the same state must be as nearly equal in population as practicable. Thus, the Supreme Court has seemed to indicate to the states that congressional districts were subject to a higher standard of population equality than were state legislative districts, although the Court's refusal to state a specific maximum permissible variance among legislative districts made the degree of difference between the two standards uncertain.

2. The Strict-Equality Standard — In April 1969, nearly five years after the *Reynolds* decision, the Supreme Court decided *Kirkpatrick v. Preisler*, a case involving congressional districts drawn by the Missouri Legislature. The ten districts had an overall range of approximately 6 percent. Writing for a five-member majority, Justice Brennan found that the plan failed to satisfy the "as nearly as practicable" standard of population equality the Court had earlier enunciated in *Wesberry v. Sanders*. The *Kirkpatrick* opinion specifically rejected the suggestion that there is a point at which population differences among districts becomes *de minimis*, and held that insofar as a state fails to achieve mathematical equality among districts it must either show that the variances are unavoidable or specifically justify the variances.[15] The opinion went on to reject several purported justifications advanced by Missouri.

The justifications rejected included a desire to avoid fragmenting either political subdivisions or areas with distinct economic and social interests, considerations of practical politics, and even an asserted preference for geographically compact districts. Also, the majority opinion held that Missouri had failed to show any systematic relationship between its congressional district population disparities and either of two other factors offered as justifications, varying proportions of eligible voters to total population and projected future population shifts among districts.[16] (The Court did not flatly rule out the latter consideration, but said such projections must be well documented and uniformly applied.)

An important question, at the time, was whether the stringent standards set out in *Kirkpatrick* were also applicable to state legislatures. Neither the majority

opinion nor a concurring opinion by former Justice Fortas referred specifically to state legislatures, although the majority opinion did include citations to both *Reynolds* and *Swann v. Adams*,[17] another well-known legislative redistricting case. A dissenting opinion by Justice White asserted that "the Court invokes *Reynolds* today and in no way distinguishes federal from state districting."[18]

3. *Mahan v. Howell* - Legislative and Congressional Districting Differentiated — This uncertainty prevailed for nearly four years, a period during which the 1970 census was completed and the states undertook, and in many cases completed, legislative districting based on that census. Then, in February 1973, the U.S. Supreme Court announced its decision in *Mahan v. Howell*,[19] a rather complicated challenge to Virginia's legislative districting plan. *Mahan* involved issues of the constitutionality of multimember districts and the treatment of certain naval personnel "home-ported" in Norfolk, Virginia, as well as a challenge to the overall range of the plan enacted by the Virginia General Assembly. A federal district court, concluding that the overall range among house districts was approximately 16 percent, declared the plan unconstitutional by reason of that population disparity.

The Supreme Court majority opinion recounted some of the facts stated and conclusions reached in *Reynolds*, including those factors the Court had suggested might justify limited departure from strict population equality in legislative, as opposed to congressional, districting. The opinion, by Justice Rehnquist, stated:

> Thus, whereas population alone has been the sole criterion of constitutionality in congressional redistricting under Article I, Section 2 (i.e. of the United States Constitution), broader latitude has been afforded the States under the Equal Protection Clause in state legislative redistricting . . . The dichotomy between the two lines of cases has been consistently maintained.[20]

The majority took note of the Virginia General Assembly's state constitutional authority to enact local legislation dealing with particular political subdivisions, and found that this legislative function was a significant and a substantial aspect of the Virginia Legislature's powers and practices, and thus justified an attempt to preserve political subdivision boundaries in drawing House of Delegates' districts. The majority concluded that while the resulting overall range among house districts "may well approach tolerable limits, we do not believe it exceeds them." Chief Justice Burger and Justices Stewart, White and Blackmun joined in the majority opinion; Justice Powell took no part.

Dissenting Justices Brennan, Douglas and Marshall sought, at some length, to refute the contention that a distinction between standards for legislative and

congressional districting had been maintained by the Court. They suggested that the overall range in the Virginia House approached 25 percent, a figure they said placed the plan in the same range as several others invalidated by the Supreme Court in the period 1967-1971. (The differing conclusions as to the overall range of the Virginia plan stem from alternative ways of treating the effect of floterial districts included in the plan.)

4. *"Gaffney" and "White"* — A "10 Percent Standard?" — The distinction between the standard of population equality demanded in congressional districting and that required in state legislative districting was again recognized and the legislative districting standard somewhat clarified, in June 1973, by the U. S. Supreme Court decisions in *Gaffney v. Cummings*,[21] a Connecticut case, and *White v. Regester*,[22] a Texas case. Each of these cases also arose from a state-drawn legislative districting plan which had been challenged and struck down by a federal district court.

Gaffney v. Cummings involved a plan prepared by a bipartisan commission appointed pursuant to Connecticut law. The plan's overall range was 1.8 percent in the senate and 7.8 percent in the house, and one of its objectives was described as "Political fairness"; i.e., the political makeup of each house should roughly reflect the proportion of the statewide total vote received by candidates of each major party. *White v. Regester* concerned the distribution of Texas house seats in a plan, drawn by the State Legislative Redistricting Board, which had an overall range of just under 10 percent. It was challenged both on the ground and on the complaint that certain multimember districts invidiously discriminated against particular racial or ethnic groups. The latter complaint was found valid by the district court and upheld by the Supreme Court.

The majority opinion in each of these cases was written by Justice White for himself, Chief Justice Burger, and Justices Stewart, Blackmun and Rehnquist, the same group who had formed the majority in *Mahan v. Howell*, as well as Justice Powell, who had taken no part in *Mahan*. In the *Gaffney* opinion, after again asserting that the Supreme Court had always maintained a distinction between congressional and state legislative districting cases, Justice White said:

> Although requiring that population variations among legislative districts in *Mahan* be justified by substantial state considerations, we did not hold that in state legislative cases any deviations from perfect population equality in the district, however small, make out *prima facie* equal protection violations and require that the contested reapportionment be struck down absent adequate state justification.[23]

The *Gaffney* opinion continued by holding that no *prima facie* violation of the equal protection clause had been shown, and that the "political fairness" objective of *Gaffney* did not invalidate the plan.[24] Similarly, in the White opinion, the Supreme Court majority declared:

> Insofar as the District Court's judgment rested on the conclusion that the population differential (i.e. overall range) of 9.9 percent . . . made out a *prima facie* equal protection violation under the Fourteenth Amendment, absent special justification, the court was in error.[25]

The majority opinion observed:

> Very likely, larger differences between districts would not be tolerable without justification "based on legitimate considerations incident to the effectuation of a rational state policy,." . . .[26]

Justices Brennan, Douglas and Marshall, dissenting in both *Gaffney* and *White* with a single opinion, asserted that the majority opinions in the two cases had in effect established a 10 percent *de minimis* rule for state legislative districting, with states not required even to try to justify overall ranges of that or a lesser degree.[27] Two later Supreme Court decisions have tended to add weight to that assertion.

5. Later Cases — In *Chapman v. Meier*,[28] decided January 27, 1975, Justice Blackmun, writing for the unanimous Court, recalled that state-drawn redistricting plans having less than 10 percent overall range, and where there was no showing of invidious discrimination, were found valid in the *Gaffney* and *White* cases, and that an overall range of more than 16 percent was subject to court scrutiny but was found justified in the *Mahan* case because it served to implement a rational state policy. *Chapman v. Meier* involved a redistricting of the North Dakota State Senate devised by a federal court, under which the overall range among districts was slightly over 20 percent. The Supreme Court held that this circumstance required specific justification, and that none of the reasons advanced, absence of a particular racial or political group whose voting power was minimized or canceled, sparse population of the state generally, and desire both to preserve political subdivision boundaries and to continue an asserted tradition of dividing the state along political subdivision lines and along the Missouri River, were sufficient to justify so high an overall range.[29]

One of the more recent United States Supreme Court decisions affecting state legislative districting is *Conner v. Finch*,[30] a case from Mississippi decided in May 1977. With respect to the matter of population equality, the Supreme Court's majority opinion, by Justice Stewart, states that the overall range of the Mississippi redistricting plan at issue was computed by the federal district court (which drew

the plan) to be 16.5 percent for the senate and 19.3 percent for the house. The opinion notes that these figures "substantially exceed the 'under-10 percent' deviations (i.e., overall range) that the Court has previously considered to be of *prima facie* constitutional validity only in the context of legislatively enacted apportionments," and concluded that the district court failed to cite any unique feature of the Mississippi political structure which would justify an overall range of such magnitude.[11] The plan was therefore invalidated. (The only dissenter was Justice Powell, who believed the plan should have been remanded to the district court for such limited changes as were necessary to bring it into conformity with Supreme Court guidelines.)[12]

6. Population Equality Standards for the 1980's — In the post-1980 round of redistricting that will be required in most states, the basic goal will presumably continue to be equal representation; i.e., general equality of population among districts. However, where federal court scrutiny of population disparity among state legislative districts is concerned, a sort of three-tiered standard seems to have evolved, with the dividing points at approximately the 10 percent and 16.5 percent levels.

It should not be assumed that *any* legislative districting plan having less than a 10 percent overall range is safe from successful challenge. However, the decisions in *Gaffney* and *White* indicate that the challenger of such a plan has the initial burden of showing that the plan violates the Equal Protection Clause.[13] The Supreme Court said in the *White* case that it could not "glean an equal protection violation from the single fact that two legislative districts in Texas differ from one another by as much as 9.9 percent. . . ."[14] and it indicated in *Gaffney* that a showing by the plaintiff that an alternative plan with a lower overall range could be devised is not in itself sufficient to require a federal court to invalidate a plan adopted by a state legislature.[15]

Unfortunately, it cannot be said with certainity that every lower federal court will follow the apparent precedents just described. Where they do not, reversal by the Supreme Court would seem to be a reasonable expection, if the highest court grants certiorari. Moreover, as noted earlier, there is nothing in the U.S. Constitution or case law to prevent state courts from imposing stricter standards of population equality, under state constitutions, than the federal courts demand.

Another reservation which is perhaps appropriate here is that a relatively high mean deviation, even within the context of an *overall range* of less than 10 percent, may make it easier for a challenger to meet the burden of establishing a *prima facie* equal protection violation. In *Gaffney*, the majority opinion pointed out that although the overall ranges were 7.8 percent in the house and 1.8 in the senate, the

respective mean deviations were only 1.9 percent and .45 percent.[36] Similarly, the *White* opinion contrasts the overall 9.9 percent variance of the Texas house districting plan with its mean deviation of 1.8 percent.[37]

If a state enacts or adopts a plan with an overall population range of more than 10 percent in each house, and the plan is challenged in federal court, it appears likely that the state will have the burden of showing both that the over 10 percent overall range is necessary to implement a rational state policy *and* that it does not dilute or take away the voting strength of any particular group of citizens. Here again, a low mean deviation is likely to prove helpful. In the *Mahan* case, where Virginia had to justify an overall range in its house districts which the court concluded was in excess of 16 percent, the majority noted that the mean deviation was less than half that great.[38] Again, since the Court has not always been consistent or precise in its terminology, the numbers should be considered carefully in the context of what they are, in fact, describing.

The next obvious question is, what are the criteria of a "rational state policy" which are constitutionally relevant to legislative districting? To date, *Mahan v. Howell* is the *only* case in which the Supreme Court has found justification for upholding a plan having an overall range of 10 percent or more. (The Court indicated in *White v. Regester* that overall ranges of 9.9 percent or less do not require justification on the basis of a rational state policy.)[39]

The majority opinion in *Reynolds v. Sims* stated: "So long as the divergences from a strict population standard are based on legitimate considerations incident to the effectuation of a rational state policy, some deviations from the equal-population principle are constitutionally permissible"[40] in legislative districting. That opinion continued: "Considerations of area alone provide an insufficient justification for deviations from the equal-population principle."[41] It also observed:

> A consideration that appears to be of more substance in justifying some deviations from population-based representation in state legislatures is that of insuring some voice to political subdivisions, as political subdivisions. Several factors make more than insubstantial claims that a state can rationally consider according political subdivisions some independent representation in at least one body of the state legislature, as long as the basic standard of equality of population among districts is maintained. Local governmental entities are frequently charged with various responsibilities incident to the operation of state government. In many States much of the legislature's activity involves the enactment of so-called local legislation, directed only to the concerns of particular political subdivisions. And a State may legitimately desire to construct

districts along political subdivision lines to deter the possibilities of gerrymandering.[42]

In *Mahan v. Howell* the majority reaffirmed the foregoing position, and stated:

> We are not prepared to say that the decision of the people of Virginia to grant the General Assembly the power to enact local legislation dealing with the political subdivisions is irrational. And if that be so, the decision of the General Assembly to provide representation to subdivisions qua subdivisions in order to implement that constitutional power is likewise valid when measured against the Equal Protection Clause of the Fourteenth Amendment.[43]

The majority opinion went on to hold that Virginia's "plan for apportionment of the House of Delegates may reasonably be said to advance the rational state policy of respecting the boundaries of political subdivisions."[44]

Thus, fairly consistent adherence to the boundaries of political subdivisions is, as of early 1980, the only "rational state policy" that has actually been accepted by the Supreme Court as justification for a legislative districting plan having an overall range greater than 10 percent. The record since 1973 suggests that the Supreme Court is not easily persuaded to accept such a justification. It declined to do so in both *Chapman v. Meier* and *Connor v. Finch*; in fact, *Mahan v. Howell* is the only case in which the Court has applied that justification. (Justice Rehnquist's majority opinion suggests that the majority perceived circumstances of that case as a quite unusual, and possibly unique, situation where the Virginia Constitution vests local political subdivision boundaries with a legislative significance which is substantive as well as historical, and which does not apply in most states.)

In its unanimous decision in *Chapman*, the Court found: "It is far from apparent that North Dakota policy currently requires or favors strict adherence to political lines."[45] The opinion also noted that it would have been possible to follow such a policy in North Dakota and still achieve a significantly lower overall range.[46] Similarly, in a concurring opinion in *Connor*, Justice Blackmun wrote: "I do not understand the (Supreme) Court to disapprove the District Court's decision to use county lines as districting boundaries wherever possible, even though this policy may cause a greater variation in district population than would otherwise be appropriate for a court-ordered plan. The final plan adopted (i.e., by the District Court, and subsequently appealed) appears to produce even greater population disparities than necessary to effectuate the county boundary policy."[47]

As implied by Justice Blackmun, the Supreme Court appears to treat court-drawn districting plans somewhat differently than those drawn by legislatures or, presumably, by state constitutional or statutory districting bodies. An interesting feature of the *Chapman* and *Connor* cases is the Supreme Court's indication that where it becomes necessary for a federal court to draw a state legislative districting plan, that court will be held to a higher standard than would the legislature or other state redistricting authority.[18] There is dicta in the *Chapman* decision which suggests that even an overall range of less than 6 percent might not be satisfactory in a plan drawn by a federal court.[19]

Finally, it is questionable whether or not the federal courts will accept any attempt to justify legislative districting plans with overall ranges of 16.5 percent or higher, as found in the *Chapman* and *Connor* cases. It cannot be stated with certainty that that level of overall range is the absolute maximum, but the *Mahan* decision suggests that it may be and no case since then has given any contradictory indication.

The evolution of this three-tiered quantitative standard of population equality for state legislative districts from *Reynolds v. Sims* to mid-1973 appears to be an effort by the Court to develop "judicially manageable standards" in redistricting cases, which Justice Frankfurter urged, and questioned, in his dissent to *Baker v. Carr*. Viewed in this light, the majority may be establishing a *de minimus* rule at the 10 percent range, below which a challenger cannot by statistics alone establish a *prima facie* case requiring judicial scrutiny. If the majority adheres to this apparent standard, the 1980's round of redistricting may not encounter the case-by-case approach to judicial review so characteristic of the early decisions.

States should not, however, feel too secure with the 10 percent range standard. The Supreme Court majority has refused to clearly articulate that this is to be the constitutional threshold of "one person, one vote" jurisprudence for state legislatures. But even if the Court is prepared to allow the states some leeway in redistricting perfection, now that the basic law of popular representation is well established, it is unlikely that the Justices would be unduly hesitant to strike down a plan having an overall range of less than 10 percent if the challenger succeeds in raising a suspicion that the plan was not a good faith effort overall or that there is something suspect about the districts involved. The Court has left the burden with the challengers in the under 10 percent cases; it has not said that a challenger cannot meet that burden with appropriate evidence, whatever that might be.

Similarly, an additional *caveat* may be worth the repetition for the over 10 percent cases. A state defending a redistricting plan in this "category" must bear the burden according to the decisions. What this means in practicality is not always so clear.

Initially, what the state may have to prove by way of justification may not be certain, since the Supreme Court has not accepted in actual cases most of the grounds it has outlined as potential defenses for a departure from strict equality (with the single exception of the political boundaries justification in the *Mahan v. Howell* case, which may well be somewhat unique).

It may be suggested, on the other hand, that the burden of the state is not so much in proving enough facts to add up to one of the *Reynolds* justifications, as it is in persuading the Court that the justification offered is constitutionally relevant in the particular case and powerful enough to overcome the differential from one person, one vote. In this sense, the shift of the burden from the challenger to the state may be more significant than a matter of mere evidence. The cases suggest that it is the burden of persuasion which shifts, and that this burden is most difficult to meet.

7. Population Equality Among Congressional Districts — The question of the permissible overall range among a state's congressional districts requires no elaborate discussion.

As related earlier, it has for the past several years been the position of a majority of the U.S. Supreme Court that the Court has always recognized a distinction between congressional districting and state legislative districting, and that less stringent standards of population equality apply to the latter than to congressional districts.

On the same day on which the *Gaffney* and *White* state legislative districting cases were decided — June 18, 1973 — the U.S. Supreme Court decided *White v. Weiser*, a case involving Texas congressional districts.[30] In *Weiser*, the Supreme Court ruled that although the overall range among Texas' 24 congressional districts was smaller than that invalidated in *Kirkpatrick v. Preisler* in 1969, the Texas districts were not as mathematically equal as reasonably possible and were therefore unacceptable. The Court specifically rejected an argument that the variances resulted from the Texas Legislature's attempt to avoid fragmenting political subdivisions.[31]

It therefore appears that if any person or group can prove that it would have been possible for a state to draw congressional districts having materially greater population equality than those which are in fact adopted by that state's legislature or other districting body, it will be the state's burden to prove that there was a justifiable reason for doing so and that burden of proof will be very difficult to meet. The term "materially greater population equality" is used advisedly. Reason, if not the Supreme Court's opinions, suggests there is some point at which the difference between the degree of population equality of the districts actually established, and the greatest degree of population equality which could have been achieved, becomes

so slight that the federal courts would consider it insignificant. However, we do not yet know what that *de minimis* level is, except that it is very, very low indeed.

As a matter of interest, it may be noted that Justice Powell, joined by Chief Justice Burger and Justice Rehnquist, filed a concurring opinion in *White v. Weiser* in which he indicated he would not have sided with the majority had he been on the Supreme Court when *Kirkpatrick v. Preisler* was decided in 1969. However, he stated that he regarded *Kirkpatrick* as a controlling precedent, and added "unless and until the Court decides to reconsider that decision, I will follow it."[52] To date, there has been no such reconsideration. With the advent of computer-assisted districting, making possible near-perfect mathematical quality, it will be interesting to see if a *de minimis* rule for congressional districts evolves in the 1980's.

The Legislative Reapportionment Committee adopted a ±4 percent deviation standard for legislative and school board redistricting plans and a ±1 percent deviation standard for the congressional redistricting plan.

B. Discriminatory Districting — This section has thus far dealt with questions regarding the degree of population equality required to satisfy the constitutional mandate of equal representation. However, meaningful and effective equal representation requires that states must consider factors other than mathematical population variance in drawing legislative districts.

Much of the pertinent federal court litigation in recent years has involved allegations that particular districting arrangements have had the effect or potential effect of discriminating against a racial or ethnic minority.

The various courts, in addressing this issue of racial or ethnic discrimination, have held generally that a legislature may not purposely draw lines to negate the voting power of any racial or ethnic minority.[53] The burden upon someone challenging the plan on racial or ethnic discrimination grounds is that of proving (1) that the apportionment scheme, under the circumstances of a particular case, would operate to cancel out the voting strength of a racial element; and (2) that the plan was designedly drawn to dilute the voting strength along racial lines.[54]

In addition to case law, the 1965 Voting Rights Act based upon the Fifteenth Amendment of the United States Constitution places significantly stricter prohibitions against states in drawing districts that has resulted in racial or ethnic discrimination cases under the Fourteenth Amendment.[55]

However, because of the very small minority population living in Utah and because of the demographics of that population, Utah is not subject to the 1965

Voting Rights Act and is very unlikely to have any problems with case law standards in this area. Therefore, a detailed discussion of this area of reapportionment law is not included in this report.

C. Other Issues

1. Single Member Districts — In holding that both houses of a bicameral state legislature must be districted predominately on a population basis, the United States Supreme Court majority in *Reynolds v. Sims* commented that latitude still remained for states to vary the composition and complexion of the two houses. In *Fortson v. Dorsey*[36] the United States Supreme Court specifically declined to rule that the use of multimember districts is in itself an unconstitutional denial of equal protection. However, the court also said in *Fortson* and as illustrated in later cases that because of their nature, multimember districts are suspect and a justiciable issue is raised where plaintiffs allege that multimember districting operates to deny them equal protection of the law.[37]

As previously noted, the United States Supreme Court has not held multimember districts unconstitutional *per se*. However, it has demonstrated a preference for single member districts by permitting lower Federal Courts to use multimember districts plans only when faced with otherwise "insurmountable difficulties" *(Connor v. Johnson)*.[38]

The Legislative Reapportionment Committee adopted the use of only single member districts in all the plans.

2. Census Bureau Figures — Article IX, Section 2 of the Utah Constitution provides that the legislature must reapportion on the basis of a state enumeration or an enumeration made by the United States (official census). Federal courts have upheld reapportionment plans made on population figures other than the Federal Census, such as registered voters.[39] However, the Legislative Reapportionment Committee adopted the Official Census Bureau figures as the basis for the reapportionment.

3. Contiguity and Compactness — There is no federal constitutional standard which requires congressional or legislative districts to be compact or contiguous. However, Article IX, Section 4 of the Utah State Constitution requires that "when more than one county shall constitute a senatorial district, such counties shall be contiguous."

Also, in *Reynolds v. Sims* the court recognized that in developing legislative district plans,

> A state may legitimately desire to maintain the integrity of various political subdivisions, insofar as possible, and provide for compact districts of contiguous territory.[60]

With the *caveat*,

> . . . Whatever the means of accomplishment, the overriding objective must be substantial equality of population among the various districts, so that the vote of any citizen is approximately equal in weight to that of any other citizen in the state.[61]

The Legislative Committee on Reapportionment has adopted the policy of having the districts as contiguous and compact as practicable.

4. Political Subdivisions, Community of Interest and Geographical Barriers —Again there is no federal constitutional standard requiring or relating to legislative recognition of political subdivisions, community of interests and geographical barriers in reapportionment plans. Article IX, Section 4 of the Utah Constitution requires ". . . each county shall be entitled to at least one representative."

However, a three judge federal district court in *Petuskey v. Clyde* declared that Utah's 1963 reapportionment plan following these state constitutional requirements was unconstitutional. This was because it was not possible to meet the "one person, one vote" standard in a plan that complied with the state constitutional requirements of Article IX, Section 4.

The legislative committee has adopted the policy of protecting existing political subdivisions and communities of interest and respecting geographical boundaries, as far as practicable, recognizing, as was stated in *Reynolds v. Sims*, that the overriding objective must be substantial equality of population among the various districts.

5. Protection of Incumbents — One other factor which may influence legislative districting is protection of current officeholders. The Supreme Court has, on several occasions, indicated that invidious discrimination is not established solely by a showing that the redistricting plans at issue were drawn so as to minimize or avoid contests among incumbents.[62] However, it should be noted that any special consideration given incumbents in determining the location of the boundaries of legislative districts may have effects which contibute to the difficulty of justifying those boundaries in subsequent litigation. The Legislative Reapportionment Committee adopted as a policy that plans not be drawn to intentionally protect or defeat any incumbent.

6. Partisan Districting — While the federal courts have historically been reluctant to take jurisdiction of complaints of partisan gerrymandering, it has been apparent since the 1973 *Gaffney v. Cummings* decision that states are not expected to draw — or purport to draw — legislative districting plans without regard to their political effect. What is not yet clear is to what extent the federal judiciary might tolerate "equipopulous gerrymandering" of a purely partisan nature.

In *Gaffney*, the Supreme Court majority specifically accepted, and seemed to commend, the effort to draw districts whose political behavior could be predicted with reasonable accuracy. By creating a certain number of safe Democratic and safe Republican districts, and combining these districts that either party might carry with varying degrees of difficulty, it apparently was intended that the makeup of the Connecticut General Assembly at any particular time should reflect the relative strength of the two major parties in the preceding legislative election. It will be recalled that this plan had overall population ranges of 7.8 percent in the house and 1.8 percent in the senate. The Supreme Court's opinion concluded:

> . . . neither we nor the district courts have a constitutional warrant to invalidate a state plan, otherwise within tolerable population limits, because it undertakes, not to minimize or eliminate the political strength of any group or party, but to recognize it and, through districting, provide a rough sort of proportional representation in the legislative halls of the State.[63]

Before expressing this conclusion, the majority opinion in *Gaffney* pointed out that state legislative districts "may be equal or substantially equal in population and still be vulnerable" to a complaint of denial of equal protection.[64] After acknowledging the essentially political nature of the redistricting process, the opinion reiterated: "What is done in so arranging for elections, or to achieve political ends or allocate political power, is not wholly exempt from judicial scrutiny under the Fourteenth Amendment."[65]

As the states and the Supreme Court approach the post-1980 round of redistricting, the law appears to be that partisanship devoid of racial implications in drawing legislative districts will not be reviewed by the federal courts. Nevertheless, the direction the Court may take in this area is not firmly resolved by the precedents.

III. Summary

Congressional Districts — The federal standards require that the population variance between the three districts must be at a *de minimis* level. However, the supreme court has not yet given specific standards of what *de minimis* is, except

that it is very low. Most authorities agree that the total population range must be 1 percent or less.

Senate and House Districts — The federal cases recognize a distinction between the standard of population equality in congressional districting and that required in state legislative districting. The state legislative plan may consider such factors as maintaining the integrity of political subdivisions and providing for compact and contiguous districts. However, in providing for the overriding equal population standard, most authorities agree that the total population range must be 10 percent or less, with a lower average range.

School Board Districts — The federal cases have established that the equal population standards which are applicable to the legislative districts are also applicable in governmental boards such as the school board. Therefore, the school plan may consider factors such as maintaining political subdivisions, such as school districts. However, the plan should maintain a total population range of no more than 10 percent.

FOOTNOTES

1. 234 F. Supp. 960 (1964).
2. 243 F. Supp. 365 (1965).
3. 516 P.2d 6 (1973).
4. New Democratic Coalition v. Austin 200 N.W. 2d 749 (1972). Pate v. El Paso County, 324 F. Supp. 395 (W.D. Tex. 1970).
5. 328 U.S. 549 (1946).
6. 369 U.S. 186 (1962).
7. 372 U.S. 368 (1963).
8. 377 U.S. 533 (1964).
9. 376 U.S. 1 (1964).
10. 394 U.S. 526 (1969).
11. 412 U.S. 783 (1973).
12. 377 U.S. 533, 559.
13. *Ibid.*, 579.
14. *Ibid.*, 578.
15. 394 U.S. 526, 530-31.
16. *Ibid.*, 533-36.
17. 385 U.S. 440 (1967).
18. 394 U.S. 526, 554.
19. 410 U.S. 315 (1973).
20. 410 U.S. 315, 322.
21. 412 U.S. 735 (1973).

22. 412 U.S. 755 (1973).
23. 412 U.S. 735, 743.
24. *Ibid.*, 751-52.
25. 412 U.S. 755, 763.
26. *Ibid.*, 764.
27. *Ibid.*, 776-77.
28. 420 U.S. 1 (1975).
29. *Ibid.*, 21-26.
30. 431 U.S. 407 (1977).
31. *Ibid.*, 418, 420.
32. *Ibid.*, 430-33.
33. 412 U.S. 735, 740-41.
34. 412 U.S. 755, 764.
35. 412 U.S. 735, 750-51.
36. 412 U.S. 735, 737, 751.
37. 412 U.S. 755, 764.
38. 412 U.S. 315, 319.
39. 412 U.S. 755, 763.
40. 377 U.S. 533, 579.
41. *Ibid.*, 580.
42. *Ibid.*, 580-81.
43. 410 U.S. 315, 325-26.
44. *Ibid.*, 328.
45. 420 U.S. 1, 25.
46. *Ibid.*
47. 431 U.S. 407, 426.
48. 420 U.S. 1, 26-27; 431 U.S. 407, 417.
49. 420 U.S. 1, 26.
50. 412 U.S. 783 (1973).
51. *Ibid.*, 790-91.
52. *Ibid.*, 798.
53. White v. Regester 412 U.S. 755 (1973), Whitcomb v. Chavis 403 U.S. 124 (1971).
54. *Ibid.*
55. Voting Rights Act of 1965, § 5, 42 U.S.C.A. § 1973.
56. 379 U.S. 433 (1965).
57. *Ibid.*, 439.
58. 402 U. S. 690 (1971).
59. WACA, Inc. v. Lomenzo, 377 U.S. 633 (1964); Burn v. Richardson, 384 U.S. 73 (1966); Kirkpatrick v. Preisler, 394 U.S. 526 (1969).
60. 377 U.S. 533, 578.
61. *Ibid.*, 579.

62. White v. Weiser, 412 U.S. 783, 791; Ely v. Klahr, 403 U.S. 108, 112; Burns v. Richardson, 384 U.S. 73, 89 (n. 16).

63. 412 U.S. 735, 754.

64. *Ibid.*, 751.

65. *Ibid.*, 754.

CONGRESSIONAL REAPPORTIONMENT

I. Current Status

Constitutional Provisions — Article I, Section 2 of the Constitution of the United States provides that an "enumeration" shall be made of the people of the United States every ten years and that the membership of the U.S. House of Representatives shall be "apportioned among the several states" according to this enumeration or census. Article IX, Section 1 of the Utah Constitution requires the legislature to divide the state into congressional districts in accordance with authorization by the U.S. House of Representatives.

The 1980 Census — Since the 1970 census Utah has experienced an increase in population from 1,059,273 to 1,461,036. This represents an increase of 401,763, or 37.9 percent. As a result, the U.S. House of Representatives has apportioned Utah a third congressional seat and thereby mandated a new alignment of congressional districts.

Ideal Population — Under the one person, one vote rule established for congressional districts by the U.S. Supreme Court in *Wesberry v. Sanders* districts must be established of "as nearly equal population as practicable." This has generally been interpreted to mean less than a 1 percent deviation. The ideal population for each of the three congressional districts in Utah would be 487,012. In addition to federal case law guidelines, the Reapportionment Committee has established certain policy guidelines and standards for congressional reapportionment.

II. Standards for Congressional Reapportionment

A. Statistical Standards — With a population of 1,461,037, Utah has been apportioned a third seat in the House of Representatives. A perfect population split would provide for congressional districts of 487,012. A relative deviation standard of ±1 percent from the ideal was adopted by the committee for a range of 482,142 to 491,882.

B. General Standards

1. Population — Providing equal weight to each citizen's vote by providing equal population in each district is the most fundamental requirement for reapportionment. All plans examined were kept within the statistical guidelines adopted by the committee.

2. Communities of Interests — The committee felt from the outset that a commonality of political and geographical interests should be important considerations. Apart from Salt Lake County which must be divided because of a population of 619,066, every effort was made to keep all other counties intact. Suggestions to divide Salt Lake three ways were considered and rejected because this would unnecessarily dilute their community interests. Geographical barriers which prevent the free flow of people and commerce were also a matter of concern to the committee.

3. Contiguity and Compactness — The committee determined that districts must be contiguous and of approximately the same geographical size where possible. The population density in Salt Lake County means that Congressional District No. 2 will be small, while the other two districts will be very large. It was felt by the majority of committee members that the other two districts should be of similar geographical size, instead of creating one very large rural district. A large rural district would comprise approximately 72,357 square miles while the smaller rural/urban district would comprise approximately 9,000 square miles.

4. Single Member Districts — No serious consideration was given to the idea of electing the representatives from the state at large. The committee felt better representation would be achieved when each representative represents a single member district.

III. Discussion of Plan

The plan establishes an east-west division and distributes the three major population centers of the state. The proposal basically maintains the same rural congressional district splits as the current plan, except that Salt Lake County now has one complete district and a part of a second district. A good balance is established among the three districts relating to issues of public lands, military establishments, urban problems, agriculture and energy developments.

Because Salt Lake County's population exceeds the ideal district size, approximately 132,054 people must be combined with another district. The committee attempted to make the split in Salt Lake County along major geographical

boundaries and determined that the Jordan River would make a natural geographical boundary.

The split of 131,591 people from Salt Lake County is accomplished by drawing a line south along by I-15 to 10000 South, and then along the Jordan River to 3300 South, where the line follows the natural alignment west along 3300 South to 2700 West. The line continues on a ninety degree angle south to 4100 South and along 4100 South to the county line. Except for the natural jogs in the Jordan River, the lines are extremely clean and easily identifiable.

A county has never before been split in the formation of a congressional district. One of the great concerns expressed in Salt Lake County was that of the difficulty county residents would have in determining which district they reside in once the split is made. The natural geographical boundaries used by the committee alleviate such concerns.

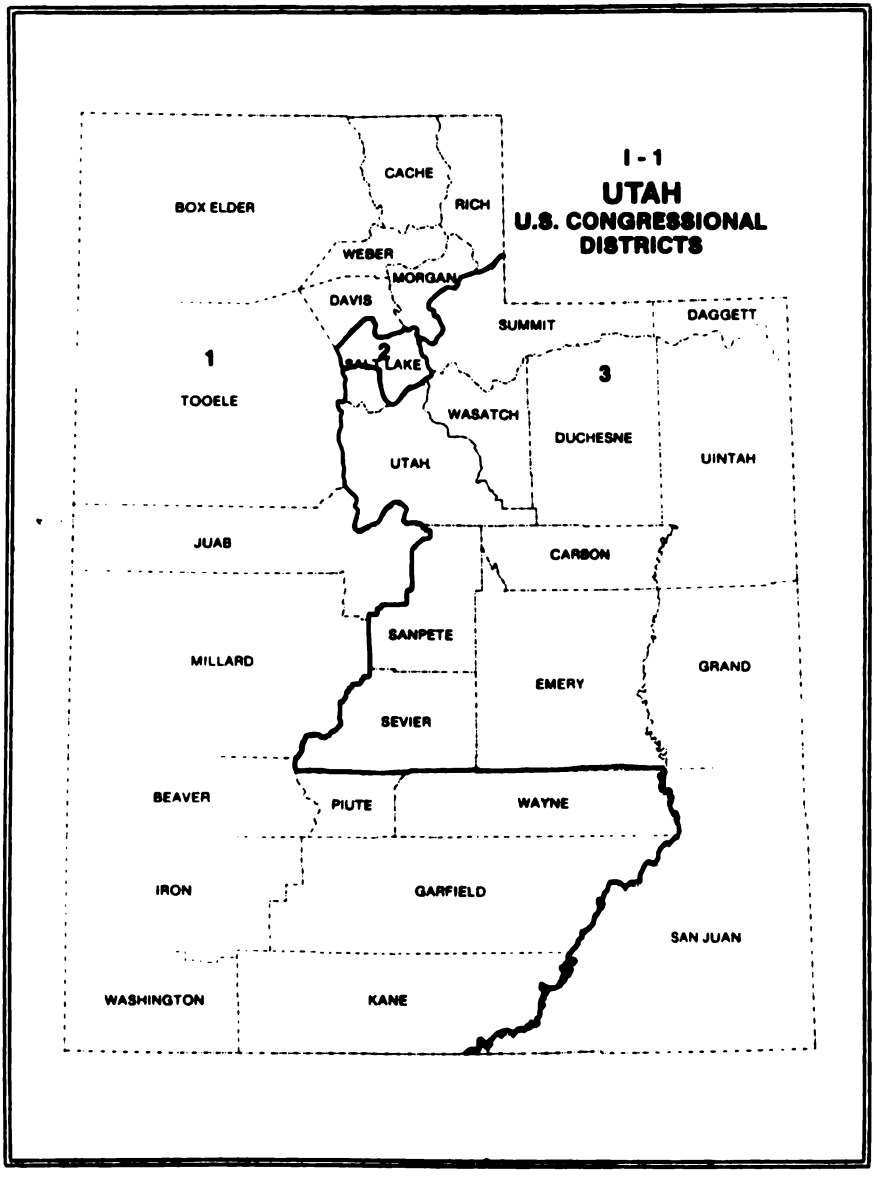
The populations of the recommended districts have a total population deviation of .43 percent and are as follows:

District I	487,833	+.17% deviation
District II	487,475	+.10% deviation
District III	485,729	-.26% deviation

IV. Maps

The following maps have been prepared for your reference:

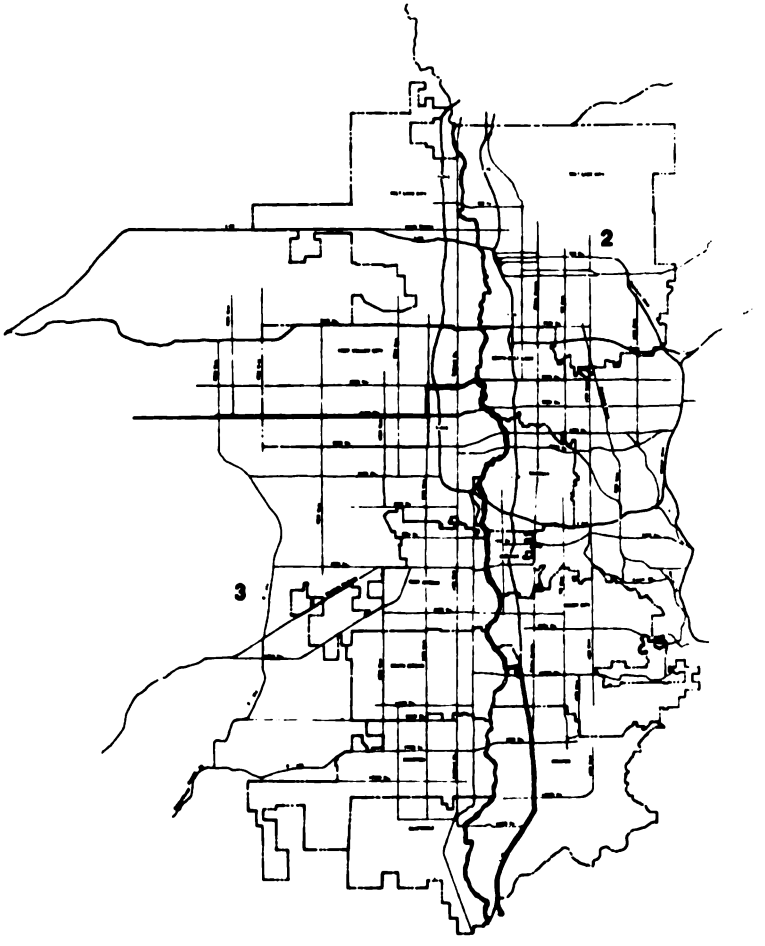
State of Utah - I-1
Salt Lake - I-2


I - 1
UTAH
U.S. CONGRESSIONAL DISTRICTS
BOX ELDER
CACHE
RICH
WEBER
MORGAN
DAVIS
SUMMIT
DAGGETT
1
2
SALT LAKE
3
TOOELE
WASATCH
DUCHESNE
UINTAH
UTAH
JUAB
CARBON
SANPETE
MILLARD
EMERY
GRAND
SEVIER
BEAVER
PIUTE
WAYNE
IRON
GARFIELD
SAN JUAN
WASHINGTON
KANE

I - 2

SALT LAKE

U.S. CONGRESSIONAL DISTRICTS



STATE SENATE REAPPORTIONMENT

I. Current Status

Constitutional Provisions — Article IX, Section 3 of the Utah Constitution sets thirty as maximum membership in the Utah Senate. The Utah Constitution also vests the legislature with the authority to reapportion the state's legislative districts. These provisions, in addition to the guidelines established by *Reynolds v. Sims*, provide the framework for the guidelines established by the Reapportionment Committee.

A. Twenty-nine Member Senate — In 1972, following the U.S. District Court's decision declaring the 1971 reapportionment plan unconstitutional, the legislature reduced the senate's membership from thirty to twenty-nine. For the following reasons, the Reapportionment Committee recommends maintaining a twenty-nine member senate:

1. Odd-Numbered Membership — An odd-numbered membership avoids the problems which could arise with an equal split in membership between Democrats and Republicans. For example, the lack of a majority of either party could delay indefinitely the election of a senate president and the selection of committee chairmen.

2. Maximum Possible Membership — Having discounted the idea of an even-numbered membership, the Reapportionment Committee recommends that the senate retain a membership of twenty-nine because it would then provide the maximum representation allowed under the constitution.

3. Increase in Senate Duties — Most state senators now serve on two or more committees or subcommittees, and a reduction in total membership would substantially increase the already time-consuming duties of each senator, thereby decreasing overall effectiveness.

Population Equality — A broader population and policy standard is allowed for state legislative districts than is required for U.S. congressional districts. This distinction is made in *Mahan v. Howell*. The particular "one person, one vote" requirement, as detailed in the legal section, is derived from the Fourteenth Amendment and established in *Reynolds v. Sims*. It requires that districts be of "substantially equal" population. The actual allowable percent deviation has not been established, although in *Gaffney v. Cummings* the U.S. Supreme Court established stricter standards of justification for those reapportionment plans with greater than 10 percent overall deviation.

II. Standards for Senate Reapportionment

A. Statistical Standards — Providing equal weight to each citizen's vote by fashioning districts of *equal population* is the fundamental principle for reapportionment. Because of mitigating factors such as community of interest and geographical barriers, it is often impossible to achieve perfect, mathematically equal districts. The committee recognized the need for mathematical leeway, and adopted a ±4 percent (or an overall range of 8 percent) deviation guideline for its senate redistricting plans. The committee kept all senate plans within this guideline.

1. Ideal Population — Dividing Utah's population of 1,461,037 by twenty-nine districts provides an *ideal population* of *50,381*. In accordance with the committee's ±4 percent deviation guideline, the allowable populations per district range from 48,365 to 52,396. In the committee's recommended plan, however, the actual district sizes range from 48,831 (senate 22) to 51,554 (senate 27). In relative terms, the range is +2.33 percent to -3.08 percent, or a total of 5.43 percent. The committee's plan falls well within the ±4 percent guideline.

B. General Standards — Although population equality among districts is the first criterion for redistricting, the committee weighed other factors such as community of interest, contiguity and compactness, incumbency, geographical barriers, and existing political subdivisions. Early in their deliberations, committee members established a list of policy guidelines, discussed in more detail in the Introduction.

Below is a list of some of the specific considerations in senate redistricting.

1. Communities of Interest — Social, economic, and political interests, as well as geographical barriers (particularly rivers and mountain ranges) are important considerations in redistricting. While the congressional districts' large populations allowed the committee great flexibility in drawing lines which, for the most part, respect county and municipal boundaries, the smaller senate district populations forced the committee to cross county and municipal lines. The most populous counties were divided into several districts; and less populous counties were combined to form single districts. The committee gave even greater consideration to geographical and social interests in areas in which only portions of counties were combined with neighboring counties in order to guarantee population equality.

2. Contiguity and Compactness — The committee established a standard, that all state senate districts should be contiguous and as equal in geographical area

as practicable. The high population density along the Wasatch Front means that districts within those counties will be of much smaller size than districts composed of less densely populated rural counties. Nevertheless, the committee attempted to create compact districts in both urban and rural settings.

III. Recommended Senate Reapportionment

The discussion below contains a summary of the committee's deliberations on each area of the state. Included is a brief rationale for each multicounty district and each multidistrict county.

A. Multicounty Districts — The discussion begins with the rural counties of southwestern Utah and works northward through the state.

1. Senate District 29 — Iron, Garfield, Washington and Kane Counties—Senate District 29 is among the most compact districts of the statewide plan. Roads connect the population centers of all four counties and all four counties belong to the regional five county association.

2. Senate District 28 — Juab, Sanpete, Millard, Sevier, Beaver, Piute and Wayne Counties—Senate District 28 represents the largest geographical area in the statewide plan. Although District 28 is large geographically it is the most compact of the possible west central county configurations. With this plan the committee observed the counties' rural interests, especially those tying Juab and its southern neighbors. These counties belong to the regional six county association. The committee recognized transportation problems inherent in a district as large as Senate District 28. Nevertheless, roads do connect all counties.

3. Senate District 27 — San Juan, Emery, Grand and Part of Carbon County —Senate District 27 covers the southeastern part of Utah. The only difference between the current District 27 and the proposed District 27 is the inclusion of East Carbon in Senate District 26. The committee's plan includes the East Carbon division with Senate District 26. The population of District 27 as drawn in 1972 is 54,124, or 7.43 percent above the ideal population. Because keeping the current District 27 intact violates the committee's ±4 percent standard, the committee examined the following options for shifting part of the population into another district.

a) Emery County, Ferron Division — The committee first discussed including Emery County's Ferron Division (population 2,500) in District 28. Because District 28 as proposed already had a relative deviation of 2.15 percent, a population increase of 2,500 would have given District 28 a deviation of 7.1 percent. Rather than solving the excessive deviation problem in District 27 this merely would have transferred the problem from District 27 to District 28.

b) Carbon County, Helper Division — The committee examined another proposal which would have included Carbon County's Helper Division in Senate District 17. Utah County's population was already too great for four wholly contained senate districts and an additional 4,620 people injected into the southern part of Utah County would have raised the average size per district beyond the tolerable - 4 percent limit. The committee also observed little commonality of interests between the Helper area and the southern part of Utah County.

c) East Carbon Division — The committee's final option was the inclusion of the East Carbon Division in Senate District 26. Because the Uintah Basin and East Carbon area share an economic interest, that is, tar sand and oil shale development, the committee determined that the people of East Carbon could well be included in Senate 26. Although there are no direct routes between East Carbon and the rest of Senate 26 the committee felt that the transportation problem was not insurmountable. The end result of including the East Carbon Division with Senate 26 was a reduction of Senate 27's population from 54,124 to 51,554, and a reduction in deviation from +7.43 percent to +2.33 percent.

4. Senate District 26 — Duchesne, Uintah, Wasatch Counties and Parts of Carbon and Summit Counties — Senate District 26 as drawn in 1972 included Duchesne, Uintah, Wasatch, Daggett, Summit and Morgan Counties. The current District 26 has a population of 57,478 or 14 percent above the ideal population for this redistricting. In order to accommodate the East Carbon Division and to reduce the deviation to within the ±4 percent guideline it was necessary to constrict the boundaries of Senate 26 by removing Morgan County and the Coalville and Kamas Divisions of Summit County.

5. Senate District 25 — Summit, Rich and Cache Counties — Included in Senate District 25 are Rich County, Coalville and Kamas Divisions of Summit County, and the Lewiston, Smithfield, and Wasatch Divisions and most of the Logan Division of Cache County. Senate District 25 maintains to a large extent the integrity of city boundaries and recognizes common agricultural, economic and social interests.

6. Senate District 24 — Box Elder and Parts of Cache County — Senate District 24 is a compact district and recognizes the rural interests shared between Box Elder County and the southwestern communities of Cache County. Roads easily link population centers in Box Elder County and the smaller communities in Cache County.

7. Senate District 13 — Tooele County and Parts of Salt Lake and Utah Counties — Tooele County at 26,033 population was too small for its own senate district; and Salt Lake County at 619,066 and Utah County at 218,106 were too large

for senate districts wholly contained within county boundaries. By adjoining Tooele County with approximately 11,000 people in Magna and 13,000 people in Lehi, American Fork, and the western part of Utah County, the committee achieved a district with a population of 50,411 and a deviation of +.06 percent. Tooele County shares common interests particularly with Magna, and to some degree with Lehi, and American Fork.

B. Multidistrict Counties — Because of high population density the counties along the Wasatch Front were divided into a number of geographically small senate districts. Below follows a brief discussion of each multidistrict county.

1. Senate Districts 1 Through 12: Salt Lake County — Although Salt Lake County as a whole retained twelve full senate seats and part of another, rapid population growth in the southern part of the county and the gradual decrease in Salt Lake City's population forced a redistribution in senate representation. Seven seats in the northern part of the county were combined into five seats and two new senate seats opened in the Draper, Sandy, West Jordan, and South Jordan areas.

2. Senate District 14 Through 17: Utah County — Utah County's four senate districts' boundaries changed very little in the Reappportionment Committee's proposed senate plan. The combination of approximately 13,000 people from Utah County with Tooele County for Senate District 13 left Utah County with the proper population for senate districts.

3. Senate Districts 18 Through 20: Weber and Morgan Counties —With a 1980 population of 144,616, Weber County fell short of the population required for three districts wholly contained within the county. The obvious solution was to add Morgan County to Senate District 18 (Morgan and Weber Counties share commercial, social, and political interests) and to divide the remaining population between Districts 19 and 20. By adding Morgan's population of 4,917 the committee reduced the average deviation in each of these three senate districts from -4.32 percent to -1.07 percent, a substantial improvement for the statewide plan, and a necessity for meeting the equal population standard.

4. Senate District 21 Through 23: Davis County — Senate Districts 21 through 23 are wholly contained within Davis County. Each district has a population deviation of approximately -3 percent. Although Davis County's senate district population deviations are on the low end of the statewide range they fall within the ±4 percent guideline. The plan respects the county's boundaries and maintains communities of interest.

IV. Statistical Summary and Maps

The following statistical summary and maps illustrate the committee's recommendations. Maps included are listed below:

State Senate Summary
State of Utah - II-1
Carbon County - II-2
Summit County - II-3
Cache County - II-4
Salt Lake - II-5
Utah County - II-6
Ogden - II-7
Davis County - II-8

UTAH SENATE FINAL PLAN

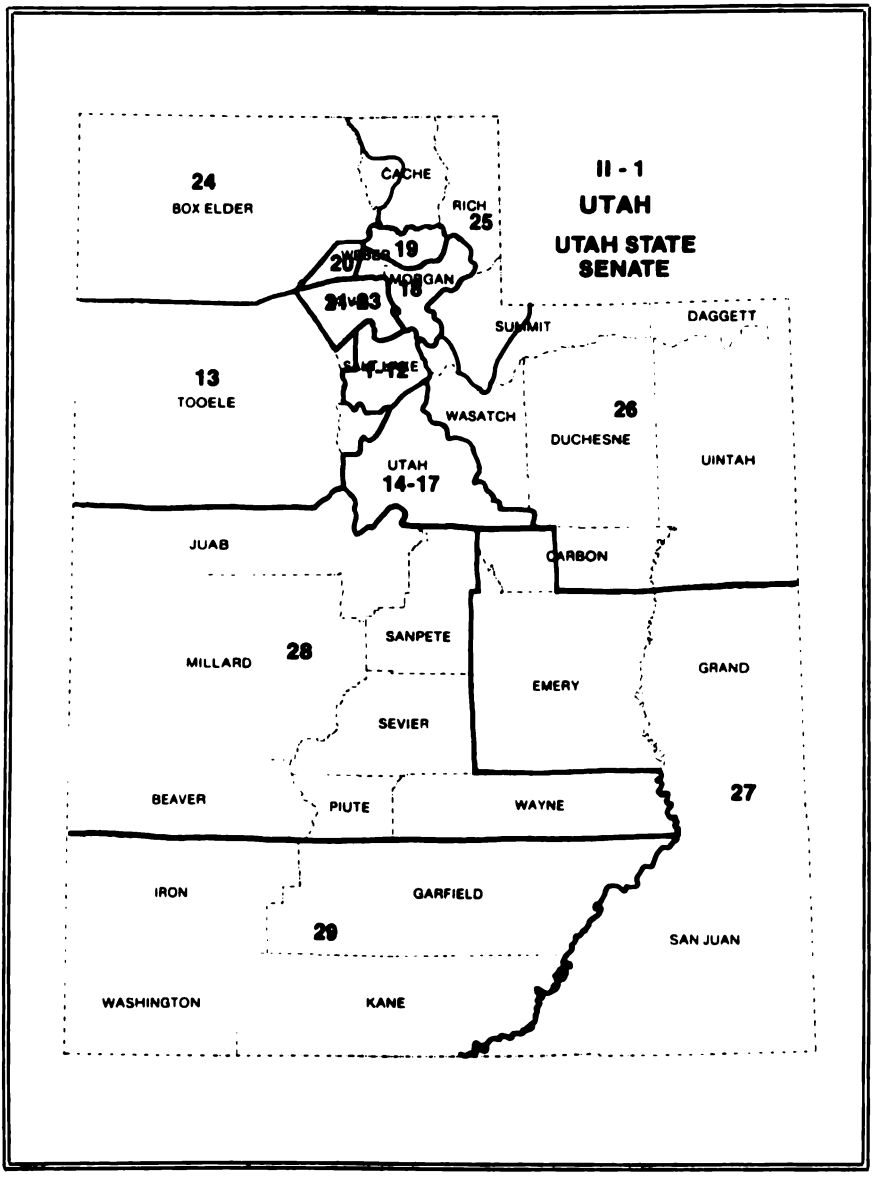
50,381 = Ideal District Size

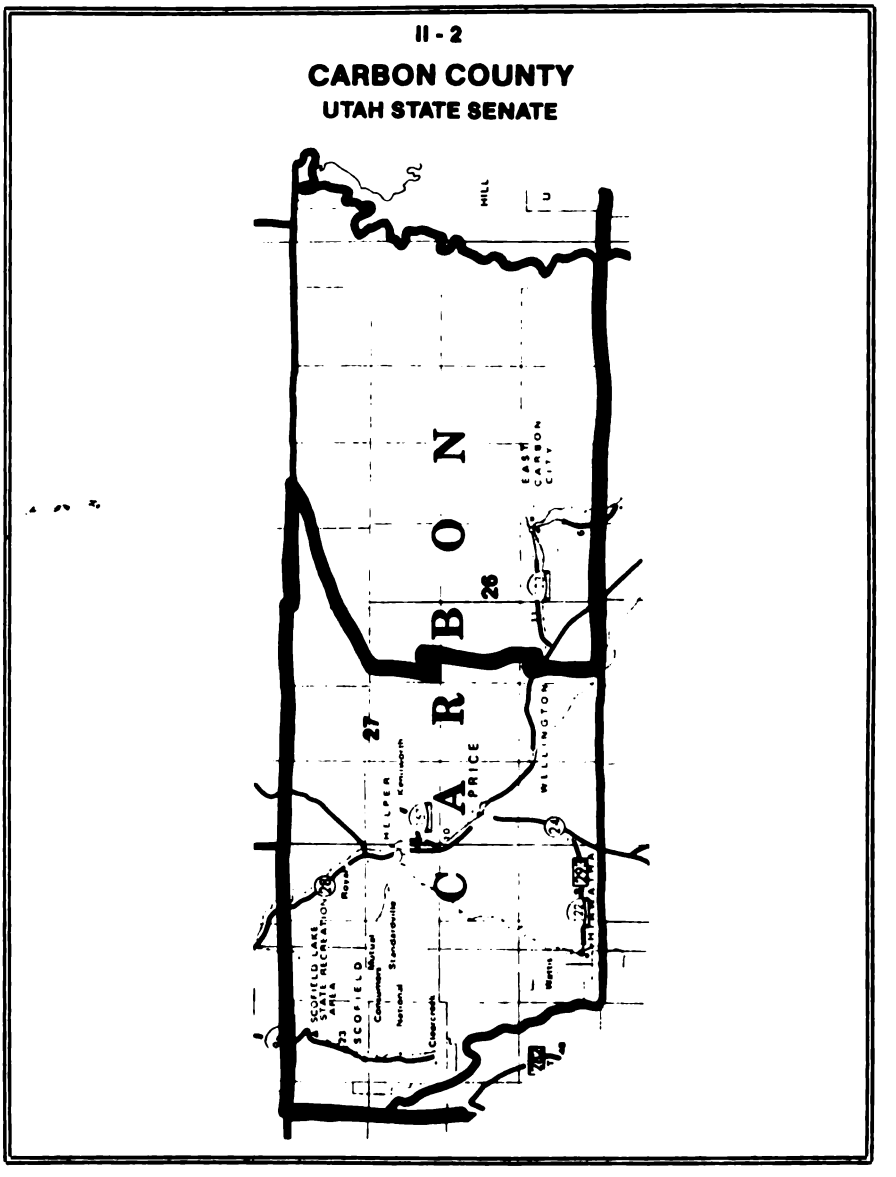
District	Population	Absolute Deviation	Relative Deviation
Salt Lake County			
Sen. 1	50,857	+476	+.94%
Sen. 2	50,753	+372	+.74%
Sen. 3	50,838	+457	+.91%
Sen. 4	50,856	+475	+.94%
Sen. 5	50,295	-86	-.17%
Sen. 6	50,642	+261	+.52%
Sen. 7	49,934	-447	-.89%
Sen. 8	51,129	+748	+1.48%
Sen. 9	50,906	+525	+1.04%
Sen. 10	51,138	+757	+1.50%
Sen. 11	50,162	-219	-.43%
Sen. 12	50,343	-38	-.08%
Utah/Salt Lake/Tooele			
Sen. 13	50,411	+30	+.06%
Utah County			
Sen. 14	51,167	+786	+1.56%
Sen. 15	51,229	+848	+1.68%

Sen. 16	51,177	+796	+1.58%
Sen. 17	51,352	+971	+1.93%
Weber/Morgan			
Sen. 18	49,961	-420	-.83%
Weber County			
Sen. 19	49,848	-533	-1.06%
Sen. 20	49,724	-657	-1.30%
Davis County			
Sen. 21	48,843	-1538	-3.05%
Sen. 22	48,831	-1550	-3.08%
Sen. 23	48,866	-1515	-3.01%
Cache/Box Elder			
Sen. 24	49,024	-1357	-2.69%
Cache/Rich/Summit			
Sen. 25	49,261	-1120	-2.22%
Multi-County - East			
Sen. 26	49,344	-1037	-2.06%
Multi-County - Southeast			
Sen. 27	51,554	+1173	+2.33%
Multi-County- West Central			
Sen. 28	51,465	+1084	+2.15%
Multi-County Southwest			
Sen. 29	51,111	+730	+1.45%

Relative Mean Deviation: State = 1.44

Districts 1-12 (Salt Lake County)	.80
Districts 21-23 (Davis)	3.05
Districts 14-17 (Utah)	1.69
Districts 18, 19, 20, 24, 25	1.62
Balance of State - 13, 26, 27, 28, 29	1.61

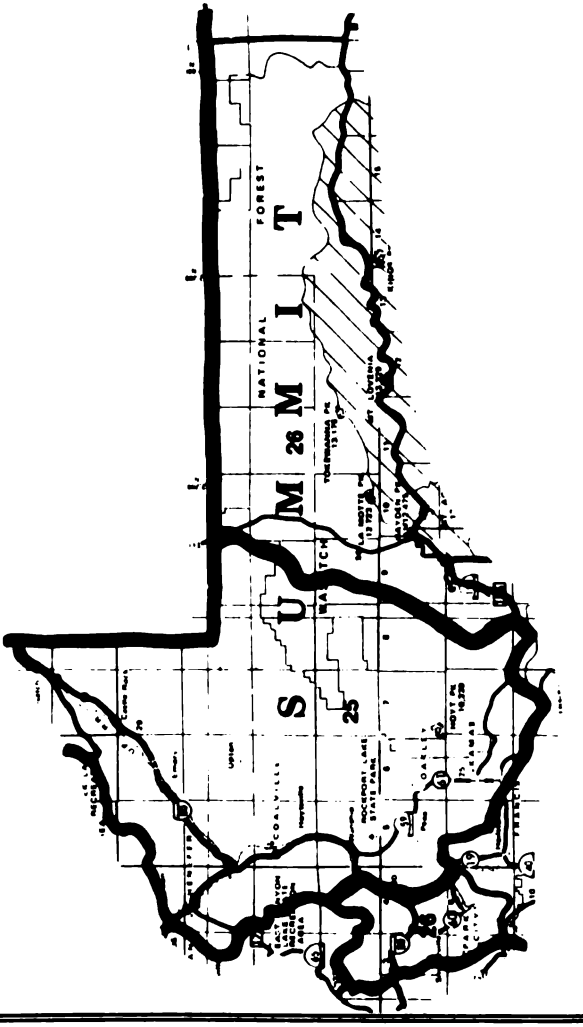

II - 1
UTAH
UTAH STATE SENATE
24
BOX ELDER
CACHE
RICH
25
19
20
MORGAN
18
21-23
SUMMIT
DAGGETT
13
TOOELE
1-12
WASATCH
26
DUCHESNE
UINTAH
UTAH
14-17
JUAB
CARBON
SANPETE
MILLARD
28
EMERY
GRAND
SEVIER
BEAVER
PIUTE
WAYNE
27
IRON
GARFIELD
29
SAN JUAN
WASHINGTON
KANE


II - 2
CARBON COUNTY
UTAH STATE SENATE
CARBON
EMERY
27
26
PRICE
HELPER
Kenilworth
WELLINGTON
EAST CARBON CITY
SCOFIELD
Standardville
Clearcreek
Mutual
Consumers
National
Mutual
Reos
SCOFIELD LAKE STATE RECREATION AREA
Wattis
HILL

II - 3

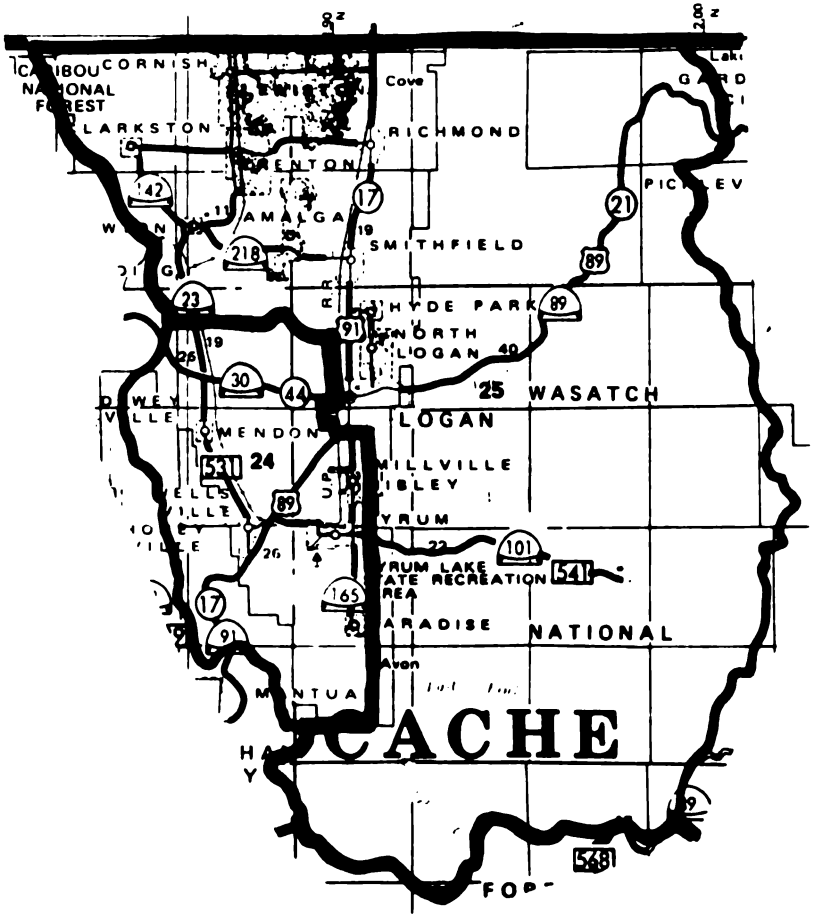
SUMMIT COUNTY

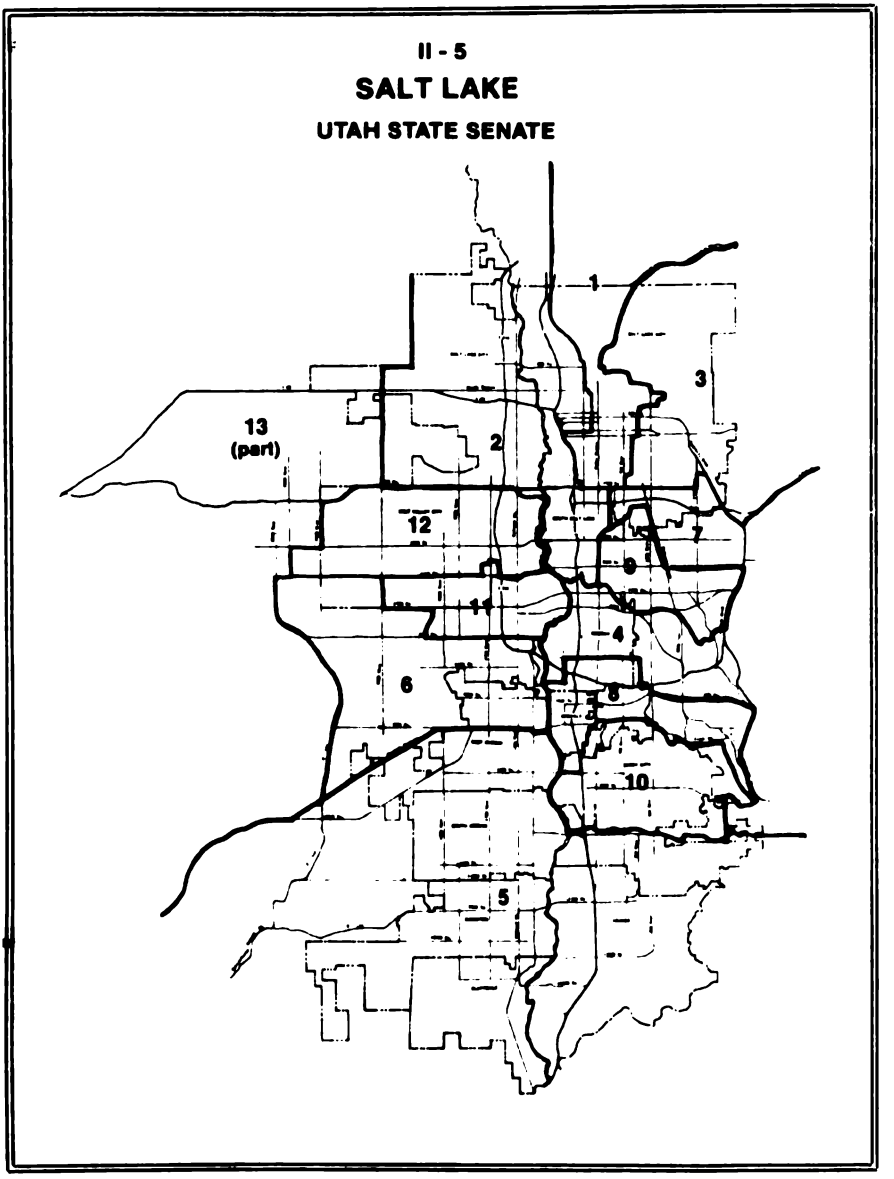
UTAH STATE SENATE



II - 4

CACHE COUNTY
UTAH STATE SENATE




II - 5
SALT LAKE
UTAH STATE SENATE
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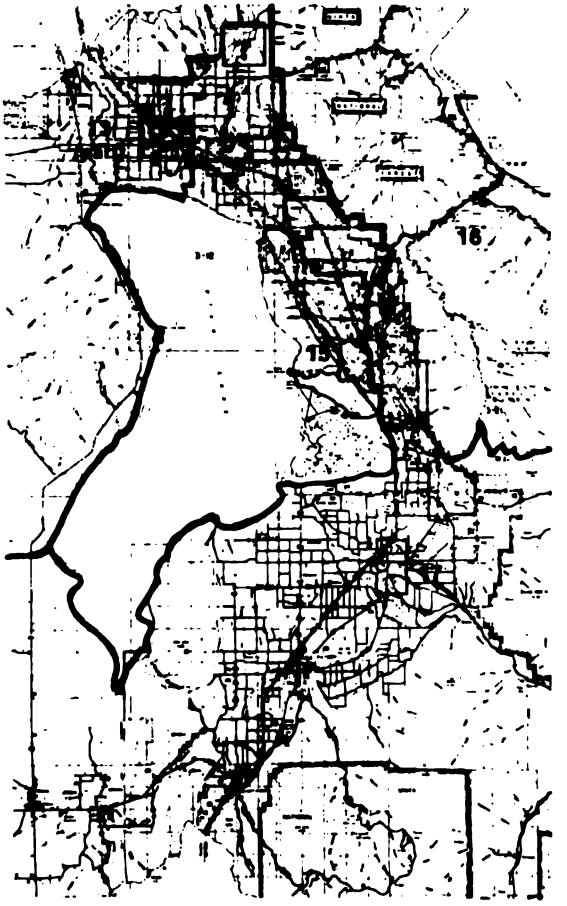
II - 6

UTAH COUNTY

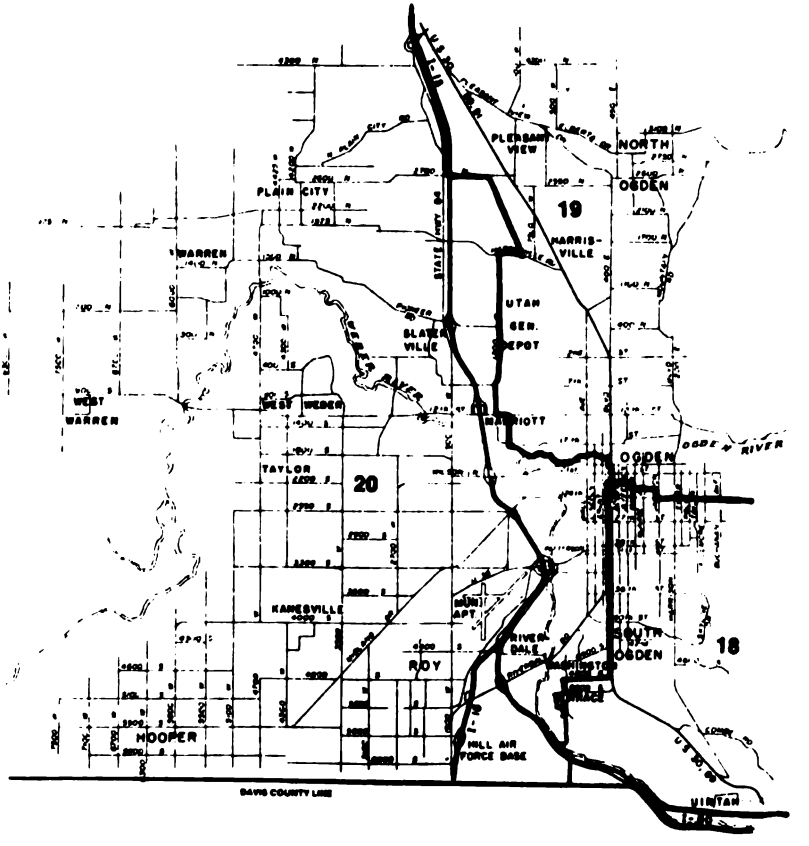
UTAH STATE SENATE

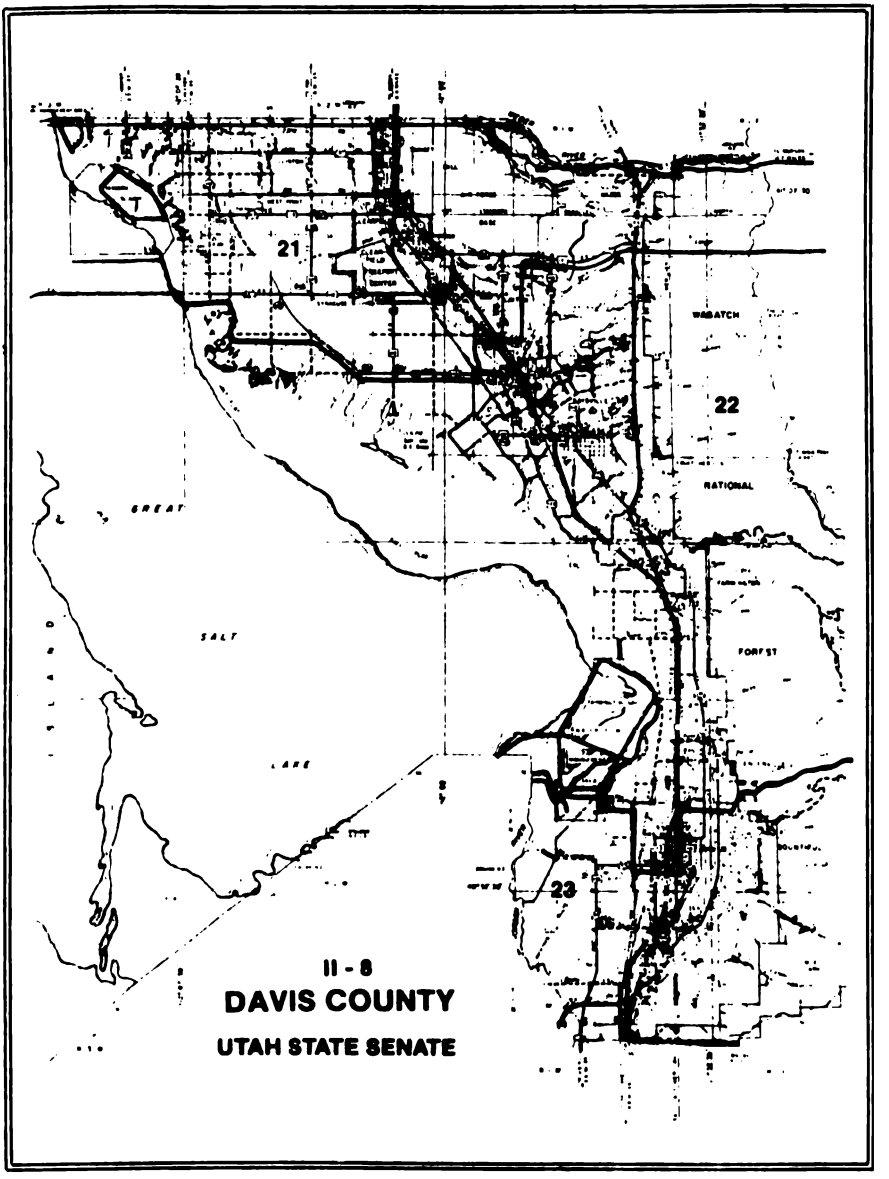


II - 7

OGDEN

UTAH STATE SENATE




21
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WASATCH
NATIONAL
FOREST
GREAT
SALT
LAKE
II - 8
DAVIS COUNTY
UTAH STATE SENATE

HOUSE REAPPORTIONMENT

I. Current Status

Constitutional Provisions — Article IX, Section 3 of the Utah Constitution sets the membership of the Utah House of Representatives at no greater than three times and no less than twice the number of state senate seats. This provision, in addition to those already noted for the state senate, provides the framework for reapportionment of the Utah House of Representatives.

House Membership — In 1972 the legislature provided for a seventy-five member house, an increase in membership from the previous sixty-nine. For the same reasons as those given for retaining a twenty-nine member senate, the Reapportionment Committee recommends maintaining a seventy-five member house.

Ideal Population — The same legal and policy guidelines adopted for the state senate reapportionment apply to the house reapportionment. The ideal population for each of the seventy-five house districts would be 19,480.

II. Standards for House Reapportionment

Statistical — A perfect population split would provide for house districts of 19,480. A relative deviation standard of ±4 percent from the ideal was also adopted by the committee for a range from 18,701 to 20,259.

General — The same standards providing for equal votes, community of interests, and contiguity and compactness were adopted for house reapportionment as for state senate reapportionment. The legal standards were established in *Reynolds v. Sims* in which the Fourteenth Amendment was applied to the state legislatures to require "substantially equal" districts. The policy standards are the same for the house as they are for both the senate and the congressional reapportionment since they derive from the stated guidelines of the Reapportionment Committee and do not emanate from the same federal law cases. Because house seats are more numerous than senate seats, the realignment of house districts was more difficult than the congressional or senate plans. As in the senate plan, multidistrict counties and multicounty districts were created and the same considerations of geographic, political, and social ties were made.

III. Discussion of Plan

The House of Representatives has an ideal district size of 19,480 as compared with the Senate's 50,381. Maintaining the same deviation standard of ideal

population for the house required consideration of the equal population standard with a much smaller standard for each district. Changing the population of a district by just a few people can dramatically affect the entire grouping of districts within a county, as well as many adjacent counties. The committee attempted to keep counties intact and seriously considered reducing the size of the house membership to accomodate several counties, but unacceptable deviations occurred, in not splitting Washington County, and keeping Daggett County with Uintah County.

After several months of grouping counties for rural representation, including plans for a sixty-nine member house, the committee determined that the proposed seventy-five member house plan best meets the equal representation mandate.

Utah's history and projections for the future indicate that the urban areas of the state continue to increase at a faster rate than the balance of the state. Given the underlying concern for equal representation in redressing representation imbalances, the committee felt that it would not be in the best interest of the state to continue to split up urban counties as has been done before (e.g., in 1972, all four of the urban counties were aligned with rural counties, with Utah County being cut three times). However, the urban areas do not receive any greater proportion of representation than that to which they are entitled by the courts.

A. Multicounty/Rural — Certain district boundaries are self-evident, and it is felt by the committee that those combinations of two or more counties, where special factors exist, should be highlighted for purposes of this report.

1. House Districts 1, 2 and 21 — Box Elder and Tooele Counties are two of the larger counties in the state, whose population centers are on the far east sides of the counties. It was expressed several times that the Brigham City and Tremonton areas must be separate from each other. The eastern populations of both Box Elder and Tooele Counties are too large to merit a single representative. The combination of these two counties in the western areas, however, represents an ideal opportunity for these two areas to have their own representative. Another option, strongly considered, was to have Millard, Juab and Tooele Counties put together. However, the potential impact of I.P.P., as well as future considerations, makes this a less ideal possibility. The atlas shows at least one road connecting Tooele and Box Elder Counties and another connecting road somewhat farther to the west. Both counties contain common agricultural and economic characteristics.

2. House District 4 — This district combines the north and west portions of Rich County with the eastern portion of Cache. With the great influx of people coming into the Bear Lake area, small urban problems are already occurring. Agricultural concerns are also paramount with Cache and Rich Counties. This combination recognizes a commonality of interests in both areas.

3. House District 54 — The balance of Rich County is contained within this district and provides a common community of interest in an agriculture/rural context. The western portion of Wasatch County, along with Summit County, is a natural combination, demonstrating a strong commonality of interest with Kamas, Coalville and western Wasatch areas.

4. House District 55 — This district combines the eastern part of Wasatch with all of Duchesne County and the portion of Uintah County adjacent to Roosevelt City. The economic and social interests of this area are self-evident. Meeting equal population standards for this area is not possible without taking a portion of adjacent counties.

5. House District 56 — The combination of Daggett and Uintah Counties is a natural combination, with long standing common ties.

6. House District 68 — This district combines Juab, Millard and the western portions of Sanpete and Sevier Counties. The development of the Intermountain Power Project, a major cement plant, and possible military impact makes this an ideal district. The western portions of Sanpete and Sevier are also impacted and are included in this district in order to provide a commonality of representation.

7. House District 69 — This district represents a commonality of interests joining the central portions of Sanpete and Sevier Counties.

8. House District 71 — The northeast portion of Sanpete County is joined with all of Emery County (Hiawatha, and the East Carbon area of Carbon County), which provides a good representation to those areas related to coal, other related energy developments, and the workers who work and live in those areas. The westernmost portion of Grand County is also included in this district which will allow the residents of Green River who live in Grand County to be connected with the other part of the city, which is in Emery County.

9. House District 72 — This district combines the Milford, Minersville area of Beaver County with Iron County. There are major transportation and economic ties between these two areas.

10. House District 73 — This district combines Kane, Garfield, Wayne, and Piute Counties with the eastern parts of Washington and Beaver Counties. The district contains small communities which are highly concerned with National Parks and other federal land issues.

11. House District 74 — This district combines San Juan with the Moab division of Grand County. The committee received input that this district is favored over the current San Juan combination with counties west of the Colorado River.

B. Urban — The population shifts and increases of the past ten years are probably as dramatic in the urban areas as in the rural areas of the state. Although Weber County grew over 14 percent during the past decade, it dropped from the third to the fourth largest county. Under this proposed redistricting, it loses one and one-half seats. Davis County is now the third largest county, increasing its population by 48 percent. The proposed plan gives Davis County 53 percent of the population in a shared district with Weber County.

Salt Lake County increased by 35 percent and will keep its present allotment of 32 seats; however, a tremendous shift within the county has occurred. The first twenty-two districts are all below the ideal population. Conversely, many of the house districts in the southern part of the county have a population larger than some of the current senate districts in the northern area. The proposed plan redistributes Salt Lake's thirty-two seats within the county. The population in Utah county increased by over 58 percent during the past ten years. The proposed plan allocates two additional seats to this county.

1. House District 13 — Combines the southwest portion of Weber County (Hooper, etc.) with the northwest area of Davis County (Sunset, Clinton). This comprises an area with traditional economic and social ties.

IV. Statistical Summary and Maps

The following statistical summary and maps have been prepared for your reference:

House of Representatives Summary
State of Utah - III-1
Box Elder County - III-2
Tooele County - III-3
Cache County - III-4
Rich County - III-5
Wasatch County - III-6
Uintah County - III-7
Sanpete County - III-8
Sevier County - III-9
Carbon County - III-10
Grand County - III-11

Beaver County - III-12
Washington County - III-13
Ogden - III-14
District 13 - III-15
Davis County - III-16
Salt Lake - III-17
Utah County - III-18

HOUSE OF REPRESENTATIVES FINAL PLAN

19,480 = Ideal District Size

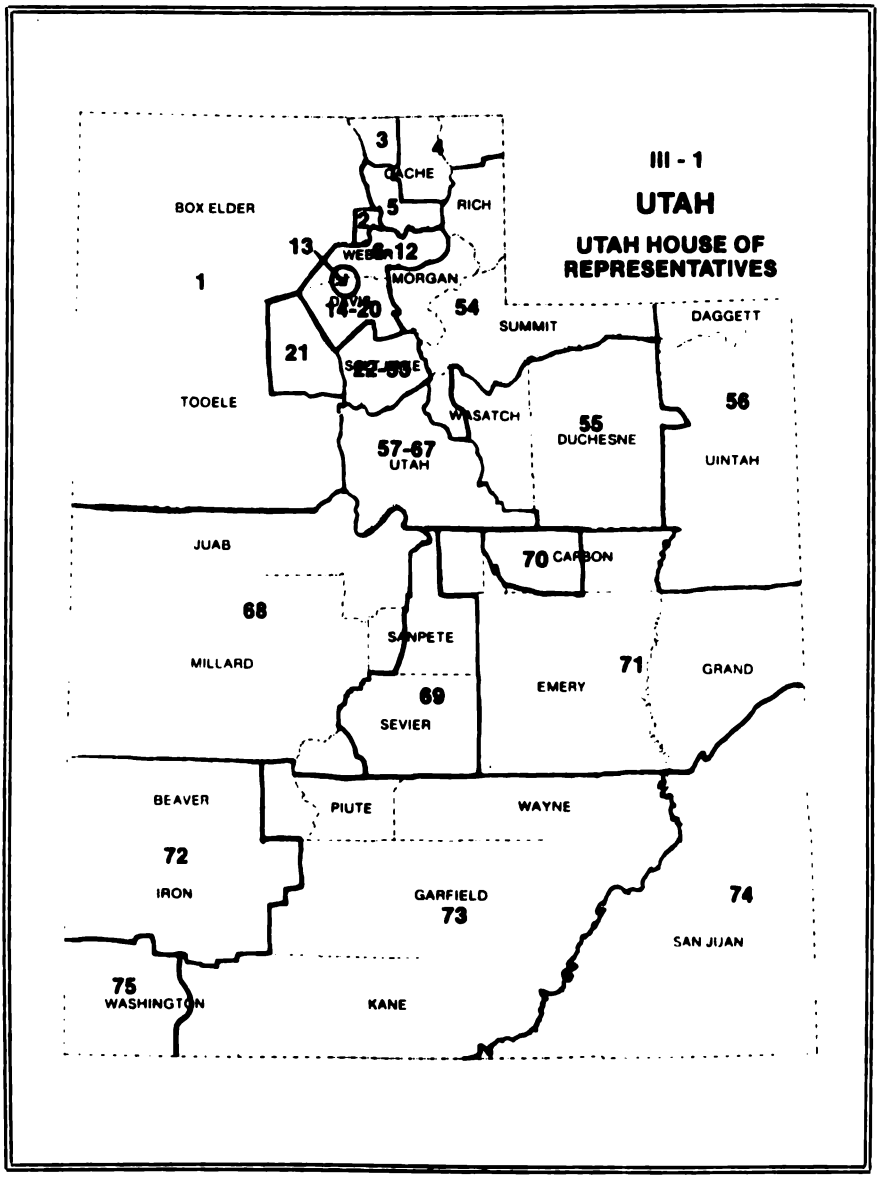
District	Actual Population	Absolute Deviation	Relative Deviation
District 1	19,549	+69	+.51%
District 2	19,533	+53	+.27%
District 3	19,560	+80	+.41%
District 4	19,147	-333	-1.71%
District 5	19,341	-139	-71%
District 6	19,336	-144	-.74%
District 7	19,020	-460	-2.36%
District 8	19,567	+87	+.45%
District 9	19,811	+331	+1.70%
District 10	19,744	+264	+1.36%
District 11	19,270	-210	-1.08%
District 12	18,862	-618	-3.17%
District 13	19,315	-165	-.85%
District 14	19,350	-130	-.67%
District 15	18,955	-525	-2.70%
District 16	18,887	-593	-3.04%
District 17	19,482	+2	+.01 %
District 18	19,655	+175	+.90%
District 19	19,820	+340	+1.75%
District 20	20,082	+602	+3.09%
District 21	20,173	+693	+3.56%
District 22	20,125	+645	+3.31%
District 23	19,091	-389	-2.00%
District 24	19,637	+157	+.81 %
District 25	19,620	+140	+.72%
District 26	20,143	+663	+3.40%
District 27	19,195	-285	-1.46%

District 28	19,027	-453	-2.33%
District 29	18,968	-512	-2.63%
District 30	18,780	-700	-3.59%
District 31	19,093	-387	-1.99%
District 32	19,019	-461	-2.37%
District 33	18,901	-579	-2.97%
District 34	19,049	-431	-2.21%
District 35	19,183	-297	-1.52%
District 36	19,005	-475	-2.44%
District 37	19,001	-479	-2.46%
District 38	18,802	-678	-3.48%
District 39	19,544	+64	+.33%
District 40	18,990	-490	-2.52%
District 41	20,118	+638	+3.28%
District 42	18,791	-689	-3.54%
District 43	18,714	-766	-3.93%
District 44	18,828	-652	-3.35%
District 45	19,237	-243	-1.25%
District 46	18,916	-564	-2.90%
District 47	18,855	-625	-3.21%
District 48	19,765	+285	+1.46%
District 49	20,171	+691	+3.55%
District 50	20,216	+736	+3.78%
District 51	19,924	+444	+2.28%
District 52	20,233	+753	+3.87%
District 53	20,125	+645	+3.31%
District 54	19,577	+97	+.50%
District 55	20,161	+681	+3.50%
District 56	18,968	-512	-2.63%
District 57	19,806	+326	+1.67%
District 58	20,041	+561	+2.88%
District 59	20,037	+557	+2.86%
District 60	19,837	+357	+1.83%
District 61	20,006	+526	+2.70%
District 62	19,865	+385	+.98%
District 63	19,934	+454	+2.33%
District 64	20,005	+525	+2.70%
District 65	19,972	+492	+2.53%
District 66	18,899	-581	-2.98%
District 67	19,704	+224	+1.15%
District 68	19,981	+501	+2.57%
District 69	19,739	+259	+1.33%

District 70	19,360	-120	-.62%
District 71	18,723	-757	-3.89%
District 72	19,429	-51	-.26%
District 73	19,564	+84	+.43%
District 74	20,168	+688	+3.53%
District 75	19,736	+256	+1.31%

Relative Mean Deviation: State = 2.13

Districts 6-20 (Weber-Davis)	1.59
Districts 22-53 (Salt Lake)	2.57
Districts 57-67 (Utah)	2.33
Balance of State	1.63


III - 1
UTAH
UTAH HOUSE OF REPRESENTATIVES
BOX ELDER
1
CACHE
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RICH
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2
13
WEBER
12
MORGAN
14-20
54
SUMMIT
DAGGETT
21
22-53
TOOELE
WASATCH
55
DUCHESNE
56
UINTAH
57-67
UTAH
JUAB
70 CARBON
68
SANPETE
MILLARD
71
GRAND
EMERY
69
SEVIER
BEAVER
PIUTE
WAYNE
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IRON
GARFIELD
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SAN JUAN
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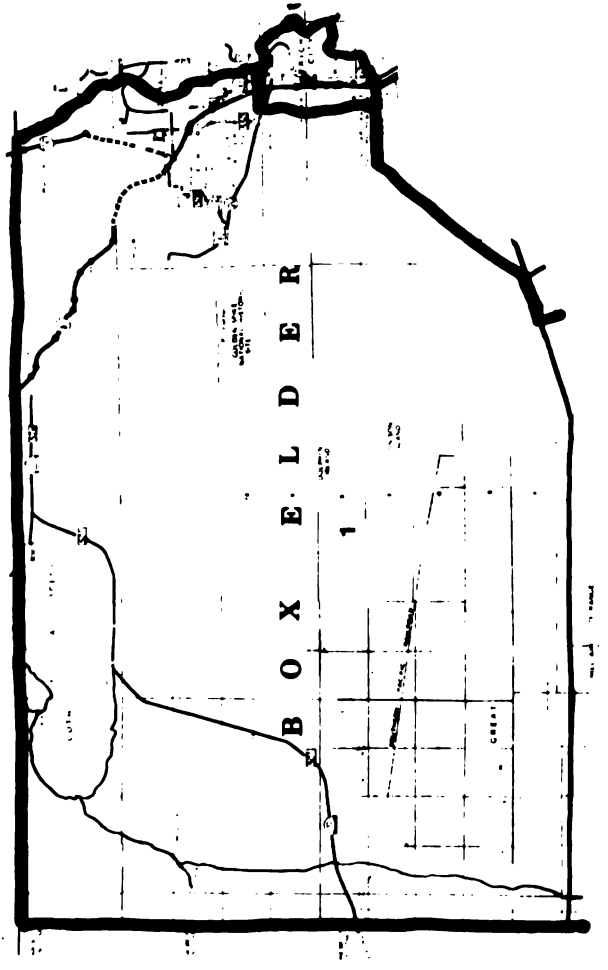
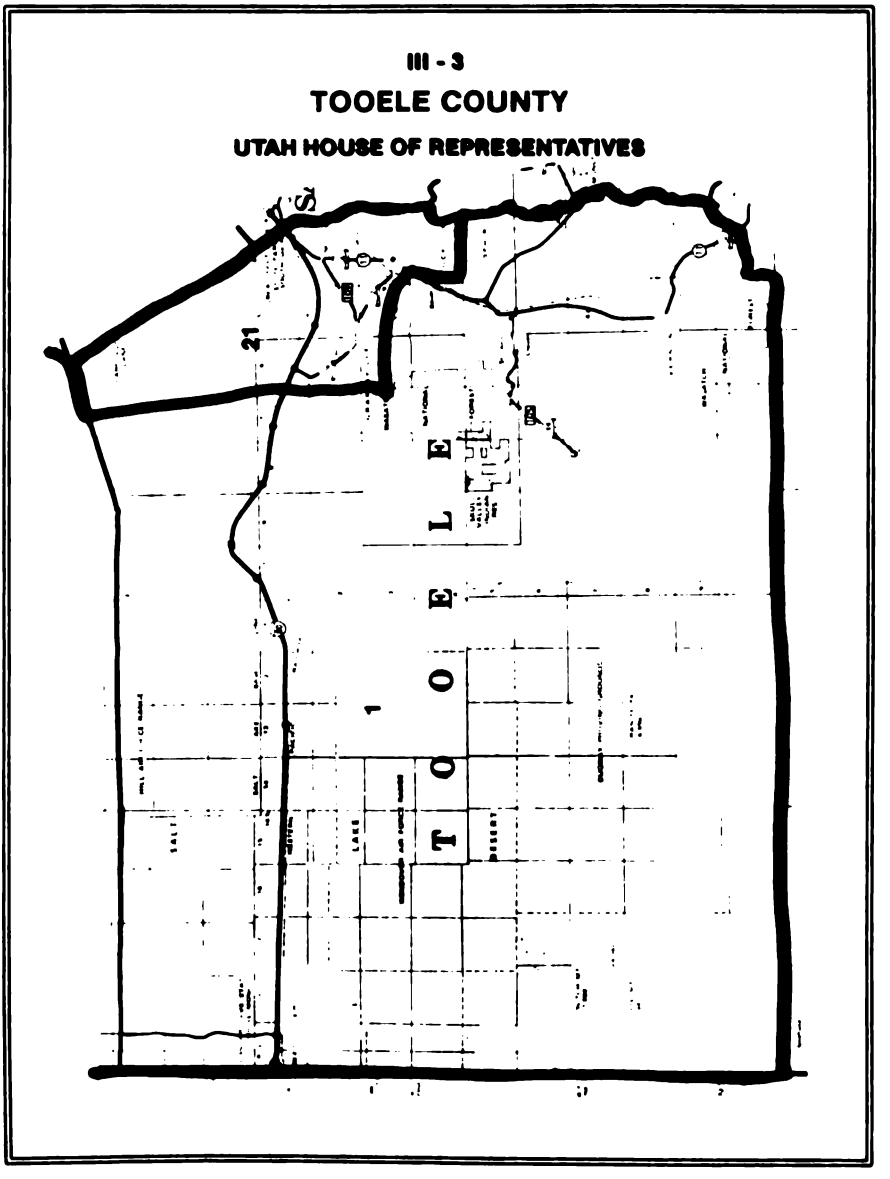
WASHINGTON
KANE

III - 2

BOX ELDER COUNTY

UTAH HOUSE OF REPRESENTATIVES

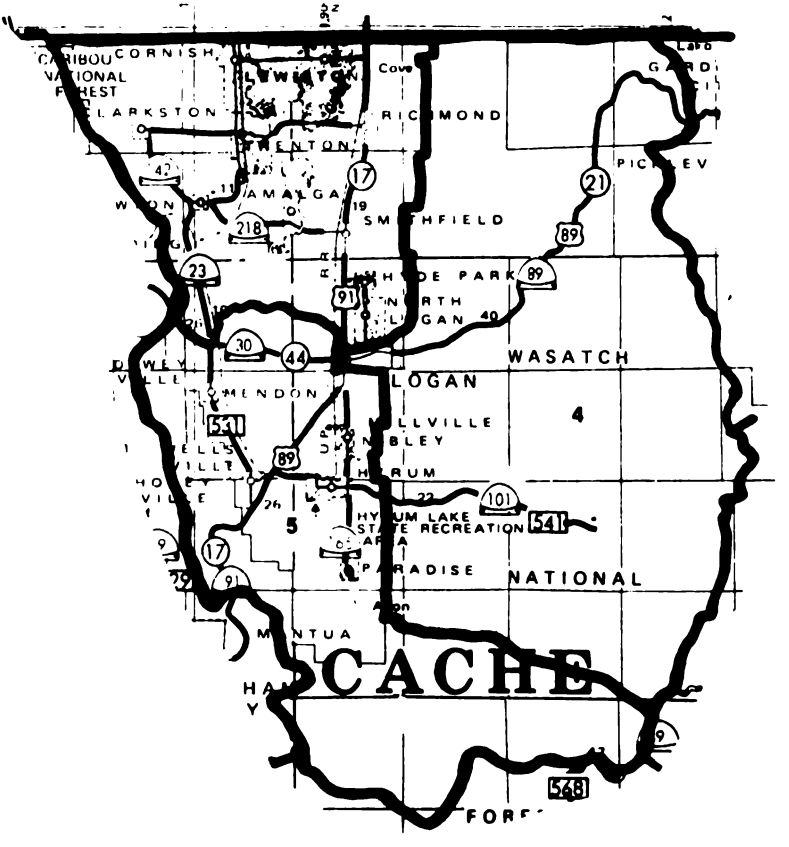



III - 3
TOOELE COUNTY
UTAH HOUSE OF REPRESENTATIVES
21
TOOELE

III - 4

CACHE COUNTY

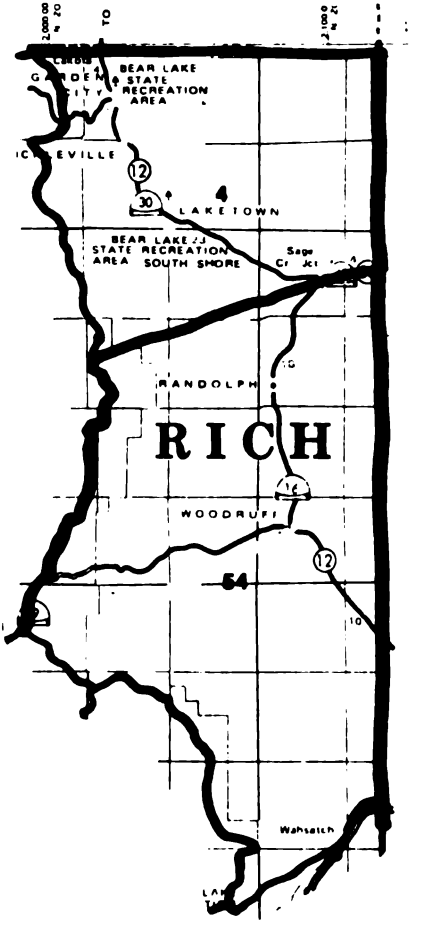
UTAH HOUSE OF REPRESENTATIVES



III - 5

RICH COUNTY

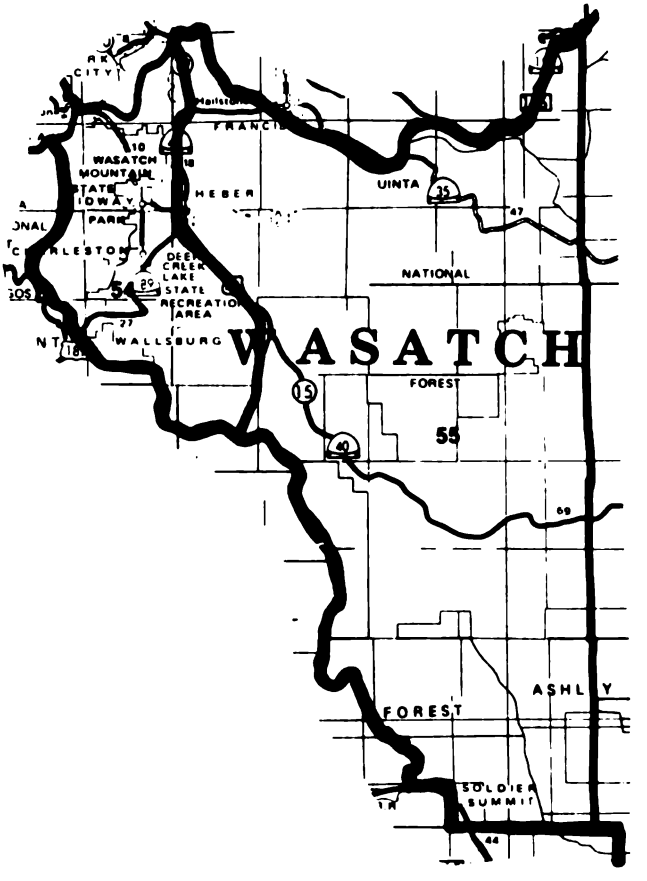
UTAH HOUSE OF REPRESENTATIVES



III - 6

WASATCH COUNTY

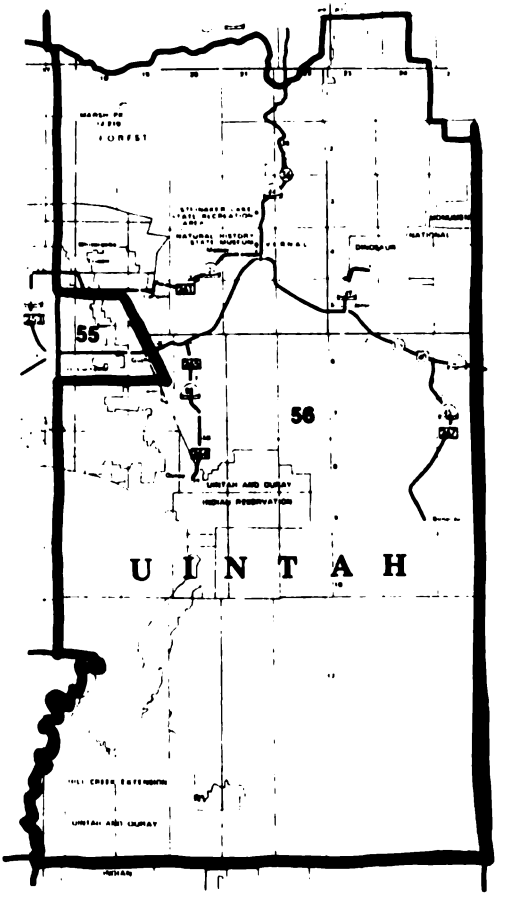
UTAH HOUSE OF REPRESENTATIVES



III - 7

UINTAH COUNTY

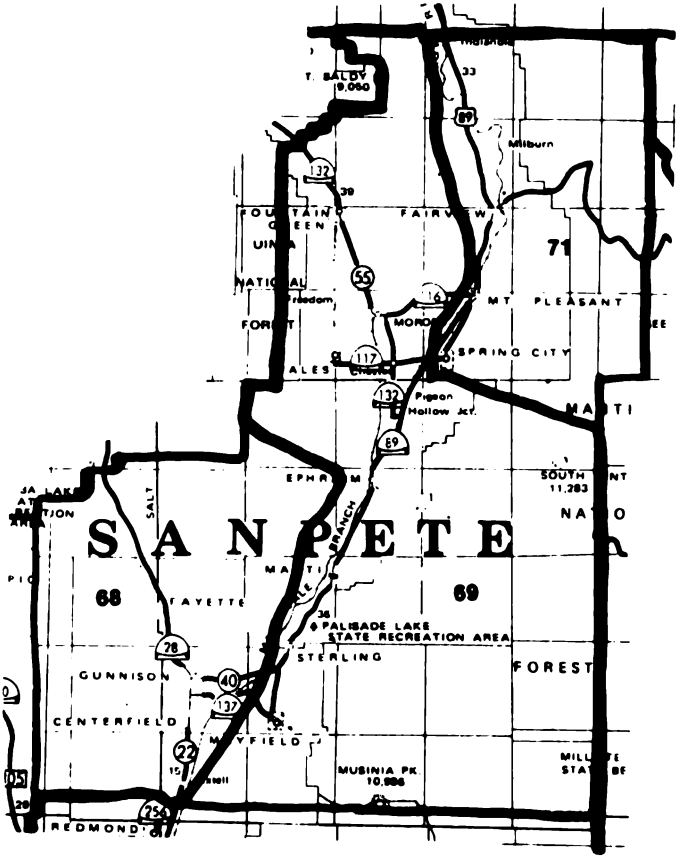
UTAH HOUSE OF REPRESENTATIVES



III - 8

SANPETE COUNTY

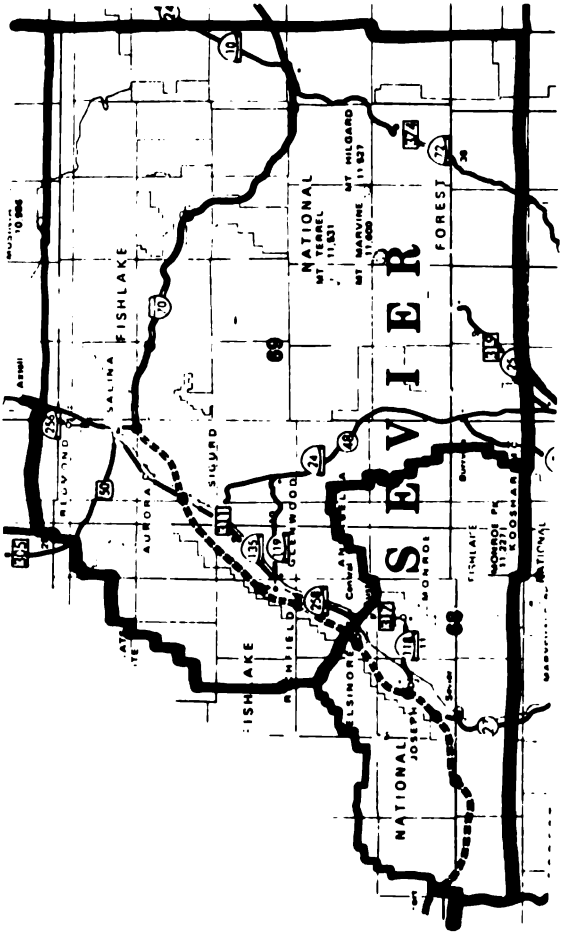
UTAH HOUSE OF REPRESENTATIVES



III - 9

SEVIER COUNTY

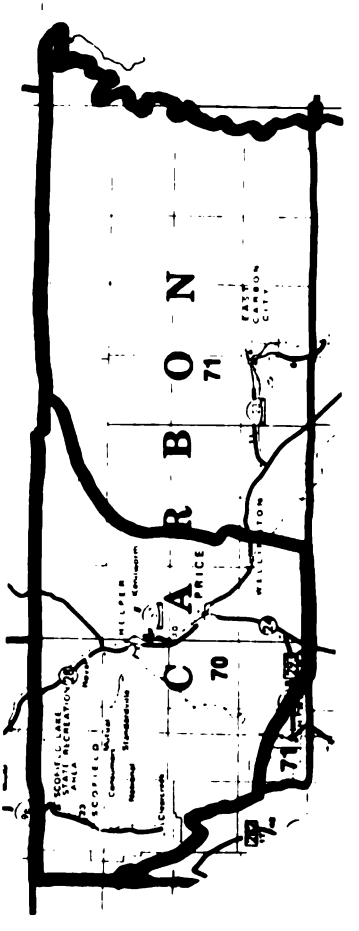
UTAH HOUSE OF REPRESENTATIVES



III - 10

CARBON COUNTY

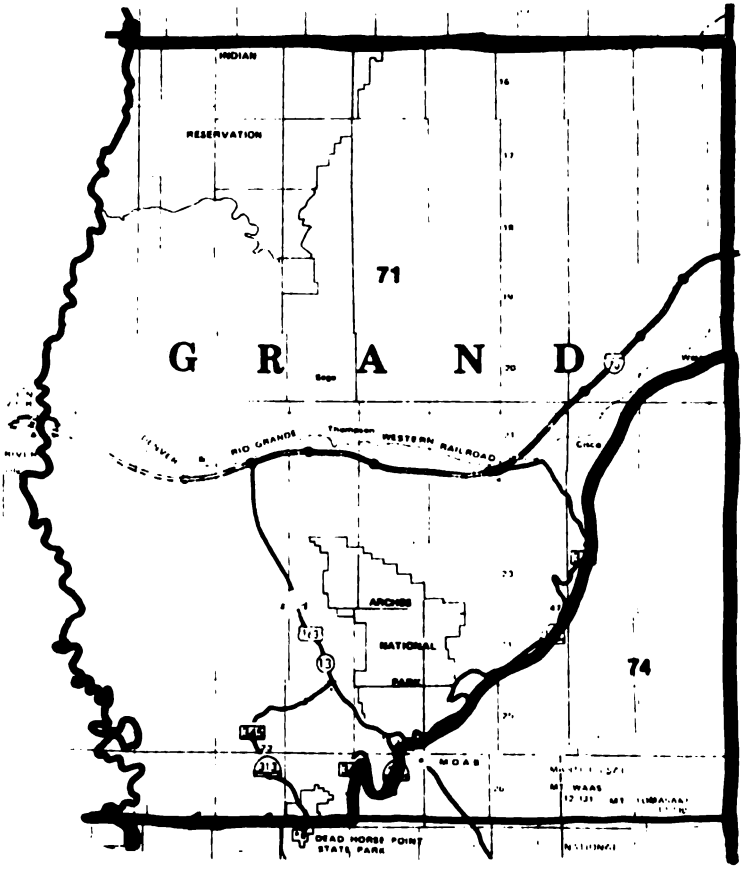
UTAH HOUSE OF REPRESENTATIVES



III - 11

GRAND COUNTY

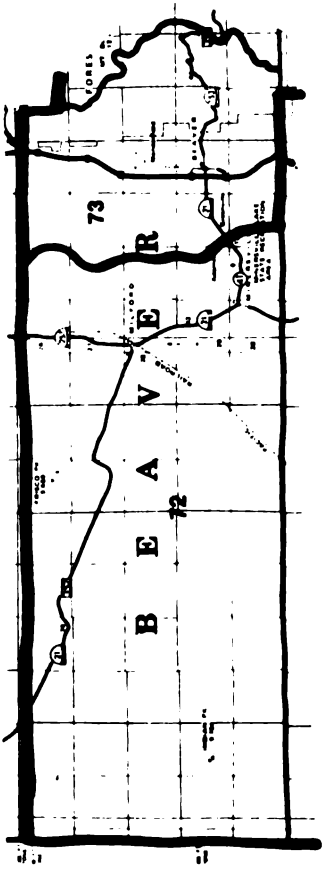
UTAH HOUSE OF REPRESENTATIVES



III - 12

BEAVER COUNTY

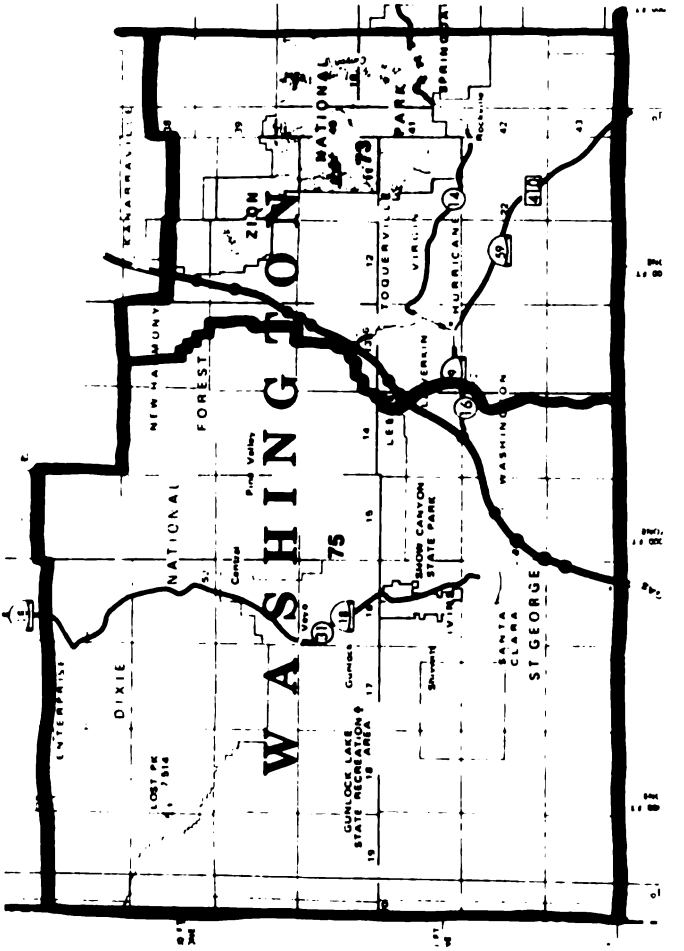
UTAH HOUSE OF REPRESENTATIVES



III - 13

WASHINGTON COUNTY

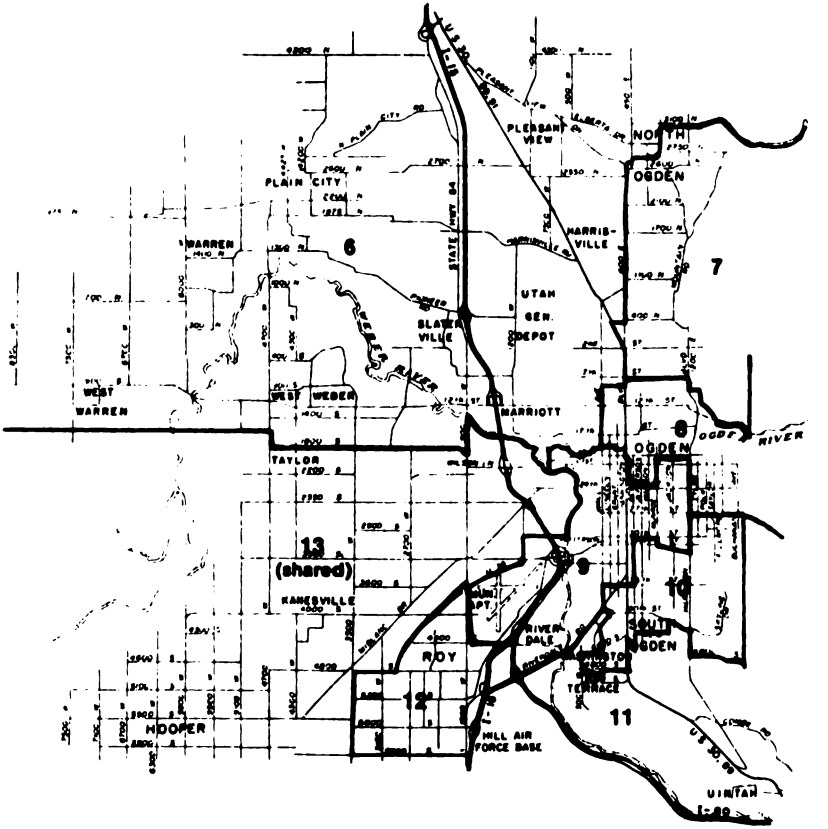
UTAH HOUSE OF REPRESENTATIVES



III - 14

OGDEN

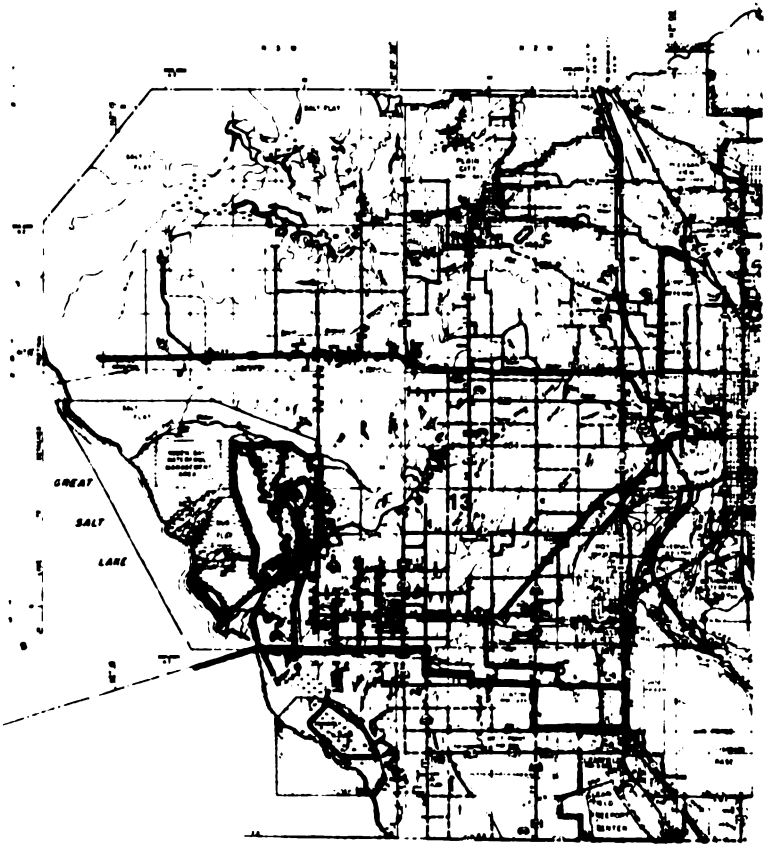
UTAH HOUSE OF REPRESENTATIVES

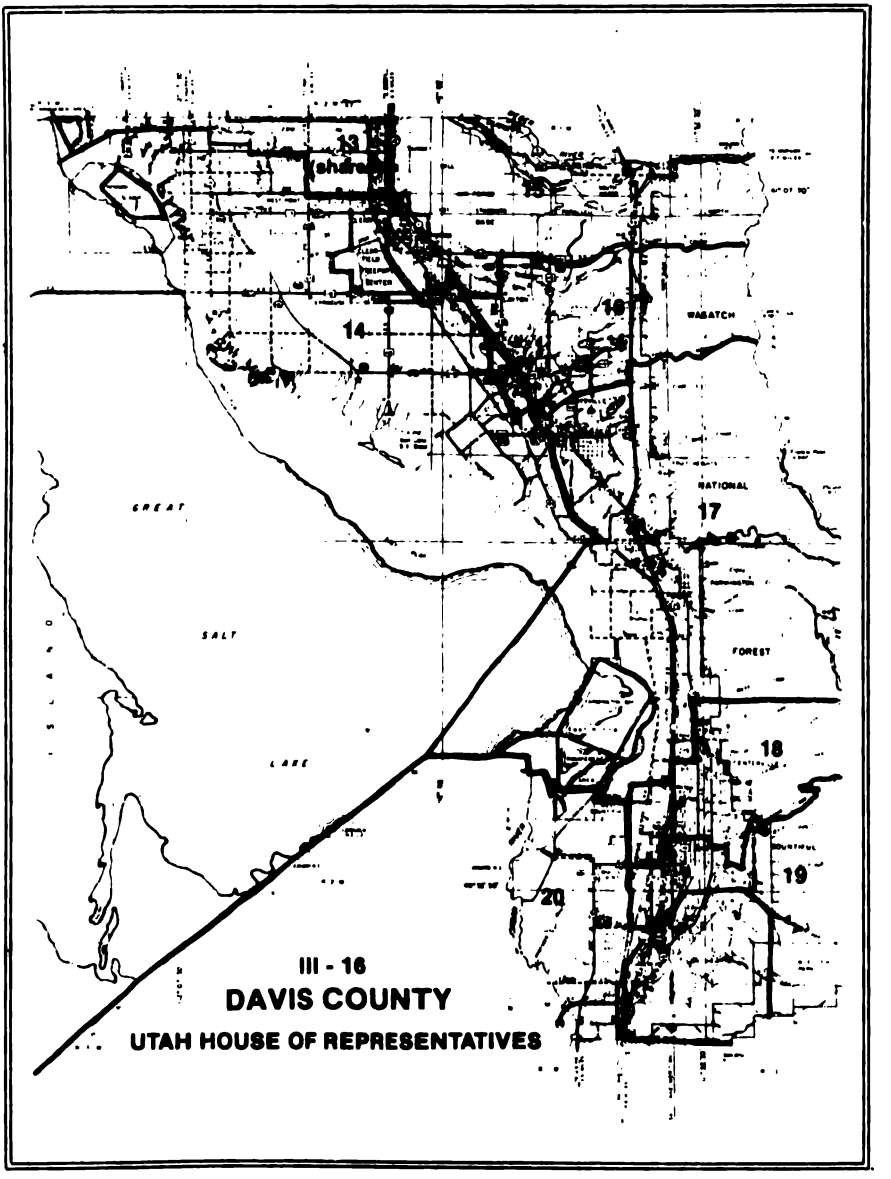


III - 15

DISTRICT 13

UTAH HOUSE OF REPRESENTATIVES

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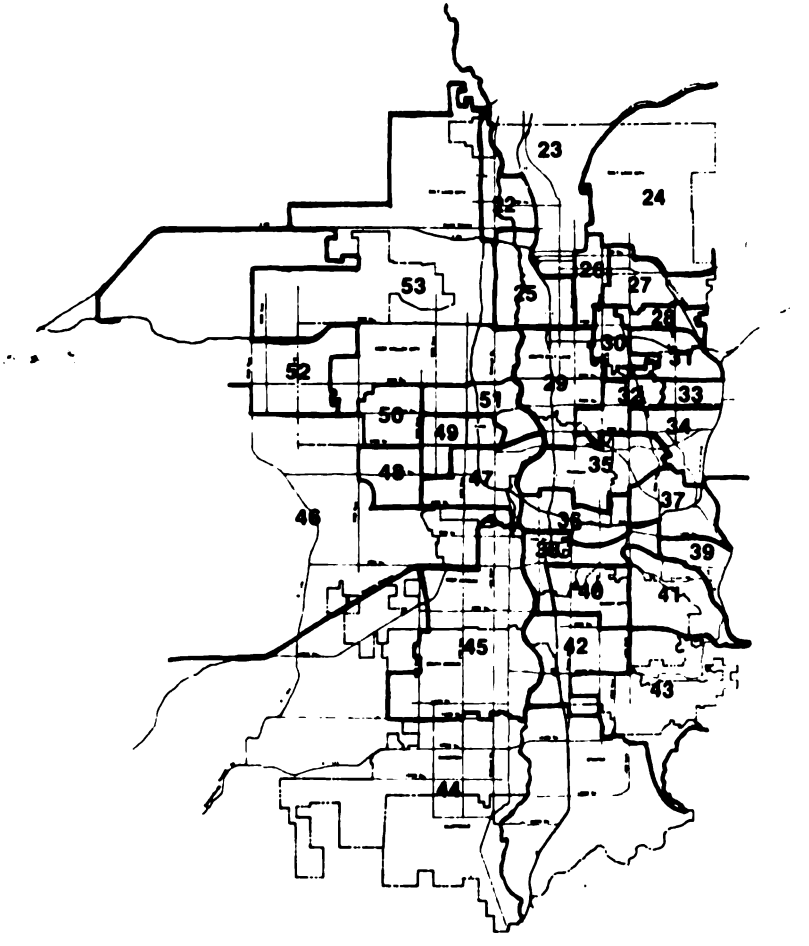
DAVIS COUNTY
UTAH HOUSE OF REPRESENTATIVES

III - 17

SALT LAKE

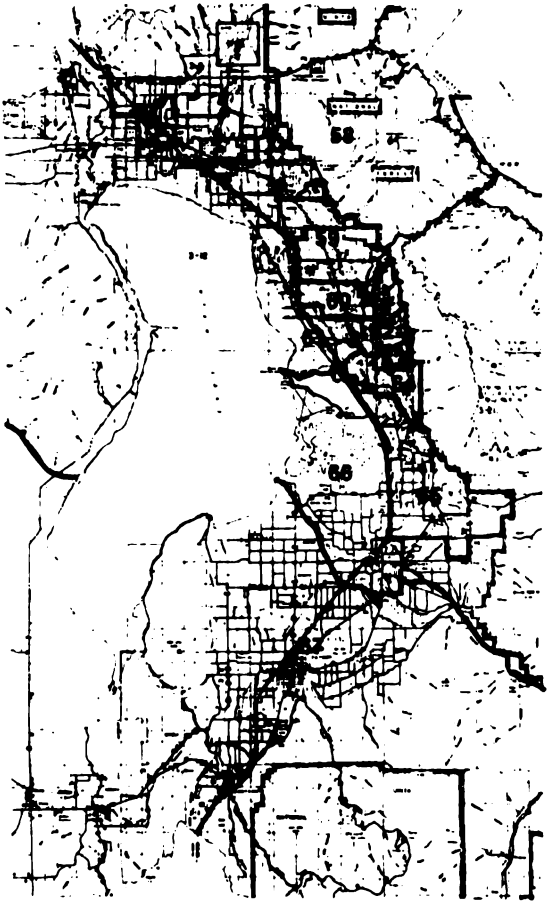
UTAH HOUSE OF REPRESENTATIVES



III - 18

UTAH COUNTY

UTAH HOUSE OF REPRESENTATIVES



SCHOOL BOARD DISTRICT REAPPORTIONMENT

I. Current Status

Constitutional Provisions — The United States Supreme Court has determined that elected school board districts must also adhere to the "one person, one vote" standard. In *Hadley v. Jr. College District*, 397 U.S. 50 (1970), the U.S. Supreme Court struck down a multimember district plan which did not give large districts an equal vote. The opinion stated that the same equal protection standards that applied to other elected governmental agencies also applied to school board elections. The Reapportionment Committee has also implemented the same policy guidelines used for congressional, senate, and house reapportionment in realigning state school board districts.

State School Board — The State School Board, last reapportioned in 1972 (Utah Code 53-2-2), consists of eleven members elected from seven school board districts formed from combinations of Utah's forty school districts. Two members are elected at large in each of four school board districts. On July 16, 1981, Reapportionment Committee members heard testimony from Dr. Walter Talbot, Superintendent of Public Instruction, and representatives of the Utah Education Association, the Utah School Boards Association, the Utah Parent-Teacher Association, and the Granite Board of Education. As a result of this public hearing, and after review of the legal criteria for population equality among districts, committee members voted to recommend changing from an eleven-member to a nine single-member school board district plan. District boundaries are drawn primarily to reflect population equality, with some consideration for school district boundaries.

(Note: At the time of this report's printing, the Reapportionment Committee had not yet agreed on a school board redistricting plan. Two plans were before the committee at its last meeting on October 21, 1981, and a final recommendation is expected just before or during the Special Session which begins on October 28, 1981.)

II. Standards for School Board Reapportionment

A. Statistical Standards — Dividing Utah's population of 1,461,037 by nine school board districts provides an ideal district size of 162,337. Following the house and senate's ±4 percent standard, school board districts may range in size from 155,844 to 168,830. In Plan I, the actual districts range from 158,702 (-2.33 percent) to 168,407 (+3.73 percent) and in Plan II, the actual districts range from 159,577 (-1.70 percent) to 167,044 (+2.90 percent).

B. General Standards — As with congressional, senate and house reapportionment, population equality among districts is the fundamental principle for state school board redistricting. The committee also adopted community of interest, contiguity and compactness standards in developing a state school board plan. Shifts in Utah's population distribution dictated a major state school board district realignment in both plans. For example, voters now elect two at-large members from Salt Lake City and one member from the areas within the Jordan and Murray School Districts. Salt Lake City not only has lost population, but it represents only 11 percent of Utah's total population. Salt Lake City's current share of state school board representation is 18 percent. On the other hand, the areas included in the Jordan and Murray districts account for roughly 14 percent of the state's total population, and currently receive only 9 percent of the total state school board representation. In order the comply with the one person, one vote standard, district lines must cross county and school district boundaries, especially in Weber, Salt Lake, and Utah Counties.

The following section is devoted to a brief discussion of the committee's two school board reapportionment plans.

III. School Board Reapportionment

Under committee direction, staff outlined three eleven-member and three nine-member school board reapportionment plans. The committee narrowed its final choice to two plans, both of which were among the original six proposals. As noted above, at the time of this report's printing, the Reapportionment Committee had not made a final recommendation on the State School Board plan. It is expected that just before or during the Special Session the committee will make a final decision to recommend one of the two school board district plans discussed below.

A. Plan I — The first plan under committee consideration has nine single member districts. Board district boundaries to a large degree respect school district boundaries. The exceptions are in Weber County, with cuts putting Uintah and Washington. Terrace with Davis County, and divisions in the Granite and Jordan districts. Utah County is divided, once, and the line closely follows the division between the Alpine and the Nebo and Provo City School Districts.

B. Plan II — The second plan under committee consideration calls for three single member districts in each of Utah's three congressional districts. The cuts within each of the congressional districts. Plan II does not closely follow school district boundaries, the rationale being that school board members represent people, not school districts. Plan II also cuts across school districts. Plan II also cuts across county boundaries more often than Plan I. School board district lines cut once

through both Cache and Weber Counties, twice through Utah County, and numerous times through Salt Lake County.

IV. Statistical Summary and Maps

The following maps and population summaries illustrate Plans I and II. The maps included are listed below:

School Board — Plan I Summary
State of Utah - IV-1
Ogden - IV-2
Salt Lake - IV-3
Provo-Orem - IV-4
School Board — Plan II Summary
State of Utah V-1
Cache County - V-2
Ogden - V-3
Salt Lake - V-4
Utah County - V-5

PLAN I
PROPOSED NINE MEMBER STATE SCHOOL BOARD

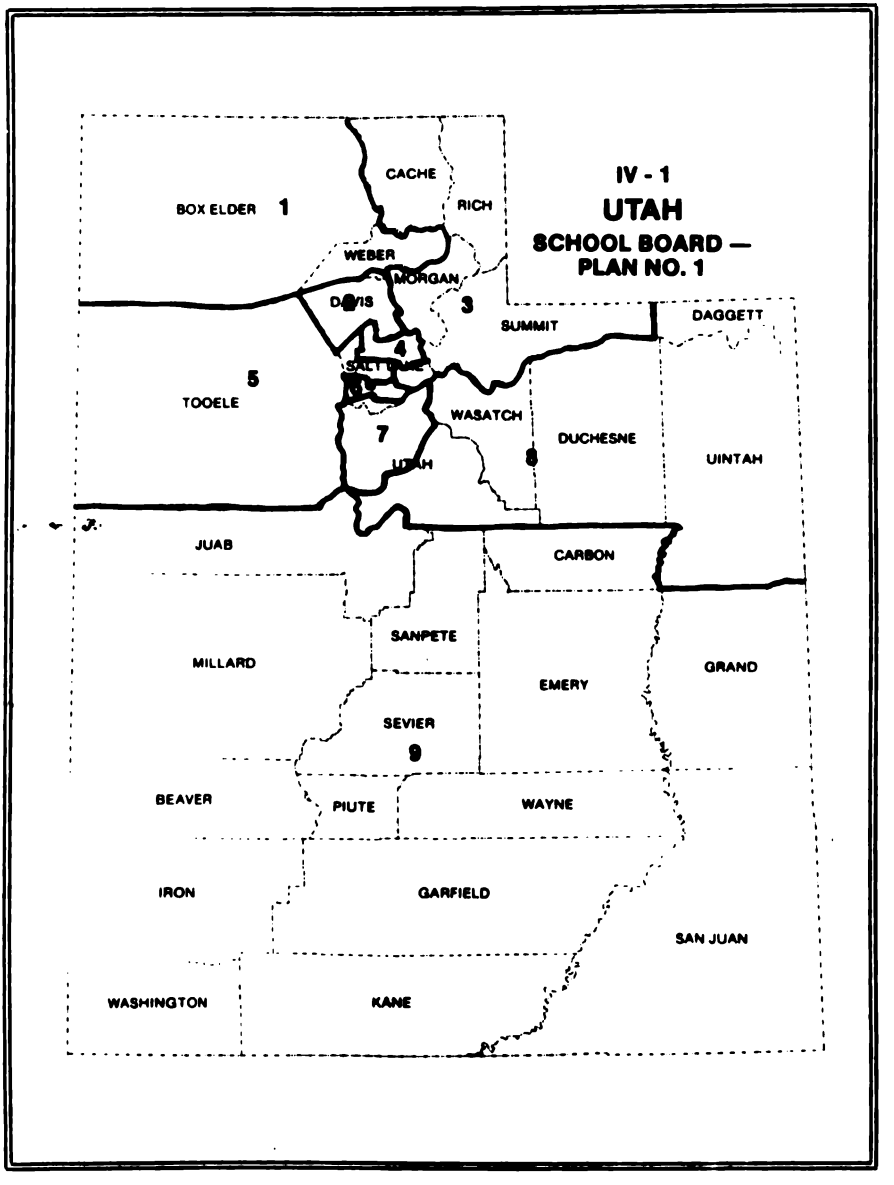
162,337 = Ideal District Size

District	County	Actual Population	Absolute Deviation	Relative Deviation
Dist. 1	Box Elder	33,222		
	Weber (part)	129,065		
		164,107	+1,770	+1.09%
Dist. 2	Weber (part)	14,670		
	Davis	146,540		
		160,271	-2,066	-1.27%
Dist. 3	Cache	57,176		
	Rich	2,100		
	Morgan	4,917		
	Summit	10,198		
	Salt Lake (part)	94,016		
		168,407	+6,070	+3.73%

Dist. 4	Salt Lake (part)	162,763	+426	+.26%
Dist. 5	Salt Lake (part)	138,924		
	Tooele	26,033		
		164,957	+2,620	+1.61%
Dist. 6	Salt Lake (part)	162,379	+42	+.03%
Dist. 7	Salt Lake (part)	60,984		
	Utah (part)	97,718		
		158,702	-3,625	-2.23%
Dist. 8	Utah (part)	120,388		
	Wasatch	8,523		
	Duchesne	12,565		
	Uintah	20,506		
	Daggett	769		
		162,751	+414	-.26%
Dist. 9	Juab	5,530		
	Millard	8,970		
	Sanpete	14,620		
	Carbon	22,179		
	Sevier	14,727		
	Emery	11,451		
	Grand	8,241		
	Beaver	4,378		
	Piute	1,329		
	Wayne	1,911		
	Iron	17,349		
	Garfield	3,673		
	Washington	26,065		
	Kane	4,024		
	San Juan	12,253		
		156,700	-5,637	-3.47%

Range: +3.73% to -3.47% = 7.2%

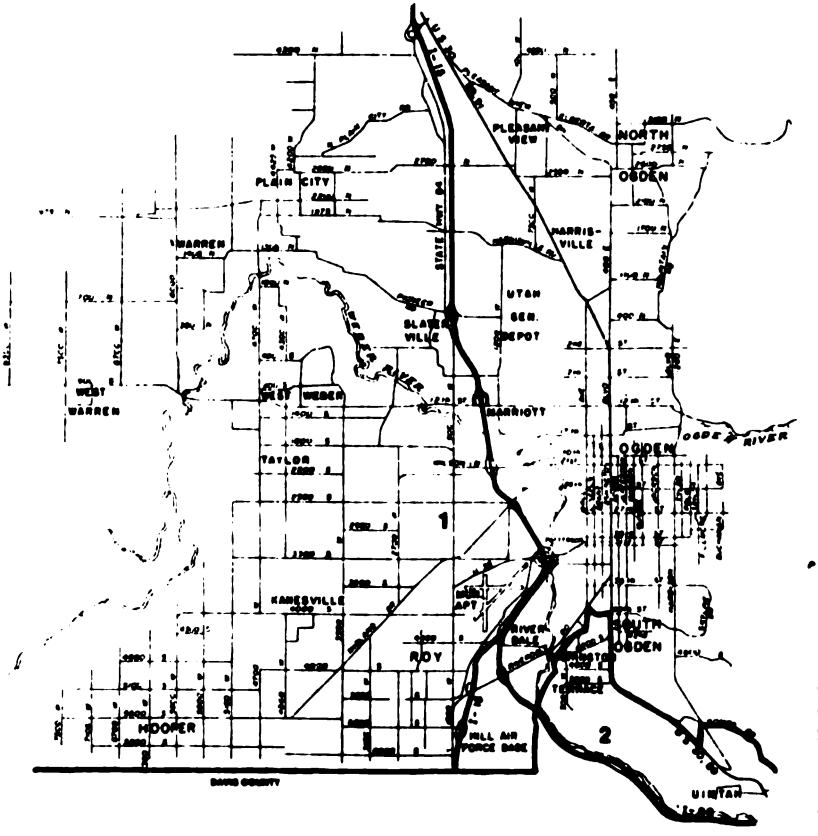
Relative Mean Deviation: State = 1.55%


IV - 1
UTAH
SCHOOL BOARD —
PLAN NO. 1
BOX ELDER
1
CACHE
RICH
WEBER
MORGAN
DAVIS
3
SUMMIT
DAGGETT
4
5
TOOELE
WASATCH
DUCHESNE
UINTAH
7
8
JUAB
CARBON
SANPETE
MILLARD
EMERY
GRAND
SEVIER
9
BEAVER
PIUTE
WAYNE
IRON
GARFIELD
SAN JUAN
WASHINGTON
KANE

IV - 2

OGDEN

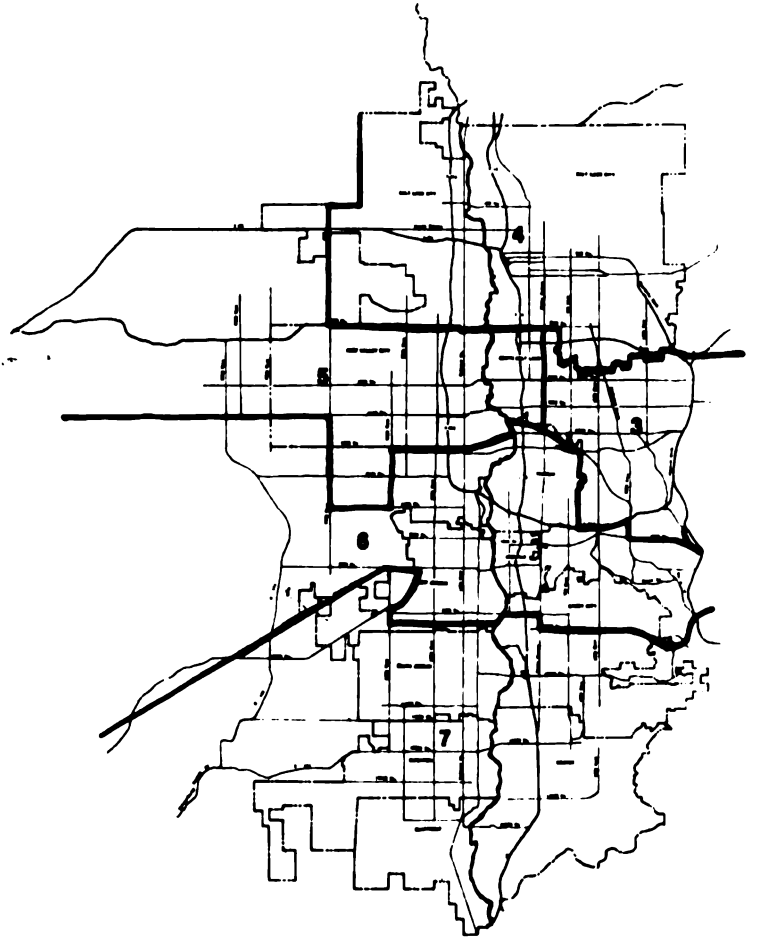
SCHOOL BOARD — PLAN NO. 1

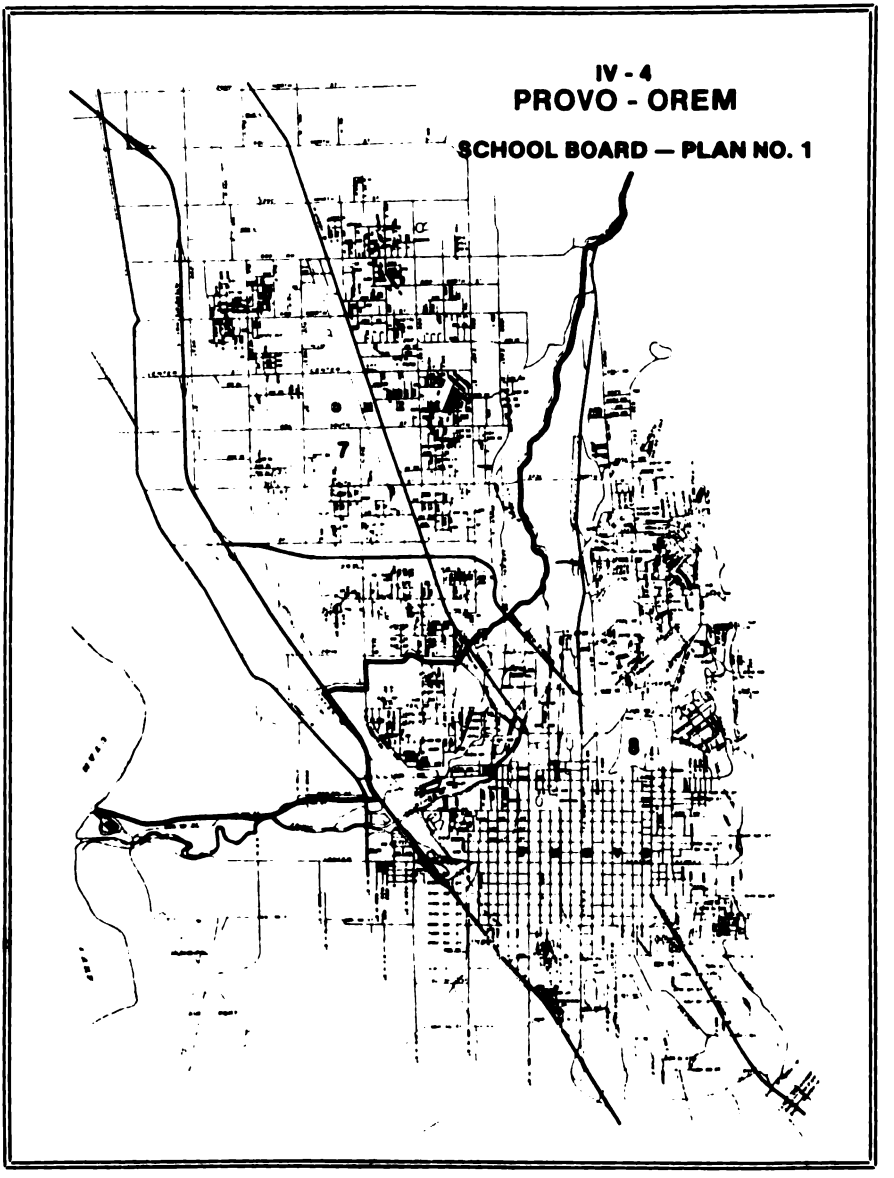


IV - 3

SALT LAKE

SCHOOL BOARD — PLAN NO. 1




IV - 4
PROVO - OREM
SCHOOL BOARD — PLAN NO. 1
7
8

PLAN II
PROPOSED NINE MEMBER STATE SCHOOL BOARD

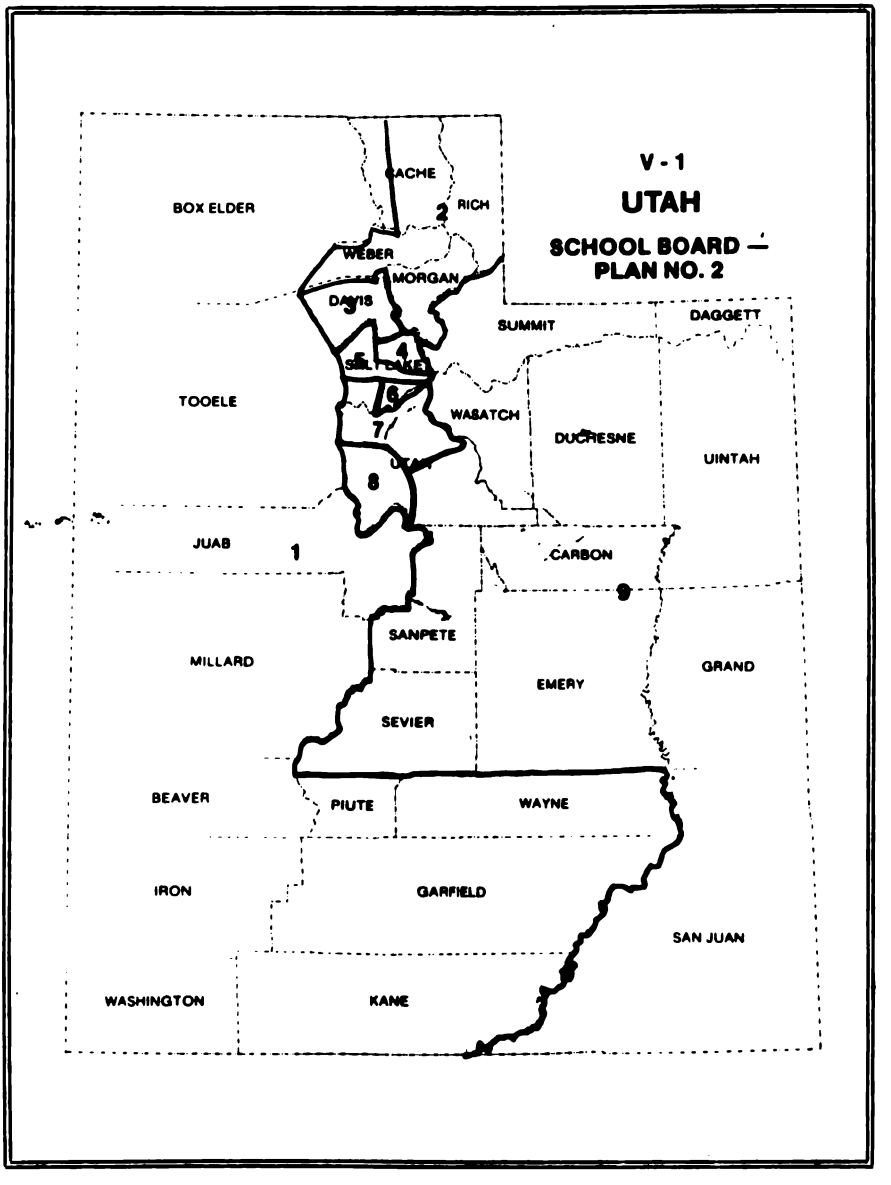
162,337 - Ideal District Size

District	County	Actual Population	Absolute Deviation	Relative Deviation
Dist. 1	Kane	4,024		
	Washington	26,065		
	Garfield	3,673		
	Wayne	1,911		
	Piute	1,329		
	Iron	17,349		
	Beaver	4,378		
	Millard	8,970		
	Juab	5,530		
	Tooele	26,033		
	Box Elder	33,222		
	Cache (part)	28,034		
		160,518	-1,819	-1.12%
Dist. 2	Rich	2,100		
	Morgan	4,917		
	Cache (part)	29,142		
	Weber (part)	130,885		
		167,044	+4,707	+2.90%
Dist. 3	Davis	146,540		
	Weber (part)	13,731		
		160,271	-2,066	-1.27%
Dist. 4	Salt Lake (part)	162,763	+426	+.26%
Dist. 5	Salt Lake (part)	160,343	1,994	-1.23%
Dist. 6	Salt Lake (part)	165,396	+3,059	+1.88%
Dist. 7	Salt Lake (part)	130,564		
	Utah (part)	31,778		
		162,342	+6	0%

Dist. 8	Utah (part)	159,577	-2,760	-1.70%
Dist. 9	Utah (part)	26,751		
	San Juan	12,253		
	Summit	10,198		
	Daggett	769		
	Wasatch	8,523		
	Duchesne	12,565		
	Uintah	20,506		
	Carbon	22,179		
	Sanpete	14,620		
	Sevier	14,727		
	Emery	11,451		
	Grand	8,241		
		162,783	+446	+.27%

Range: -1.70% to +2.90% = 4.60%

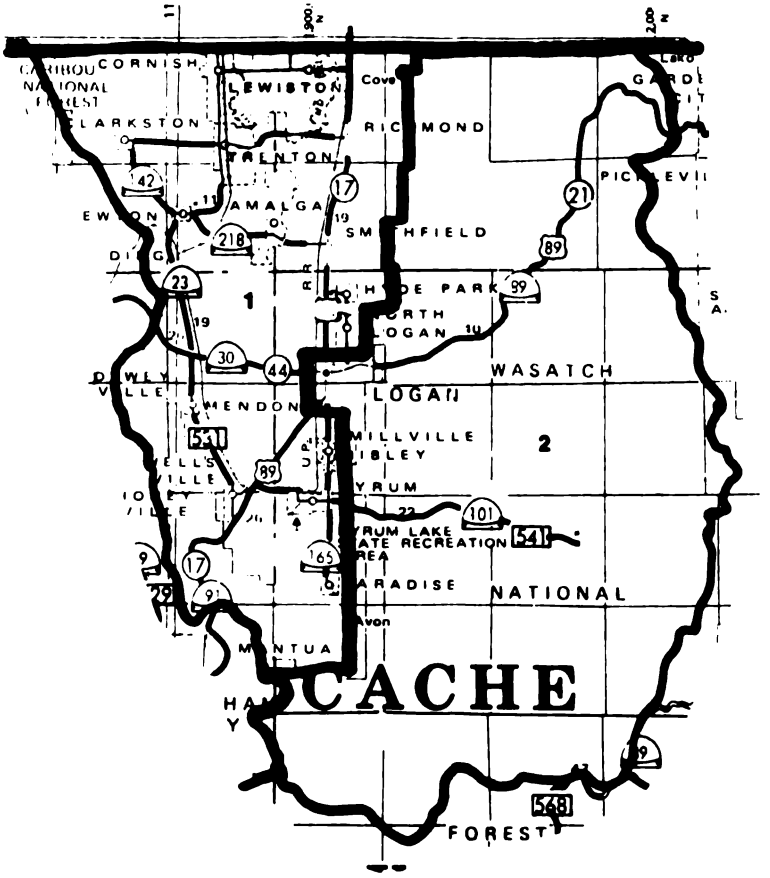
Relative mean deviation: State = 1.18%


V - 1
UTAH
SCHOOL BOARD —
PLAN NO. 2
CACHE
BOX ELDER
RICH
2
WEBER
MORGAN
DAVIS
SUMMIT
DAGGETT
4
5
SALT LAKE
6
TOOELE
WASATCH
7
DUCHESNE
UINTAH
8
JUAB
1
CARBON
SANPETE
MILLARD
GRAND
EMERY
SEVIER
BEAVER
PIUTE
WAYNE
IRON
GARFIELD
SAN JUAN
WASHINGTON
KANE

V - 2

CACHE COUNTY

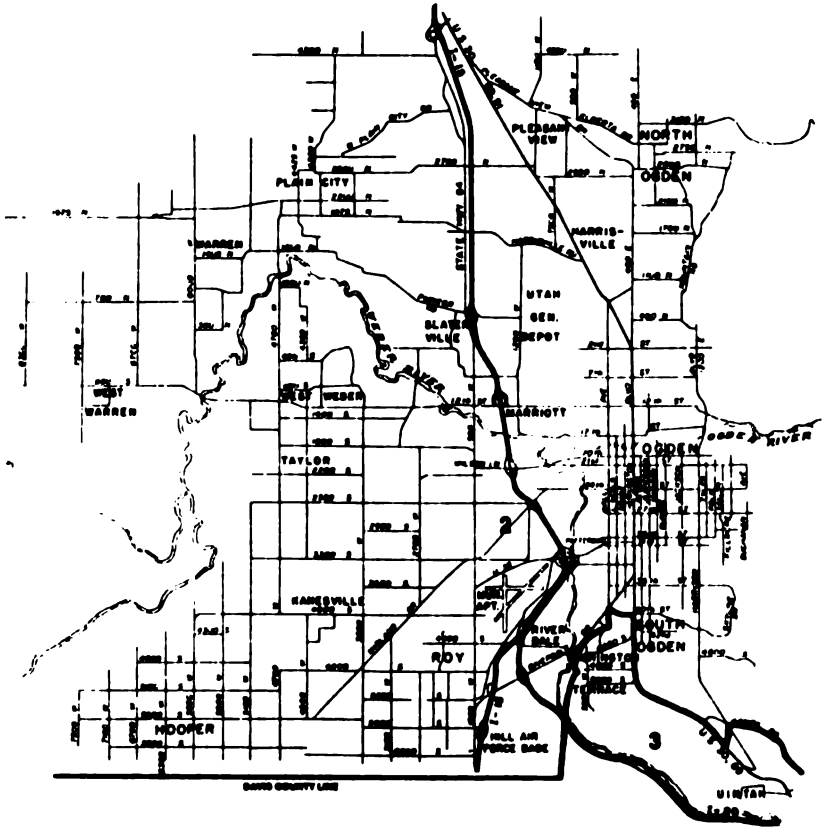
SCHOOL BOARD — PLAN NO. 2



V-3

OGDEN

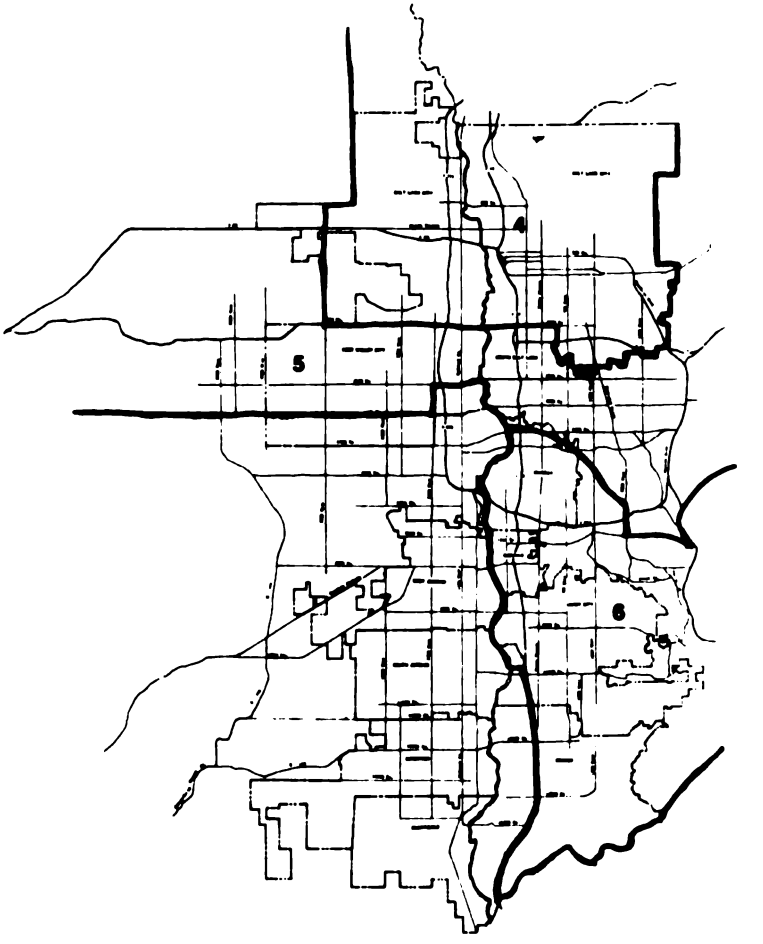
SCHOOL BOARD — PLAN NO. 2



V - 4

SALT LAKE

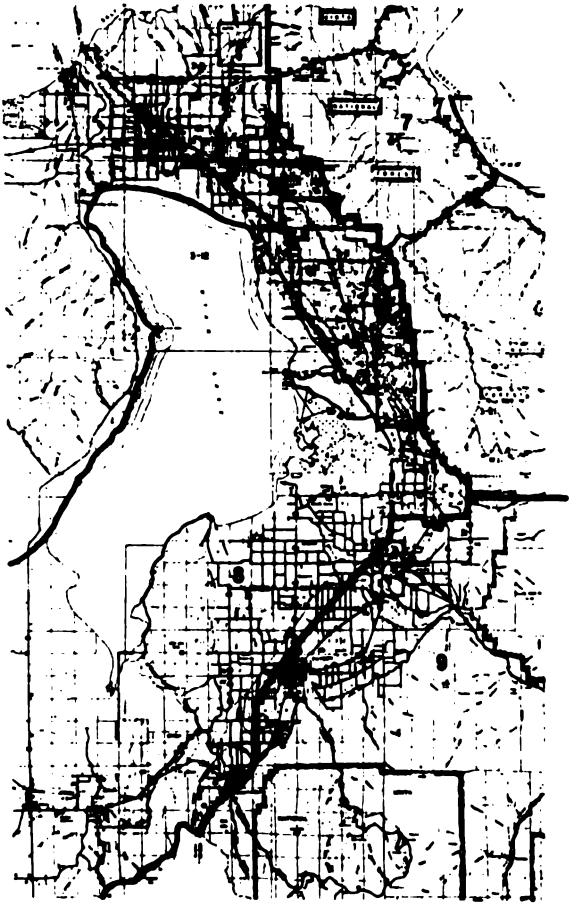
SCHOOL BOARD — PLAN NO. 2



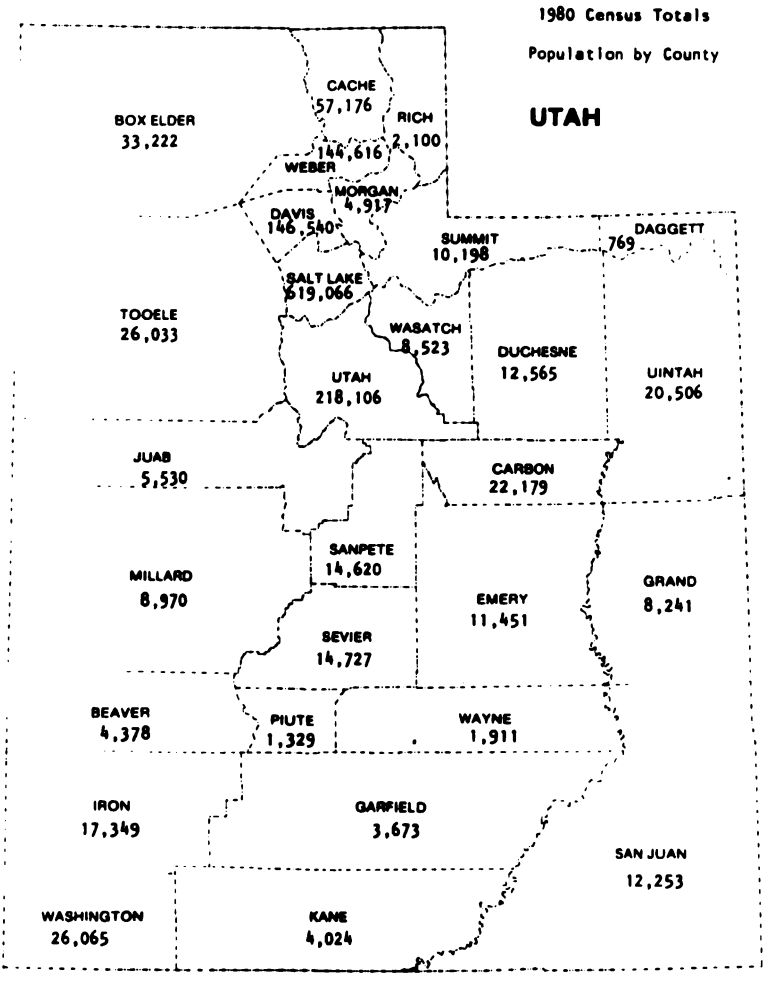
V - 5

UTAH COUNTY

SCHOOL BOARD — PLAN NO. 2



APPENDIX I


1980 Census Totals
Population by County
UTAH
CACHE
57,176
BOX ELDER
33,222
RICH
2,100
144,616
WEBER
MORGAN
4,917
DAVIS
146,540
SUMMIT
10,198
DAGGETT
769
SALT LAKE
519,066
TOOELE
26,033
WASATCH
8,523
DUCHESNE
12,565
UINTAH
20,506
UTAH
218,106
JUAB
5,530
CARBON
22,179
SANPETE
14,620
MILLARD
8,970
EMERY
11,451
GRAND
8,241
SEVIER
14,727
BEAVER
4,378
PIUTE
1,329
WAYNE
1,911
IRON
17,349
GARFIELD
3,673
SAN JUAN
12,253
WASHINGTON
26,065
KANE
4,024

APPENDIX II

TABLE I-1
POPULATION BY COUNTIES

	1960	1970	1980*	% Change from 1970
Beaver	4,331	3,800	4,378	15.2%
Box Elder	25,061	28,129	33,222	18.1%
Cache	35,788	42,331	57,176	35.1%
Carbon	21,135	15,647	22,179	41.7%
Daggett	1,164	666	769	15.5%
Davis	64,760	99,028	146,540	48.0%
Duchesne	7,179	7,299	12,565	72.1%
Emery	5,546	5,137	11,451	122.9%
Garfield	3,577	3,157	3,673	16.3%
Grand	6,345	6,688	8,241	23.2%
Iron	10,795	12,177	17,349	42.5%
Juab	4,597	4,574	5,530	20.9%
Kane	2,667	2,421	4,024	66.2%
Millard	7,866	6,988	8,970	28.4%
Morgan	2,837	3,983	4,917	23.4%
Piute	1,436	1,164	1,329	14.2%
Rich	1,685	1,615	2,100	30.0%
Salt Lake	383,035	458,607	619,066	35.0%
San Juan	9,040	9,606	12,253	27.6%
Sanpete	11,053	10,976	14,620	33.2%
Sevier	10,565	10,103	14,727	45.8%
Summit	5,673	5,879	10,198	73.5%
Tooele	17,868	21,545	26,033	20.8%
Uintah	11,582	12,684	20,506	61.7%
Utah	106,991	137,776	218,106	58.3%
Wasatch	5,308	5,863	8,523	45.4%
Washington	10,271	13,669	26,065	90.7%
Wayne	1,728	1,483	1,911	28.9%
Weber	110,744	126,278	144,616	14.5%
State Total	890,627	1,059,273	1,461,037	37.9%

**Final Census Figures.*

Table I-1 compares counties' absolute population increases and decreases over three decades, and relative changes between 1970 and 1980.

APPENDIX III

STATISTICAL TERMINOLOGY FOR REAPPORTIONMENT

Measuring Population Equality Among Districts

How is the degree of population equality (or inequality) among legislative or congressional districts measured? Below are definitions of statistical terms used in this report.

For example, let us examine the proposed Congressional Plan: 1,461,037 = Utah's population. Three Congressional Districts.

1. A logical starting point is the *ideal district population.* In a single-member district plan, the ideal district population is equal to the total state population divided by the total number of districts.

Actual district sizes:
485,729
487,833
487,475

IDEAL POPULATION — State Population / Number of Districts — 1,461,037 / 3 = 487,012

There is then need to express the degree to which: (1) an individual district's population varies, or differs, from the ideal; and (2) all the districts collectively vary, or differ, in population from the ideal. The degree by which a single district's population varies from the ideal may be stated in terms of absolute deviation or relative deviation.

2. *Absolute deviation* is equal to the difference between a district's population and the ideal population, expressed as a plus (+) or minus (-) number, meaning that the district's population exceeds, or falls short of, the ideal by that number of people.

ABSOLUTE DEVIATION — District Population Minus Ideal Population — 485,729-487,012=1,283

3. *Relative Deviation* is the more commonly used measure, and is attained by dividing the district's absolute deviation by the ideal

population. The resulting quotient indicates the proportion by which the district's population exceeds or falls short of the ideal population, and is usually expressed as a percentage of the ideal population.

RELATIVE DEVIATION	Absolute Deviation / Ideal Population	-1,283 / 487,012 = -.26%

4. Perhaps the most commonly used measure of population equality, or inequality, of all districts in a plan is *range*, which again may be expressed in absolute or relative terms. The range is a statement of the population deviations of the most populous district expressed either in absolute or relative terms.

RANGE

ABSOLUTE	Largest Absolute Deviation and Smallest Absolute Deviation	+821 and -1,283
RELATIVE	Largest Relative Deviation and Smallest Relative Deviation	+.17 and -.26
OVERALL	Largest Deviation + Smallest Deviation (Ignoring "+" and "-" Signs) Absolute or Relative	2,104 or .43
RATIO	Largest Population / Smallest Population	487,833 / 485,729 = 1.004

5. A frequently used measure is the mean deviation, expressed in absolute or relative terms. The *absolute mean* deviation of a set of districts from the ideal is equal to the sum of the absolute deviations of all the districts (disregarding "+" and "-" signs) divided by the total number of districts. The *relative mean deviation* is equal to the sum of the individual district relative deviations

(disregarding "+" and "-" signs) divided by the total number of districts.

ABSOLUTE MEAN DEVIATION

Sum of All Absolute Deviations / Number of Districts (Ignoring "+" and "-" Signs = 2,567 / 3 = 855.67

RELATIVE MEAN DEVIATION

Sum of All Relative Deviations / Number of Districts (Ignoring "+" and "-" Signs = .53 / 3 = .18

— —

Senator Finlinson, Chairman of the Legislative Reapportionment Commitee explained the bill. Senators Swan and Farley commented

Senator Black's motion to introduce **S.B. No. 9,** STATE SENATE REAPPORTIONMENT, was defeated. **S.B. No. 6** remained before the Senate. *Senator Carling is present.*

On motion of Senator Finlinson, **S.B. No. 6** was amended as follows:

Page 9, Line 20:
Delete "*14*" and reinsert "*18*"

Page 9, Line 23:
Delete "*18*" and insert "*14*"

Senators Bunnell, Finlinson, Halverson and Black commented.

On motion of Senator Finlinson, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate were:

Stan Leavitt, former member House of Representatives and Vice Chairman of the Utah Advisory Commission on Reapportionment. Georgia Peterson, State Tax Commissioner and member of the Commission. Senators Bunnell, Bennett, and Wayment commented.

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 Snow, the call of the Senate was lifted.

Senator Snow moved to suspend the rules, read **S.B. No. 6** the third time and place it before the Senate on final passage. Senator Black's substitute motion to introduce **S.B. No. 9**, STATE SENATE REAPPORTIONMENT failed on a voice vote. Senator Snow's motion was before the Senate.

Senator Black's substitute motion to circle **S.B. No. 6** failed on the following roll call:

Yeas, 9; Nays, 18; Absent, 2

Voting in the affirmative were: Senators

Asay	Black	Considine	Money
Barton	Bunnell	Farley	Swan
Bennett			

Voting in the negative were: Senators

Bangerter	Cornaby	Matheson	Snow
Barlow	Finlinson	Peterson, C.	Sowards
Bullen	Flamm	Peterson, L.	Wayment
Carling	Halverson	Sandberg	Mr. President (Ferry)
Christensen	Jeffs		

Absent and not voting were: Senators

Jones	Pugh

• • •

Senator Considine's substitute motion to introduce **S.B. No. 9**, STATE SENATE REAPPORTIONMENT, passed on the following roll call:

Yeas, 23; Nays, 5; Absent, 1

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Sandberg
Bangerter	Bunnell	Jones	Snow
Barlow	Carling	Matheson	Swan
Barton	Considine	Money	Wayment
Bennett	Cornaby	Peterson, C.	Mr. President (Ferry)
Black	Farley	Peterson, L.	

Voting in the negative were: Senators

Christensen	Flamm	Halverson	Sowards
Finlinson			

Absent and not voting were: Senator
Pugh

INTRODUCTION OF BILL

STATE SENATE REAPPORTIONMENT

S.B. No. 9 *Wilford R. Black, Karl G. Swan, Omar B. Bunnell*

AN ACT RELATING TO THE REAPPORTIONMENT OF THE UTAH STATE SENATE; PROVIDING FOR A STATE SENATE OF 29 MEMBERS AND DEFINING THEIR BOUNDARIES AND INITIAL TERMS OF OFFICE. THIS ACT REPEALS AND REENACTS SECTION 36-1-11, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 5, LAWS OF UTAH 1972, AND AMENDS SECTION 36-1-12, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 6, LAWS OF UTAH 1972, was read the first time.

Senator Snow again moved that **S.B. No. 6,** REAPPORTIONMENT OF STATE SENATE DISTRICTS, be read the third time and up for final passage. The motion carried and the bill was read the third time, before the Senate and passed on the following roll call:

Yeas, 18; Nays, 9; Absent, 2

Voting in the affirmative were: Senators

Asay	Christensen (exp.)	Matheson (exp.)	Snow
Bangerter	Finlinson	Peterson, C. (exp.)	Sowards (exp.)
Barlow	Flamm (exp.)	Peterson, L.	Wayment
Barton	Halverson	Sandberg (exp.)	Mr. President (Ferry)
Carling	Jeffs		

Voting in the negative were: Senators

Bennett	Bunnell (exp.)	Cornaby (exp.)	Money
Black (exp.)	Considine	Farley	Swan (exp.)
Bullen (exp.)			

Absent and not voting were: Senators
Jones Pugh

S.B. No. 6, as amended, was transmitted to the House.

SECRETARY OF SENATE REPORT

Committee reports have been received from the Social Services Standing Committee on **S.B. No. 4** and **S.B. No. 5** and the bills are placed on Second Reading Calendar.

SECOND READING CALENDAR

On motion of Senator Finlinson the rules were suspended with no dissenting votes, and **S.B. No. 7,** STATE BOARD OF EDUCATION REAPPORTIONMENT, was read the second and third times and placed on final passage. Senator Finlinson explained the bill. Senator Bennett comments. The bill passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Considine	Halverson	Sandberg
Barton	Cornaby	Jeffs	Snow
Black	Farley	Matheson	Sowards
Bunnell	Finlinson	Money	Wayment
Carling	Flamm	Peterson, L.	Mr. President (Ferry)
Christensen			

Voting in the negative were: Senators
Bennett

Absent and not voting were: Senators

Asay	Bullen	Peterson, C.	Swan
Barlow	Jones	Pugh	

Senator Money later changed his vote to nay.

THIRD READING CALENDAR

On motion of Senator Sowards, the circle is removed from **S.B. No. 1,** INDUSTRIAL DEVELOPMENT FACILITIES ACT MODIFICATIONS, and the bill is

read the third time and before the Senate. Senator Sowards explains the bill. On motion of Senator Bunnell, **S.B. No. 1** was amended as follows:

Page 5, Line 22:
Delete "*except*"

Page 5, Lines 23 thru 34
Delete entirely

Page 6, Lines 2, 3, 4 and 5
Delete entirely

Senators Matheson, Farley and Cornaby commented and the bill passed on the following roll call:

Yeas, 15; Nays, 9; Absent, 5

Voting in the affirmative were: Senators

Barlow	Carling	Halverson	Sowards
Barton (exp.)	Christensen	Peterson, C.	Swan
Black	Finlinson	Peterson, L.	Mr. President (Ferry)
Bunnell	Flamm	Sandberg (exp.)	

Voting in the negative were: Senators

Bangerter	Cornaby	Jeffs	Snow
Bennett	Farley	Money	Wayment
Considine			

Absent and not voting were: Senators

Asay	Jones	Matheson	Pugh
Bullen			

Senator Sandberg declared a conflict of interest regarding the bill. **S.B. No. 1,** as amended, is transmitted to the House.

• • •

At the request of Senator Money, the Senate voted to allow him to change his vote from yea to nay on **S.B. No. 7,** STATE BOARD OF EDUCATION REAPPORTIONMENT. The final vote on the bill is 20 yea; 2 nay and 7 absent. **S.B. No. 7** is transmitted to the House.

• • •

On motion of Senator Black, **S.B. No. 9,** STATE SENATE REAPPORTIONMENT was placed at the bottom of Second Reading Calendar.

COMMUNICATION FROM THE GOVERNOR

Members of the 44th Legislature: October 29, 1981

In addition to the matters listed on the proclamation dated October 14, 1981, calling the 44th Legislature of the State of Utah into Special Session on October 28, 1981, I hereby authorize and request you to consider and enact an addendum to the call that would allow:

Legislation allowing the Board of Pardons, when the population at the prison exceeds the operational capacity, to order the sentences of all inmates in the prison, with established released dates on that date, reduced up to 90 days.

Legislation to clarify the powers of cities and counties to pay all or part of the employee contribution to the State Retirement System.

Scott M. Matheson,
Governor, State of Utah

On motion of Senator Snow and at 12:10 the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:10 p.m. with President Miles 'Cap' Ferry presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: October 29, 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. 5,** REAPPORTIONMENT OF STATE CONGRESSIONAL DISTRICTS, by Representative Harward, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 5 was read the first time and on motion of Senator Snow, and under suspension of the rules, placed on Second Reading Calendar.

SECOND READING CALENDAR

On motion of Senator Snow, **S.B. No. 8** is circled.

* * *

S.B. No. 4, SUPPLEMENTAL APPROPRIATIONS ACT, was read the second time and before the Senate.

Mr. President: October 29, 1981

The Social Services Committee, to which was referred **S.B. No. 4**, SUPPLEMENTAL APPROPRIATIONS ACT, by Senator Halverson, 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 and Senator Halverson explained the bill. Senators Swan, Farley, Snow and Barton commented. On motion of Senator Halverson and under suspension of the rules, **S.B. No. 4** 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	Flamm	Peterson, L.
Bangerter	Christensen	Halverson	Sandberg
Barlow	Considine	Jeffs	Snow
Barton	Cornaby	Jones	Swan
Bennett	Farley	Money	Wayment
Black	Finlinson	Peterson, C.	Mr. President (Ferry)
Bullen			

Absent and not voting were: Senators

Bunnell	Matheson	Pugh	Sowards

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

* * *

S.B. No. 5, PRISON OVERCROWDING EMERGENCY POWERS, was read the second time and before the Senate.

Mr. President: October 28, 1981

The Social Services Committee, to which was referred **S.B. No. 5,** PRISON OVERCROWDING EMERGENCY POWERS ACT, by Senator Halverson, has carefully considered the bill and reports it out of comittee favorably and with the following amendments:

Page 1, Line 14:
Delete the entire line

Page 1, Line 15:
Delete *"UNDER SPECIFIED CIRCUMSTANCES;"*

Page 1, Line 24:
After *"means"* delete *"the actual"* and insert in lieu thereof *"90% of"*

Page 1, Line 25:
After *"the"* delete *"board"* and insert in lieu thereof *"director"*

Page 2, Line 9:
After *"established"* delete *"minimum prison terms"* and insert in lieu thereof *"release dates"*

Page 2, Line 9:
After *"reduced"* delete *"by"* and insert *"up to"*

Page 2, Line 11:
After *"above"* delete *"95% of"*

Page 2, Line 14:
After *"established"* delete *"minimum prison terms"* and insert in lieu thereof *"release dates"*

Page 2, Line 15:
After *"reduced"* delete *"by"* and insert in lieu thereof *"up to"*

Page 2, Line 15:
After *"days"* insert *"except in cases where the board determines that there may be a threat to public safety"*

Page 2, Line 16:
After *"Section 5."* delete *"(1)"*

Page 2, Line 17:
After *"to"* delete *"95% of"*

Page 2, Line 19:
Delete lines 19 through 31 and renumber the remaining sections.

Ronald T. Halverson,
Committee Chairman

Committee report, as amended, read and adopted and Senator Halverson explained the bill. Senators Snow, Asay and Jeffs commented. The bill passed, under suspension of the rules, on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Halverson	Peterson, L.
Bangerter	Christensen	Jeffs	Sandberg
Barlow	Considine	Jones	Snow
Bennett	Farley	Matheson	Swan
Black	Finlinson	Money	Wayment
Bunnell	Flamm	Peterson, C.	Mr. President (Ferry)

Absent and not voting were: Senators

Barton	Cornaby	Pugh	Sowards
Bullen			

• • •

On motion of Senator Snow, **H.B. No. 5,** REAPPORTIONMENT OF STATE CONGRESSIONAL DISTRICTS, was placed at the top of Second Reading Calendar and read the second time and before the Senate. Senator Finlinson explained the bill. Senators Matheson, Swan and Bunnell commented.

Senator Bunnell proposed the following amendments:

Page 2, Line 29 through Line 34:
Delete entirely

Page 3, Line 2 through Line 12:
Delete entirely and insert the following:

"(4) The second Utah Congressional District shall consist of the following Census Tracts, Block Groups and Census Blocks in Salt Lake County: Census Tracts 1001, 1002, 1003.02, 1003.03, 1003.04, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1101.01, 1101.02 Blocks 939, 949, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111.01, 1111.03, 1111.02, 1112, 1113.01 Block Group 1, 3, Blocks 102 through 105, 114 through 117, 1113.02 Block Group 2, 3, Blocks 118 through 121, 123 through 125, 127 through 131, 155, 158 through 163, 1114, 1115, 1116, 1117, 1118, 1119.01, 1119.02, 1120, 1121, 1122, 1123, 1124.01, 1124.02, 1125, 1133.01, 1133.03, 1133.04, 1134.01, 1134.01, 1134.03, 1134.04, 1135.02, 1135.03, 1135.04 Block 955, 904, 1135.05, 1135.06, 1135.07, 1135.08, 1136, 1137, 1138, 1139.02 and 1139.01."

Page 3, Lines 17 through Lines 22:
Delete entirely and insert the following:

1101.02 Block Group 1, Blocks 904, 918, 919, 921 through 929, Enumeration Districts 0003, 0004, 1113.01 Block Group 9, 1113.02 Blocks 156, 157, 1129.01, 1129.02, 1129.03, 1130.01, 1130.02, 1131, 1126.01, 1126.02, 1126.03, 1126.04, 1126.05, 1127, 1128.01, 1128.02 and 1128.03, 1135.04 Blocks 905, 960, 908, 907."

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. Senator Bunnell's proposed amendment failed on the following roll call:

Yeas, 7; Nays, 21; Absent, 1

Voting in the affirmative were: Senators

Bennett	Bunnell	Farley	Swan
Black	Considine	Money	

Voting in the negative were: Senators

Asay	Christensen	Jeffs	Sandberg
Bangerter	Cornaby	Jones	Snow
Barlow	Finlinson	Matheson	Sowards
Barton	Flamm	Peterson, C.	Wayment
Bullen	Halverson	Peterson, L.	Mr. President (Ferry)
Carling			

Absent and not voting were: Senator
Pugh

Senator Black proposed that the following be substituted for **H.B. No. 5.**

CONGRESSIONAL REDISTRICTING

AN ACT RELATING TO THE REDISTRICTING OF CONGRESSIONAL DISTRICTS; PROVIDING FOR THE CREATION OF A THIRD CONGRESSIONAL DISTRICT AND PROVIDING FOR THE REDISTRICTING OF THE FIRST AND SECOND CONGRESSIONAL DISTRICTS.

THIS ACT AMENDS SECTION 20-10-3, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 72, LAWS OF UTAH 1913, AND REPEALING AND REENACTING SECTION 20-10-4, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 38, LAWS OF UTAH 1971.

Be it enacted by the Legislature of the State of Utah:

Section 1. Section 20-10-3, Utah Code Annotated 1953, as last amended by Chapter 72, Laws of Utah 1913, is amended to read:

20-10-3. The State of Utah is hereby divided into [two] *three* districts for the election of representatives in the Congress of the United States, each of which districts shall be entitled to one representative.

Section 2. Section 20-10-4, Utah Code Annotated 1953, as last amended by Chapter 38, Laws of Utah 1971, is repealed and reenacted to read:

20-10-4. (1) The first Utah Congressional District shall consist of the following counties: Box Elder, Cache, Rich, Weber, Davis, Morgan, Summit, Daggett, Duchesne, Uintah, Carbon, Emery, Grand and San Juan.

(2) The second Utah Congressional District shall consist of the following Census Tracts, Block Groups and Census Blocks in Salt Lake County: Census Tracts 1001, 1002, 1003.02, 1003.03, 1003.04, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1101.01, 1101.02 Block 939, 949, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111.01, 1111.03, 1111.02, 1112, 1113.01 Block Group 1, 3, Blocks 102 through 105, 114 through 117, 1113.02 Block Group 2, 3, Blocks 118 through 121, 123 through 125, 127 through 131, 155, 158 through 163, 1114,

1115, 1116, 1117, 1118, 1119.01, 1119.02, 1120, 1121, 1122, 1123, 1124.01, 1124.02, 1125, 1133.01, 1133.03, 1133.04, 1134.01, 1134.02, 1134.03, 1134.04, 1135.02, 1135.03, 1135.04 Block 955, 904, 1135.05, 1135.06, 1135.07, 1135.08, 1136, 1137, 1138, 1139.02 and 1139.01.

(3) The third Utah Congressional District shall consist of the following Census Tracts, Block Groups and Census Blocks in Salt Lake County as well as the following counties: Census Tracts 1101.02 Block Group 1, Blocks 904, 918, 919, 921 through 929, Enumeration Districts 0003, 0004, 1113.01 Block Group 9, 1113.02 Blocks 156, 157, 1129.01, 1129.02, 1129.03, 1130.01, 1130.02, 1131, 1126.01, 1126.02, 1126.03, 1126.04, 1126.05, 1127, 1128.01, 1128.02 and 1128.03, 1135.04 Blocks 905, 960, 908, 907; Tooele, Utah, Wasatch, Juab, Sanpete, Millard, Beaver, Piute, Wayne, Sevier, Iron, Garfield, Washington and Kane.

Senator Black's proposed substitute failed on the following roll call:

Yeas, 7; Nays, 19; Absent, 3

Voting in the affirmative were: Senators

Bennett	Bunnell	Farley	Swan
Black	Considine	Money	

Voting in the negative were: Senators

Asay	Carling	Jeffs	Sandberg
Bangerter	Christensen	Jones	Sowards
Barlow	Finlinson	Matheson	Wayment
Barton	Flamm	Peterson, C.	Mr. President (Ferry)
Bullen	Halverson	Peterson, L.	

Absent and not voting were: Senators

Cornaby	Pugh	Snow

Senator Matheson commented. On motion of Senator Finlinson, and under suspension of the rules, **H.B. No. 5** was read the third time and passed on the following roll call:

Yeas, 20; Nays, 8; Absent, 1

Voting in the affirmative were: Senators

Asay	Carling	Halverson	Sandberg
Bangerter	Christensen	Jeffs	Snow
Barlow	Cornaby	Jones	Sowards
Barton	Finlinson	Peterson, C.	Wayment
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Bennett	Bunnell	Farley	Money
Black	Considine	Matheson	Swan

Absent and not voting were: Senator
Pugh

H.B. No. 5 was signed by the President and returned to the House for further action.

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On motion of Senator Halverson, **S.B. No. 9** was circled.

THIRD READING CALENDAR

S.B. No. 5, PRISON OVERCROWDING EMERGENCY POWERS ACT, was under suspension of the rules, 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	Halverson	Sandberg
Bangerter	Carling	Jeffs	Snow
Barlow	Christensen	Jones	Sowards
Barton	Considine	Matheson	Swan
Bennett	Farley	Money	Wayment
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)

Absent and not voting were: Senators

Black	Finlinson	Peterson, C.	Pugh
Cornaby			

S.B. No. 5 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President: October 29, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.B. No. 7,** STATE BOARD OF EDUCATION REAPPORTIONMENT, 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. 6,** REAPPORTIONMENT OF STATE SENATE DISTRICTS, 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. 7 and **6** were signed by the President and referred to the Committee on Rules to be enrolled and transmitted to the Governor.

The Senate recessed at 4:10 p.m. and reassembled at 4:35 p.m.

APPOINTMENTS

The Honorable Scott M. Matheson, Governor, State of Utah

The following proposed appointments were distributed:

Dear President Ferry: October 23, 1981

In accordance with Section 65-1-2, Utah Code Annotated, 1953, I propose to make the following appointments:

James Edwin Kee, appointed as Director of Administrative Services for a term expiring at the pleasure of the Governor. Section 83-2-2, U.C.A. 1953, as amended by Senate Bill 191, 1981 General Session.

Roderick Browning, appointed as a member of the Weber State College Institutional Council replacing Clyde C. Patterson for a term expiring June 30, 1985. Section 53-48-19, U.C.A. 1953.

Duane C. Hill, appointed as a member of the Board of Travel Development replacing Jay Bone for a term expiring July 1, 1985. Section 63-16-2, U.C.A. 1953.

Manuel Fernandez, appointed as a member of the State Course of Study Committee replacing Lynn Diane Smith for a term expiring December 31, 1983. Senate Bill 106, 1981 General Session.

M. Dee Williams, appointed as a member of the Utah State Retirement Board replacing Geral Wilde for a term expiring June 30, 1987. Section 49-9-3, U.C.A. 1953.

Dorothy Dart, appointed as a member of the Utah State Building Board replacing Leonard Lewis for a term expiring April 1, 1983. Section 63-10-1, U.C.A. 1953.

Gary L. Bailey, reappointed as a member of the Board of Alcoholism and Drugs for a term expiring March 1, 1985. Section 63-35-4, U.C.A. 1953.

Stephen D. Minton, M.D., reappointed as a member of the Board of Alcoholism and Drugs for a term expiring March 1, 1985. Section 63-35-4, U.C.A. 1953.

Robert Temple, appointed as a member of the Board of Alcoholism and Drugs replacing Sharon Marie Grayson for a term expiring March 1, 1983. Section 63-35-4, U.C.A. 1953.

Morris A. Kjar, reappointed as a member of the Board of Alcoholism and Drugs for a term expiring March 1, 1985. Section 63-35-4, U.C.A. 1953.

Janice Pearce, reappointed as a member of the Board of Alcoholism and Drugs for a term expiring March 1, 1985. Section 63-35-4, U.C.A. 1953.

J. Thomas Greene, appointed as Chairman of the State Building Ownership Authority for a term expiring January 15, 1985. Section 63-9a-4, U.C.A. 1953, as amended by Senate Bill 238, 1979 General Session.

Dr. A. Bruce Bishop, appointed as a member of the Safe Drinking Water Committee replacing Jay Bagley for a term expiring May 8, 1983. Section 26-36-3, as amended by Senate Bill 149, 1979 General Session.

Lee Ritzman, reappointed as a member of the Solid and Hazardous Wastes Committee for a term expiring May 8, 1985. Section 26-14-4, U.C.A. 1953, as amended by Senate Bill 74, 1981 General Session.

Robert J. Heaney, reappointed as a member of the Solid and Hazardous Wastes Committee for a term expiring May 8, 1985. Section 26-14-4, U.C.A. 1953, as amended by Senate Bill 74, 1981 General Session.

Byron McLeese, appointed as a member of the Board of Real Estate Examiners for a term expiring June 30, 1984. Section 61-2-5, U.C.A. 1953, as amended by Senate Bill 107, 1981 General Session.

Francie C. Bradford, appointed as a member of the Board of Real Estate Examiners for a term expiring June 30, 1983. Section 61-2-5, U.C.A. 1953, as amended by Senate Bill 107, 1981 General Session.

LeRoy P. Taylor, appointed as a member of the State Board of Financial Institutions for a term expiring July 1, 1983. Section 7-1-203, U.C.A., 1953, and Senate Bill 134, 1981 General Session.

Don Bleazard, appointed as a member of the State Board of Financial Institutions for a term expiring July 1, 1985. Section 7-1-203, U.C.A. 1953, and Senate Bill 134, 1981 General Session.

W. Smoot Brimhall, appointed as a member of the State Board of Financial Institutions for a term expiring July 1, 1985. Section 7-1-203, U.C.A. 1953, and Senate Bill 134, 1981 General Session.

Richard A. Van Winkle, appointed as a member of the State Board of Financial Institutions for a term expiring July 1, 1985. Section 7-1-203, U.C.A. 1953, and Senate Bill 134, 1981 General Session.

Dr. Judy Ann Buffmire, appointed as a member of the State Board of Financial Institutions for a term expiring July 1, 1983. Section 7-1-203, U.C.A. 1953, and Senate Bill 134, 1981 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: October 28, 1982

In accordance with Section 65-1-2, Utah Code Annotated 1953, I proposed to make the following supplemental appointments:

Mose Watkins, appointed as a member of the Utah Technical College at Salt Lake Institutional Council replacing Joe Cosgrove for a term expiring June 30, 1983. Section 53-16-14, UCA 1953, as amended by Senate Bill 53, 1978 Budget Session.

Gerald A. Buttars, appointed as a member of the Advisory Council for the Visually Handicapped replacing Joyce Barnes for a term expiring May 11, 1985. Section 64-3-18.7, UCA 1953.

John M. Crandall, Jr., appointed as a member of the Advisory Council for the Visually Handicapped replacing Bonnie Spillman for a term expiring May 11, 1983. Section 64-3-18.7, 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

On motion of Senator Cornaby, and under suspension of the rules, the Senate voted to advise and consent in the affirmative to the above listed appointments.

PRESENTATION OF RESOLUTION

ERNEST G. MANTES

S.C.R. No. 3 *Karl N. Snow, Jr., Karl G. Swan*

A CONCURRENT RESOLUTION OF THE LEGISLATURE AND GOVERNOR OF THE STATE OF UTAH, EXPRESSING AFFECTION AND APPRECIATION FOR THE LIFE AND SERVICE OF SENATOR ERNEST G. MANTES.

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

WHEREAS, Ernest G. Mantes devoted his life to the service of the people of his homeland and his adopted country, state and community; and

WHEREAS, he came to Utah in 1918, graduated with honors in business from the University of Utah and operated a successful business in Tooele until 1975; and

WHEREAS, Ernest G. Mantes was elected to the Utah State Senate in 1958 where he represented Tooele and Juab counties for 12 years; and

WHEREAS, as a member of the Legislature, Senator Mantes provided invaluable leadership in bringing integrity to the state's fiscal procedures and to the state's retirement systems; and

WHEREAS, Senator Mantes was presented a special award by the Utah Legislative Conference for his "outstanding legislative service and his untiring dedication to the principles of fiscal responsibility"; and

WHEREAS, he served his community as President of the Tooele County Chamber of Commerce and was a member of many civic and fraternal organizations and as Supreme President of the Pan Arcadian Federation of America and for his service was awarded the Gold Cross of King George I by the Greek government; and

WHEREAS, devotion and excellence characterized the life and service of Senator Ernest G. Mantes;

NOW, THEREFORE, BE IT RESOLVED, that the Legislature and the Governor of the State of Utah express gratitude for the life and devoted service of Senator Ernest G. Mantes and recognize the strength he brought to every endeavor he undertook.

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Helen Mantes and members of Senator Mantes' family as an expression of the affection and regard for him felt by the Governor and members of the Legislature.

S.C.R. No. 3 was read the first time. Senator Swan read the resolution and commented. Senators Bunnell and Snow commented.

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 unanimously by all senators present. Senator Jeffs and Pugh were absent. **S.C.R. No. 3** was transmitted to the House.

* * *

On motion of Senator Black, the circle was removed from **S.B. No. 9**, STATE SENATE REAPPORTIONMENT. Senator Black's motion to read it the third time failed. Senator Halverson's substitute motion to place **S.B. No. 9** on Second Reading Table carried on the following roll call:

Yeas, 19; Nays, 9; Absent, 1

Voting in the affirmative were: Senators

Asay	Christensen	Jeffs	Snow
Bangerter	Cornaby	Jones	Sowards
Barlow	Finlinson	Peterson, C.	Wayment
Barton	Flamm	Peterson, L.	Mr. President (Ferry)
Carling	Halverson	Sandberg	

Voting in the negative were: Senators

Bennett	Bunnell	Farley	Money
Black	Considine	Matheson	Swan
Bullen			

Absent and not voting were: Senators
Pugh

S.B. No. 9 was placed on Second Reading Table.

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On motion of Senator Matheson the circle was removed from **S.B. No. 8,** STATE CONGRESSIONAL DISTRICTS REAPPORTIONMENT.

On motion of Senator Snow and at 5:00 p.m. the Senate adjourned until 9:00 a.m., Friday, October 30, 1981.

THIRD DAY

MORNING SESSION

The Senate was called to order at 9:15 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All Senators present except Senator Pugh (excused).

Prayer — Senator Arnold Christensen

SECOND READING CALENDAR

On motion of Senator Matheson, **S.B. No. 8** is circled.

The Senate recessed for party caucus at 9:20 a.m. and reassembled at 11:00 a.m.

READING OF BILLS AND RESOLUTIONS

Please refer to Senator Halverson's motion on page 31.

COMMUNICATION FROM THE GOVERNOR

Members of the 44th Legislature: October 29, 1981

In addition, at the request of the Republican Legislative Leadership, to the matters listed on the proclamation dated October 14, 1981, calling the 44th Legislature of the State of Utah into Special Session on October 28, 1981, I hereby authorize and request you to consider and enact an addendum to the call that would allow:

Legislation to amend the Utah State Code section 59-5-111 which exempts increases in State assessed property imposing limitation of mill levies by local units of government.

While I believe this matter is of sufficient import to be included as an addendum to the call, I believe the legislature must analyze the merits of this piece of legislation to decide if the tax policies contained therein are in the best interests of the taxpayers of the state.

Scott M. Matheson,
Governor, State of Utah

INTRODUCTION OF BILLS

ADMINISTRATION OF PROPERTY TAX ASSESSMENT

S.B. No. 10 *Cary Peterson, Omar B. Bunnell, Haven J. Barlow*

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING A CLARIFICATION WITH RESPECT TO THE ADMINISTRATION OF PROPERTY TAX ASSESSMENTS; AND PROVIDING AN EFFECTIVE DATE. THIS ACT AMENDS SECTION 59-5-111, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 228, LAWS OF UTAH 1981, was read the first time and on motion of Senator Snow and under suspension of the rules, placed on Second Reading Calendar and read the second time.

On motion of Senator C. Peterson, **S.B. No. 10** was amended as follows:

Page 1, Line 22:
Delete the bracket at the beginning of the line

Page 1, Line 22:
Place a bracket before the word *"or"* and insert after the bracket following the word *"any"*, *"of any county assessed property or;"*

Page 1, Line 28:
Delete the word *"current"*

Senator C. Peterson explained the bill. Senators Bunnell and Halverson commented.

On motion of Senator Snow, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate were:

David Duncan, Commissioner, State Tax Commission; Jack Olsen, Utah Taxpayers Association; Cal Black, San Juan County Commissioner.

On motion of Senator Snow, the Committee of the Whole was dissolved. Senators C. Peterson, Halverson, Matheson and Ivan commented.

Senator Halverson proposed an amendment which failed. 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. On motion of Senator C.

Peterson, and under suspension of the rules, the bill was read the third time and the bill passed on the following roll call:

Yeas, 20; Nays, 5; Absent, 4

Voting in the affirmative were: Senators

Barlow	Considine	Jeffs	Snow
Bennett	Farley	Matheson (expl.)	Sowards
Black	Finlinson	Money	Swan
Bunnell	Flamm	Peterson, C.	Wayment
Christensen	Halverson	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Asay	Barton	Carling	Sandberg
Bangerter (expl.)			

Absent and not voting were: Senators

Bullen	Cornaby	Jones	Pugh

S.B. No. 10, as amended, 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.

COMMUNICATION FROM THE GOVERNOR

Members of the 44th Legislature: October 30, 1981

In addition to the matters listed on the proclamation dated October 14, 1981, calling the 44th Legislature of the State of Utah into Special Session on October 28, 1981, I hereby authorize and request you to consider and enact an addendum to the call that would allow:

Legislation appropriating monies to the Utah Housing Finance Agency to assist in issuing tax-exempt bonds to provide mortgage funds for medium and low cost housing.

Scott M. Matheson,
Governor, State of Utah

COMMUNICATION FROM THE HOUSE

Mr. President: October 30, 1981

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**, ERNEST G. MANTES, 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 L. Acomb, Chief Clerk

S.C.R. No. 3 was signed by the President and referred to the Committee on Rules to be enrolled and transmitted to the Governor.

INTRODUCTION OF BILL

UTAH HOUSING FINANCE AGENCY APPROPRIATION

S.B. No. 11 *Charles Bullen, Jack M. Bangerter, Karl N. Snow, Jr., Haven J. Barlow, Glade M. Sowards, W. L. Sandberg, William N. Jones, Cary Peterson, Arnold Christensen, Lowell S. Peterson, Dona M. Wayment, Fred W. Finlinson, E. Verl Asay, A. Dean Jeffs, Ivan M. Matheson, Miles 'Cap' Ferry, Omar B. Bunnell, Bill Barton, Eldon Money, James F. Considine, Wilford R. Black, Jr., Frances Farley, Charles Bennett, Bryce G. Flamm, Ronald T. Halverson, Karl G. Swan*

AN ACT RELATING TO THE UTAH HOUSING FINANCE AGENCY; APPROPRIATING $8,000,000 TO THAT AGENCY FROM THE GENERAL FUND TO ASSIST IT TO ISSUE CERTAIN TAX-EXEMPT BONDS TO PROVIDE MORTGAGE FUNDS FOR MEDIUM AND LOW-COST HOUSING IN THE STATE; AND PROVIDING AN EFFECTIVE DATE, was read the first time and on motion of Senator Snow, and under suspension of the rules, placed on Second Reading Calendar, read the second time and was before the Senate.

Senator Bullen explained the bill. On motion of Senator Bullen, **S.B. No. 11** was amended as follows:

Page 2, Line 14:
After *"however,"* insert *"and"*

Page 3, Line 19:
Delete *"December 31, 1983"* and insert in lieu thereof *"March 1, 1982"*

Page 3, Lines 23 and 24
Delete *"in conjunction with"* and insert in lieu thereof *"with the concurrence of"*

Senators Snow, Swan and Barton commented. On motion of Senator Bullen, and under suspension of the rules, the bill 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	Finlinson	Sandberg
Bangerter	Bunnell	Jeffs	Snow
Barlow	Carling	Matheson	Swan
Barton	Christensen	Money	Wayment
Bennett	Considine	Peterson, C.	Mr. President (Ferry)
Black	Farley	Peterson, L.	

Absent and not voting were: Senators

Cornaby	Halverson	Pugh	Sowards
Flamm	Jones		

Senators Asay and Barton declared conflict of interest on the bill.

S.B. No. 11 was transmitted to the House.

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Senator Finlinson moved that the following statement be inserted in the Senate Journal. The motion carried without dissent.

S.B. No. 6, REAPPORTIONMENT OF STATE SENATE DISTRICTS
(Clerical Error Correction)

In accordance with Joint Rule 27.03, a clerical error, which does not change the substance of **S.B. No. 6,** has been corrected. The Senate goldenrod copy of **S.B. No. 6,** page 7, line 20, incorrectly shows that the word "the" was deleted. The motion as shown on the Senate Journal for October 29, 1981, shows that the word "the" on page 7, line 27, was deleted, and **S.B. No. 6** has been corrected accordingly.

• • •

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

COMMUNICATION FROM THE HOUSE

Mr. President: October 30, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, under suspension of the rules, **H.B. No. 4,** REAPPORTIONMENT OF HOUSE DISTRICTS, by Representative Harward, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 4 was read the first time and on motion of Senator Snow, and under suspension of the rules, placed on Second Reading Calendar, read the second time and before the Senate.

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. Senator Finlinson explained the bill. Senator Bunnell commented.

Senator Finlinson asked that the Senate Journal note that all language on Page 1a is to be inserted on Page 1, Line 27. (cherry pages). **H.B. No. 4** is unfinished business.

Senator Swan proposed an amendment which failed. The Senate recessed at 5:20 p.m. and reassembled at 6:40 p.m.

COMMUNICATION FROM THE HOUSE

Mr. President: October 30, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate, under suspension of the rules, **S.B. No. 10,** ADMINISTRATION OF PROPERTY TAX ASSESSMENT, 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.

Allan M. Acomb, Chief Clerk

S.B. No. 10 was signed by the President then referred to the Committee on Rules to be enrolled and transmitted to the Governor.

• • •

Mr. President: October 30, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the House, under suspension of the rules, **House Substitute to S.B. No. 4**, SUPPLEMENTAL APPROPRIATIONS ACT, by Senator Halverson, et al, and the same is transmitted herewith for further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Halverson, the Senate voted to not concur in the House amendment and to ask the House to recede from its amendments. **House Substitute to S.B. No. 4** was transmitted to the House.

• • •

Mr. President: October 30, 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. 11**, UTAH HOUSING FINANCE AGENCY APPROPRIATION, by Senator Bullen, et al, and the same is returned herewith for filing.

Allan M. Acomb, Chief Clerk

S.B. No. 11 is reconsidered.

• • •

Mr. President: October 30, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the House and Senate, **S.B. No. 1**, INDUSTRIAL DEVELOPMENT FACILITIES ACT MODIFICATIONS, by Senator Sowards, et al, and the same is transmitted herewith for further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Finlinson, the Senate voted to refuse to concur in the House amendments and to ask the House to recede from its amendment. **S.B. No. 1** was transmitted to the House.

SECOND READING CALENDAR

H.B. No. 4, REAPPORTIONMENT OF HOUSE DISTRICTS, being unfinished business is before the Senate. Senators C. Peterson and Matheson commented.

Senator Bunnell's motion to reinstate the language on pages 12 and 13 as relates to House Districts 68, 69, 70, 71, 72 and 73, failed on the following roll call:

Yeas, 9; Nays, 17; Absent, 3

Voting in the affirmative were: Senators

Bennett	Considine	Halverson	Money
Black	Farley	Matheson	Swan
Bunnell			

Voting in the negative were: Senators

Barlow	Cornaby	Jones	Snow
Barton	Finlinson	Peterson, C.	Sowards
Bullen	Flamm	Peterson, L.	Wayment
Carling	Jeffs	Sandberg	Mr. President (Ferry)
Christensen			

Absent and not voting were: Senators

Asay	Bangerter	Pugh

Senator Black's motion to adjourn was defeated. The Senate briefly sauntered.

On motion of Senator Snow, and under suspension of the rules, **H.B. No. 4** 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	Carling	Jeffs	Sandberg
Bangerter	Christensen	Jones	Snow
Barlow	Cornaby	Matheson	Wayment
Barton	Finlinson	Peterson, C.	Mr. President (Ferry)
Bullen	Flamm	Peterson, L.	

Voting in the negative were: Senators

Bennett	Bunnell	Farley	Money
Black	Considine	Halverson	Swan

Absent and not voting were: Senators

Pugh	Sowards

H.B. No. 4 was signed by the President of the Senate and returned to the House for further action.

COMMUNICATIONS FROM THE HOUSE

Mr. President: October 30, 1981

I am directed to inform the Senate that the House of Representatives has this day voted to request the return of **S.B. No. 11**, UTAH HOUSING FINANCE AGENCY APPROPRIATION, by Senator Bullen, et al, for further consideration by the House.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, the Senate voted to return **S.B. No. 11** to the House for further consideration.

• • •

Mr. President: October 30, 1981

I am directed to inform the Senate that the House of Representatives has this day rejected, upon reconsideration, as amended by the House and Senate, **S.B. No. 2**, SUPPLEMENTAL APPROPRIATIONS ACT - BEAR LAKE PROPERTY, by Senator Bullen, and the same is returned herewith for filing; and

I am directed to inform the Senate that the House of Representatives has this day rejected, as amended by the Senate, **S.B. No. 5**, PRISON OVERCROWDING EMERGENCY POWERS ACT, by Senator Halverson, et al, and the same is returned herewith for filing.

Allan M. Acomb, Chief Clerk

S.B. No. 2 and **S.B. No. 5** were filed.

The Senate sauntered at 7:20 p.m. and reassembled at 7:55 p.m.

COMMUNICATIONS FROM THE HOUSE

Mr. President: October 30, 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. 1**, INDUSTRIAL DEVELOPMENT FACILITIES ACT MODIFICATIONS, by Senator Sowards, and has appointed a Conference Committee consisting of Representatives Hunter, 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 Senators Sowards, Black and Bullen.

• • •

Mr. President: October 30, 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. 4,** SUPPLEMENTAL APPROPRIATIONS ACT, by Senator Halverson, et al, and has appointed a Conference Committee consisting of Representatives Rogers, Whitesides and B. White 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 Halverson, Bunnell and Flamm.

The Senate sauntered at 8:00 p.m. and reassembled at 10:00 p.m.

COMMUNICATIONS FROM THE HOUSE

Mr. President: October 30, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, as amended by the Senate, **S.B. No. 11,** UTAH HOUSING FINANCE AGENCY APPROPRIATION, 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. 11 was signed by the President then referred to the Committee on Rules to be enrolled and transmitted to the Governor.

• • •

Mr. President: October 30, 1981

I am directed to inform the Senate that the House of Representatives has this day adopted the Joint Conference Comittee Report dated October 30, 1981, and passed **S.B. No. 1,** INDUSTRIAL DEVELOPMENT FACILITIES, by Senator Sowards, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

JOINT CONFERENCE COMMITTEE REPORT
(S.B. No. 1, INDUSTRIAL DEVELOPMENT FACILITIES)

Mr. President: October 30, 1981

Your Conference Committee consisting of Senators Sowards, Black and Bullen and Representatives Hunter, Richards and Johnson to which was referred **S.B. No. 1,** INDUSTRIAL DEVELOPMENT FACILITIES, by Senator Sowards, begs leave to report as follows:

All House amendments to remain in tact except:

Page 2, Line 26:
Reinstate the deleted language

Page 2, Line 27:
Reinstate the deleted language

Page 2, Line 28:
Reinstate the deleted language

Page 8, Between Lines 32 and 33:
Insert:

"Section 4: Notwithstanding anything to the contrary contained in this act, effective on February 15, 1982, subsection 11-17-2(2)(a)(i) is amended to read:

'(i) which shall be suitable for industrial, manufacturing, warehousing, research, business and professional office building facilities, low income rental housing, or recreational purposes, or'

Page 8, Line 33:
Delete "4" and insert in lieu thereof "5"

Glade M. Sowards, Senate Chairman
R. Haze Hunter, House Chairman

On motion of Senator Snow, **S.B. No. 1** was placed on Third Reading Table.

• • •

Mr. President: October 30, 1981

I am directed to inform the Senate that the House of Representatives has this day adopted the Joint Conference Committee Report dated October 30, 1981, and passed **S.B. No. 4,** SUPPLEMENTAL APPROPRIATIONS ACT, by Senator Halverson, 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. 4, SUPPLEMENTAL APPROPRIATIONS ACT)

Mr. President: October 30, 1981

Your Conference Committee, consisting of Senators Halverson, Flamm and Bunnell and Representatives Rogers, Whitesides and B. White to which was referred **House Substitute to S.B. No. 4,** SUPPLEMENTAL APPROPRIATIONS ACT, by Senator Halverson, begs leave to report as follows:

The committee concurs in the House amendments.

Ronald T. Halverson, Senate Chairman
Paul Rogers, House Chairman

On motion of Senator Halverson, the Senate voted to adopt the Joint Conference Committee Report on the following roll call:

Yeas, 22; Nays, 3; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Carling	Jeffs	Snow
Barlow	Christensen	Jones	Sowards
Barton	Considine	Matheson	Swan
Black	Farley	Peterson, C.	Wayment
Bullen	Finlinson	Sandberg	Mr. President (Ferry)
Bunnell	Halverson		

Voting in the negative were: Senators

Bennett	Flamm	Money

Absent and not voting were: Senators

Asay	Cornaby	Peterson, L.	Pugh

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

• • •

On motion of Senator Snow, **S.B. No. 1,** INDUSTRIAL DEVELOPMENT FACILITIES ACT MODIFICATIONS, was lifted from Third Reading Table and before the Senate. On motion of Senator Sowards, the Senate voted to refuse to adopt the Joint Conference Committee Report and to ask that another Conference Committee be appointed to consider the bill. President Ferry appointed a Second Conference Committee comprised of Senators Sowards, Bunnell and Finlinson.

• • •

At the request of Senator Matheson, the Senate voted to allow him to change his vote from Yea to Nay on **H.B. No. 4,** REAPPORTIONMENT OF HOUSE DISTRICTS. The final vote is 18 Yea, 9 Nay and 2 Absent.

• • •

S.B. No. 9, STATE SENATE REAPPORTIONMENT, by Senator Matheson, remains on Second Reading Table.

COMMUNICATIONS FROM THE HOUSE

Mr. President: October 30, 1981

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 4,** SUPPLEMENTAL APPROPRIATIONS ACT, by Senator Halverson, et al, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. No. 4 was signed by the President and referred to the Committee on Rules to be enrolled and transmitted to the Governor.

• • •

Mr. President: October 30, 1981

I am directed to inform the Senate that the Speaker of the House of Representatives has this day appointed a Second Conference Committee consisting of Representatives Hunter, Richards and Johnson to act with a like committee from the Senate to consider or amend **S.B. No. 1,** INDUSTRIAL DEVELOPMENT FACILITIES ACT MODIFICATIONS, by Senator Sowards.

Allan M. Acomb, Chief Clerk

• • •

On motion of Senator Snow, the Senate voted that effective November 1 (amended to "October 31" by Senator Finlinson) the Senators forego daily pay, except for those days when official meetings and conference committee meetings are held during adjournment of the Special Session. In addition, the motion requires a roll call vote with an aye vote indicating the Senator will forsake daily pay during the recess, except for pay for attending official meetings and conference committee meetings held during adjournment.

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Considine	Jeffs	Sandberg
Barlow	Farley	Jones	Snow
Barton	Finlinson	Matheson	Sowards
Bullen	Flamm	Money	Wayment
Carling	Halverson	Peterson, C.	Mr. President (Ferry)
Christensen			

Voting in the negative were: Senators
Black

Absent and not voting were: Senators

Asay	Bunnell	Peterson, L.	Swan
Bennett	Cornaby	Pugh	

• • •

On the following roll call and on motion of Senator Snow and at 11:00 p.m. the Senate voted to adjourn until Tuesday, November 17, 1981 at 2:00 p.m., unless otherwise notified by the President of the Senate or Majority Leader.

Yeas, 20; Nays, 1; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Christensen	Halverson	Sandberg
Barlow	Considine	Jeffs	Snow
Barton	Farley	Jones	Sowards
Bullen	Finlinson	Matheson	Wayment
Carling	Flamm	Peterson, C.	Mr. President (Ferry)

Voting in the negative were: Senators
Black

Absent and not voting were: Senators

Asay	Bunnell	Money	Pugh
Bennett	Cornaby	Peterson, L.	Swan

TWENTY-FIRST DAY

AFTERNOON SESSION

The Senate was called to order at 2:00 p.m. with Senator Haven J. Barlow in the chair.

Roll Call — All senators present except President Miles 'Cap' Ferry (excused).

Prayer — Senator Eldon A. Money

READING OF BILLS AND RESOLUTIONS

Please refer to Senator Halverson's motion on page 31.

COMMUNICATIONS FROM THE GOVERNOR

Dear President Ferry November 10, 1981

This is to inform you that on November 10, 1981, Governor Scott M. Matheson did sign into law the following bills, which have been forwarded to the Lieutenant Governor's Office for filing.

S.B. No. 4	SUPPLEMENTAL APPROPRIATIONS ACT
S.B. No. 10	ADMINISTRATION OF PROPERTY TAX ASSESSMENT
S.B. No. 11	UTAH HOUSING FINANCE AGENCY APPROPRIATION
S.B. No. 7	STATE BOARD OF EDUCATION REAPPORTIONMENT; and

This is to inform you that on November 10, 1981, Governor Scott M. Matheson did allow into law without his signature the following bill, which has been forwarded to the Lieutenant Governor's Office for filing.

S.B. No. 6	REAPPORTIONMENT OF STATE SENATE DISTRICTS; and

This is to inform you that on November 2, 1981, Governor Scott M. Matheson did sign into law the following bill, which has been forwarded to the Lieutenant Governor's Office for filing.

S.C.R. No. 2	HARVEY FLETCHER RESOLUTION; and

This is to inform you that on November 3, 1981, Governor Scott M. Matheson did sign into law the following bills, which have been forwarded to the Lieutenant Governor's Office for filing.

S.C.R. No. 1 SHERMAN A. WAYMENT RESOLUTION
S.C.R. No. 3 ERNEST G. MANTES

Sherry M. Bassett, Administrative Aide

COMMUNICATION FROM THE HOUSE

Mr. President: November 17, 1981

I have been directed to inform the Senate that Governor Matheson did sign into law on November 10, 1981, **H.B. No. 1,** STATE BOARD OF LOAN COMMISSIONERS' BORROWINGS, and that Governor Matheson did on November 10, 1981, let **H.B. No. 5,** REAPPORTIONMENT OF STATE CONGRESSIONAL DISTRICTS become law without his signature.

Allan M. Acomb, Chief Clerk

COMMUNICATIONS FROM THE GOVERNOR

Dear President Ferry: November 10, 1981

The recently recessed Special Session of the 1981 Utah Legislature has presented me with three bills reapportioning and redistricting the State's federal congressional districts and state legislative districts. I have reviewed these measures, as well as the process through which the Legislature proceeded to enactment thereof, and I wish to make the following observations.

Reapportionment — the decennial division of states into congressional and legislative districts for voting purposes - is a matter of highest public importance as it forms the basis of our representative form of democracy. Its importance dictates that the process of reapportionment be conducted in accordance with the highest standards designed to insure that each voter in the State is equally and fairly represented. To the extent practicable, reapportionment should be accomplished outside of the realm of partisan politics. Reapportionment sets the stage, as it were, upon which the drama of partisan politics is to be played. Political considerations should not be allowed to manipulate the setting of this stage so as to predetermine the course of the drama.

Until 1962 the courts of this country tolerated political manipulation of legislative districts holding that such matters as reapportionment were purely political and, therefore, not justiciable. However, in that year the Supreme Court of the United States reversed itself and found that malapportionment of legislatures could invidiously discriminate against voters and that the judiciary would entertain voter attack upon malapportionment. Soon thereafter followed a flood of court cases

attacking reapportionment plans and processes. Cases following both the 1960 and 1970 census have concentrated on the need in reapportionment to insure, as nearly as is practicable, that one man's vote is to be worth as much as another's. This constitutional mandate has come to be known as the one man - one vote doctrine.

Simple adherence to the standard of population equality, however, does not insure equality of representation. Political gerrymandering similarly erodes the respective strength of an elector's vote and, therefore, undermines the goal of equality of representation. I believe that political gerrymandering will be the subject of judicial scrutiny during this next decade.

Political gerrymandering is the inevitable outgrowth of our present system of reapportionment. The Congress of the United States has left to the respective legislatures of the states the task of apportioning United States Congressional Districts. Similarly, Article IX, Section 2 of the Utah Constitution declares that the Senate and House of Representatives of the Utah Legislature shall be reapportioned by the Legislature according to ratios affixed by law. This system places the task of reapportionment in the hands of a body which is guided to a great extent by partisan political considerations. In addition, as it relates to reapportionment of state legislative seats, legislators are given the responsibility of reapportioning their own districts, thereby creating an inherent conflict of interest situation. With few standards other than substantial population equality to guide them, state legislatures have been free to draw districts designed to serve both personal and partisan ends. Too often legislative district lines are the result of a series of secret deals based largely upon personal and partisan motivations. Political gerrymandering has resulted. Such gerrymandering has reduced electoral competition and undermined our system of representative democracy in significant ways. Political gerrymandering dilutes the value of political participation, undermines legislative responsiveness to constituent views, and weakens political parties.

It is for these reasons of inherent legislative conflict of interest that I determined in the spring of this year to propose a better way of conducting the reapportionment process in the State of Utah. By Executive Order dated April 8, 1981, I created the Utah Advisory Commission on Reapportionment. This bi-partisan Commission was charged with the responsibility of making recommendations regarding the reapportionment of this state. As I stated at the time I created this Commission:

> "[I]t is in contradiction of the public interest of the State of Utah that the boundaries of federal congressional districts and state legislative districts be established so as to favor one political party or special interest group against others or that political gerrymandering

of legislative districts, be permitted to exist. Such undermines and obstructs electoral competition and the right of citizens of this state to fair, effective and relative equal representation in a democracy and the republican system of government. . ."

This committee was charged with the responsibility of minimizing political manipulation and gerrymandering of state and federal legislative boundaries and maximizing fair and relatively proportional representation. In order to obtain these results, I recommended that the commission utilize the following standards in its deliberations:

1. Both congressional and state legislative districts should have a population as nearly equal as is practicable based on the population reported in the 1980 federal census.

2. District lines should, to the degree possible, coincide with the boundaries of existing counties and municipalities.

3. Districts should, to the extent feasible, be composed of convenient contiguous territory.

4. Districts should be compact in form to the extent possible.

5. A district should not be drawn or apportioned on a basis of favoring any political party, incumbent legislator, or other person or group. In preparing a plan, the commission should not take into account the addresses of incumbent legislators.

In addition to these standards, I also required that the commission take its plans and proposals to the people of the State of Utah during a series of open and public meetings throughout the state.

On October 6, 1981, the commission presented me with its report setting forth its reapportionment plans as well as the process utilized in formulating these plans. I reviewed this report in its entirety and found without exception that the commission strictly adhered to the standards I have set forth above. I firmly believe that the work of this commission, and the process utilized by the commission, constitute a reapportionment model which should be the standard utilized to reapportion this state. A copy of this report was delivered to each member of the Legislature for their consideration. During my address at the opening of the Special Session I admonished the legislators to give serious consideration to the contents of the commission's report during the legislature's reapportionment deliberations. Unfortunately, the legislature chose to disregard this report.

By document dated simply October, 1981 (this document was not actually released until after the Special Session had commenced) the Legislative Committee on Reapportionment issued its own report containing its own reapportionment plans. These proposed plans were, for the most part, adopted by the Legislature and are reflected in the bills before me. Interestingly enough, this Legislative Report set forth as the "policy guidelines and priorities" supposedly used to guide the Legislative Committee in its deliberations, the same standards which I had set for the Advisory Commission, i.e. equal population, single member districts, adherence to Bureau of Census figures, contiguity and compactness, respect for existing political subdivisions, consideration of community of interest and geographical barriers, and disregard of incumbency. Unfortunately, examination of the work product of the Legislative Committee and the Legislature reveals that they did not follow their own policy guidelines and priorities. It is apparent that when it came to the actual drawing of congressional and legislative districts both the Legislative Committee and the Legislature itself reverted to the old practice of political gerrymandering and self protection.

For example, the congressional redistricting plan as set out in **H.B. No. 5** divides district 2 from district 3 by way of a line cutting Salt Lake County in a northwesterly direction and placing the southwestern section of Salt Lake County in the third district along with Utah County and the remaining eastern and southeastern counties of the state. This line in Salt Lake County needlessly violates at least four of the Legislature's own policy guidelines and priorities. The Salt Lake County portion of the third district is not compact, severs some five political subdivisions, and disregards the communities of interest of the voters involved. The division is not only designed to protect a political incumbent, but was, in fact, proposed by that incumbent.

In the senate plan as reflected in **S.B. No. 6**, again the prevailing considerations centered around partisan politics and protection of incumbents' seats. I might add that this tendency was not limited to one political party. It seems to be the accepted unwritten rule that the Legislature protects its own regardless of party affiliation. That is, the Legislature's lines were bent to protect certain Democratic as well as Republican incumbents. These considerations resulted in districts which unjustifiably cut counties in ways that effectively disenfranchise certain voters, as well as destroy communities in interest. For instance, the voters of eastern Carbon County are placed in a district with Duchesne and Uintah Counties. Unfortunately, there is no transportation link between east Carbon County and these other northern counties. This lack of contiguity serves to disenfranchise the voters of eastern Carbon County. In Salt Lake County proposed senate districts pay litle if any attention to existing political subdivisions within the county. Districts link the

Avenues area and portions of Federal Heights with Central City. Communities of interest apparently played little, if any, part in the drawing of these lines.

Of greatest concern is the house redistricting plan as reflected in **H.B. No. 4.** Here the consideration of partisan politics and self interest have egregiously violated the public good. In the creation of one district the legislature has violated virtually every objective standard of reapportionment except for equality of population. This district spans portions of seven counties. Only one of these seven counties, i.e., Kane County, is taken as a whole by this proposed district. Carbon County, Grand County, Emery County, Wayne County, Garfield County, and Washington County are all severed by this proposed district. Communities of interest of the voters within this proposed district have been totally disregarded. The configuration of this proposed district is intolerable standing alone. The fact that this proposed district is the sole result of incumbent legislators carving out districts to protect themselves renders this proposal intolerable. I am also concerned about the House redistricting of Tooele, Box Elder, Cache, Rich and Salt Lake Counties.

In summary, notwithstanding the legislature's claim that it was adhering to reapportionment standards beyond those minimally required by the Constitutions of the United States and the State of Utah, it is clear that its actual deliberations, as well as the plans produced by those deliberations, were primarily the product of political and personal considerations. In other words, it was business as usual. It is this process, more than the physical results of the process, of which I disapprove. All of the congressional and legislative plans before me are tainted by the process which produced them.

The congressional and senatoral plans, even though questionable when held to the higher standards, probably meet those minimal standards presently dictated by the courts. I will, therefore, allow **H.B. No. 5** (congressional redistricting) and **S.B. No. 6** (senate reapportioning) to become law without my signature.

Regarding the house proposal, I find certain of the districts proposed therein to be so repugnant to those concepts of equality of representation as to be untenable. I, therefore, disapprove **H.B. No. 4** and ask the Legislature to reconsider this proposal in light of considerations of fairness, equality of representation and the public good.

In conclusion, I realize that political gerrymandering is practiced throughout the country by both major political parties whenever and wherever an imbalance of power presents itself. However, this political fact does not justify continuance of the practice. I feel that the people of the State of Utah deserve, and our system of representative government dictates, that the process of reapportionment be conducted in the future in accordance with the highest standards. As James Madison wrote in the Federalist No. 57:

"Who are to be the electors of the federal representatives? Not the rich more than the poor; not the learned more than the ignorant; not the haughty heirs of distinguished names, more than the humble sons of obscure and unpropritious fortune. The electors are to be the great body of the people of the United States. . ."

Reapportionment now and in the future should be conducted in a manner which will preserve this equality of representation to the **greatest** extent possible.

Because of the importance of the reapportionment process to our democracy, and the weaknesses and conflicts of interest inherent in our present system, I am convinced that major changes in the present process must be made. I am going to recommend that the Utah Constitutional Revision Commission examine the desirability of amending the Utah Constitution to remove the responsibility of reapportionment from Legislative purview, and to create an independent, bi-partisan commission to perform this function. Only when reapportionment is removed from the abuses of partisan politics and self-interest will true equality of representation be attainable.

Scott M. Matheson,
Governor, State of Utah

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Dear President Ferry: November 10, 1981

I have found it necessary to disapprove **Senate Bill No. 3,** ELECTION DISTRICT CHANGES, enacted in the 1981 First Special Session. This bill eliminates the requirement that voting districts contain no more than 500 registered voters before being divided. It further allows the combination of election districts for polling, the only restriction being that the common polling place be within the same legislative district.

I can understand the Legislature's interest in enabling county commissioners to enlarge voting districts for the purpose of registration and to consolidate them for the purpose of elections, but the consequences of these economies would make the exercise of the franchise more difficult and the administration of elections more of a burden for county clerks. In weighing the economy and the efficiency of voting, I believe the public interest is best served by expanding rather than restricting access to the polls.

Scott M. Matheson,
Governor, State of Utah

On motion of Senator Snow, the Senate voted to reconsider its action on **S.B. No. 3**, ELECTION DISTRICT CHANGES, for the purpose of overriding the Governor's veto and place it on the Third Reading Calendar.

PRESENTATION OF RESOLUTION

ELSIE KING RESOLUTION

S.J.R. No. 2 *Karl G. Swan*

A JOINT RESOLUTION OF THE FIRST SPECIAL SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH, EXPRESSING GRATITUDE FOR THE CONTRIBUTIONS OF ELSIE ISABELLE MANNING KING AND CONDOLENCES TO HER FAMILY, was read the first time.

On motion of Senator Swan, and under suspension of the rules, the Senate voted to read **S.J.R. No. 2** the second and third times and the resolution passed on a unanimous voice vote of all Senators present. Senator Ferry was absent. **S.J.R. No. 2** was transmitted to the House.

CONSIDERATION OF GOVERNOR'S VETO
(S.B. No. 3, ELECTION DISTRICT CHANGES)

S.B. No. 3, ELECTION DISTRICT CHANGES, is before the Senate on reconsideration. Senator Finlinson explained the bill. Senators Halverson, Black, Snow, Farley and Bennett commented. **S.B. No. 3** passed on reconsideration and the Governor's veto was overridden by the Senate on the following roll call:

Yeas, 21; Nays, 6; Absent, 2

Voting in the affirmative were: Senators

Asay	Christensen	Jeffs	Pugh
Bangerter	Cornaby	Jones	Sandberg
Barlow	Finlinson	Matheson	Snow
Barton	Flamm	Peterson, C.	Sowards
Bullen	Halverson	Peterson, L.	Wayment
Carling			

Voting in the negative were: Senators

Bennett	Considine	Money	Swan
Black	Farley		

Absent and not voting were: Senators
Bunnell Mr. President (Ferry)

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

SECOND READING CALENDAR

On motion of Senator Matheson, the Senate voted to strike the enacting clause on **S.B. No. 8,** STATE CONGRESSIONAL DISTRICTS REAPPORTIONMENT (Matheson).

The Senate sauntered at 2:45 p.m. and reassembled at 3:20 p.m.

COMMUNICATIONS FROM THE HOUSE

Mr. President: November 17, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.J.R. No. 2,** ELSIE KING RESOLUTION, 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.

Allan M. Acomb, Chief Clerk

S.J.R. No. 2 was signed by the Acting President, Senator Haven J. Barlow, and referred to the Rules Committee to be enrolled and transmitted to the Lieutenant Governor.

• • •

Mr. President: November 16, 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,** TECHNICAL AMENDMENTS TO CONGRESSIONAL, SENATE, AND BOARD OF EDUCATION REAPPORTIONMENT ACTS, by Representative Harward, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 11 was read the first time. Senators Snow, Finlinson and Matheson commented. On motion of Senator Finlinson, and under suspension of the rules, the bill was read the second and third times and passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2

Voting in the affirmative were: Senators

Asay	Christensen	Jeffs	Pugh
Bangerter	Considine	Jones	Sandberg
Barlow	Cornaby	Matheson	Snow
Barton	Farley (exp.)	Money	Sowards
Black	Finlinson	Peterson, C.	Swan
Bunnell	Flamm	Peterson, L.	Wayment
Carling	Halverson		

Voting in the negative were: Senator
Bennett

Absent and not voting were: Senators
Bullen Mr. President (Ferry)

H.B. No. 11 was signed by the Acting President, Senator Haven J. Barlow, and transmitted to the House.

On motion of Senator Snow and at 3:30 p.m. the Senate voted to recess until 4:15 p.m. The Senate reassembled at 6:45 p.m.

PRESENTATION OF RESOLUTION

WILLIAM A. DAWSON RESOLUTION

S.J.R. No. 3 *Haven J. Barlow*

A JOINT RESOLUTION OF THE FIRST SPECIAL SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH, EXPRESSING GRATITUDE FOR THE CONTRIBUTIONS OF WILLIAM A. DAWSON AND CONDOLENCES TO HIS FAMILY, was read the first time.

On motion of Senator Bangerter, and under suspension of the rules, **S.J.R. No. 3** was read the second and third times and passed on a unanimous voice vote of all senators present. Senators Ferry, Jones, Carling, Cornaby, Black and Christensen were absent. **S.J.R. No. 3** was transmitted to the House.

JIM McMAHON RESOLUTION

S.C.R. No. 4 *Karl N. Snow, Jr., Dona M. Wayment, Arnold Christensen, Glade M. Sowards, A. Dean Jeffs*

A RESOLUTION OF THE FIRST SPECIAL SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH, THE GOVERNOR CONCURRING THEREIN, COMMENDING JIM McMAHON FOR HIS OUTSTANDING FOOTBALL CAREER AT BRIGHAM YOUNG UNIVERSITY; AND CALLING UPON THE COMPETING TEAMS TO PRODUCE THEIR BEST AND MOST HONORABLE PERFORMANCES ON SATURDAY, NOVEMBER 21, was read the first time.

Senator Snow commented. On motion of Senator Snow and under suspension of the rules, **S.C.R. No. 4** was read the second and third times and passed on a unanimous voice vote of all senators present. Senators Ferry, Jones, Carling, Cornaby, Black and Christensen were absent. **S.C.R. No. 4** was transmitted to the House.

COMMUNICATION FROM THE HOUSE

Mr. President: November 17, 1981

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Second Joint Conference Committee Report as of November 17, 1981, **S.B. No. 1,** INDUSTRIAL DEVELOPMENT FACILITIES ACT MODIFICATIONS, by Senator Sowards, and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

SECOND JOINT CONFERENCE COMMITTEE REPORT
(S.B. No. 1, INDUSTRIAL DEVELOPMENT FACILITIES ACT MODIFICATIONS)

Mr. President: November 17, 1981

Your Second Conference Committee consisting of Senators Sowards, Bunnell and Finlinson and Representatives Hunter, Richards and Johnson to which was referred **S.B. No. 1,** INDUSTRIAL DEVELOPMENT FACILITIES ACT MODIFICATIONS, by Senator Sowards, begs leave to report as follows: (All references are to the cherry copy.)

Page 1, Lines 27, 28 and 29:
Reinstate the following: *"stimulate the economic growth of the State of Utah, to promote employment and"*.

Page 1, Line 30:
Reinstate the words *"domestic or"*.

Page 2, Lines 26 and 27:
Reinstate the following: *"commercial, shopping services, food, lodging,"*.

Page 2, Line 28:
Reinstate the following: *"or any other business purposes or,"*

Page 3, Line 23:
Reinstate the words *"domestic or"*.

Page 5a, Line 6:
Reinstate the words *"domestic or"*.

Page 5a, Line 7:
After "Utah industrial products," delete remainder of line.

Page 5a, Lines 8 and 9:
Delete in its entirety.

Page 5a, Line 10:
Delete the following: *"affairs and economic development,"*.

Page 6, Line 6:
After the word *"resolution,"* delete the comma and insert a period and delete the remainder of the line.

Page 6, Lines 7 and 8:
Delete in their entirety.

Page 6, Lines 9 through 15:
Reinstate all previously deleted language.

Page 6, Line 16:
Reinstate the figure *"(3)"*.

Page 6, Line 27:
Reinstate the figure *"(4)"*.

Page 7, Line 2:
Reinstate the figure *"(5)"*.

Page 8, Line 19:
Reinstate the figure "*(6)*".

Glade M. Sowards, Senate Chairman
R. Haze Hunter, House Chairman

On motion of Senator Sowards, the Senate voted to accept the Second Joint Conference Committee Report on the following roll call:

Yeas, 20; Nays, 2; Absent, 7

Voting in the affirmative were: Senators

Asay	Bullen	Halverson	Sandberg
Bangerter	Bunnell	Money	Snow
Barlow	Considine	Peterson, C.	Sowards
Barton	Finlinson	Peterson, L.	Swan
Bennett	Flamm	Pugh	Wayment

Voting in the negative were: Senators

Jeffs	Matheson

Absent and not voting were: Senators

Black	Christensen	Farley	Mr. President (Ferry)
Carling	Cornaby	Jones	

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

• • •

Mr. President: November 17, 1981

I am directed to inform the Senate that the House of Representatives did this day, upon reconsideration of **S.B. No. 3**, ELECTION DISTRICT CHANGES, by Senator Finlinson, et al, fail to override the Governor's veto of **S.B. No. 3** by a vote of 38 ayes, 29 nays, and 8 absent, and the same is forwarded herewith for filing.

Allan M. Acomb, Chief Clerk

S.B. No. 3 is filed.

The Senate sauntered at 7:00 p.m. and reassembled at 8:20 p.m.

COMMUNICATION FROM THE HOUSE

Mr. President: November 17, 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. 12,** ELECTION DISTRICT MODIFICATIONS, by Representative Harward, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 12 was read the first time and on motion of Senator Snow, and under suspension of the rules, placed on Second Reading Calendar. On motion of Senator Finlinson, and under suspension of the rules, **H.B. No. 12** was 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	Bunnell	Halverson	Pugh
Bangerter	Considine	Jeffs	Sandberg
Barlow	Farley	Matheson	Snow
Barton	Finlinson	Peterson, C.	Sowards
Bennett	Flamm	Peterson, L.	Swan
Bullen			

Absent and not voting were: Senators

Black	Christensen	Jones	Wayment
Carling	Cornaby	Money	Mr. President (Ferry)

H.B. No. 12 was signed by the Acting President of the Senate, Senator Haven J. Barlow and transmitted to the House.

• • •

Mr. President: November 17, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **S.J.R. No. 8,** WILLIAM A. DAWSON RESOLUTION, by Senator Barlow, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.J.R. No. 3 was signed by the Acting President of the Senate, Senator Haven J. Barlow, and referred to the Rules Committee to be enrolled and transmitted to the Lieutenant Governor.

• • •

On motion of Senator Snow, and under suspension of the rules, **S.B. No. 9,** STATE SENATE REAPPORTIONMENT (Black), was lifted from Second Reading Table and placed at the top of Second Reading Calendar.

On motion of Senator Snow, the Senate voted to strike the enacting clause of **S.B. No. 9** on the following roll call:

Yeas, 16; Nays, 5; Absent, 8

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Pugh
Bangerter	Finlinson	Matheson	Sandberg
Barlow	Flamm	Peterson, C.	Snow
Barton	Halverson	Peterson, L.	Sowards

Voting in the negative were: Senators

Bennett	Considine	Farley	Swan
Bunnell			

Absent and not voting were: Senators

Black	Christensen	Jones	Wayment
Carling	Cornaby	Money	Mr. President (Ferry)

The enacting clause of **S.B. No. 9** was stricken and the bill was filed.

On motion of Senator Snow, the Senate voted to adjourn until Friday, November 20, 1981 at 10:00 a.m.

TWENTY-FOURTH DAY

AFTERNOON 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 Bennett (excused).

Prayer — Senator Glade M. Sowards

READING OF BILLS AND RESOLUTIONS

Please refer to Senator Halverson's motion on page 31.

COMMUNICATIONS FROM THE HOUSE

Dear President: November 17, 1981

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 1,** INDUSTRIAL DEVELOPMENT FACILITIES, by Senator Sowards, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. No. 1 was signed by the President and referred to Rules Committee to be enrolled and transmitted to the Governor.

The Senate recessed for party caucus at 10:15 a.m. and reassembled at 11:15 a.m.

CONSIDERATION OF GOVERNOR'S VETO
(H.B. No. 4, REAPPORTIONMENT OF HOUSE DISTRICTS)

Mr. President: November 17, 1981

I am directed to inform the Senate that the House of Representatives did this day, upon reconsideration of **H.B. No. 4,** REAPPORTIONMENT OF HOUSE DISTRICTS, by Representative Harward, et al, by a vote of 50 ayes, 20 nays, 5 absent, overrode the Governor's veto of **H.B. No. 4,** and the same is forwarded herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, the Senate voted to reconsider its action on **H.B. No. 4**, REAPPORTIONMENT OF HOUSE DISTRICTS, for the purpose of overriding the Governor's veto and place it on Third Reading Calendar. Senator Swan commented. **H.B. No. 4** passed on reconsideration and the Governor's veto was overriden by the Senate on the following roll call:

Yeas, 21; Nays, 6; Absent, 2

Voting in the affirmative were: Senators

Asay (exp.)	Cornaby	Jones	Sandberg
Bangerter	Finlinson	Matheson	Snow
Barlow	Flamm	Peterson, C. (exp.)	Sowards
Barton	Halverson	Peterson, L.	Wayment
Bullen	Jeffs	Pugh	Mr. President (Ferry)
Christensen			

Voting in the negative were: Senators

Black	Considine	Money	Swan
Bunnell	Farley		

Absent and not voting were: Senators

Bennett	Carling

H.B. No. 4 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President: November 20, 1981

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. 4**, JIM McMAHON RESOLUTION, 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.C.R. No. 4 was signed by the President and referred to Rules Committee to be enrolled and transmitted to the Governor. Senator Snow presented copies of the resolution to the parents and grandparents of Jim McMahon in Committee of the Whole.

The Senate recessed for Republican party caucus at 11:40 a.m. and reassembled at 12:15 p.m.

• • •

Mr. President: November 20, 1981

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 15,** AMENDMENTS TO REAPPORTIONMENT OF HOUSE DISTRICTS, by Representative Harward, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 15 was read the first time. On motion of Senator Swan, and under suspension of the rules, the bill was placed on Second Reading Calendar.

On motion of Senator Snow, and at 12:20 p.m., the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reassembled at 1:35 p.m. with President Miles 'Cap' Ferry presiding.

H.B. No. 15, AMENDMENTS TO REAPPORTIONMENT OF HOUSE DISTRICTS, is before the Senate. Senator Finlinson explained the bill. Senators Black, Bunnell and Snow commented. On motion of Senator Snow, and under suspension of the rules, the bill was read the second and third times and passed on the following roll call:

Yeas, 17; Nays, 7; Absent, 5

Voting in the affirmative were: Senators

Asay	Finlinson	Matheson	Snow
Bangerter	Flamm	Peterson, L.	Sowards
Barlow	Halverson	Pugh	Wayment
Barton	Jeffs	Sandberg	Mr. President (Ferry)
Christensen			

Voting in the negative were: Senators

Black	Considine	Money	Swan
Bunnell	Farley	Peterson, C. (exp.)	

Absent and not voting were: Senators

Bennett	Carling	Cornaby	Jones
Bullen			

H.B. No. 15, having received a constitutional majority, was signed by the President and transmitted to the House.

• • •

Mr. President: November 20, 1981

The committee to read and revise the daily journals respectfully report that we have read them for the First Special Session (Reapportionment) and find them correct with minor amendments noted on the final copy.

Lowell Peterson, Committee Chairman

At the direction of President Ferry, the Journal is to reflect that 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 First Special Session (Reapportionment) of the Forty-Fourth Legislature.

Governor Notified — President Ferry appointed Senators Bullen, Swan and Barton to act with a like committee from the House to wait upon the Governor and ascertain whether he has any further business to bring before the Legislature.

House of Representatives Notified — President Ferry appointed Senators C. Peterson, Farley and Asay to notify the House of Representatives that the Senate has concluded its business and is ready to adjourn sine die.

House Notifies Senate — A committee from the House of Representatives comprised of Representatives Garff, Brandt and Hunter notified the Senate that the House had concluded business and is ready to adjourn sine die.

Senator C. Peterson 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 Bullen reported that his committee, with a like committee from the House, had notified the Governor. The Governor requested that the committee convey to their respective houses that he had no further business to bring before the Legislature.

BENEDICTION

Senator Haven J. Barlow

On motion of Senator Snow and at 2:50 p.m., the 1981 First Special Session (Reapportionment) of the Forty-Fourth Legislature adjourned sine die.

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COLUMNAR INDEX

SENATE BILLS AND RESOLUTIONS AND HOUSE BILLS AND RESOLUTIONS

FORTY-FOURTH LEGISLATURE

FIRST SPECIAL SESSION

1981

(Check Reference Code on Page 196)

REFERENCE CODE FOR COLUMNAR INDEX

(All Senate and House Bills and Resolutions considered during the First Special Session of the 44th Legislature)

A	— Amended on Floor
(a)	— Amended in Committee
Ag	— Agriculture Committee
BL-ED	— Business, Labor and Economic Development 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 Committee
SRR	— Senate Refuses to Recede
S.S.	— Social Services Committee
SSEC	— Senate Struck Enacting Clause
Sub.	— Substitute Bill or Resolution
T	— Tabled
T-PS	— Transportation and Public Safety Committee
V	— Vote

	(Check Reference Code on Page 198) Title and Sponsor (Co-sponsors listed on First Reading)	Read (1)	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and other action
SB 1	**Industrial Development Facilities Act Modifications** Glade M. Sowards, et al	36(R)	41(R) C of W V	45 143(R) A,V	144 165 186	165 HA,SRC 167, HRR Hc,Sc 168,HC JCCR,T 171,SRC Sc,Hc 184 JCCR HC,SC	189	189	11/27/81 Effective 11/27/81 Chap. 9
SB 2	**Supplemental Appropriations Act - Bear Lake Property** Charles W. Bullen, et al	36(R)	40(R) C of W AAA	41(R) V	41	167 failed			H-rejected 10/30/81
SB 3	**Election District Changes** Fred W. Finlinson, et al	37(R)	39(R)	39(R) V	40	44	44	44	180 Vetoed; 11/10/81 181, S-Overrides 186, H does not Override
SB 4	**Supplemental Appropriations Act** Ronald T. Halverson, et al	38(R) S.S.	143 146(R) C.R.	146(R) V	146 165	165 House Sub. SRC 168, HRR, Hc, 168, Sc 170, HC JCCR, SC	171	171	174 Effective 11/10/81 Chap. 6
SB 5	**Prison Overcrowding Emergency Powers Act** Ronald T. Halverson	39(R) S.S.	143 147(R) C.R.(a)	152(R) V	152	167 failed			H-rejected 10/30/81

	(Check Reference Code on Page 196) Title and Sponsor (Co-sponsors listed on First Reading)	Read (1)	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and other action
SB 6	**Reapportionment of State Senate Districts** Fred W. Finlinson, et al *(nominations and elections effective 1/2/82 — actual effective date 1/20/82; other purposes 1/1/83)*	39(R)	43(R) A A 45-46 140, A C of W	141 142(R) V 163	143	153	153	153	174 11/10/81 without the Governor's signature. 178 Chap. 1
SB 7	**State Board of Education Reapportionment** Fred W. Finlinson *(nominations and elections effective 1/1/82; other purposes 1/2/83)*	45(R)	143(R)	143(R) V 144 V	144	153	153	153	174 11/10/81 Chap. 2
SB 8	**State Congressional Districts Reapportionment** Ivan M. Matheson	45(R)	146 158 159						182 SSEC 11/17/81
SB 9	**State Senate Reapportionment** Wilford R. Black, et al	140 141 142(R)	145 152 157 V T 171						SSEC 11/17/81
SB 10	**Administration of Property Tax Assessment** Cary Peterson, et al	160(R)	160(R) A, C of W	161(R) V	161	164	164	164	174 11/10/81 Effective 1/1/81 Chap. 3
SB 11	**Utah Housing Finance Agency Appropriation** Charles W. Bullen, et al (25)	162(R)	162(R) A	163(R) V	163	165 failed 168 passed	168	168	167, 174 11/10/81 Effective 1/20/82 Chap. 5

	(Check Reference Code on Page 198) Title and Sponsor (Co-sponsors listed on First Reading)	Read (1)	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and other action
SCR 1	**Sherman A. Wayment Resolution** All members of the Senate	31 32 (R) Printed	32(R)	32(R) A	32	44	44	44	174 11/3/81
SCR 2	**Harvey Fletcher Resolution** Karl N. Snow, Jr., et al	32(R) Printed	32(R)	32(R)	32	39	39	39	174 11/2/81
SCR 3	**Ernest G. Mantes** Karl N. Snow, Karl G. Swan	156 157(R) Printed	157(R)	157(R)	157	162	162	162	174 11/3/81
SCR 4	**Jim McMahon Resolution** Karl N. Snow, Jr., et al	184(R)	184(R)	184(R)	184	190	190	190	11/23/81

	(Check Reference Code on Page 198) Title and Sponsor (Co-sponsors listed on First Reading)	Read (1)	Read (2)	Read (3)	Transmitted to House	Received from House	Signed by President	Signed by Speaker	Signed by Governor and other action
SJR 1	**Lowell W. Crandall** All members of the Senate	37(R) Printed	37(R)	37(R)	37	44	44	44	Transmitted to Lt. Governor 10/29/81
SJR 2	**Elsie King Resolution** *(Senator Black's mother)* Karl G. Swan	181(R)	181(R)	181(R)	181	182	182	182	Transmitted to Lt. Governor 11/17/81
SJR 3	**William A. Dawson Resolution** Haven J. Barlow	183(R)	183(R)	183(R)	183	187	187	188	Transmitted to Lt. Governor 11/17/81

	(Check Reference Code on Page 196) Title and Sponsor (Co-sponsors listed on First Reading)	Read (1)	Read (2)	Read (3)	Signed by President	Signed by Speaker	Signed by Governor and other action
HB 1	**State Board of Loan Commissioners Borrowings** Franklin W. Knowlton	39(R)	42(R)	42(R) V	43	43	175 11/10/81
HB 4	**Reapportionment of House Districts** Merrill W. Harward	164(R)	164(R) 165 V	166(R) V 171 V	167	167	179, Vetoed 11/10/81 189, H-Overrides S-Overrides
HB 5	**Reapportionment of State Congressional Districts** Merrill W. Harward	145(R)	148(R) 149 V 150 V	151(R) V	152	152	175 11/10/81 without the Governor's signature. 178
HB 11	**Technical Amendments to Congressional, Senate and Board of Education Reapportionment Acts** Merrill W. Harward	182(R)	182(R)	182(R) V	183	183	12/3/81 without the Governor's signature.
HB 12	**Election District Modifications** Merrill W. Harward	187(R)	187(R)	187(R) V	187	187	11/27/81 without the Governor's signature.
HB 15	**Amendments to Reapportionment of House Districts** Merrill W. Harward	191(R)	191(R)	191(R) V	192	192	without the Governor's signature.

STATE OF UTAH

SENATE JOURNAL

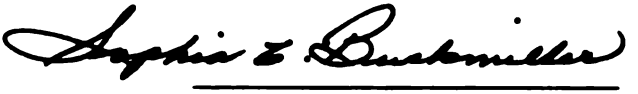
BUDGET SESSION
OF THE
FORTY-FOURTH
LEGISLATURE

Convened
Monday, January 11, 1982

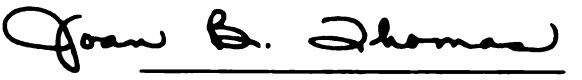
Adjourned Sine Die
Saturday, January 30, 1982

CERTIFICATION

The undersigned, as the duly appointed committee on revision of the Senate Journal for the Budget 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 Budget Session convening on Monday, January 11, 1982 at 1:00 a.m. and adjourning sine die on Saturday, January 30, 1982 at 12:00.



Sophia C. Buckmiller
Secretary of the Senate



Joan B. Thomas
Senate Minute Clerk

PRESIDENT OF THE SENATE
Budget Session — Forty-Fourth Legislature



During the Extraordinary Session on June 26, 1981, James F. Considine and Dona M. Wayment were administered the Oath of Office to serve as Utah State Senators. Senator Considine was appointed to serve after the resignation of Senator Arthur L. Kimball, and Senator Wayment was appointed to serve after the death of her husband, Senator Sherman Wayment. Each served during this and subsequent sessions with skill and integrity.

The First Special (Reapportionment) session held in October and November of 1981 and recorded herein, will long be remembered by all who gave of their time, talent and dedication to realign the districts of the State. The results will, I believe, serve the interests of the citizens of the State of Utah well during the coming decade.

During the Budget Session in January of 1982 the Legislature began addressing concerns regarding the New Federalism direction of the Federal Government. Under the excellent guidance of Appropriations Chairman, Warren E. Pugh, The State Budget was completed on Schedule. As presiding officer of the Utah State Senate I have been proud and honored to serve with the outstanding individuals elected to serve in the Senate. These dedicated individuals do a good job and represent their people well.

Miles 'Cap' Ferry
President, Utah State Senate

SENATE LEADERSHIP

MAJORITY LEADERSHIP (Republican)



Karl N.
Snow, Jr.
Majority Leader



Jack M.
Bangerter
Majority Whip

MINORITY LEADERSHIP (Democrat)



Wilford R.
Black, Jr.
Minority Leader



Karl G.
Swan
Minority Whip

SENATE STAFF



Sophia C.
Buckmiller
Secretary of the Senate



Joan B.
Thomas
Senate Minute Clerk



James W.
Carrico
Sergeant at Arms and Docket Clerk

SENATE LEADERSHIP

President of the Senate (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 of the House (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

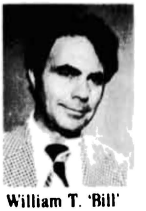
UTAH SUPREME COURT

Chief Justice	Gordon R. Hall
Justice	I. Daniel Stewart
Justice	Richard C. Howe
Justice	Dallin H. Oaks
Justice	Christine M. Durham

MEMBERS OF THE SENATE


E. Verl Asay


Haven J. Barlow


William T. 'Bill' Barton


Charles E. Bennett


Charles W. Bullen


Omar B. Bunnell


Richard J. Carling


Arnold Christensen


James F. Considine


Kay S. Cornaby


Frances Farley


Fred W. Finlinson


Bryce C. Flamm


Ronald T. Halverson


A. Dean Jeffs


William N. Jones


Ivan M. Matheson


Eldon A. Money


Cary G. Peterson


Lowell S. Peterson


Warren E. Pugh


Wayne L. Sandberg


Glade M. Sowards


Dona M. Wayment

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 H-968-3247
Bangerter, Jack M. (Connie)	23	Davis	R	1177 East Fifth North Bountiful 84010 H-292-5771 O-295-7342 & 6667
Barlow, Haven J. (Bonnie Rae)	22	Davis	R	552 Elm Street Layton 84041 H-376-4109 O-359-8121 & 376-4238
Barton, William T. 'Bill' (Karen)	12	Salt Lake	R	3940 West 4100 South West Valley City 84120 H-968-6964 O-969-5102
Bennett, Charles E., Sr. (Marva Joy)	6	Salt Lake	D	2729 Alden Street Salt Lake City 84106 H-467-0710 O-266-4461
Black, Wilford Rex, Jr. (Helen)	2	Salt Lake	D	826 North 1300 West Salt Lake City 84116 H-359-7456
Bullen, Charles W. (Jonnie)	25	Cache, Rich	R	1624 Sunset Drive Logan 84321 H-752-3309 O-752-7301
Bunnell, Omar B. (Helen)	27	Carbon, Emery, Grand and San Juan	D	640 North Third East Price 84501 H-637-1465 O-637-0284
Carling, Richard J. (Diane)	3	Salt Lake	R	1075 Alton Way Salt Lake City 84108 H-582-1231 O-359-7771
Christensen, Arnold (Necia Ann)	10	Salt Lake	R	891 East 8600 South Sandy 84070 H-255-2196 O-255-8035
Considine, James F.	5	Salt Lake	D	241 Ramona Avenue Salt Lake City 84115 H-467-8653 O-973-4587 & 972-2771
Cornaby, K.S. (Linda)	7	Salt Lake	R	3794 Hermes Drive Salt Lake City 84117 H-277-6932 O-532-1600

Farley, Frances (Gene)	1	Salt Lake	D	1418 Federal Way Salt Lake City 84102 H-364-2405
Ferry, Miles 'Cap' (Sue)	24	Box Elder, Cache	R	Box 70 Corinne 84307 H-744-2259 O-744-2258
Finlinson, Fred W. (Jeanne)	8	Salt Lake	R	720 Shiloh Way Murray 84107 H-268-9248 O-363-8823
Flamm, Bryce C. (Uleah)	19	Weber	R	3951 North 550 West Ogden 84404 H-782-7720 O-621-1921
Halverson, Ronald T. (Linda)	18	Weber	R	1540 Burton Court Ogden 84403 H-479-5354 O-731-4742
Jeffs, A. Dean (Darnell)	15	Utah	R	220 East 1950 South Orem 84057 H-225-4995 O-373-8848
Jones, William N. (Eleanor)	14	Utah	R	1856 North Fort Lane Alpine 84003 H-756-4474 O-533-8282 and 487-9861
Matheson, Ivan M. (Etta Louise)	29	Beaver, Iron Washington, Garfield, Kane	R	265 East Midvalley Road Cedar City 84720 H-586-9239
Money, Eldon A. (Sharlene)	17	Utah	D	RFD #2, Box 30 Spanish Fork 84660 H-798-3668
Peterson, Cary G. (Ranee)	28	Juab, Sanpete, Sevier, Millard, Piute, Wayne	R	406 East 500 North Nephi 84648 H-623-1816
Peterson, Lowell S. (Kathleen)	20	Weber	R	4538 South 1725 West Roy 84067 H-731-2170 O-731-2169
Pugh, Warren E. (Leta C.)	9	Salt Lake	R	5124 Cottonwood Lane Salt Lake City 84117 H-277-2182 O-355-6500
Sandberg, Wayne L. (Phyllis O.)	4	Salt Lake	R	1650 Loan Peak Drive Holladay 84117 H-277-5723 O-521-3222
Sowards, Glade M. (Elizabeth)	26	Morgan, Summit, Wasatch, Uintah, Duchesne, Daggett	R	380 West 100 South Vernal 84078 H-789-0149 & 532-1668 O-789-0657

Snow, Karl N., Jr. (Donna)	16	Utah	R	1847 North Oak Lane Provo 84604 H-373-6709 O-378-5017
Swan, Karl G. (Janet)	13	Tooele, Salt Lake	D	347 Upland Drive Tooele 84074 H-882-3740 O-882-0300
Wayment, Dona M.	21	Davis, Weber	R	2634 West 1800 North Clinton 84015 H-773-9349

UTAH STATE CONSTITUTION
LEGISLATIVE DEPARTMENT
ARTICLE VI

See the Senate Journal, 44th Legislature - General Session 1981
Pages 33 - 37

CRIMES AGAINST THE LEGISLATIVE POWER

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Page 38

SENATE RULES

Printed as revised on Pages 273 - 293

SENATE CONSTITUTIONAL PROVISIONS
ARTICLE VI

Printed as revised on Pages 569 - 572

IMPEACHMENT PROVISIONS

Printed as revised on Pages 572 - 576

JOINT RULES OF THE SENATE AND
HOUSE OF REPRESENTATIVES

See the Senate Journal, 44th Legislature - General Session 1981
Pages 54 - 64

VETO SESSIONS

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INTERIM STUDY COMMITTEE RULES

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Pages 66 - 69

STATE OF UTAH
SENATE JOURNAL

BUDGET SESSION

of the

FORTY-FOURTH LEGISLATURE

FIRST DAY

MORNING SESSION

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 1982 Budget Session in the Senate Chamber at 10:00 a.m.

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

Prayer — Elder David B. Haight, Member of the Quorum of the Twelve, Church of Jesus Christ of Latter-day Saints.

OUR FATHER WHICH ART IN HEAVEN, hallowed be thy name. Thy kingdom come, thy will be done on earth as it is in heaven.

Holy Father, assembled in this historic Capitol Building and here in the Senate Chamber, we have assembled the Senators representing the counties of this great sovereign State of Utah. Father, it is our desire and their desire to pause and to acknowledge thee as our Heavenly Father. We express unto thee the gratitude of our hearts for all of the blessings that have been poured out upon the people of our country and of this state and as individuals.

Father, we are mindful of the founding fathers who came to what is now the United States of America, and for the inspired direction which they received in formulating the constitution and the form of government in this great country. We honor them and express our gratitude for them.

We are also mindful, our Heavenly Father, of the pioneer heritage of this state and for those hearty souls, the men and women, who came across the plains and who settled in these valleys and in this part of America. We are mindful of their desires and what they stood for and of their concern for the people.

Our Father, we thank thee for the government of the State of Utah and for the process. We thank thee for the Governor and for this Senate, and for the House of Representatives and the Judicial system. We pray that the designs and desires of those who helped formulate the system under which we live will be carried out in a manner that will meet the standards and the desires of the original planners.

Holy Father, we have assembled here in this Senate the men and the women elected to represent their counties and to represent the people. These are good people and their motives are honest and upright. We pray, Heavenly Father, that all that transpires during this Budget Session of the 44th Legislature of the State of Utah will be carried forward in a manner that will be acceptable to the citizens of the State of Utah.

We pray, Holy Father, that the members of this Senate will be blessed with abilities and understanding and vision far beyond their own natural ability, as they analyze the serious problems and matters and concerns that will come before this body. We pray that they will have a keen sensitivity to the use of the resources with which this state has been blessed. Not only the natural resources, but the human resources. And that all of these blessings and resources will be taken into consideration and carefully used in a manner that will be in the best interests of the citizens of this great state.

Father, we thank thee for the people who are here. The senators and staff and for those who help them and assist them in any way. We thank them for taking the time and having the dedication and devotion to leave their affairs throughout the state and to come here and assemble to carry on this, our form of government. Father, we pray for their families that are left at home. We pray that their families will be blessed in unusual way.

We are mindful, Heavenly Father, that out in the world there are some 4-1/2 billion people who wonder and who watch the process of government in the United States of America and in the State of Utah. They wonder about our ability to pass laws and to carry on the administration of laws and our method of managing our affairs in a way that will lead to future growth of this land and to accommodate and acknowledge the lives of people and to take care of their needs.

Our Father, we are mindful of the blessings that have been poured out upon all of us. We pray that thy special blessings will be upon this body. We invoke thy blessings upon the Senators that they will be able to accomplish much and be able to do those things they are called upon to do and that their motives will be lofty. That their designs will be for the good of the people and that no evil or designs of ill will occur, or men who would gain an ill advantage would be recognized or take a foothold in this session of the Senate.

Father, accept our gratitude, accept our love for thee, and for these people. May they be blessed always as we leave our blessings upon this Senate and all of its doings. In the name of thy son Jesus Christ, Amen.

Posting of the Colors

Viewmont High School Vykettes Drill Team
Bountiful High School

Commander —	Kellee Tingey
Advisor —	Kathy Green
Flag Bearers —	Elaine Davis, Susan Johansen
Drummers —	Marty Martin, Shane Stephens, Andrea Jenson, Lynn Oggewalla, Bob Deckman
Corps —	Kristen Mann, Andriene Mayer, Brita Boucher, Kim Sarris, Gayle Clark, Shannon Hummel, Lisa Keller, Melanie Ives, Julie Sorenson, Cindy Slatter, Lori Owens

Pledge of Allegiance

Sophia C. Buckmiller, Secretary of the Senate, read the certification and membership of the 1982 Budget Session of the Utah State Senate.

CERTIFICATE OF MEMBERSHIP OF THE 1982 BUDGET 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. Vert 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-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 an appointment by the Governor, occasioned by the death of Senator Sherman A. Wayment occuring after the aforesaid election, the following is entitled to serve for the unexpired term of Senator Wyament, beginning June 24, 1981.

TWENTY-FIRST DISTRICT: Counties of Davis, Weber,
Dona M. Wayment

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
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, San Juan,
Omar B. Bunnell
TWENTY-EIGHTH DISTRICT: Counties of Juab, Millard, Sanpete, Sevier, Piute, Wayne,
Cary G. Peterson
TWENTY-NINTH DISTRICT: Counties of Beaver, Iron, Washington, Garfield. Kane,
Ivan M. Matheson

I FURTHER CERTIFY that by virtue of an appointment by the Governor, occasioned by the resignation of Arthur L. Kimball form the Utah State Senate effective October 1, 1981, the following person is entitled to serve beginning October 1, 1981, until the next general election.

FIFTH DISTRICT: County of Salt Lake,
James F. Considine

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, 1982.

David S. Monson
Lieutenant Governor

Roll Call — All senators present.

President Miles 'Cap' Ferry

We have a quorum.

First, I would like to thank Elder Haight for his beautiful prayer. As you all know, in a session of this nature we need help beyond our natural abilities to carry out our responsibilites. As I prepared for this session, people who would meet me on the street or that I talked to would ask: "Is it going to be a tough session? Are you going to be able to get the work done? Will you be able to balance the budget?" They would say: "Is this going to be the worst session you've ever been to?" And of course as people talk this way one becomes nervous and begins to worry: "Can we really do it? Can we balance the budget? Will we have enough money to satisfy the needs of the State?" As I look at the members of the Utah Senate my fears seem to vanish as I

realize the quality of the men and women elected by the people of the State of Utah to represent them. I've never seen a better group of people trying to do their best to serve the people in the State of Utah. Utah is truly fortunate to have their lawmaking in the hands of such good people.

We have an excellent staff selected by Senator Verl Asay, our Patronage Chairman. They've pledged to do their very best and I know they will. You all know that our greatest asset is sitting right here in front of me — Sophia Buckmiller, the Secretary of the Senate. She is assisted very ably by Joan Thomas, our Minute Clerk. We have a new Docket Clerk, Jim Carrico and he will be wearing two hats. He's got his docket hat on this time and he's still our Sergeant at Arms.

I want to remind you that this will be a short 20-day session. It's a Budget Session and if we're going to keep faith with the people of the State of Utah, the budget must be our number one item. Under the capable leadership of Senator Warren Pugh, our Appropriations Chairman, we can pass the budget on time and it will be balanced. We will be fair to our state employees, those in the education, and those who receive benefits from our budget, and we will also be fair to those who pay taxes in the State of Utah. I admonish you to not only look for ways to cut the budget, but consider where additional funds might be needed, as long as we stay within our budget. Our goal should be to develop government in such a way that it will best serve all the people in the State of Utah.

The Federal Government, under President Reagan's direction, is returning to the states their rightful roles and I agree with him whole-heartedly as I'm sure you also agree. We must be prepared to accept our responsibilities. We also must make sure that we allow local government more freedom in making decisions. As you know the government closest to the people is the best government and we must make sure that we don't transfer big brother from Washington to Salt Lake City. As federal programs are returned to our states, we must accept those things which Utah needs and can afford. We must have the courage to turn down those programs that aren't in the best interests of Utah cost too much and won't benefit our people.

We must continue to work together to keep party issues at a minimum; I can promise you I will do my best to continue to treat all of you on both sides of the aisle as fairly as I can. I ask that you treat each other with honor and respect during this session. I hope that we don't let a spirit of contention enter this body. As we discuss the issues let us stick to issues and not personalities.

Our forefathers have given us a choice land and the freedoms we enjoy. We must be willing to do what we can to preserve and strengthen this for ourselves and our posterity. As I look in the gallery and see my grandchildren, I have real cause to be concerned and I'm sure you have cause also. We must preserve this for those who come after us.

I can promise that, if we will obey the God of this land and do our best we will not fail. I thank you for the opportunity to again serve as your President in the Utah Senate.

President and Officers — Senator Karl N. Snow moved that the President of the Senate and Officers of the Senate for the 1982 Budget Session as follows:

President — Miles 'Cap' Ferry
Majority Leader — Karl N. Snow, Jr.
Majority Whip — Jack M. Bangerter
Minority Leader — Wilford R. Black, Jr.
Minority Whip — Karl G. Swan

The motion carried.

Senate Rules — Senator Ronald T. Halverson, moved that the Senate Rules of the General Session of the Forty-Fourth Legislature be adopted as Senate Rules for the 1982 Budget Session. The motion carried.

Joint Rules — Senator Ronald T. Halverson moved that the Joint Rules of the Utah House of Representatives and Utah State Senate for the General Session of the Forty-Fourth Legislature be adopted for the 1982 Budget Session. The motion carried.

House Notified — Senator Karl N. Snow, Jr., moved that the President appoint a committee of Senators Cary Peterson, James F. Considine and Lowell Peterson to notify the House of Representatives that the Senate is organized and ready to do business. The motion carried.

Governor Notified — President Miles 'Cap' Ferry appointed a committee comprised of Senators Wayne Sandberg, Omar B. Bunnell and Charles W. Bullen to notify Governor Scott M. Matheson that the Senate is organized and ready to receive any messages from him.

Senate Journal — President Miles 'Cap' Ferry appointed Senators Verl Asay, Eldon A. Money and Dona M. Wayment as a committee to read and revise the daily Senate Journals for the 1982 Budget Session.

President Ferry recognized a committee from the House of Representatives comprised of Representatives Haddow, Rector and Williams which advised that the House of Representatives is organized and ready to do business.

Senator Karl N. Snow, Jr.
Majority Leader

Mr. President and members of the Senate, I would like to express my appreciation for all of those who have worked in advance of the convening of this

session. Little is known of the considerable effort that is expended prior to our convening by members of the body and there have been several assignments to prepare for this session. I believe we are better prepared for this Budget Session than for any legislative session in which I have participated. We have, of course, had the experience of going through the General Session with the same membership. We do recognize a new member of our body, Senator Jim Considine but even he has had experience in the House. I express my appreciation to those who have put in long hours, and who have done considerable research and study on the issues before us. I would only pledge the support of the Republican majority to do its best to cooperate with our friends on the other side of the aisle, and to work for the common good.

Senator Wilford R. Black, Jr.
Minority Leader

I appreciate the remarks of President Ferry and Senator Snow. I would like you to know that we, too, on the minority side wish to cooperate and hope that we will put a joint effort forward to do the best we can for the people of Utah in this Budget Session. We wish to maintain a harmonious attitude in doing so.

Employees — Senator E. Verl Asay, Chairman of the Patronage and Employee Committee, moved that the following report be adopted:

Mr. President and Members of the Senate: January 11, 1981

As chairman of the Patronage and Employee Committee, I report that I have carefully considered the names of the applicants for the following offices in the Senate and have selected the following persons as the Senate staff for the 1982 Budget Session of the Forty-Fourth Legislature.

Sophia C. Buckmiller	Secretary of the Senate
Joan B. Thomas	Minute Clerk
James W. Carrico	Sergeant at Arms - Docket Clerk
William D. Woodbury	Assistant Sergeant at Arms
Sharon Ray	Leadership Secretary
Carol J. Warnick	Reception/Secretary Senate Office
Lynette Erickson	Secretarial Supervisor
Denise Wiser	Senatorial Page Supervisor
Delores Rowland	Bill Status and Calendar Clerk
Dwight Packard	Public Address Operator
Charlotte Packard	Telephone Operator
Charliene Reed	Telephone Operator

Maxine R. Conk	Educational Tour Guide
Paul Wiser	General Aide
Lila (Frankie) Charles	General Aide
Jeanne A. Martin	Committee Secretary and Clerk
Karen Hardle	Committee Secretary and Clerk
Jolene Gilbert	Committee Secretary and Clerk
Leslie J. Clark	Committee Secretary and Clerk
Paula Wentz	Committee Secretary and Clerk
George F. Adams	Mailroom Aide
Lynne Turner	Minority Secretary
Lee Erickson	Minority Page
Olive Esplin	Rules Committee Secretary
Willard Vee Call	Security
Phil L. Peterson	Security
Steven W. Cecil	Security
William R. Bleak	Security
Stanton B. Thomas	Security
Steven L. Crogan	Security
Mary C. Frandsen	Senatorial Page
Patricia A. Harmer	Senatorial Page
Eileen A. Peterson	Senatorial Page
Elaine W. Ashworth	Senatorial Page
Lisa Heaton	Senatorial Page
Allison Barton	Hostess and Aide to Third House
Cindy Beeton	Printing and Production Aide
Kelly K. Robinson	Custodian

E. Verl, Asay
Employee and Patronage Committee

Committee report read and adopted. The employees were introduced and President Ferry administered the following oath of office to all Senate Employees:

"Having been appointed to serve as a staff member for the 1982 Budget Session of the 44th Legislature, I do solemnly swear that I will support, obey and defend the Constitution of the United States and the Constitution of the State of Utah and that I will discharge the duties of my office with fidelity."

Chairman of the Committee to Notify the House of Representatives, Senator Cary Peterson, reported that the House of Representatives had been notified that the Senate is organized and ready to do business.

Senator Wayne Sandberg, chairman of the Committee to Notify the Governor, reported that His Excellency, Governor Scott M. Matheson, will be ready to deliver his message to the Joint Convention in the House Chambers at 11:00 a.m.

Interns

Mark W. Paterson, Legislative Research, introduced the following interns in Committee of the Whole:

Scott Cazier, Utah State University (President Ferry)
Glen Cella, University of Utah (Senator Finlinson)
Christi Moore, Utah State University (Senator Cornaby)
Michael Bray, University of Utah (Senator Snow)
Monica Graff, Weber State University (Senators Halverson, L. Peterson, Bangerter)
David Pearce, University of Utah (Senators Barlow, Jones, Sandberg)
Conrad Hafen, Weber State University (Senators Sowards, Barton)
Tom Christofferson, Brigham Young University (Senators Pugh, C. Peterson)
Ann Hatch, Utah State University (Senator Bullen)
Jesse Gallegos, University of Utah (Senators Black, Swan, Bennett)
W. Mark Lye, Utah State University (Senators Farley, Considine, Money)
John Fletcher, Brigham Young University (Senator Snow)
LaVern Jackson, University of Utah

READING OF TITLES OF BILLS AND RESOLUTIONS.

Senator Halverson, Rules Committee Chairman, moved that as provided by the Utah Constitution, the reading of the full title of all bills and resolutions on the Senate Calendar be suspended as they are read the first time and introduced, and as bills and resolutions are considered on Second and Third Reading Calendars and on Consent Calendar. Further that this motion apply to all bills and resolutions introduced and read during this Legislative Session, except as any Senator may request the reading of the full title of any House or Senate bill or resolution. The motion carried.

Senator Snow moved that the Senate recess. The Senators are to immediately move to the front of the House Chambers in order to enter as a body to hear Governor Scott M. Matheson's Budget Message in Joint Convention. In further compliance with the motion the Senate is to reassemble in the Senate Chamber at 2:00 p.m.

JOINT CONVENTION

The Utah State Senate and House of Representatives met in Joint Convention in the House Chamber at 11:00 a.m.

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

Senate roll call — all Senators present.

House roll call — all Representatives present.

President Ferry appointed a Joint Committee comprised of Senators Sowards, Bennett and Barton and Representatives L. Richards, McKeachnie and Nielsen to notify Governor Scott M. Matheson that the membership of the Budget Session of the Forty-Fourth Legislature is in Joint Convention and ready to hear his message.

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, Val Oveson, State Auditor and Edward T. Alter, State Treasurer. Members of the Utah Supreme Court were introduced.

Glade Peterson sang the "Star Spangled Banner."

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

BUDGET MESSAGE
Governor Scott M. Matheson

President Ferry, Speaker Bangerter, Members of the 44th Legislature, Ladies and Gentlemen:

Today marks the sixth time I've come before you to present my recommended budget. With all that practice, you'd think the budget would get a little easier. But the problems are tougher.

The budget I am presenting for FY 82-83 totals one billion, 852 million dollars. It represents a 10.3 percent increase over the current year's budget — roughly the rate of inflation. It is a frugal budget — described to me by one community leader as "parsimonious." But I believe it is reasonable, by any definition. It calls for no general tax increase and no increase in state employment.

I'd like to depart from the traditional budget message this year by not reciting to you all the specifics of my budget proposals. I believe everyone has had time to review them carefully. Rather, I think it's important to discuss the role Utah government must play if it intends to meet its responsibilities under a changing federal system.

Times have changed since we met in 1977 and 1978 to devise prudent uses of the state's surplus funds. The flexibility we enjoyed in those days because of surpluses has evaporated. Today we are stretched to fund vital state services. We're dealing with an economy plagued by high interest rates and slow growth. Also new to us is a dramatic withdrawal of federal funds at a time when the state is rapidly growing in population. Together, these factors have produced uncertainties and pressures that uniquely complicate this year's budget.

President Reagan has set a new course for the nation with a pledge to restore balance among federal, state and local governments. Philosophically, it's an idea I fully support. But Congress is reluctant to loosen up the reins enough to make the President's "new federalism" meaningful. Events in Washington — by either default or design — mean states must be prepared to play a much larger role in the federal system. They'll have greater responsibilities and fewer federal dollars.

Federal revenues as a percentage of the totai state budget have declined from 25 to 20 percent in the last three years, and we can expect that trend to continue. From last year's experience we know that as the federal budget deficit loomed larger, deeper and deeper cuts came at the expense of state and local governments.

My budget recommendations were drawn to comply with precepts I believe are essential for the state of Utah to effectively participate in an emerging federal system. They include first, setting priorities for government services; second, facing up to our responsibility to meet the needs of our citizens — needs that do not disappear when federal funds vanish and; third, providing the flexibility necessary to deliver those services as efficiently as possible.

Changing times require new solutions

The answers of the 70's will not solve problems of the 80's. Our state has changed — it's grown 37 percent in the past ten years. The needs of these new citizens hardly resemble needs of a decade ago. Nearly half of our female population is working outside the home today; some of them require day care services. The diversity of our economy requires new and expanded public services, like public safety, recreation and transportation. Our strategies for meeting these needs must include making *prudent investments in our future* and finding *innovative ways to deliver public services.*

The budget is the most effective management tool a state has in setting public policy. But a changing fiscal environment imposes limits on what we can accomplish. I think it's important that we address our priorities by measured, deliberate efforts, knowing what we want and what we must do to get there.

The most critical needs facing Utah today include solving the crisis in public education, ensuring that Utahns benefit from growth, and protecting investments we've already made. Decisions must be made during this legislative session that will affect each of these issues.

Flexibility to meet education needs

No where has the weight of population growth made a deeper impression than on public education, forcing many schools to increase class size, schedule double sessions or use portable classrooms. Enrollment projections between now and 1986 — a staggering 70,000 or more new students — mean we'll be hard pressed to support just the basic educational programs for our children. Adequate funding to maintain quality education in Utah will require the repeal or modification of HB 164 enacted by the 1981 Legislature which reduced the fair market value of residential and commercial properties by 20 percent, or the removal of the freeze, or both.

I have argued before Congress for flexibility to carry out federal programs at the state level, and I'm convinced I can do no less for local units of government. My approach to funding education programs this year extends the new federalism philosophy — and the flexibility necessary to make it work — to local decision makers.

Accordingly, I have recommended seven block grants for related educational programs. As long as it meets basic educational requirements, a school district's choice to give oboe lessons or provide for community education is one that belongs to the district — not to the governor or the Legislature. I believe local officials will welcome the flexibility they'll have through the block grants to meet unique community needs.

It is apparent we cannot meet all the requests from the Board of Regents for higher education. And rather than fund only a limited number of specific requests, I propose block grants based on enrollments and growth for each institution, enabling the college or university president to decide where he wants to spend the money. This flexibility is essential for both higher and public education to meet their growing needs.

Utahns must benefit from growth

Another high priority is preparing Utah citizens to fill high-paying jobs created by industrial growth in our state. It will require effective and timely vocational training, since 70 percent of all new jobs in Utah by 1983 will require less than a bachelor's degree. After an intensive three month study, an ad hoc committee looking at vocational education governance concluded the present system is fragmented to a degree that impairs effective policies, programs and facilities. Therefore it is critical that we address changes in vocational education governance during this session.

Facing up to responsibility

Federal dollars have traditionally funded a significant share of the state's health and social services. Coming at the same time as a national recession, federal cuts have had a pernicious effect on these programs. Caring for our own is deeply rooted in Utah tradition. The needs will not disappear simply because federal funds are cut. The simple truth is that *we* are the "safety net" and if public service needs are not met, we will be held responsible.

Utah has a good track record in operating social programs efficiently and in stimulating job opportunities. We've fostered attitudes that reward people who help themselves. I am asking you to fund these programs at a level that makes neither wholesale program reductions nor totally replaces lost federal dollars with state funds.

The impact of federal cuts extends far beyond income maintenance and social services. We have long relied on federal largesse to finance development of our water resources and treatment of our wastewater. After a major federal battle over funding of sewer construction grants, it is apparent that the federal role will be greatly reduced. Similarly, we have been put on notice that the costs of water development will now be borne by states and water users. Fortunately, our bonding program for water development is already in place, we must now consider expanding those efforts to include water treatment facilities.

Investments in our future

Investments in our future and protecting those we already have will return handsome dividends in years to come. Total capital expenditures are the third largest in the state's budget and projected needs are even greater. Clearly, those needs have outgrown traditional financing and budgeting procedures. I have, therefore, segregated them into a separate capital budget for your use as a planning tool.

Good business principles would suggest that we manage and protect our capital resources with diligence. It is tempting to ignore capital investments in difficult economic times. While benign neglect may achieve short-term savings, it will ultimately produce long-term costs. I am hopeful the Legislature will establish a separate capital facilities committee to responsibly address burgeoning capital needs.

Not included in the capital budget but a vital ingredient in meeting such needs is a comprehensive severance tax policy. As you review the projected capital needs of the state and its communities, I hope you will keep in mind that much of this new demand is an outgrowth of natural resource development. Provisions of a bill sponsored by Senator Charles Bullen would allow us to use funds generated by a severance tax to develop public infrastructure for state and community needs that will, in some small measure, replace the wealth that has been lost. Senator Bullen and I have discussed his proposal at length. I believe his bill is fair and far-sighted. Furthermore, it is time.

Our natural resources must be developed prudently, but they must be developed. And the wealth that flows from them must be spent prudently. For example we are expecting to receive at least $48 million in bonus money that has been held hostage by the courts during the litigation over the Ua and Ub oil shale tracts. We must be extremely cautious in any appropriation of these funds. I urge a full and complete analysis of all options and legal obligations before any decisions are made.

I mentioned at the outset that the changing fiscal environment requires us to set priorities among services that are most vital to the state. My budget requests were subjected to intense scrutiny. Given limited resources, the operations and capital budgets reflect the most essential priorities of the state of Utah. But legitimate needs exist which I could not recommend funding with existing resources but needs which I also feel very strongly about. Each of them represents a sound investment in Utah's future. I believe we have a greater responsibility to the people of this state than to merely preside as caretakers over our collective wealth. We also hold the responsibility to make far-sighted decisions that will return future rewards.

Investing a dollar today in an oil and gas auditing team will return $15 to $20 tomorrow. Funding day care services to those on public assistance will provide them an opportunity to get jobs, support their families and contribute to their community. Expanding medical school enrollment at the University of Utah and its residency program will produce more doctors for growing Utah communities. By assuming an additional 10 percent of state employees' health insurance costs, we could stem the exodus of state workers to the private sector, where fully paid health insurance is commonplace.

A miniscule amount — only one percent of the total taxes collected in the general fund and the uniform school fund would yield enormous benefits. Any one of the five different options outlined in the **Budget in Brief** would return enough money to fund these needs. They are included in the auxiliary budget, but they are *not* incidential needs.

I am sorry to say one of the state's most valuable investments has been neglected in recent years: the public employee. State workers, public school teachers and faculty and staff of the state's colleges and universities are defecting in droves. Turnover among state employees in the past two years has reached an alarming rate of 40 percent. The reason is apparent: salary increases have not kept pace with inflation or the increase in wages in the private sector. The cost of hiring and re-training people, about 50 percent of an individual's first year salary, is an expense we cannot afford.

State employment has not grown in five years, but the average workload and complexity of the work assignment have. Public employment in Utah is no longer attractive.

I implore you, do not shortchange public employees. These so called "bureaucrats" are people like yourselves. They have families to feed and mortgage payments to meet. They work hard. They deserve no less than my proposed 10.5 percent increase — the size of wage gains already realized by their counterparts in the private sector.

The University's Division of Continuing Education has prepared a slide presentation as part of a contract with the Division of Personnel Management. I was sufficiently impressed with their work that I have arranged for it to be presented here.

I promised this year's budget message would be unlike any other; it is certainly the briefest. Welcome changes in the federal system and a growing state create unparalleled responsibilities for both the executive and legislative branches of Utah government. I am confident that the budget I have presented to you this year reflects those circumstances and channels limited resources toward important public services and investments in Utah's future.

I wish you success in the short time that is allotted to address these difficult issues. As always, I offer the full support of my office and my staff.

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On motion of Senator Karl N. Snow, Jr., the Joint Convention voted to print the complete text of the Governor's Budget Message in the Senate Journal.

Representative LeRay McAllister moved that the Joint Convention be dissolved. Representative Roger Rawson seconded the motion. The motion carried.

The Joint Convention was dissolved.

AFTERNOON SESSION

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

PRESENTATION OF RESOLUTION

CANCER RESEARCH RESOLUTION

S.J.R. No. 1 *Ivan M. Matheson, Bryce C. Flamm, Eldon A. Money, Cary G. Peterson*

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH; COMMENDING DR. STEPHEN J. KLEINSCHUSTER OF UTAH STATE UNIVERSITY FOR HIS DISTINGUISHING AND HUMANE CONTRIBUTIONS IN CANCER RESEARCH, was read the first time and referred to Rules Committee.

DRUNK DRIVER STUDY

S.J.R. No. 2 *Dona M. Wayment, Eldon A. Money*

A JOINT RESOLUTION OF THE BUDGET 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 METHODS OF DEALING WITH THE PROBLEM OF DRUNKEN DRIVERS, was read the first time and referred to Rules Committee.

TAX ARTICLE REVISION

S.J.R. No. 3 *Glade M. Sowards, Karl N. Snow*

A JOINT RESOLUTION OF THE BUDGET 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 RESIDENTIAL PROPERTY 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; PROVIDING FOR SHARING OF REVENUES BETWEEN THE STATE AND ITS POLITICAL SUBDIVISIONS AND BETWEEN POLITICAL SUBDIVISIONS; 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 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.

CONCEALED WEAPONS RESOLUTION

S.J.R. No. 4 *Jack M. Bangerter*

A JOINT RESOLUTION OF THE BUDGET 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 LAWS RELATING TO CONCEALED WEAPONS, was read the first time and referred to Rules Committee.

COMPENSATION AND EXPENSES FOR LEGISLATORS

S.J.R. No. 5 *Wilford R. Black, Karl N. Snow, Jack M. Bangerter, Haven J. Barlow*

A JOINT RESOLUTION PROPOSING TO AMEND ARTICLE VI, SECTION 9 OF THE CONSTITUTION OF THE STATE OF UTAH; RELATING TO COMPENSATION OF

LEGISLATORS; PROVIDING FOR A CITIZENS' SALARY COMMISSION APPOINTED BY THE GOVERNOR TO MAKE SALARY RECOMMENDATIONS; PROVIDING FOR THE LEGISLATURE TO ACCEPT, REJECT OR LOWER THE RECOMMENDED SALARY; PROVIDING FOR REIMBURSEMENT OF LEGISLATORS' EXPENSES BY LAW; AND PROVIDING AN EFFECTIVE DATE, was read the first time and referred to Rules Committee.

INTERIM STUDY OF THIRD-PARTY PRESCRIPTION PROGRAMS

S.J.R. No. 6 *Jack M. Bangerter*

A JOINT RESOLUTION OF THE BUDGET 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 THE PRACTICE OF THIRD-PARTY PRESCRIPTION PAYMENT PROGRAMS IN THE STATE OF UTAH, was read the first time and referred to Rules Committee.

INTERIM STUDY OF THE LAY MIDWIFE PROGRAM

S.J.R. No. 7 *Jack M. Bangerter*

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH; DIRECTING THE LEGISLATIVE MANAGEMENT COMMITTEE TO ASSIGN TO THE BUSINESS, LABOR, AND ECONOMIC DEVELOPMENT INTERIM STUDY COMMITTEE THE DUTY TO STUDY THE PRACTICE OF LAY MIDWIFERY IN THE STATE OF UTAH, was read the first time and referred to Rules Committee.

MUNICIPAL TAX EXEMPTION CHANGES

S.J.R. No. 8 *Ivan M. Matheson*

A JOINT RESOLUTION OF THE BUDGET 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; CHANGING THE EXEMPTION FROM PROPERTY TAX OF THE PROPERTY OF VARIOUS OF THE POLITICAL SUBDIVISIONS TO BE SUBJECT TO GEOGRAPHICAL LIMITATIONS; AND PROVIDING AN EFFECTIVE DATE.

THIS RESOLUTION PROPOSES TO AMEND ARTICLE XIII, SECTION 2 OF THE CONSTITUTION OF UTAH, was read the first time and referred to Rules Committee.

SCHOOL DISTRICT - SCHOOL BOARD COOPERATION

S.C.R. No. 1 *Charles E. Bennett, William T. Barton*

A CONCURRENT RESOLUTION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH, THE GOVERNOR CONCURRING THEREIN; DIRECTING AND ENCOURAGING SCHOOL DISTRICTS AND BOARDS OF EDUCATION TO IMPLEMENT INTERDISTRICT COOPERATION IN DEALING WITH AND RESOLVING CURRENT PUBLIC EDUCATIONAL CHALLENGES, was read the first time and referred to Rules Committee.

SCHOOL DISCIPLINE AND CITIZENSHIP

S.C.R. No. 2 *William T. Barton, Charles E. Bennett*

A CONCURRENT RESOLUTION OF THE BUDGET SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH, THE GOVERNOR CONCURRING THEREIN; RELATING TO STUDENT DISCIPLINE AND CITIZENSHIP; RECOGNIZING THAT DISCIPLINE AND CITIZENSHIP ARE CONCERNS OF THE PUBLIC AND THAT COOPERATION BETWEEN THE SCHOOLS AND COMMUNITIES IS NECESSARY TO SOLVE BEHAVIORAL PROBLEMS AND IMPROVE CITIZENSHIP; DIRECTING EACH SCHOOL DISTRICT TO CONDUCT A SURVEY OF CONCERNS OF LOCAL CITIZENS AND TO FORM COMMITTEES TO ADDRESS THESE CONCERNS; FURTHER DIRECTING THAT THE STATE OFFICE OF EDUCATION REPORT ON THIS PROJECT TO THE 1983 LEGISLATIVE SESSION AND ALSO INFORM PUBLIC SCHOOL EDUCATORS OF EXISTING LAW REGARDING CITIZENSHIP-RELATED RIGHTS, was read the first time and referred to Rules Committee.

ENFORCEMENT OF LAWS RESOLUTION

S.C.R. No. 3 *Dona M. Wayment*

A CONCURRENT RESOLUTION OF THE BUDGET SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH, THE GOVERNOR CONCURRING THEREIN, ENCOURAGING ALL LAW ENFORCEMENT AGENCIES OF THE STATE TO ENFORCE EXISTING LAWS PROHIBITING DRUNKEN DRIVING AND PUNISHING THOSE CONVICTED OF DRUNKEN DRIVING, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

THIRD JUDICIAL DISTRICT JUDGESHIPS

S.B. No. 1 *Richard J. Carling*

AN ACT RELATING TO DISTRICT COURT JUDGES; INCREASING THE NUMBER OF DISTRICT COURT JUDGES IN UTAH'S THIRD JUDICIAL DISTRICT FROM 11 TO 14; AND DELETING CERTAIN OBSOLETE LANGUAGE.

THIS ACT AMENDS SECTION 78-3-1, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 89, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

CRIMINAL COURT COSTS REPEAL

S.B. No. 2 *Richard J. Carling, A. Dean Jeffs*

AN ACT RELATING TO COURT COSTS IN CRIMINAL CASES; AND REPEALING THE STATUTORY PROHIBITION OF IMPOSITION OF COURT COSTS ON A DEFENDANT AS A PART OF SENTENCING, PROBATION, OR DISMISSAL.

THIS ACT REPEALS SECTION 77-18-7, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

PUBLIC BONDING PROVISIONS

S.B. No. 3 *Richard J. Carling*

AN ACT RELATING TO PUBLIC CONTRACTS; PROVIDING FOR SECURITY ON BIDS FOR CERTAIN PUBLIC CONTRACTS; PROVIDING FOR PERFORMANCE AND PAYMENT BONDS ON COUNTY, CITY, OR MUNICIPAL PROJECTS; PROVIDING REMEDIES FOR NONPAYMENT OF SERVICES OR GOODS FURNISHED ON PUBLIC PROJECTS; EXTENDING LIABILITY TO THOSE PUBLIC ENTITIES WHO FAIL TO OBTAIN PAYMENT BONDS; ALLOWING ATTORNEY'S FEES IN ACTIONS INSTITUTED ON PERFORMANCE AND PAYMENT BONDS; AND PROVIDING EXCEPTIONS, was read the first time and referred to Rules Committee.

ASSOCIATE IN SCIENCE DEGREE

S.B. No. 4 *William T. Barton, James F. Considine, Charles E. Bennett, E. Verl Asay, Arnold Christensen, Ronald T. Halverson, Wayne L. Sandberg, Warren E. Pugh, Bryce C. Flamm*

AN ACT RELATING TO THE ASSOCIATE DEGREE IN SCIENCE AT UTAH TECHNICAL COLLEGE AT SALT LAKE; PROVIDING FOR A THREE-YEAR TRIAL PERIOD OF THE DEGREE AND AN APPROPRIATE EVALUATION PROCESS.

THIS ACT AMENDS SECTION 53-16-19.1, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 206, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

MINERAL LEASE FUNDS FOR TRANSPORTATION

S.B. No. 5 *Warren E. Pugh*

AN ACT RELATING TO THE MINERAL LEASE ACCOUNT IN THE GENERAL FUND; PROVIDING FOR THE APPROPRIATION A CERTAIN PORTION OF THE MINERAL LEASE FUNDS DEPOSITED IN THIS ACCOUNT TO THE TRANSPORTATION FUND; DIRECTING HOW THESE FUNDS SHALL BE CONSIDERED IN CERTAIN DETERMINATIONS MADE BY THE DIRECTOR OF FINANCE; AND DELETING CERTAIN OBSOLETE LANGUAGE.

THIS ACT AMENDS SECTION 65-1-64.5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 231, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

CIGARETTE TAX INCREASE

S.B. No. 6 *Karl N. Snow*

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING FOR AN INCREASE IN THE EXCISE TAX IMPOSED ON CIGARETTES; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AMENDS SECTION 59-18-4, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 205, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

MINERAL LEASE ALLOCATIONS

S.B. No. 7 *Ronald T. Halverson, Lowell S. Peterson*

AN ACT RELATING TO ALLOCATIONS OF MINERAL LEASE FUNDS; CHANGING THE CONSUMER PRICE INDEX LIMITATION PLACED ON THE PERCENTAGE OF THESE FUNDS APPROPRIATED TO THE BOARD OF REGENTS FOR ALLOCATIONS TO INSTITUTIONS OF HIGHER EDUCATION.

THIS ACT AMENDS SECTION 65-1-64.5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 231, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

PASSENGER TRAMWAY REGISTRATIONS

S.B. No. 8 *Fred W. Finlinson, Wilford R. Black, Richard J. Carling, Glade M. Sowards*

AN ACT RELATING TO PASSENGER TRAMWAYS; PROVIDING FOR REGISTRATION OF TRAMWAYS; PROVIDING THAT THE PASSENGER TRAMWAY SAFETY COMMITTEE MAY FIX REGISTRATION FEES; PROVIDING THAT FEES BE DEPOSITED IN THE TRANSPORTATION RATHER THAN GENERAL FUND; AND ELIMINATING AN INSPECTION SURCHARGE.

THIS ACT AMENDS SECTIONS 63-11-42, 63-11-44, 63-11-45 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.

AUTOMOBILE INSPECTIONS REPEAL

S.B. No. 9 *William T. Barton, Jack M. Bangerter, Wayne L. Sandberg, Ronald T. Halverson*

AN ACT RELATING TO ANNUAL AUTOMOBILE INSPECTIONS; ELIMINATING A PROVISION; AND REPEALING THOSE SECTIONS THAT PROVIDE FOR AND GOVERN ANNUAL AUTOMOBILE INSPECTIONS AND CERTIFICATES EVIDENCING INSPECTIONS.

THIS ACT AMENDS SECTION 41-6-159, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 71, LAWS OF UTAH 1955; AND REPEALS SECTIONS 41-6-158, 41-6-160 AND 41-6-162, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 242, LAWS OF UTAH 1979; SECTION 41-6-160.5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 115, LAWS OF UTAH 1969; SECTION 41-6-161, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 168, LAWS OF UTAH 1977; AND SECTION 41-6-163, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

TITLES OF BOATS AND VESSELS

S.B. No. 10 *Glade M. Sowards*

AN ACT RELATING TO VESSELS AND OUTBOARD MOTORS; PROVIDING THAT VESSELS AND OUTBOARD MOTORS BE TITLED THROUGH THE DIVISION OF PARKS AND RECREATION; PROVIDING AUTHORITY IN THE DIVISION OF PARKS AND RECREATION TO PROMULGATE REGULATIONS FOR THE ADMINISTRATION AND ENFORCEMENT OF THE ACT; PROVIDING THAT EVIDENCE OF SECURITY INTERESTS APPEAR ON TITLES; PROVIDING FOR FEES; 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 SECTIONS 73-17-1 THROUGH 73-17-19, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

COMBINING OF ROAD FUNDS

S.B. No. 11 *Wilford R. Black, Jack M. Bangerter, Arnold Christensen*

AN ACT RELATING TO ROAD FUNDS; ADJUSTING THE APPROPRIATION TO THE USES OF THE STATE TRANSPORTATION COMMISSION FROM THE TRANSPORTATION FUND; ADJUSTING THE APPORTIONMENT OF FUNDS AVAILABLE FOR USE ON CLASS B AND C ROADS AMONG THE VARIOUS COUNTIES, CITIES AND TOWNS; PROVIDING FOR A MINIMUM PERCENTAGE IN THAT APPORTIONMENT FOR CITIES AND TOWNS BASED UPON THE PERCENTAGE OF POPULATION OF EACH COUNTY OUTSIDE THE CORPORATE LIMITS OF CITIES AND TOWNS; PROVIDING FOR A MINIMUM PERCENTAGE OF SUMS APPROPRIATED FOR USE ON CLASS B AND C ROADS USED FOR CONSTRUCTION OF ROADS FOR CERTAIN CIRCUMSTANCES; PROVIDING THE PROCEDURE FOR TRANSFER OR LAPSE OF BALANCES RELATING TO COLLECTOR ROADS UPON THE EFFECTIVE DATE OF THE ACT; PROVIDING FOR DIRECT SUPERVISION OF CONSTRUCTION PLANS, SPECIFICATIONS, ESTIMATES AND WORK BY A REGISTERED PROFESSIONAL ENGINEER; TERMINATING THE SEPARATE PROVISIONS RELATIVE TO COLLECTOR ROADS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AMENDS SECTION 27-12-127, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 135, LAWS OF UTAH 1981, AND SECTION 27-12-129, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 39, LAWS OF UTAH 1963; ENACTS SECTIONS 27-12-108.3 AND 27-12-108.4, UTAH CODE ANNOTATED 1953; AND REPEALS CHAPTER 13 OF TITLE 27, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

DRIVERS' LICENSE FEES

S.B. No. 12 *Glade M. Sowards*

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, SECTION 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 CHAPTER 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.

TAX-EXEMPT AGRICULTURAL LAND

S.B. No. 13 *Charles W. Bullen, Cary G. Peterson, Omar B. Bunnell*

AN ACT RELATING TO REVENUE AND TAXATION; EXCLUDING AGRICULTURAL LAND WHICH BECOMES TAX-EXEMPT FROM ROLL-BACK TAX PAYMENTS; AND MAKING CERTAIN TECHNICAL CHANGES.

THIS ACT AMENDS SECTION 59-5-89, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 174, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

EMPLOYMENT SECURITY ACT — AGRICULTURAL LABOR

S.B. No. 14 *Eldon A. Money, Ivan M. Matheson*

AN ACT RELATING TO UNEMPLOYMENT COMPENSATION; AND REDEFINING AGRICULTURAL LABOR FOR PURPOSES OF THE EMPLOYMENT SECURITY ACT AS REGARDS IRRIGATION WATER-RELATED MATTERS.

THIS ACT AMENDS SECTION 35-4-22, UTAH CODE ANNOTATED 1953, AS REPEALED AND REENACTED BY CHAPTER 126, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

BURGLAR ALARM SECURITY CERTIFICATION ACT

S.B. No. 15 *Jack M. Bangerter, Wilford R. Black*

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 RESPONSIBILITIES OF 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.

CIRCUIT BREAKER MODIFICATIONS

S.B. No. 16 *Haven J. Barlow*

AN ACT RELATING TO PROPERTY TAX CREDITS; INCREASING THE AMOUNT OF HOUSEHOLD INCOME OF CERTAIN CLAIMANTS FOR THESE CREDITS, EITHER AS HOMEOWNER OR RENTER; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AMENDS 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.

INDUSTRIAL COMMISSION PROCEDURES

S.B. No. 17 *K.S. Cornaby*

AN ACT RELATING TO CLAIMS PRESENTED TO THE INDUSTRIAL COMMISSION; PROVIDING THAT REFERRAL BY THE COMMISSION OF MEDICAL ASPECTS OF A CASE TO A MEDICAL PANEL IS NO LONGER MANDATORY, BUT DISCRETIONARY.

THIS ACT AMENDS SECTION 35-1-77, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 138, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

NUMBER OF JURORS

S.B. No. 18 *Richard J. Carling*

AN ACT RELATING TO THE NUMBER OF MEMBERS OF A JURY; PROVIDING FOR THE NUMBER OF JURORS FOR DIFFERENT TYPES OF CASES.

THIS ACT AMENDS SECTION 77-35-17, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 60, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

JURISDICTION OVER OIL AND GAS WELLS

S.B. No. 19 *Fred W. Finlinson*

AN ACT RELATING TO OIL AND GAS WELLS; PROVIDING FOR EXCLUSIVE JURISDICTION OF THE BOARD AND DIVISION OF OIL, GAS, AND MINING OVER THESE WELLS AND RELATED FACILITIES; BRINGING REFERENCES TO THIS BOARD AND DIVISION MORE CURRENT; AND MAKING CERTAIN CHANGES IN FORM.

THIS ACT AMENDS SECTION 26-11-6, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981, AND SECTION 40-6-5, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 93, LAWS OF UTAH 1969, was read the first time and referred to Rules Committee.

COUNTY RECORDERS' FEE CHANGES

S.B. No. 20 *K.S. Cornaby*

AN ACT RELATING TO FEES OF COUNTY RECORDERS; MAKING MINOR ADDITIONS AND CHANGES IN PROVISIONS REGARDING FEES OF THE COUNTY RECORDER.

THIS ACT AMENDS SECTION 21-2-3, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 20, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

COSMETOLOGY/BARBER LICENSING CHANGES

S.B. No. 21 *Wilford R. Black*

AN ACT RELATING TO COSMETOLOGISTS AND BARBERS; PROVIDING A CLARIFICATION OF EXISTING PROVISIONS AND ESTABLISHING AN APPRENTICE PROGRAM.

THIS ACT AMENDS SECTIONS 58-11-2 AND 58-11-3, AS ENACTED BY CHAPTER 24, LAWS OF UTAH 1981; AND ENACTS SECTION 58-11-14, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

AGRICULTURAL CODE AMENDMENTS

S.B. No. 22 *Eldon A. Money*

AN ACT RELATING TO AGRICULTURE; PROVIDING FOR AUTHORITY IN THE DEPARTMENT OF AGRICULTURE TO INITIATE AND ADMINISTER PROGRAMS TO PREVENT THE SPREAD OF DISEASES AMONG LIVESTOCK; PROVIDING DEFINITIVE TIME PERIODS FOR THE SLAUGHTER OF REACTER LIVESTOCK; AND PROVIDING THAT NO LIVESTOCK, ZOO ANIMALS, OR CATTLE FOR DAIRY OR BREEDING PURPOSES, MAY BE BROUGHT INTO THIS STATE UNLESS THEY ARE CERTIFIED FREE OF COMMUNICABLE DISEASE.

THIS ACT AMENDS SECTION 4-2-2, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 11, LAWS OF UTAH 1981, SECTION 4-28-7, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 2, LAWS OF UTAH 1980, SECTION 4-31-5, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER

5, LAWS OF UTAH 1981, AND SECTION 4-31-9, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

RECORDED INSTRUMENTS RETURN

S.B. No. 23 *K.S. Cornaby*

AN ACT RELATING TO RECORDERS' DUTIES; ALTERING PROVISIONS RELATING TO RETURN OF INSTRUMENTS, PAPERS, AND NOTICES RECORDED BY THE RECORDER.

THIS ACT AMENDS SECTION 17-21-13, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 30, LAWS OF UTAH 1955, was read the first time and referred to Rules Committee.

LEASED PREMISES MAINTENANCE

S.B. No. 24 *William T. Barton*

AN ACT RELATING TO RENTED OR LEASED RESIDENTIAL PREMISES; PROVIDING SOME REQUIREMENTS FOR OWNERS AND RENTERS; SPECIFYING WHICH VIOLATIONS ARE MATERIAL BREACHES OF RENTAL AGREEMENTS; PROVIDING GUIDELINES FOR RENTERS AND OWNERS; AND PROVIDING THAT RENTERS ARE LIABLE FOR DAMAGES BEYOND NORMAL USAGE, was read the first time and referred to Rules Committee.

OCCUPATION TAX INCREASE

S.B. No. 25 *Charles W. Bullen, Glade M. Sowards, Frances Farley, Lowell S. Peterson, Arnold Christensen, E. Verl Asay, Bryce C. Flamm, Wilford R. Black, Charles E. Bennett, Cary G. Peterson, Omar B. Bunnell*

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 NOMETALLIFEROUS MINERALS; PROVIDING FOR THE RATE OF THIS TAX ON MINERALS NOT SUBJECT TO IT PRESENTLY AND CHANGING IT ON THE OTHERS; PROVIDING FOR QUARTERLY PAYMENTS; CREATING THE CAPITAL CONSTRUCTION AND HERITAGE TRUST ACCOUNT IN THE GENERAL FUND AND REQUIRING THE COLLECTIONS FROM THIS TAX BE DEPOSITED IN THESE ACCOUNTS 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 SECTIONS 51-5-14 AND 51-5-15, 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.

LOCAL OPTION OCCUPATION TAX

S.B. No. 26 *Charles W. Bullen, Glade M. Sowards, Frances Farley, Lowell S. Peterson, Arnold Christensen, E. Verl Asay, Bryce C. Flamm, Wilford R. Black, Charles E. Bennett, Omar B. Bunnell, Cary G. Peterson*

AN ACT RELATING TO TAXATION BY LOCAL GOVERNMENTS; PROVIDING FOR CERTAIN LOCAL GOVERNMENTS TO IMPOSE A LOCAL OPTION OCCUPATION TAX; PRESCRIBING THE PROCEDURES AND LIMITATIONS IN THIS REGARD; AND PROVIDING AN EFFECTIVE DATE, was read the first time and referred to Rules Committee.

COUNTY CLERKS' FEES

S.B. No. 27 *K.S. Cornaby*

AN ACT RELATING TO FEES CHARGED BY COUNTY CLERKS; PROVIDING FOR AN ADJUSTMENT IN THOSE FEES; AND MAKING CERTAIN CHANGES IN FORM.

THIS ACT AMENDS SECTION 21-2-2, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTERS 77 AND 97, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

SALES AND USE TAXES - MONETARY ITEMS EXEMPTION

S.B. No. 28 *Richard J. Carling*

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING THAT CURRENCY, COINAGE, AND CERTAIN BULK SALES OF GOLD AND SILVER BULLION ARE EXEMPT FROM THE IMPOSITION OF SALES OR USE TAX.

THIS ACT AMENDED SECTIONS 59-15-6, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTERS 238 AND 239, LAWS OF UTAH 1981, AND SECTION

59-16-4, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 42, LAWS OF UTAH 1973, was read the first time and referred to Rules Committee.

SOLID WASTE MANAGEMENT ACT AMENDEMENTS

S.B. No. 29 *Jack M. Bangerter, Haven J. Barlow*

AN ACT RELATING TO THE HEALTH CODE; PROVIDING THAT SOLID WASTE MANAGEMENT FACILITIES MAY GENERATE, TRANSMIT, AND DISTRIBUTE ENERGY DERIVED FROM RESOURCE RECOVERY PROCEDURES; PROVIDING THAT SOLID WASTE MANAGEMENT FACILITIES ARE NOT PUBLIC UTILITIES AND ARE EXEMPT FROM REGULATION BY THE PUBLIC SERVICE COMMISSION; AND PROVIDING AUTHORITY IN ENTITIES TO ISSUE BONDS UNDER THE UTAH INDUSTRIAL FACILITIES DEVELOPMENT ACT TO PROVIDE FOR THE CONSTRUCTION OF SOLID WASTE MANAGEMENT FACILITIES AND FOR RESERVES FOR SUCH BOND ISSUES.

THIS ACT AMENDS SECTIONS 26-32-2 AND 26-32-3, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

MOTOR FUEL SALES

S.B. No. 30 *Jack M. Bangerter*

AN ACT RELATING TO MOTOR FUELS; ALLOWING A PURCHASER OF MOTOR FUELS THE OPTION OF BUYING 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.

WATER AND SEWER DISTRICT MODIFICATIONS

S.B. No. 31 *Fred W. Finlinson, Omar B. Bunnell*

AN ACT RELATING TO WATER AND SEWER DISTRICTS; PROVIDING THAT REVENUE BONDS OF THESE DISTRICTS MAY BE ISSUED WITHOUT BOND ELECTIONS; CLARIFYING AND ENLARGING THE POWERS OF THESE DISTRICTS PARTICULARLY AS RELATING TO THE INTERLOCAL CO-OPERATION ACT; ELIMINATING CERTAIN INTEREST RESTRICTIONS ON BONDS BEING ISSUED AND RELATING THEM TO THE MUNICIPAL BOND ACT; UPDATING AND ALTERING THE FORM OF CERTAIN LANGUAGE; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AMENDS SECTIONS 17-6-3.3 AND 17-6-3.5, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 7, LAWS OF UTAH 1970, SECTION 17-6-3.2, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 29, LAWS OF UTAH 1953, SECTION 17-6-3.6, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 24, LAWS OF UTAH 1963, AND SECTION 17-6-3.8, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 75, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

INTERLOCAL CO-OPERATION ACT MODIFICATIONS

S.B. No. 32 *Fred W. Finlinson, Omar B. Bunnell*

AN ACT RELATING TO CITIES, COUNTIES AND OTHER PUBLIC AGENCIES; PROVIDING FOR A LEGISLATIVE FINDING AND DETERMINATION; PROVIDING AUTHORITY UNDER THE INTERLOCAL CO-OPERATION ACT FOR PUBLIC AGENCIES TO CONTRACT TO CREATE NEW ENTITIES TO OWN REGIONAL SEWAGE AND WASTEWATER TREATMENT PLANTS AND FACILITIES AND TO PROVIDE SERVICES TO CONTRACTING AGENCIES AND OTHERS; PROVIDING FOR THE ISSUANCE OF REVENUE BONDS AND THE EXERCISE OF THE POWER OF EMINENT DOMAIN BY SUCH ENTITIES; PROVIDING THAT CERTAIN PROVISIONS OF THE INTERLOCAL CO-OPERATION ACT SHALL NOT APPLY TO SUCH ENTITIES; AND PROVIDING AND EFFECTIVE DATE.

THIS ACT ENACTS SECTION 11-13-5.6, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

MARITAL DEDUCTION FORMULAS IN WILLS AND TRUSTS

S.B. No. 33 *Bryce C. Flamm*

AN ACT RELATING TO MARITAL DEDUCTION CLAUSES IN WILLS AND TRUSTS; PROVIDING THAT CERTAIN MARITAL DEDUCTION FORMULA CLAUSES BE CONSTRUED AS REFERRING TO THE UNLIMITED MARITAL DEDUCTION ALLOWABLE UNDER FEDERAL TAX LAW; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT ENACTS SECTION 75-2-613 AND PART 5, CHAPTER 7, TITLE 75, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

DIVISION OF TAXES REPEAL

S.B. No. 34 *Ivan M. Matheson*

AN ACT REPEALING THE SECTIONS DEALING WITH DIVISION OF TAXES LEVIED UPON TAXABLE PROPERTY IN A REDEVELOPMENT PROJECT.

THIS ACT REPEALS SECTIONS 11-15-149 and 11-15-150, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965, was read the first time and referred to Rules Committee.

WILDLIFE DAMAGE PREVENTION ACT AMENDEMENTS

S.B. No. 35 *Ivan M. Matheson*

AN ACT RELATING TO AGRICULTURE; PROVIDING FOR THE ANNUAL PAYMENT OF SPECIFIED FEES ON SHEEP, GOATS, CATTLE, AND TURKEYS; PROVIDING THE COMMISSIONER WITH AUTHORITY TO USE PART OF THE FEES COLLECTED ON SHEEP FOR THE PROMOTION AND PROTECTION OF SHEEP INTERESTS IN THE STATE; AND PROVIDING A CEILING ON THE AMOUNT OF SHEEP FEES WHICH CAN BE USED ANNUALLY FOR THE PROMOTION OF SHEEP INTERESTS.

THIS ACT AMENDS SECTIONS 4-23-7 AND 4-23-8, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

MEDICALLY INDIGENT

S.B. No. 36 *Ivan M. Matheson, Bryce C. Flamm*

AN ACT RELATING TO THE MEDICALLY INDIGENT; DIRECTING THE DEPARTMENT OF HEALTH TO ESTABLISH STANDARDS FOR PAYMENT OF CLAIMS; DIRECTING THE DEPARTMENT TO DEVELOP A MEDICAL PROGRAM FOR PERSONS NOT ELIGIBLE UNDER TITLES XVIII AND XIX OF THE SOCIAL SECURITY ACT; PROHIBITING SERVICES TO PERSONS IN CUSTODY; AND PROVIDING FOR A SECURITY INTEREST FOR ASSISTANCE PROVIDED.

THIS ACT AMENDS SECTION 26-18-10, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

PUBLIC SUPPORT OF CHILDREN

S.B. No. 37 *Bryce C. Flamm*

AN ACT RELATING TO THE OFFICE OF RECOVERY SERVICES, DEPARTMENT OF SOCIAL SERVICES; PROVIDING FOR THE IMPLEMENTATION OF SECTION 2335 OF PUBLIC LAW 97-35; AND EXPANDING THE DEFINITIONS OF "COURT ORDER" AND "EARNINGS".

THIS ACT AMENDS SECTION 78-45b-2, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 42, LAWS OF UTAH 1980, AND SECTION 78-45b-13, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 145, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

CIVIL LIABILITY FOR SUPPORT AMENDMENTS

S.B. No. 38 *Bryce C. Flamm*

AN ACT RELATING TO THE ENFORCEMENT OF CHILD SUPPORT ORDERS; PROVIDING FOR A DEFINITION OF "EARNINGS," FOR COURT ORDERS FOR ASSIGNMENT OF OBLIGOR'S EARNINGS TO PAY FOR SUPPORT ORDERED BY THE COURT, OBLIGOR'S RIGHTS TO APPEAL, EFFECT ON EMPLOYER, AND THE PENALTY FOR EMPLOYER'S DISCHARGING OBLIGOR BECAUSE OF A COURT ORDERED ASSIGNMENT OF EARNINGS.

THIS ACT AMENDS SECTION 78-45-2, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 131, LAWS OF UTAH 1979; AND ENACTS SECTION 78-45-9.1, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

LOOK ALIKE DRUGS

S.B. No. 39 *K.S. Cornaby*

AN ACT RELATING TO CONTROLLED SUBSTANCES; PROVIDING FOR ENACTMENT OF IMITATION CONTROLLED SUBSTANCES ACT; PROVIDING FOR CIVIL AND CRIMINAL PENALTIES FOR MANUFACTURE, DISTRIBUTION, POSSESSION AND ADVERTISEMENT OF IMITATION CONTROLLED SUBSTANCES; PROVIDING DEFINITIONS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AMENDS SECTION 58-37-13, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 145, LAWS OF UTAH 1971, was read the first time and referred to Rules Committee.

ENABLING RESOLUTION MOTION

On motion of Senator Halverson, the Senate voted to not require enabling resolutions on Senate Joint and Senate Concurrent Resolutions since they do not have the force and effect of law. The motion carried.

RULES COMMITTEE REPORTS

Mr. President: January 11, 1982

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 6	CIGARETTE TAX INCREASE (Revenue and Taxation)
S.B. No. 9	AUTOMOBILE INSPECTIONS REPEAL (Transportation and Public Safety)
S.B. No. 11	COMBINING OF ROAD FUNDS (Transportation and Public Safety)
S.B. No. 12	DRIVERS LICENSE FEES (Transportation and Public Safety)
S.B. No. 16	CIRCUIT BREAKER MODIFICATIONS (Revenue and Taxation)
S.B. No. 25	OCCUPATION TAX INCREASE (Revenue and Taxation)

reports the bills to the Senate as BUDGETARY and asks that they be printed and assigned to the committees indicated, and

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Mr. President: January 11, 1982

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 1	THIRD JUDICIAL DISTRICT JUDGESHIPS
S.B. No. 2	CRIMINAL COURT COSTS REPEAL
S.B. No. 3	PUBLIC BONDING PROVISIONS
S.B. No. 4	ASSOCIATE IN SCIENCE DEGREE
S.B. No. 5	MINERAL LEASE FUNDS FOR TRANSPORTATION
S.B. No. 7	MINERAL LEASING ALLOCATIONS
S.B. No. 8	PASSENGER TRAMWAY REGISTRATIONS
S.B. No. 10	TITLES OF BOATS AND VESSELS
S.B. No. 13	TAX-EXEMPT AGRICULTURAL LAND
S.B. No. 14	EMPLOYMENT SECURITY ACT - AGRICULTURAL LABOR
S.B. No. 15	BURGLAR ALARM SECURITY CERTIFICATION ACT
S.B. No. 17	INDUSTRIAL COMMISSION PROCEDURES
S.B. No. 18	NUMBER OF JURORS
S.B. No. 19	JURISDICTION OVER OIL AND GAS WELLS
S.B. No. 20	COUNTY RECORDERS' FEE CHANGES
S.B. No. 21	COSMETOLOGY/BARBER LICENSING CHANGES
S.B. No. 22	AGRICULTURAL CODE AMENDMENTS
S.B. No. 23	RECORDED INSTRUMENTS RETURN
S.B. No. 24	LEASED PREMISES MAINTENANCE
S.B. No. 26	LOCAL OPTION OCCUPATION TAX
S.J.R. No. 1	CANCER RESEARCH RESOLUTION

S.J.R. No. 2 DRUNK DRIVER STUDY
S.C.R. No. 1 SCHOOL DISTRICT - SCHOOL BOARD COOPERATION

reports the Senate bills to the Senate as NON-BUDGETARY items and asks that a Senate Enabling Resolution (SER) be prepared, introduced, considered read for the first time and under suspension of the rules, read the second time and placed on Third Reading Calendar for consideration by the Senate. The bills will be held in Rules Committee. The S.J.R.'s and S.C.R. are under suspension of the rules, considered read the second time and placed on Third Reading Calendar.

Ronald T. Halverson
Rules Committee Chairman

Committee reports read and adopted.

SER-S.B. Nos. 1, 2, 3, 4, 5, 7, 8, 10, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, and **26** were introduced, and under suspension of the rules, read the first and second times and placed on Third Reading Calendar.

S.J.R. Nos. 1 and **2** and **S.C.R. No. 1** were read the second time and placed on Third Reading Calendar.

THIRD READING CALENDAR

SER-S.B. No. 1, THIRD JUDICIAL DISTRICT JUDGSHIPS, was read the third time, explained by Senator Carling, and passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Halverson	Sandberg
Bangerter	Christensen	Jeffs	Snow
Barlow	Considine	Jones	Sowards
Barton	Cornaby	Matheson	Swan
Bennett	Farley	Peterson, C.	Wayment
Bullen	Finlinson	Peterson, L.	Mr. President (Ferry)
Bunnell	Flamm		

Voting in the negative were: Senator
Money

Absent or not voting were: Senators
Black Pugh

SER-S.B. No. 1 was transmitted to the House.

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SER-S.B. No. 2, CRIMINAL COURT COSTS REPEAL, was read the third time and circled.

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SER-S.B. No. 3, PUBLIC BONDING PROVISIONS, was read the third time, explained by Senator Carling, 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	Matheson	Snow
Barlow	Cornaby	Money	Sowards
Barton	Farley	Peterson, C.	Swan
Bennett	Finlinson	Peterson, L.	Wayment
Bullen	Halverson	Pugh	Mr. President (Ferry)
Bunnell	Jeffs		

Absent or not voting were: Senators

Black	Considine	Flamm

SER-S.B. No. 3 was transmitted to the House.

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SER-S.B. No. 4, ASSOCIATE IN SCIENCE DEGREE, was read the third time, explained by Senator Barton and Swan, and passed on the following roll call:

Yeas, 20; Nays, 7; Absent, 2

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Sandberg
Bangerter	Bunnell	Matheson	Sowards
Barlow	Christensen	Peterson, C.	Swan
Barton	Flamm	Peterson, L.	Wayment
Bennett	Halverson	Pugh	Mr. President (Ferry)

Voting in the negative were: Senators

Carling	Farley	Jones	Snow
Cornaby	Finlinson	Money	

Absent or not voting were: Senators

Black	Considine

SER-S.B. No. 4 was transmitted to the House.

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SER-S.B. No. 5, MINERAL LEASE FUNDS FOR TRANSPORTATION, was read the third time, explained by Senators Pugh and Bunnell, and passed on the following roll call:

Yeas, 20; Nays, 6; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Snow
Bangerter	Christensen	Matheson	Sowards
Barlow	Farley	Money	Swan
Bennett	Flamm	Pugh	Wayment
Bullen	Jeffs	Sandberg	Mr. President (Ferry)

Voting in the negative were: Senators

Carling	Finlinson	Peterson, C.	Peterson, L.
Cornaby	Halverson		

Absent or not voting were: Senators

Barton	Black	Considine

SER-S.B. No. 5 was transmitted to the House.

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SER-S.B. No. 7, MINERAL LEASING ALLOCATIONS, was read the third time and explained by Senator Halverson. Senator Bunnell commented and the resolution failed on the following roll call:

Yeas, 14; Nays, 14; Absent, 1

Voting in the affirmative were: Senators

Barton	Cornaby	Halverson	Peterson, L.
Bullen	Farley	Jones	Wayment
Carling	Finlinson	Matheson	Mr. President (Ferry)
Christensen	Flamm		

Voting in the negative were: Senators

Asay	Bunnell	Peterson, C.	Snow
Bangerter	Considine	Pugh	Sowards
Barlow	Jeffs	Sandberg	Swan
Bennett	Money		

Absent or not voting were: Senator
Black

SER-S.B. No. 7 is filed.

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SER-S.B. No. 8, PASSENGER TRAMWAY REGISTRATIONS, was read the third time and passed on the following roll call:

Yeas, 20; Nays, 7; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Bunnell	Finlinson	Pugh
Barlow	Carling	Flamm	Snow
Barton	Christensen	Jeffs	Sowards
Bennett	Considine	Peterson, C.	Wayment
Bullen	Cornaby	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Asay	Halverson	Money	Swan
Farley	Jones	Sandberg	

Absent or not voting were: Senators

Black	Matheson

SER-S.B. No. 8 was transmitted to the House.

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SER-S.B. No. 10, TITLES OF BOATS AND VESSELS, was read the third time, explained by Senators Sowards and Bunnell and passed on the following roll call:

Yeas, 27; Nays, 1; Absent, 1

Voting in the affirmative were: Senators

Asay	Carling	Halverson	Sandberg
Bangerter	Christensen	Jones	Snow
Barlow	Considine	Matheson	Sowards
Barton	Cornaby	Money	Swan
Bennett	Farley	Peterson, C.	Wayment
Bullen	Finlinson	Peterson, L.	Mr. President (Ferry)
Bunnell	Flamm	Pugh	

Voting in the negative were: Senator
Jeffs

Absent or not voting were: Senator
Black

SER-S.B. No. 10 was transmitted to the House.

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SER-S.B. No. 13, TAX EXEMPT AGRICULTURAL LAND was read the third time, explained by Senator Bullen, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Christensen	Jeffs	Sandberg
Bangerter	Considine	Jones	Snow
Barlow	Cornaby	Matheson	Sowards
Barton	Farley	Money	Swan
Bennett	Finlinson	Peterson, C.	Wayment
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)
Bunnell	Halverson	Pugh	

Absent or not voting were: Senators

Black	Carling

SER-S.B. No. 13 was transmitted to the House.

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SER-S.B. No. 14, EMPLOYMENT SECURITY ACT — AGRICULTURAL LABOR, was read the third time, explained by Senator Money, and passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Asay	Cornaby	Matheson	Snow
Bangerter	Farley	Money	Sowards
Bennett	Finlinson	Peterson, C.	Swan
Bullen	Flamm	Peterson, L.	Wayment
Bunnell	Halverson	Pugh	Mr. President (Ferry)
Considine	Jeffs	Sandberg	

Voting in the negative were: Senator
Christensen

Absent or not voting were: Senators

Barlow	Black	Carling	Jones
Barton			

SER-S.B. No. 14 was transmitted to the House.

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SER-S.B. No. 15, BURGLAR ALARM SECURITY CERTIFICATION ACT, was read the third time, explained by Senator Bangerter and failed on the following roll call:

Yeas, 19; Nays, 5; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Bullen	Flamm	Sowards
Barlow	Bunnell	Matheson	Swan
Barton	Christensen	Peterson, C.	Wayment
Bennett	Considine	Peterson, L.	Mr. President (Ferry)
Black	Farley	Sandberg	

Voting in the negative were: Senators

Cornaby	Halverson	Jeffs	Money
Finlinson			

Absent or not voting were: Senators

Asay	Jones	Pugh	Snow
Carling			

SER-S.B. No. 15 is reconsidered.

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SER-S.B. No. 17, INDUSTRIAL COMMISSION PROCEDURES, was read the third time, explained by Senator Cornaby. Senators Swan, Considine, and Bunnell commented and the resolution passed on the following roll call:

Yeas, 21; Nays, 5; Absent, 3

Voting in the affirmative were: Senators

Asay	Considine	Jones	Snow
Barlow	Cornaby	Peterson, C.	Sowards
Bennett	Farley	Peterson, L.	Swan
Bullen	Finlinson	Pugh	Wayment
Bunnell	Flamm	Sandberg	Mr. President (Ferry)
Christensen			

Voting in the negative were: Senators

Bangerter	Jeffs	Matheson	Money
Halverson			

Absent or not voting were: Senators

Barton	Black	Carling

SER-S.B. No. 17 was transmitted to the House.

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SER-S.B. No. 18, NUMBER OF JURORS, was read the third time, explained by Senator Carling, and failed on the following roll call:

Yeas, 14; Nays, 12; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Finlinson	Snow
Bennett	Considine	Flamm	Swan
Black	Cornaby	Pugh	Wayment
Bullen	Farley		

Voting in the negative were: Senators

Bangerter	Halverson	Matheson	Peterson, L.
Barlow	Jeffs	Money	Sandberg
Christensen	Jones	Peterson, C.	Mr. President (Ferry)

Absent or not voting were: Senators

Barton	Bunnell	Sowards

SER-S.B. No. 18 is reconsidered.

• • •

SER-S.B. No. 19, JURISDICTION OVER OIL AND GAS WELLS, was read the third time, explained by Senator Finlinson. Senators C. Peterson and Farley commented and the resolution passed on the following roll call:

Yeas, 23; Nays, 5; Absent, 1

Voting in the affirmative were: Senators

Asay	Carling	Jones	Sandberg
Bangerter	Considine	Matheson	Snow
Barlow	Cornaby	Money	Sowards
Barton	Farley	Peterson, C.	Wayment
Bennett	Finlinson	Peterson, L.	Mr. President (Ferry)
Bullen	Flamm	Pugh	

Voting in the negative were: Senators

Black	Halverson	Jeffs	Swan
Christensen			

Absent or not voting were: Senator
Bunnell

SER-S.B. No. 19 was transmitted to the House.

• • •

Senator Bangerter, having voted on the prevailing side, now asked that the Senate reconsider its vote on **SER-S.B. No. 18,** NUMBER OF JURORS, and the resolution passed on the following roll call:

Yeas, 20; Nays, 6; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Bullen	Cornaby	Pugh
Barlow	Bunnell	Farley	Sandberg
Barton	Carling	Finlinson	Snow
Bennett	Christensen	Flamm	Swan
Black	Considine	Peterson, L.	Wayment

Voting in the negative were: Senators

Asay	Matheson	Peterson, C.	Mr. President (Ferry)
Jeffs	Money		

Absent or not voting were: Senators

Halverson	Jones	Sowards

SER-S.B. No. 18 was transmitted to the House.

• • •

Senator Money, having voted on the prevailing side, moved that the Senate reconsider its vote on **SER-S.B. No. 15,** BURGLAR ALARM SECURITY CERTIFICATION ACT. The motion carried. Senator Black and Bangerter commented and the resolution again failed on the following roll call:

Yeas, 19; Nays, 7; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Bullen	Farley	Sandberg
Barlow	Bunnell	Flamm	Snow
Barton	Carling	Matheson	Swan
Bennett	Christensen	Money	Wayment
Black	Considine	Pugh	

Voting in the negative were: Senators

Asay	Halverson	Peterson, C.	Mr. President (Ferry)
Cornaby	Jeffs	Peterson, L.	

Absent or not voting were: Senators

Finlinson	Jones	Sowards

SER-S.B. No. 15 is again reconsidered.

• • •

SER-S.B. No. 20, COUNTY RECORDERS' FEE CHARGES, was read the third time, explained by Senator Cornaby, and failed on the following roll call:

Yeas, 17; Nays, 8; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Considine	Flamm	Sandberg
Barton	Cornaby	Matheson	Snow
Bennett	Farley	Peterson, C.	Swan
Black	Finlinson	Peterson, L.	Wayment
Carling			

Voting in the negative were: Senators

Barlow	Christensen	Jeffs	Pugh
Bullen	Halverson	Money	Mr. President (Ferry)

Absent or not voting were: Senators

Asay	Bunnell	Jones	Sowards

SER-S.B. No. 20 was filed.

• • •

SER-S.B. No. 21, COSMETOLOGY/BARBER LICENSING CHANGES, was read the third time, explained by Senator Black, and failed on the following roll call:

Yeas, 15; Nays, 9; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Carling	Farley	Sowards
Barton	Christensen	Finlinson	Swan
Bennett	Considine	Flamm	Wayment
Black	Cornaby	Sandberg	

Voting in the negative were: Senators

Barlow	Money	Peterson, L.	Snow
Jeffs	Peterson, C.	Pugh	Mr. President (Ferry)
Matheson			

Absent or not voting were: Senators

Asay	Bunnell	Halverson	Jones
Bullen			

SER-S.B. No. 21 is reconsidered.

• • •

SER-S.B. No. 22, AGRICULTURAL CODE AMENDMENTS, was read the third time and explained by Senator Money. Senator Money, with the aid of five Senators, requested a Call of the Senate. On motion of Senator Halverson, the Call of the Senate was lifted and the resolution passed on the following roll call:

Yeas, 23; Nays, 3; Absent, 3

Voting in the affirmative were: Senators

Asay	Bullen	Halverson	Sandberg
Bangerter	Bunnell	Matheson	Sowards
Barlow	Christensen	Money	Swan
Barton	Considine	Peterson, C.	Wayment
Bennett	Farley	Peterson, L.	Mr. President (Ferry)
Black	Flamm	Pugh	

Voting in the negative were: Senators

Cornaby	Jeffs	Snow

Absent or not voting were: Senators

Carling	Finlinson	Jones

SER-S.B. No. 22 was transmitted to the House.

• • •

SER-S.B. No. 23, RECORDED INSTRUMENTS RETURN, was read the third time and explained by Senator Cornaby. Senators Jeffs, Ferry, Barlow and Barton commented and the resolution passed on the following roll call:

Yeas, 23; Nays, 4; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Flamm	Sandberg
Barlow	Christensen	Halverson	Sowards
Barton	Considine	Matheson	Swan
Bennett	Cornaby	Peterson, C.	Wayment
Black	Farley	Peterson, L.	Mr. President (Ferry)
Bullen	Finlinson	Pugh	

Voting in the negative were: Senators

Bangerter	Jeffs	Money	Snow

Absent or not voting were: Senators

Carling	Jones

SER-S.B. No. 23 was transmitted to the House.

• • •

Senator Snow, having voted on the prevailing side, now asked that **SER-S.B. No. 21,** COSMETOLOGY/BARBER LICENSING CHANGES, be reconsidered and the resolution passed on the following roll call:

Yeas, 26; Nays, 2; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Flamm	Sandberg
Bangerter	Carling	Halverson	Snow
Barlow	Christensen	Matheson	Sowards
Barton	Considine	Money	Swan
Bennett	Cornaby	Peterson, C.	Wayment
Black	Farley	Peterson, L.	Mr. President (Ferry)
Bullen	Finlinson		

Voting in the negative were: Senators

Jeffs	Pugh

Absent or not voting were: Senator

Jones

SER-S.B. No. 21 was transmitted to the House.

• • •

SER-S.B. No. 24, LEASED PREMISES MAINTENANCE, was read the third time, explained by Senator Barton, and passed on the following roll call:

Yeas, 26; Nays, 2; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Flamm	Sandberg
Bangerter	Carling	Halverson	Snow
Barlow	Christensen	Matheson	Sowards
Barton	Considine	Money	Swan
Bennett	Cornaby	Peterson, C.	Wayment
Black	Farley	Peterson, L.	Mr. President (Ferry)
Bullen	Finlinson		

Voting in the negative were: Senators

Jeffs	Pugh

Absent or not voting were: Senator
Jones

SER-S.B. No. 24 was transmitted to the House.

• • •

SER-S.B. No. 26, LOCAL OPTION OCCUPATION TAX, was read the third time. Senator Charles W. Bullen explained the bill. Senators Sowards and Bunnell commented and the resolution passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Sandberg
Bangerter	Christensen	Matheson	Snow
Barton	Considine	Money	Sowards
Bennett	Farley	Peterson, C.	Swan
Black	Finlinson	Peterson, L.	Wayment
Bullen	Flamm	Pugh	Mr. President (Ferry)
Bunnell	Halverson		

Voting in the negative were: Senator
Barlow

Absent or not voting were: Senators

Cornaby	Jones

SER-S.B. No. 26 was transmitted to the House.

• • •

Senator C. Peterson, having voted on the prevailing side moved that **SER-S.B. No. 15,** BURGLAR ALARM SECURITY CERTIFICATION ACT, again be reconsidered. The motion carried and the resolution again failed on the following roll call:

Yeas, 19; Nays, 5; Absent, 5

Voting in the affirmative were: Senators

Asay	Bunnell	Flamm	Snow
Bangerter	Carling	Money	Sowards
Barlow	Christensen	Peterson, C.	Swan
Bennett	Considine	Peterson, L.	Wayment
Black	Farley	Sandberg	

Voting in the negative were: Senators

Halverson	Matheson	Pugh	Mr. President (Ferry)
Jeffs			

Absent or not voting were: Senators

Barton	Cornaby	Finlinson	Jones
Bullen			

SER-S.B. No. 15 was filed.

• • •

S.J.R. No. 1, CANCER RESEARCH RESOLUTION, was read the third time, explained by Senator Matheson and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Flamm	Pugh
Bangerter	Carling	Halverson	Sandberg
Barlow	Christensen	Jeffs	Snow
Barton	Considine	Matheson	Swan
Bennett	Farley	Peterson, C.	Wayment
Black	Finlinson	Peterson, L.	Mr. President (Ferry)
Bullen			

Absent or not voting were: Senators

Cornaby	Jones	Money	Sowards

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

• • •

S.J.R. No. 2, DRUNK DRIVER'S STUDY, was read the third time, explained by Senator Wayment, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Pugh
Bangerter	Carling	Jeffs	Sandberg
Barlow	Christensen	Matheson	Snow
Barton	Considine	Money	Swan
Bennett	Farley	Peterson, C.	Wayment
Black	Flamm	Peterson, L.	Mr. President (Ferry)
Bullen			

Absent or not voting were: Senators

Cornaby	Finlinson	Jones	Sowards

S.J.R. No. 2 was transmitted to the House.

• • •

S.C.R. No. 1, SCHOOL DISTRICT - SCHOOL BOARD COOPERATION, was read the third time, explained by Senator Bennett, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Bullen	Halverson	Peterson, L.
Bangerter	Christensen	Jeffs	Snow
Barlow	Considine	Matheson	Swan
Barton	Farley	Money	Wayment
Bennett	Finlinson	Peterson, C.	Mr. President (Ferry)
Black	Flamm		

Absent or not voting were: Senators

Bunnell	Cornaby	Pugh	Sowards
Carling	Jones	Sandberg	

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

• • •

SER-S.B. No. 2, CRIMINAL COURT COSTS REPEAL, being circled on Third Reading Calendar as the Senate adjourned, was placed on Third Reading Table.

• • •

On motion of Senator Snow, and at 5:00 p.m. the Senate voted to adjourn until 9:00 a.m., Tuesday, January 12, 1982.

SECOND DAY

MORNING SESSION

The Senate was called to order at 9:10 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All Senators present except Senator Pugh (excused).

Prayer — Senator E. Verl Asay (Salt Lake, District 11)

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 222

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: January 12, 1982

The Committee on Revision of the daily Senate Journal respectfully reports that we have read the Journal for the First Day and find it correct with minor amendments noted on the final copy.

E. Verl Asay, Committee Chairman

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 12, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules **HER-H.B. No. 7,** 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, under suspension of the rules, **HER-H.B. No. 8,** DISTRIBUTION OF SALES TAX MODIFICATIONS, 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, under suspension of the rules, **HER-H.B. No. 11,** STATE AGENCIES SPACE ACQUISITIONS, 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, under suspension of the rules, **HER-H.B. No. 14,** UNIFORM UNCLAIMED

PROPERTY ACT, by Representative Saunders, 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, **HER-H.B. No. 15,** CONTROLLED SUBSTANCES ACT FORFEITURES, by Representative Masur, 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, **HER-H.B. No. 27,** SCHOOL IMMUNIZATION 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, under suspension of the rules, **HER-H.B. 29,** TIE VOTE AMENDMENT, 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, under suspension of the rules, **HER-H.B. No. 31,** PUBLIC EMPLOYEE WHISTLE BLOWER PROTECTION, by Representative Sykes, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

HER-H.B. Nos. 7, 8, 11, 14, 15, 27, 29 and **31** were read the first time. On motion of Senator Halverson, and under suspension of the rules, the Senate voted to read the bills for the second time and place them on Third Reading Calendar.

• • •

Mr. President January 12, 1982

I am directed to request the Senate to return to the House of Representatives **HER-H.B. No. 27,** SCHOOL IMMUNIZATION ACT, by Representative Doane, for corrective action due to technical error on the voting machine.

Allan M. Acomb, Chief Clerk

On motion of Senator Halverson, the Senate voted to return **HER-H.B. No. 27** to the House for correction.

COMMITTEE OF THE WHOLE

On motion of Senator Snow, the Senate resolved itself into a Committee of the Whole. Appearing before the Committee was Mont G. Kenney, Legislative Auditor

General. Mr. Kenney distributed the Annual Audit Report. Senators Jones, Swan and Sandberg commented.

On motion of Senator Snow, the Committee of the Whole was dissolved.

RULES COMMITTEE REPORTS

Mr. President: January 12, 1982

The Senate Rules Committee, to which was referred the following Senate Bill:

S.B. No. 28	SALES AND USE TAXES - MONETARY ITEMS EXEMPTION (Revenue and Taxation)

reports the bill to the Senate as BUDGETARY and asks that it be printed and assigned to the committee indicated, and

The Senate Rules Committee, to which were referred the following Senate Concurrent Resolutions:

S.C.R. No. 2	SCHOOL DISCIPLINE AND CITIZENSHIP
S.C.R. No. 3	ENFORCEMENT OF LAWS RESOLUTION

reports that the **S.C.R.'s** are, under suspension of the rules, considered read the second time and placed on Third Reading Calendar; and

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 27	COUNTY CLERK'S FEES
S.B. No. 29	SOLID WASTE MANAGEMENT ACT AMENDMENTS
S.B. No. 31	WATER AND SEWER DISTRICT MODIFICATION
S.B. No. 32	INTERLOCAL COOPERATION ACT MODIFICATIONS
S.B. No. 33	MARITAL DEDUCTION FORMULAS IN WILLS AND TRUSTS
S.B. No. 34	DIVISION OF TAXES REPEAL
S.B. No. 35	WILDLIFE DAMAGE PREVENTION ACT AMENDMENTS

reports the Senate bills to the Senate as NON-BUDGETARY items and asks that a Senate Enabling Resolution (SER) be prepared, introduced, considered read for the first time and under suspension of the rules, read the second time and placed on Third Reading Calendar for consideration by the Senate. The bills will be held in Rules Committee.

Ronald T. Halverson,
Rules Committee Chairman

Committee reports read and adopted.

SER-S.B. Nos. 27, 29, 31, 32, 33, 34 and **35** were introduced, read the first time and, under suspension of the rules, read the second time and placed on Third Reading Calendar.

THIRD READING CALENDAR

On motion of Senator Snow, and under suspension of the rules, the Senate voted to first consider **SER-S.B.'s** on the calendar and to consider **HER-H.B.'s** as House sponsors arrive in the Senate Chamber.

• • •

SER-S.B. No. 27, COUNTY CLERK'S FEES, was read the third time and passed on the following roll call:

Yeas, 21; Nays, 2; Absent, 6

Voting in the affirmative were: Senators

Asay	Considine	Matheson	Snow
Bangerter	Cornaby	Money	Sowards
Barlow	Farley	Peterson, C.	Swan
Bennett	Finlinson	Peterson, L.	Wayment
Bullen	Jones	Sandberg	Mr. President (Ferry)
Christensen			

Voting in the negative were: Senators

Carling	Halverson

Absent or not voting were: Senators

Barton	Bunnell	Jeffs	Pugh
Black	Flamm		

SER-S.B. No. 27 was transmitted to the House.

• • •

SER-S.B. No. 29, SOLID WASTE MANAGEMENT ACT AMENDMENTS, was read the third time, explained by Senator Bangerter, and passed on the following roll call:

Yeas, 26; Nays, 2; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Sandberg
Bangerter	Christensen	Jones	Snow
Barlow	Considine	Matheson	Sowards
Barton	Cornaby	Money	Swan
Bennett	Farley	Peterson, C.	Wayment
Black	Finlinson	Peterson, L.	Mr. President (Ferry)
Bullen	Flamm		

Voting in the negative were: Senators

Carling Jeffs

Absent or not voting were: Senators

Pugh

SER-S.B. No. 29 was transmitted to the House.

• • •

SER-S.B. No. 31, WATER AND SEWER DISTRICT MODIFICATION,was read the third time and explained by Senator Finlinson. Senators Barton, Swan and Bunnell commented and the resolution passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Halverson	Sandberg
Bangerter	Christensen	Jeffs	Snow
Barlow	Considine	Jones	Sowards
Barton	Cornaby	Matheson	Swan
Black	Farley	Money	Wayment
Bullen	Finlinson	Peterson, C.	Mr. President (Ferry)
Bunnell	Flamm	Peterson, L.	

Absent or not voting were: Senators

Bennett Pugh

SER-S.B. No. 31 was transmitted to the House.

• • •

SER-S.B. No. 32, INTERLOCAL COOPERATION ACT MODIFICATION, was read the third time and explained by Senator Finlinson. Senators Matheson and C. Peterson commented and the resolution passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barlow	Christensen	Jeffs	Snow
Bennett	Considine	Jones	Sowards
Black	Farley	Matheson	Swan
Bullen	Finlinson	Money	Wayment
Bunnell	Flamm	Peterson, C.	Mr. President (Ferry)
Carling	Halverson	Sandberg	

Absent or not voting were: Senators

Asay	Barton	Peterson, L.	Pugh
Bangerter	Cornaby		

SER-S.B. No. 32 was transmitted to the House.

• • •

HER-H.B. No. 11, STATE AGENCIES' SPACE ACQUISITIONS, was read the third time and explained by Representative Paul Mecham in Committee of the Whole. The resolution failed on the following roll call:

Yeas, 14; Nays, 12; Absent, 3

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sowards
Barlow	Cornaby	Matheson	Wayment
Barton	Halverson	Money	Mr. President (Ferry)
Bennett	Jeffs		

Voting in the negative were: Senators

Bangerter	Bunnell	Flamm	Sandberg
Black	Considine	Peterson, C.	Snow
Bullen	Farley	Peterson, L.	Swan

Absent or not voting were: Senators

Carling	Finlinson	Pugh

Senator Sandberg having voted on the prevailing side, asked that the resolution be held for reconsideration. *Senator Pugh is present.*

HER-H.B. No. 7, AUDIT OF PUBLIC TRANSIT DISTRICTS, was read the third time and explained by Representative S. Taylor. Senator Black, with the aid of five Senators, requested a call of the Senate. On motion of Senator Black, the call of the Senate was lifted and the resolution failed on the following roll call:

Yeas, 19; Nays, 10; Absent, 0

Voting in the affirmative were: Senators

Asay	Bullen	Flamm	Snow
Bangerter	Bunnell	Jones	Swan
Barlow	Christensen	Matheson	Wayment
Bennett	Considine	Money	Mr. President (Ferry)
Black	Farley	Pugh	

Voting in the negative were: Senators

Barton	Finlinson	Peterson, C.	Sandberg
Carling	Halverson	Peterson, L.	Sowards
Cornaby	Jeffs		

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 The Honorable James Hansen, United States Congressman, Utah. Senators C. Peterson, Swan, Farley and Wayment commented and on motion of Senator Snow, the Committee of the Whole was dissolved.

• • •

HER-H.B. No. 14, UNIFORM UNCLAIMED PROPERTY ACT, was read the third time and explained by Representative Carl Saunders in Committee of the Whole. The resolution passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Barlow	Farley	Matheson	Snow
Barton	Finlinson	Money	Sowards
Bennett	Flamm	Peterson, C.	Swan

Bullen	Halverson	Pugh	Wayment
Christensen	Jones	Sandberg	Mr. President (Ferry)
Cornaby			

Voting in the negative were: Senator
Jeffs

Absent or not voting were: Senators

Asay	Black	Carling	Peterson, L.
Bangerter	Bunnell	Considine	

HER-H.B. No. 14 was signed by the President and returned to the House for further action.

• • •

HER-H.B. No. 8, DISTRIBUTION OF SALES TAX MODIFICATIONS, was read the third time and explained by Representative Dix Holt McMullin in Committee of the Whole. Senators Swan, L. Peterson, Matheson, C. Peterson, Pugh, Bunnell, Sowards and Snow commented and the resolution failed on the following roll call:

Yeas, 16; Nays, 8; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Christensen	Peterson, C.	Sowards
Barlow	Flamm	Peterson, L.	Swan
Barton	Halverson	Sandberg	Wayment
Bunnell	Money	Snow	Mr. President (Ferry)

Voting in the negative were: Senators

Bennett	Carling	Cornaby	Jeffs
Black	Considine	Farley	Pugh

Absent or not voting were: Senators

Asay	Finlinson	Jones	Matheson
Bullen			

HER-H.B. No. 8 was returned to the House for filing.

• • •

HER-H.B. No. 31, PUBLIC EMPLOYEE WHISTLE BLOWER PROTECTION, was read the third time and explained by Representative Robert Sykes in Committee of the Whole. The resolution passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	Flamm	Peterson, L.
Bangerter	Christensen	Halverson	Sandberg
Barlow	Considine	Jeffs	Snow
Barton	Cornaby	Matheson	Sowards
Bennett	Farley	Money	Wayment
Black	Finlinson	Peterson, C.	Mr. President (Ferry)
Bullen			

Absent or not voting were: Senators

Bunnell	Jones	Pugh	Swan

HER-H.B. No. 31 was signed by the President and returned to the House for further action.

• • •

HER-H.B. No. 15, CONTROLLED SUBSTANCES ACT FORFEITURES, was read the third time and explained by Representative Dorothea Masur in Committee of the Whole. The resolution passed on the following roll call:

Yeas, 23; Nays, 2; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Bunnell	Halverson	Snow
Barlow	Carling	Jones	Sowards
Barton	Christensen	Matheson	Swan
Bennett	Considine	Peterson, C.	Wayment
Black	Farley	Peterson, L.	Mr. President (Ferry)
Bullen	Flamm	Sandberg	

Voting in the negative were: Senators

Jeffs	Money

Absent or not voting were: Senators

Asay	Cornaby	Finlinson	Pugh

HER-H.B. No. 15 was signed by the President and returned to the House for further action.

• • •

HER-H.B. No. 29, TIE VOTE AMENDMENT, was read the third time, explained by Senator Snow, and failed on the following roll call:

Yeas, 17; Nays, 8; Absent, 4

Voting in the affirmative were: Senators

Asay	Considine	Jones	Snow
Bangerter	Farley	Matheson	Sowards
Barlow	Finlinson	Peterson, C.	Swan
Bullen	Flamm	Sandberg	Wayment
Bunnell			

Voting in the negative were: Senators

Bennett	Halverson	Money	Pugh
Christensen	Jeffs	Peterson, L.	Mr. President (Ferry)

Absent or not voting were: Senators

Barton	Black	Carling	Cornaby

HER-H.B. No. 29 was returned to the House for filing.

COMMUNICATION FROM THE HOUSE

Mr. President: January 12, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, **HER-H.B. No. 27**, SCHOOL IMMUNIZATION ACT, by Representative Doane, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

HER-H.B. No. 27, SCHOOL IMMUNIZATION ACT, was read the third time, explained by Senator Farley and passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2

Voting in the affirmative were: Senators

Asay	Considine	Jones	Sandberg
Bangerter	Cornaby	Matheson	Snow
Barlow	Farley	Money	Sowards
Barton	Finlinson	Peterson, C.	Swan
Black	Flamm	Peterson, L.	Wayment
Bullen	Halverson	Pugh	Mr. President (Ferry)
Christensen	Jeffs		

Voting in the negative were: Senator
Bennett

Absent or not voting were: Senators
Bunnell Carling

HER-H.B. No. 27 was signed by the President and returned to the House for further action.

SENATE RULES

On motion of Senator Ronald T. Halverson, Rules Committe Chairman, the Senate voted, without dissent, to adopt the following rules for the Utah State Senate:

1. ORGANIZATION AND OFFICERS

1.01 Lieutenant Governor to call the Senate to order.

On the first day of every General Session of the Legislature, the Lieutenant Governor, or someone designated by the Lieutenant Governor, shall call the Senate to order and preside until the Senators have taken the oath of office and have elected a President.

1.02 President may call a Senator to preside.

The President may call any Senator to preside and that Senator shall have the powers of the President. This substitution shall not extend beyond adjournment.

1.04 Temporary presiding officer in absence of President.

On leaving the chair, the President shall appoint a Senator to preside. If the President and the designated Senator are absent at the time the session is scheduled to convene, the Senator who is senior in Senate service, shall call the Senate to order and preside.

1.05 Duties of President.

The general duties of the President are:

1. To assign responsibilities and supervise the officers and employees.

2. To assign places and determine access for the news media.

3. To call the Senate to order at the time scheduled for convening, and to proceed with the daily order of business.

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

5. To receive and submit all motions and proposals presented by the Senators.

6. To put to a vote all questions which arise in the course of the proceedings, and announce the results of the vote.

7. To enforce the rules of order during debate.

8. To enforce observance of order and decorum.

9. To inform the Senate on any point of order or practice.

10. To receive and announce to the Senate any official messages and communications.

11. To sign all acts, orders and proceedings of the Senate.

12. To appoint the members of committees.

13. To represent the Senate, declaring its will and obeying its commands.

14. The President or his designate shall sign all requisitions on the Department of Finance to pay Senate expenses. The President shall give final approval on all expenditure requests.

1.06 Secretary of the Senate

A Secretary of the Senate shall be appointed by the President before convening of each session. The Secretary of the Senate shall be a Notary Public. The general duties of the Secretary shall be:

1. To act as chief administrative officer of the Senate, subject to direction of the President.

2. To supervise all Senate personnel during the session and interim and to assign duties and responsibilities.

3. To be custodian of all official documents.

4. To receive, number and file pre-filed bills and resolutions.

5. To record the number, title, sponsors, each action and final disposition of every bill on the bill backs.

6. To prepare and distribute the legislative agenda each day.

7. To assist the Minute Clerk in preparation of the Senate Journal and to certify it as an accurate reflection of Senate action.

8. To read the formal title of all bills and other material as requested by the President.

9. To receive committee reports and present them to the Senate.

10. To be aware of and advise on parliamentary procedure, constitutional requirements, and Joint and Senate Rules.

11. To assist with amendments to bills.

12. To record votes and present the results to the President.

13. To correct spelling and other minor errors on bills. Such technical corrections may be made following final passage.

14. To certify and transmit bills to the House of Representatives. To inform the House of all Senate action.

15. To transmit to the Governor all enrolled Senate bills

16. To approve material for placement on the Senators' desks.

17. To respond to inquiries from legislators, government agencies and members of the public regarding Senate history, activities and legislative action.

18. To represent the Senate at schools, organizations, clubs and other civic groups when asked by the President.

1.07 Sergeant at Arms

A Sergeant at Arms shall be appointed by the President prior to the convening of each session. The Sergeant at Arms is to maintain security, enforce the Senate Rules and provide other service as requested by the Secretary or the President.

2. ATTENDANCE

2.01 Senators must be present.

Every Senator shall be present within the Senate Chamber during sessions unless excused or unavoidably prevented from attending.

2.02 Absent Senators.

If a quorum of Senators is not present at the time the Senate is scheduled to convene, the Sergeant at Arms shall find the absent Senators and escort them to the Chamber.

3. DECORUM

3.01 President to maintain order; Appeal.

The President shall maintain order and decorum and speak to points of order before recognizing Senators who wish to speak. The President's decision on questions of order is subject to appeal by any Senator. No Senator shall speak more than

once on an appeal unless granted permission by the Senate. The question on appeal shall be: *"Shall the decision of the chair stand as the judgment of the Senate?"* The question and the action shall be recorded in the Journal.

3.02 Disorderly conduct.

The President may order the Senate areas or gallery cleared if a disturbance occurs.

3.04 Smoking not permitted.

No person shall be permitted to smoke within the Senate Chamber, gallery or in committee rooms. The Sergeant at Arms will enforce this rule.

3.05 Obtaining the floor.

When a Senator wishes to be recognized to speak, the Senator shall rise and address the President as "Mr. (Madam) President." After being recognized the Senator must confine remarks to the issue under consideration. No Senator shall impugn the motives of another Senator.

3.06 Calling a Senator to order.

A Senator violating Senate Rules can be called to order by the President or by any Senator. If called to order, the Senator will sit down, unless granted permission to explain. If the Senator appeals the ruling, the Senate shall decide the issue without debate. If the decision is favorable to the Senator who has been called to order, the Senator may proceed. If the decision is unfavorable, the Senator may be liable to censure by the Senate.

If a Senator is called to order for words spoken in debate, the Senator making the call shall repeat the words to which exception is taken and the words shall be recorded by the Minute Clerk. A Senator will not be called to order or censured for words spoken in debate if there has been intervening business.

3.08 President to decide who is entitled to floor.

If two or more Senators rise at the same time to speak, the President shall decide which Senator is to speak first.

3.09 Senators not to leave chamber.

When the President is speaking or presenting a question, no Senator shall leave the Senate Chamber or walk across the Chamber. When a Senator is speaking, no person shall walk between the Senator and the Chair.

3.10 Voting

No person shall disturb or remain by the desks of the Secretary of the Senate, Docket Clerk or Minute Clerk while a roll call vote is being taken.

4. ORDER OF BUSINESS.

4.01 Hour for meeting.

The Senate shall meet daily except Saturdays and Sundays unless changed by majority vote. The President shall announce as the Senate convenes each Monday any change from this rule.

4.02 Roll call; Quorum

A roll call of Senators shall be taken at the beginning of each morning session and recorded in the Journal. A majority of Senators must be present for a quorum before beginning Senate business. Less than a majority may convene each day. Less than a majority may compel the attendance of absent members.

4.04 Daily Order of Business

The daily Order of Business shall be as follows:

1. Roll Call.
2. Prayer.
3. Announcement of excused absences.
4. Approval of the daily Senate Journal for 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 and resolutions.
11. Unfinished business.
12. Consideration of resolutions.
13. Consideration of bills on Third Reading Calendar.

14. Consideration of bills on Consent Calendar.
15. Consideration of bills on Second Reading Calendar.
16. Miscellaneous business.

4.05 Messages and reports received at any time.

Messages from the Governor, the House of Representatives, other state officers and the Rules (Sifting) Committee may be received at any time, except when the President is presenting a question or when a vote is being taken.

4.06 Action out of regular order.

The Senate may at any time proceed out of order to any business or to reconsideration of any previous action with majority approval of the Senators present.

4.07 Priority of Business

Priority of Senate business shall be decided by a majority of Senators present without debate.

4.08 Unfinished Business

Unfinished business at the time of recess or adjournment shall have priority on the daily Order of Business.

6. COMMITTEES

6.01 Rules (Sifting) Committee

All legislation introduced shall be submitted to the Rules (Sifting) Committee. The committee shall have the following responsibilities:

1. To prepare the Senate Rules and report them to the Senate for approval, amendment or disapproval before adjournment of the second day of each session.
2. To examine each bill for proper form and to order the bills printed.
3. To refer each bill to the Senate with one of the following recommendations:

(a) that the bill be held in Rules (Sifting Committee);
(b) that the bill be referred to a standing committee;
(c) that the bill be placed directly on Second Reading Calendar;
(d) that the bill be read the second time and placed on Consent Calendar.

The Rules (Sifting) Committee will prioritize every bill and resolution for committee and floor action and will review and update the action as required.

The Rules (Sifting) Committee may recommend that a bill be given a Time Certain for floor consideration. A bill given a Time Certain will have priority status in 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. Judiciary
7. Public Education
8. Revenue and Taxation
9. Rules and Sifting.
10. Social Services
11. State and Local Affairs
12. Transportation and Public Safety.

6.03 Committee Chairmen.

The chairman may call committee meetings after giving reasonable notice. With the exception of the Rules Committee, each chairman shall post the time, room number and agenda of all committee meetings in areas open to the public.

6.05 Committees not to meet while Senate is in session.

No committee shall meet while the Senate is in session except with the President's permission or by majority vote of the Senators present.

6.06 Special Committees

Special committees may be formed by motion or resolution, and members shall be appointed by the President.

6.07 Committee Quorum; Subcommittees.

A majority shall constitute a quorum for the transaction of business. Subcommittees, which shall report to the regular committee, may be appointed by the chairman.

A committee shall not consider for determining a quorum any Senator who missess three consecutive meetings without being excused.

6.08 Committee Responsibility

Each committee shall transmit to the Senate a report on each committee bill. By majority vote, the committee may transmit bills with a favorable or unfavorable recommendation or without recommendation. Bills may be amended, tabled or substituted in committee.

A secretary will be provided to record attendance and take minutes of committee action. The records will be filed for three years in the office of the Secretary of the Senate.

6.09 Public Hearing

A committee may hold public hearings in addition to or instead of regular meetings. A hearing may be held on the subject matter contained in one or more bills. The chairman shall give notice of the hearing to sponsors of bills to be considered 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 on time for the entire hearing and for individual speakers, and the order in which speakers will be heard. By motion the committee may adjourn the public hearing and begin a regular committee meeting.

When public hearings are being held, the committee may request testimony by persons who have expertise on the bills under discussion. On majority vote, the testimony may be taken under oath.

6.10 Sponsor of bills to be notified.

The chairman of each committee shall have the sponsor of any bill pending before the committee notified of the time and place it will be considered.

6.11 Dissenting members.

Members dissenting from a Committee Report may file a minority report or be listed on the report as dissenting.

6.12 Chairman to preserve order; Appeal.

The chairman shall decide points of order. On motion and approval by majority vote, appeal may be made to any point of order. The motion and action shall be entered in the committee minutes.

6.14 Committee Reports.

All business referred to a committee shall be considered within a reasonable length of time. When a bill has been acted upon by a committee, a Committee Report detailing committee action, and the bill, shall be returned immediately to the Senate. If a bill is tabled, the Senate shall be notified.

6.15 Disorderly Conduct.

The chairman may order the committee room cleared of visitors if there is disorderly conduct.

6.16 Obtaining the floor.

The chairman shall recognize any member wishing to speak to the subject under consideration. The member's remarks shall be germane.

6.17 Visitors.

Visitors to a committee meeting or hearing shall not sit in legislators' chairs. The number of people in a committee meeting shall not exceed the maximum posted by the State Fire Marshall. The chairman shall maintain that limit.

During committee meetings, visitors may not speak unless called upon by the chairman. Restrictions on time may be announced.

6.18 Committee Order of Business.

Unless the chairman or majority of the committee determines otherwise, the order of business shall be:

1. Call to order by the chairman;
2. Approval of minutes of previous meeting;
3. Announcement of agenda;
4. Announcement of time restrictions;
5. Communications;
6. Consideration of committee business.

6.19 Motions.

Senate Rules regarding motions shall be in effect in committee meetings and hearings with the following exceptions:

1. Motion to strike the enacting clause shall never be in order;

2. Motion to circle shall not be in order. A bill may, however, be held in committee within the time limit imposed by Rule 6.14.

6.20 Motion to end debate.

A motion to end debate in committee shall be adopted by a majority vote of committee members present.

6.21 Votes.

Each committee member present shall vote on every question and the vote will be recorded in the minutes.

6.22 Reconsideration of action.

By majority vote, any committee action may be reconsidered at any time prior to the Committee Report being transmitted to the Senate.

6.23 Committees of the Whole

On majority vote, the Senate may resolve itself into a Committee of the Whole.

6.24 Committee of the Whole procedure.

The President will be chairman and preside over Committees of the Whole. Senate Rules will apply except any Senator may speak no more than twice on the same subject. Roll call votes will not be taken. Appeals of decisions of the chair will not be taken.

6.25 Committees of the Whole; Motion to dissolve.

A motion to dissolve a Committee of the Whole is always in order and will be decided without debate.

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 bottom of the Second Reading Calendar in the order received. After passing Second Reading, bills shall be placed at the bottom of Third Reading Calendar in order.

7.02 Consideration of Bills

Bills on Third Reading Calendar shall be considered in the order they appear on the Calendar unless majority vote directs other action.

If a bill is circled for any reason other than the absence of the sponsor, it shall be moved to the bottom of the Calendar.

The Secretary shall be responsible for maintaining the calendar properly listing the bills.

7.03 Special Order of Business.

A bill may become a Special Order of Business by designation of the Rules (Sifting) Committee or with majority approval. At the time set for consideration, the President shall place the bill before the Senate.

7.04 Second Reading Calendar.

After consideration of all bills on Third Reading Calendar, bills on Second Reading Calendar are to be considered. Each bill listed shall be read by formal title, unless the Senate suspends the reading. (cf. Rule 9.16)

The Secretary shall read the Committee Report.

A motion to adopt a "favorable" or "without recommendation" Committee Report will place the bill before the Senate with all committee amendments.

If a motion to adopt a "favorable" or "without recommendation" Committee Report does not receive a constitutional majority the bill will retain its original form.

A motion to adopt an "unfavorable" Committee Report by two-thirds vote defeats the bill.

If a motion to adopt a "favorable" or "without recommendation" Committee Report does not receive a constitutional majority the bill will retain its original form.

If a motion to adopt an "unfavorable" Committee Report does not receive a constitutional majority the bill goes to the Senate in its original form.

The final question on Second Reading Calendar shall be: *"Shall the bill (resolution) be read a third "* The question shall be decided on a roll call vote. A constitutional majority is required to pass the bill to Third Reading Calendar.

A resolution proposing a constitutional amendment requires a two-thirds majority vote to pass second reading.

7.05 Bill placed on Third Reading Calendar.

Each bill passing Second Reading Calendar shall be placed at the bottom of Third Reading Calendar. No bill shall be read the third time until the day after its second reading.

7.06 Reprinting bill.

Any bill that has been considerably amended on second reading may be ordered retyped and reprinted.

7.07 Third Reading Calendar.

Each bill listed shall be read by formal title, unless by majority vote the Senate suspends the reading (cf. Rule 9.16)

The bill shall be considered.

The final question shall be, *"This bill (resolution having been read three times, the question is: Shall the bill (resolution) pass?"*

7.08 Third reading of money bills.

If directed by a majority of the Senate, the third reading of all bills appropriating money shall be read.

7.09 Amendments to Senate bills.

All amendments to Senate legislation are to be retyped in light italic, and reprinted on goldenrod paper. Only those pages with amendments shall be reprinted.

7.10 Bills may be returned to committee.

Any bill or resolution may be returned to a committee at any time prior to being transmitted to the House of Representatives.

7.11 House Bills.

When a House bill is received by the Senate, the bill shall be read the first time and referred to the Rules (Sifting) Committee. (cf. Rule 9.16). Action on House bills shall be the same as for Senate bills. If, however, a House bill is identical to a Senate bill, the House bill shall be substituted for the Senate bill and take its place on Second Reading Calendar. The substitution shall be noted in the Journal.

7.12 Time limit for Senate bills.

No Senate bill or resolution, except the appropriations bills, shall be considered after the 57th day of the General Session and the 17th day of the Budget Session. The Senate may suspend this rule by a majority vote.

7.13 Consent Calendar.

Standing committees may report a bill to the Senate with the recommendation that it be placed on Consent Calendar, if this has been requested by the sponsor. A bill to be placed on Consent Calendar shall have unanimous recommendation of the

committee with a quorum present. The Secretary of the Senate shall provide appropriate forms for reporting the committee's recommendation. Upon adoption of the committee report by the Senate, the bill shall be read for the second time (cf. Rule 9.16) and placed on Consent Calendar.

Each day the President shall call attention to the bills on Consent Calendar to determine any objections to any bill there. Objections by three or more Senators shall cause the bill to be removed from Consent Calendar and placed at the bottom of the Second Reading Calendar.

If after three days, there has been no objection to a bill on consent Calendar being filed with the Secretary, it shall be acted on as follows:

1. The bill shall be read for the third time (cf. Rule 9.16) and placed before the Senate;

2. Final passage shall be by voice vote (cf. rule 12.11). This action shall be recorded in the Journal.

7.14 Concurrence in House Amendments.

If the House amends a Senate bill, the question shall be *"This bill (resolution), having been read three times, the question is: Shall the bill (resolution) be concurred in?"*

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 given to the Secretary to 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 in possession of the Senate. The motion may be withdrawn by majority vote.

9.03 No second required to motions.

No second shall be required to any motion during floor consideration or in committee.

9.04 Motion in order in debate.

When a question is under debate, no motion shall be received except:

1. To determine the time to adjourn;

2. To adjourn;
3. Call of the Senate;
4. To refer to committee;
5. To table;
6. To postpone to a Time Certain;
7. To postpone indefinitely;
8. To amend.

These several motions shall have priority as they are listed 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.

A motion to adjourn shall always be in order except when a vote is being taken; when a previous motion to adjourn has been defeated without intervening business and when another Senator has the floor.

9.06 Motion to table.

A motion to table a bill on Second or Third Reading Calendar shall have the effect of holding temporarily. Bills may be taken from the table by motion at any time.

9.07 Motions to circle.

A motion to circle any bill will temporarily hold the bill in place on the calendar. If subsequent action is not taken to remove the circle from the bill before adjournment the same day, the bill will be placed on the Table.

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. If carried, this motion shall defeat the bill.

9.10 Filling blanks.

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

9.11 Motion must be germane.

A substitute motion or amendment must be germane to the original motion.

9.12 Motion to refer to committee or table.

A motion to refer to committee shall take precedence over amendments and debate on the main question. A motion to table or postpone to a Time Certain shall take precedence over amendments to the main question.

9.13 Non-debatable motions.

A motion to adjourn, circle, recess, table or take from the table shall be non-debatable. All questions of order arising from one of the above motions shall also be non-debatable.

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. A motion to strike out and insert shall not be subject to division.

9.15 Substitute motions.

A substitute motion, if adopted by a majority of the Senators present, disposes of the original motion.

9.16 Constitutional motion.

At the beginning of each session of the Senate, prior to the reading of any bill or resolution, the Chairman of the Senate Rules (Sifting) Committee shall make the following motion:

"Mr. (Madam) 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 the first time and introduced, as bills and resolutions are considered on Second Reading, Third Reading and Consent Calendars. Further that this motion apply to all bills and resolutions, introduced during the remainder of this Legislative Session, except as any Senator may request the reading of the full title of any House or Senate bill or resolution." The Minute Clerk will record at the beginning of each Daily Journal the page on which the motion to suspend reading of titles of bills and resolutions is made.

10. DEBATES

10.01 Senators speaking more than twice.

Without permission from the Senate, no Senator may speak more than twice in any one debate on the same day and on the same Reading Calendar. 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 wishes to speak.

10.02 Interruptions and questions.

No Senator shall interrupt or question another Senator in debate without the Senator's consent. To obtain such consent, the Senator shall first address the President.

10.03 Sponsor may open and close debate.

The sponsor of any legislation or motion shall open and close debate.

10.04 Previous question.

The previous question shall not be entertained in the Senate.

11. AMENDMENTS

11.01 Motions in writing.

All amendments of ten words or more shall be typewritten on buff paper and distributed to the Secretary, the Minute Clerk and to all Senators before the amendment is proposed. All other motions except motions to adjourn, circle, table, refer to committee shall be written if requested by any Senator.

11.03 Amendments requiring a two-thirds vote.

A constitutional amendment, resolution, memorial or a bill requiring a vote of two-thirds of the Senators, may be amended by a majority vote.

11.05 Amendments in order on Second and Third Reading.

Amendments shall be in order on second and third readings of any legislation.

11.06 Committee amendments; how reported; speaking on amendments.

Amendments made in committee shall be part of the bill upon adoption of the Committee Report by the Senate. The committee chairman shall explain the amendments to the Senate.

11.07 Amendments referred to committees to be reported.

Whenever a bill is referred to committee, with spending amendments, action on the amendments will be reported to the Senate.

12. VOTING

12.01 Senators required to vote; how excused.

All Senators within the Senate Chamber when a vote is being taken shall vote, unless excused for personal or financial interest. Immediately preceding the roll call a Senator desiring to be excused from voting may make a brief statement giving the reasons. This quesion shall be decided without debate by majority vote. When called, any Senator may briefly explain a vote.

12.02 Senators to not vote unless present.

Senators shall not be permitted to vote unless present in the Senate Chamber, except as provided in the Senate Rule on pairings (12.09). If the vote is by roll call or division a Senator entering the chamber after the question is put, and before it is decided, may have the question stated and vote.

12.03 Roll Call Vote.

The vote on final passage of all bills shall be by roll call. The Senators shall be called alphabetically, except the President shall be called last. A roll call vote shall be taken if requested by any Senator. Senators absent or not voting shall be so recorded.

12.06 Voting or changing vote after decision announced.

After a roll call vote is announced on any question a Senator shall not be permitted to vote or to change vote, unless there is unanimous consent of the Senators present and the result of the vote is not changed.

12.07 Changing votes before decision announced.

A vote by any Senator may be changed before the decision is announced.

12.09 Pairings.

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

12.10 Putting question; Division.

The President shall put questions in this form: "*As many as are in favor (of the question) say yea.*" After the affirmative vote is counted the President shall say: "*As many as are opposed, say nay.*" The negative vote is counted. If the President doubts the results of the count, or if a division is called, those voting aye shall stand and be counted first, followed by those voting nay standing and being counted.

12.11 Consent Calendar and Commendation and Memorial Resolutions.

The President shall put the question on each Consent Calendar bill or Commendation or Memorial Resolution in the following form:

"*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, a unanimous vote of the Senators present shall be recorded in favor of the legislation.

If the President hears nays to the question, a vote shall be taken.

Nothing in this section prevents a Senator from challenging the ruling of the Chair or asking for a vote on any question.

13. CALL OF THE SENATE

13.01 Call of the Senate.

Any five Senators may demand a Call of the Senate to require absent Senators to be present in the Chamber.

13.02 Putting Question.

On motion for a Call of the Senate, the President shall say: "*It requires five Senators to make a Call of the Senate. Those in favor of the Call will stand.*"

13.03 Leaving the Chamber.

No Senator will leave the Chamber when a Call of the Senate is ordered. The doors of the Senate Chamber shall be closed.

13.04 Sergeant at Arms find Senators.

The President shall tell the Sergeant at Arms who is absent. The Sergeant at Arms will find the Senators and escort them to the Chamber.

13.05 Senate under Call; Raising the Call; Adjournment.

No business shall be transacted while the Senate is under Call, except receiving and acting on the Sergeant's report. No motion shall be in order except a motion to adjourn which shall be by voice vote and a simple majority.

13.06 Lifting the Call of the Senate.

The Sergeant at Arms may report on the Call at any time. A motion to lift the Call will be by voice vote and a simple majority. If the motion is adopted, the Senate reconvenes. If the motion is not adopted, the Sergeant at Arms continues searching for the absent Senators. When all Senators are present, the report shall be recorded in the Journal and the Call lifted. The doors of the Senate Chamber shall be opened and the Senate shall proceed with the order of business.

14. RECONSIDERATION

14.02 Reconsideration requires a majority vote

A motion to reconsider a vote requires approval by a simple majority of Senators present. Upon adoption of a motion to reconsider, the bill shall be placed at the top of the calendar on which it last appeared.

14.03 Motion to reconsider.

When a question has been decided, any Senator voting with the prevailing side may move for reconsideration after intervening business, or may give notice that the motion will be made. No motion for reconsideration shall be in order after the bill is no longer in possession of the Senate. No motion for reconsideration shall be in order unless made prior to adjournment of the next legislative day and by a Senator who 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.

When a Senator gives notice of intention to move for reconsideration, the Minute Clerk shall record the notice in the Journal. The Secretary shall keep possession of the bill until time for reconsideration has expired.

14.05 No motion to reconsider within three days of adjournment sine die.

No motion to reconsider shall be received after the 57th day of the General Session or the 17th day of the Budget Session.

15. PRIVILEGE

15.01 Admittance to Senate Chamber

Only legislators, officers, employees, former Senators, House officers and employees and persons invited by Senators shall be allowed in the Senate Chamber, halls and lounge. This privilege shall not be extended to anyone, other than a legislator, to influence legislative decisions.

All visitors shall be accompanied by a Senator in the Chamber, lounge or hallways.

After the visit the guest must leave the Chamber, lounge or hallway. The Senator shall be responsible for visitors.

15.02 Senators' chairs not to be occupied by others.

When the Senate is in session, no one is permitted to use the desks or chairs of the President or any Senator.

15.03 Lobbying

Lobbying shall not be permitted in the Senate Chamber at any time.

15.04 Sergeant at Arms to enforce rules.

The Sergeant at Arms and the employees under his direction will enforce these rules.

15.06 Visiting groups and individuals recognized.

Visiting groups and individuals shall be recognized by the President or shall be introduced by any Senator requesting personal privilege for that purpose.

15.07 Media

Media representatives, with Senate press credentials, shall be admitted to the Senate Chamber, halls, lounge and committee rooms. With permission, the media may conduct and record interviews in the Senate Lounge. They may also film and record interviews in the halls or available committee rooms. The media shall comply with other provisions in Section 15.

16. RULES

16.01 Suspension of rules.

A Senate Rule may be altered, amended or rescinded by majority vote.

17. EXECUTIVE SESSIONS

17.01 Executive Sessions.

When a motion for Executive Session is adopted the doors to the Senate Chamber will be closed. The President shall require all persons, except the Senators, Secretary, Minute Clerk and Sergeant at Arms to leave. During the discussion everyone present shall remain within the Chamber. Everyone present shall keep secret all matters discussed in Executive Session.

17.02 Executive (Nominations) Session.

When Executive Nominations are sent by the Governor to the Senate for confirmation, they shall be read by the Secretary and referred without motion to a Special Committee on Nominations comprised of three Senators appointed by the President. No action shall be taken until the nominations have been in the Senate for three days. The Special Committee will then issue its report. The final question on each nomination will be: *"Will the Senate advise and consent to this nomination?"* The question shall not be put on the day the nomination is reported from the committee, unless by unanimous consent. While any nomination remains with the Senate it shall be in order to reconsider the vote.

THIRD READING CALENDAR

SER-S.B. No. 33, MARITAL DEDUCTION FORMULAS IN WILLS AND ESTATES, was read the third time, explained by Senator Flamm, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Christensen	Jeffs	Sandberg
Barlow	Considine	Matheson	Snow
Barton	Cornaby	Money	Sowards
Bennett	Farley	Peterson, C.	Swan
Black	Finlinson	Peterson, L.	Wayment
Bullen	Flamm	Pugh	Mr. President (Ferry)
Bunnell	Halverson		

Absent or not voting were: Senators

Bangerter	Carling	Jones

SER-S.B. No. 33 was transmitted to the House.

STANDING COMMITTEES

Agriculture — Ivan M. Matheson, Chairman. Miles 'Cap' Ferry, Cary Peterson, Eldon Money, Committee Members. Bryant Howe, Jane Peterson, Research Analysts.

Business, Labor and Economic Development — Arnold Christensen, Chairman. Richard Carling, K. S. Cornaby, Dona M. Wayment, Wayne L. Sandberg, Omar B. Bunnell, Committee Members. Mark W. Paterson, Research Analyst.

Energy and Natural Resources — Fred W. Finlinson, Chairman. Glade Sowards, Ivan Matheson, Jack M. Bangerter, Miles 'Cap' Ferry, 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, 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, James F. Considine, Committee Members. Betsy Jackson, Research Analyst.

Judiciary — A. Dean Jeffs, Chairman. Richard J. Carling, Haven J. Barlow, E. Verl Asay, Wilford R. Black, Committee Members. Robin L. Riggs, Research Analyst.

Public Education — William T. Barton, Chairman. William N. Jones, Sherman A. Wayment, Wayne L. Sandberg, Omar B. Bunnell, Charles E. Bennett, Sr., E. Verl Asay, Committee Members. Karen Beckstead, Research Analyst.

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

Social Services — Ronald T. Halverson, Chairman. William N. Jones, A. Dean Jeffs, Bryce Flamm, James F. Considine, Frances Farley, Committee Members. Stewart E. Smith, Research Analyst.

Transportation and Public Safety — Glade M. Sowards, Chairman. Warren E. Pugh, Jack M. Bangerter, Wilford R. Black, Jr., Eldon A. Money, Committee Members. Richard V. Strong, Research Analyst.

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

JOINT APPROPRIATIONS COMMITTEE AND SUBCOMMITTEE ASSIGNMENTS

Senate Members	*House Members*
Warren E. Pugh, Co-Chairman	Gary H. Brockbank, Co-Chairman
Miles 'Cap' Ferry	Norman H. Bangerter
Karl N. Snow, Jr.	LeRay L. McAllister
Wilford Rex Black, Jr.	Roger F. Rawson
Jack M. Bangerter	Lee W. Farnsworth
Karl G. Swan	John M. Garr
Omar B. Bunnell	Robert H. Garff
	Jeff Fox
	Clifford LeFevre

Executive and Judicial

Governor	Sen. K. S. Cornaby, Co-Chairman
Lieutenant Governor	Rep. P. Lloyd Selleneit, Co-Chairman
Attorney General	Rep. Morris Hansen
State Prosecution	Rep. Merrill W. Harward
State Auditor	Rep. Gayle F. McKeachnie

State Treasurer	Rep. Terry Lee Williams
Supreme Court	
Court Administrator	
District Courts	
Circuit Courts	
Juvenile Courts	
Juror and Witness Fees	
	Joseph Neville - Staff Member

Business, Labor and Agriculture

Agriculture	Sen. Lowell S. Peterson, Co-Chairman
Apprenticeship Council	Sen. Eldon A. Money
Business Regulation	Sen. Dona M. Wayment
Citizens Council on Liquor Control	Rep. Ray S. Schmutz, Co-Chairman
Financial Institutions	Rep. Donna M. Dahl
Industrial Commission	Rep. Neal B. Evans
Insurance Department	Rep. Haze B. Hunter
Liquor Commission	Rep. Boyd H. Jeppson
	Rep. Mitchell V. Myers
	Rep. James J. White
	Rep. Blaze D. Wharton
	Fred E. Jayne - Staff Member

Community and Economic Development

Administration	Sen. Wayne L. Sandberg, Co-Chairman
Indian Affairs	Sen. E. Verl Asay
Economic and Industrial Development	Rep. Keith E. Jorgensen, Co-Chairman
Black Affairs	Rep. C. McClain Haddow
Hispanic Affairs	Rep. Franklin W. Knowlton
Community Services Office	Rep. Paul F. Mecham
Travel Development	Rep. Jo Brandt
Expositions	
State History	
Fine Arts	
State Library	
Community Development	
Utah Housing Finance Agency	Osamu Hoshino - Staff Member

Government Operations

Department of Admin. Services	Sen. Cary G. Peterson, Co-Chairman
Tax Commission	Sen. Karl N. Snow, Jr.
State Planning Coordinator	Sen. Charles E. Bennett
Personnel Review Board	Rep. Orval C. Harrison, Co-Chairman
State Budget Office	Rep. Dee Alldredge
Executive Reorganization Committee	Rep. Robert Curran
Retirement Board	Rep. Dorothea Masur
State Insurance Fund	Rep. E. Reed Palmer
Dept. of Employment Security	Rep. Ervin M. Skousen
Debt Service	Rep. John E. Smith
Capital Facilities	
Intragovernmental Services	Patrick W. Hayes - Staff Member

Natural Resources

Dept. of Natural Resources & Energy	Sen. Glade M. Sowards, Co-Chairman
Outdoor Recreation	Sen. Miles 'Cap' Ferry
Div. of State Lands, Forestry & Fire Control	Sen. Karl G. Swan
Division of Wildlife Resources	Rep. Willard H. Gardner, Co-Chairman
Div. of Parks and Recreation	Rep. Tom Christensen
Utah Geological and Mineral Survey	Rep. John Hollingshaus
Division of Water Resources	Rep. Nolan E. Karras
Water Resources Construction Fund	Rep. Alarik Myrin
Cities Waters Loan Fund	Rep. Evan L. Olsen
Conservation and Development Fund	Rep. John M. Garr
Division of Water Rights	Rep. Ray Nielsen
Division of Oil, Gas, and Mining	
Division of Energy	R. Michael Kjar - Staff Member

Higher Education

State Board of Regents	Sen. Richard J. Carling, Co-Chairman
University of Utah	Sen. Fred W. Finlinson
Utah State University	Sen. Ronald T. Halverson
Weber State College	Sen. Miles 'Cap' Ferry
Southern Utah State College	Sen. Charles W. Bullen
Snow College	Sen. Ivan M. Matheson
Dixie College	Sen. Frances Farley
College of Eastern Utah	Rep. G. LaMont Richards, Co-Chairman
Technical College at Provo	Rep. Kenneth J. Alford

Technical College at Salt Lake City	Rep. Carl D. Anderson
Skills Centers	Rep. Norman H. Bangerter
	Rep. Robert H. Garff
	Rep. Sherman D. Harmer, Jr.
	Rep. Lyle W. Hillyard
	Rep. E. Ute Knowlton
	Rep. Dix Holt McMullin
	Rep. Mike Dmitrich
	Rep. Clifford S. LeFevre
	Rep. D. Leon Reese
	Heber T. Hunt - Staff Member
	Laurie Chivers - Staff Member

Public Education

USOE	Sen. Haven J. Barlow, Co-Chairman
Vocational Education Revolving Fund	Sen. Warren E. Pugh
Area Vocational Centers	Sen. William T. Barton
Skills Center	Sen. Omar B. Bunnell
Schools for the Deaf and Blind	Rep. Lorin N. Pace, Co-Chairman
Utah Symphony	Rep. Rob W. Bishop
Ballet West	Rep. Gary H. Brockbank
Utah Opera Society	Rep. Glen E. Brown
Hansen Planetarium	Rep. Kim R. Burningham
School Finance Program	Rep. Lee W. Farnsworth
School Building Program	Rep. Charles Hardy Redd
	Rep. Robert B. Sykes
	Rep. Joe E. Whitesides
	Rep. John B. Arrington
	Rep. Roger Rawson
	Rep. Bobby Florez
	George Copeland - Staff Member

Social Services

Executive Director	Sen. William N. Jones, Co-Chairman
Field Services	Sen. A. Dean Jeffs
Corrections	Sen. Bryce C. Flamm
Prison Revolving Fund	Sen. James F. Considine
Mental Health	Rep. Paul Rogers, Co-Chairman
Alcoholism and Drugs	Rep. Charles L. Doane
Children, Youth, and Family	Rep. Floyd E. Lerdahl

Youth Corrections	Rep. Richard L. Maxfield
Mentally Retarded/Developmentally Disabled	Rep. Leray L. McAllister
State Training School	Rep. Stephen J. Rees
Aging	Rep. Carl R. Saunders
Assistance Payments and Quality Control	Rep. Dale E. Stratford
Public Assistance	Rep. Olene S. Walker
Recovery Services	Rep. Beverly J. White
Department of Health	Rep. Jeff Fox
Executive Director	Rep. Samuel S Taylor
Medical Examiner	
Administrative Services	
Management Planning	
Health Laboratory	
Environmental Health	
Community Health	
Family Health	
Medical Assistance	
Medicaid	
Health Care Financing	Marion S. Wittwer - Staff Member
County Medical Indigent	J. Winslow - Staff Member

Transportation and Public Safety

Department of Public Safety	Sen. Arnold Christensen - Co-Chairman
Comprehensive Emergency Management	Sen. Jack M. Bangerter
State Fire Marshal	Sen. Wilford R. Black
Commissioner's Office	Rep. Don R. Strong, Co-Chairman
Highway Patrol	Rep. Ray D. Free
Safety Promotion	Rep. Alvin S. Merrill
Narcotic and Liquor Law Enforcement	Rep. W. Robert Phelps
POST	Rep. J. Kirk Rector
Bureau of Criminal Identification	Rep. Duayne T. Johnson
Driver License	
Capitol Security	
Highway Safety	
Utah Council on Criminal Justice	
National Guard	
Department of Transportation	
Administration	
Safety	
Comptroller	
Internal Audit	

Community Relations
Construction Contract Administration
Policy and Systems Planning
Right of Way
Preconstruction
Equipment Management
District Management
Lands and Buildings
Maintenance
Federal Construction
State Construction
B & C Roads
Collector Roads
Sidewalks and Special Projects
Aeronautics Boyd A. Garriott - Staff Member

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On motion of Senator Snow, and at 12:00 noon, the Senate voted to adjourn until 9:00 a.m., Wednesday, January 13, 1982.

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 — Senator Ivan M. Matheson — (Beaver, Washington Garfield, Iron, Kane, District 29)

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 222.

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President January 13, 1982

The Committee on Revision of the daily Senate Journal respectfully reports that we have read the Journal for the Second Day and find it correct with minor amendments noted on the final copy.

E. Veri Asay, Committee Chairman

Committee report read and adopted.

COMMUNICATIONS 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, **HER-H.B. No. 1**, VOTED LEEWAY REVIEW, 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, under suspension of the rules, **HER-H.B. No. 6**, ENTRANCE DATE FOR KINDERGARTEN, by Representative Arrington, 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, **HER-H.B. No. 38**, TAX DEFERRAL REQUISITES, by Representative Pace, 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, **HER-H.J.R. No. 8,** SOCIAL SERVICES PROVIDING STUDY, 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, under suspension of the rules, **HER-H.J.R. No. 9,** by Representative Farnsworth, STATE GOVERNMENTAL EXPENDITURES, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

HER-H.B. Nos. 1, 6, 38 and **HER-H.J.R. Nos. 8** and **9** were read the first time. On motion of Senator Snow, and under suspension of the rules, the bills and resolutions were read the second time and placed on Third Reading Calendar.

INTRODUCTION OF BILLS

DEPRECIATION DEDUCTION FOR MINING

S.B. No. 40 *Charles W. Bullen, A. Dean Jeffs, Jack M. Bangerter, Glade M. Sowards, Charles E. Bennett*

AN ACT RELATING TO REVENUE AND TAXATION; ALTERING CERTAIN DEDUCTIONS AVAILABLE FOR AD VALOREM TAX PURPOSES OF METALLIFEROUS MINES; PROVIDING FOR A DEPRECIATION ALLOWANCE RATHER THAN DEDUCTION OF ACTUAL COSTS; REMOVING LOSS CARRY FORWARDS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AMENDS SECTION 59-5-58, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 178, LAWS OF UTAH 1975, was read the first time on January 12, 1982 and referred to the Rules Committee.

SALES TAX EXEMPTION ON VENDING MACHINE SALES

S.B. No. 41 *Charles W. Bullen, Bryce G. Flamm Ronald T. Halverson, Wilford R. Black, Jr.*

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING THAT ITEMS SOLD FOR ONE DOLLAR OR LESS FROM VENDING MACHINES ARE EXEMPT FROM SALES TAX UNDER CERTAIN CIRCUMSTANCES.

THIS ACT AMENDS SECTION 59-15-6, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTERS 238 AND 239, LAWS OF UTAH 1981, was read the first time on January 12, 1982 and referred to Rules Committee.

AGRICULTURAL FUNDS

S.B. No. 42 *Ivan M. Matheson*

AN ACT RELATING TO AGRICULTURE; PROVIDING FOR THE CREATION OF DEDICATED CREDITS WITHIN THE GENERAL FUND FOR GRAIN GRADING; AND PROVIDING PROCEDURAL CHANGES IN THE ISSUANCE OF MARKETING ORDERS.

THIS ACT AMENDS SECTION 4-2-2, UTAH CODE ANNOTED 1953, AS LAST AMENDED BY CHAPTER 11, LAWS OF UTAH, 1981, was read the firt time on January 12, 1982 and referred to Rules Committee.

JUSTICES OF PEACE APPOINTMENTS

S.B. No. 43 *William T. Barton*

AN ACT RELATING TO JUSTICES OF THE PEACE; PROVIDING FOR APPOINTMENTS: AND MAKING CERTAIN TECHNICAL CHANGES.

THIS ACT AMENDS SECTION 10-3-923, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 78, LAWS OF UTAH 1977, was read the first time on January 12, 1982 and referred to Rules Committee.

ASSESSED VALUATION AND TAX NOTICE

S.B. No. 44 *Charles W. Bullen*

AN ACT RELATING TO REAL PROPERTY TAXATION; PROVIDING FOR AN ALTERED TIME SCHEDULE FOR THE COMPLETION OF REQUIRED DUTIES TO ACCOMMODATE A COMBINED ASSESSED VALUATION AND TAX NOTICE; DEFINING ASSESSMENT ROLL AND TAX ROLL; MODIFYING APPORTIONMENT PROCEDURE FOR PROPERTIES ASSESSED BY THE STATE TAX COMMISSION; CHANGING APPLICATION DATES FOR INDIGENT AND CIRCUIT BREAKER ABATEMENT; MODIFYING THE PERIOD OF TIME FOR APPEAL; CHANGING REQUIREMENTS REGARDING MILL LEVIES; INCLUDING SPECIAL TAXING DISTRICTS AMONG THOSE ENTITIES WHICH MAY LEVY TAXES; MAKING CERTAIN TECHNICAL CHANGES; REPEALING THE SECTION THAT FORMERLY PROVIDED PROPERTY TAX DEFERRAL FOR INDIGENT PERSONS; AND PROVIDING AN OPERATIVE DATE.

THIS ACT AMENDS SECTIONS 8-1-19, 17-9-16, 17-9-17, 53-7-9, 53-7-10, 59-5-5, 59-5-21, 59-5-33, 59-5-45, 59-6-1, 59-6-2, 59-6-3, 59-7-12, 59-7-14, 59-8-1, 59-8-2, 59-8-4, 59-8-5, 59-8-8, 59-9-1, 59-9-9, AND 59-10-20, UTAH CODE ANNOTATED 1953, SECTION 8-1-20, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 12, LAWS OF UTAH 1957, SECTIONS 10-6-118, 10-6-133, 10-6-134, AND 10-6-135, UTAH CODE

ANNOTATED 1953, AS ENACTED BY CHAPTER 26, LAWS OF UTAH 1979, SECTION 11-20-43, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION, SECTION 11-20-44, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1973, SECTION 17-36-31, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 22, LAWS OF UTAH 1975, SECTION 53-7-20, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 160, LAWS OF UTAH 1975, SECTION 53-11-31, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 52, LAWS OF UTAH 1980, SECTION 53-20-1, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 20, LAWS OF UTAH 1957, SECTION 53-20-2, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 199, LAWS OF UTAH 1977, SECTION 59-3-1, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 236, LAWS OF UTAH 1981, SECTIONS 59-5-4, 59-5-6, 59-5-30, 59-7-1, 59-7-9, 59-7-11, 59-8-3, 59-8-6, 59-8-7, 59-9-6.3, 59-9-7, AND 59-10-10, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 241, LAWS OF UTAH 1981, SECTION 59-5-52, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 122, LAWS OF UTAH 1965, SECTION 59-5-111, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 228, LAWS OF UTAH 1981, SECTION 59-7-2, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTERS 236 and 241, LAWS OF UTAH 1981, SECTION 59-7-2.8, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 141, LAWS OF UTAH 1973, SECTION 59-7-10, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 141, LAWS OF UTAH 1973, SECTION 59-9-2, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 145, LAWS OF UTAH 1961, SECTION 59-9-8, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTERS 235 AND 241, LAWS OF UTAH 1981, SECTION 59-10-2, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 109, LAWS OF UTAH 1953, SECTION 59-10-6, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 214, LAWS OF UTAH 1977, SECTION 59-10-27, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 209, LAWS OF UTAH 1979, SECTION 59-25-5.5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 210, LAWS OF UTAH 1979, SECTION 73-8-18, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 243, LAWS OF UTAH 1981, SECTIONS 73-8-35, 73-8-36, AND 73-8-39, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 180, LAWS OF UTAH 1963, AND SECTION 73-9-16, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 34, LAWS OF UTAH 1974; ENACTS SECTIONS 17-34-5, 59-2-14, 59-2-15, AND 59-11-17, UTAH CODE ANNOTATED 1953; AND REPEALS SECTION 59-7-2.5, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 236, LAWS OF UTAH 1981, was read the first time on January 12, 1982 and referred to Rules Committee.

INSURANCE GUARANTY ASSOCIATION AMENDMENTS

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

AN ACT RELATING TO INSURANCE; PROVIDING THAT MEMBER INSURERS UNDER THE "UTAH LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT" MAY, UPON SOLICITATION BY THE ASSOCIATION, MAKE VOLUNTARY NON-ASSESSED CONTRIBUTIONS TO AN IMPAIRED INSURER NOT A MEMBER OF THE ASSOCIATION; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AMENDS SECTION 31-43-7, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 149, LAWS OF UTAH 1981, SECTION 31-43-10, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 149, LAWS OF UTAH 1981, AND SECTION 31-43-14, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 122, LAWS OF UTAH 1979, was read the first time on January 12, 1982 and referred to Rules Committee.

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HER-H.B. No. 7, AUDIT OF PUBLIC TRANSIT DISTRICTS, was before the Senate. President Ferry advised that the Senate recording of the vote taken yesterday verifies that Senator Lowell Peterson voted yea. The final vote is **Yeas, 20; Nays, 9** and **Absent 0.**

HER-H.B. No. 7, was signed by the President and returned to the House for further action.

THIRD READING CALENDAR

SER-S.B. No. 34, DIVISION OF TAXES REPEAL, was read the third time, explained by Senator Matheson. Senators Pugh, Snow and Finlinson commented and on motion of Senator Matheson, the resolution is circled.

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SER-S.B. No. 35, WILDLIFE DAMAGE PREVENTION ACT AMENDMENTS, was read the third time. Senator Matheson explained the resolution and it passed on the following roll call:

Yeas, 22; Nays, 3; Absent, 4

Voting in the affirmative were: Senators

Asay	Farley	Matheson	Snow
Barton	Finlinson	Money	Sowards
Bullen	Flamm	Peterson, C.	Swan
Bunnell	Halverson	Peterson, L.	Wayment
Christensen	Jeffs	Pugh	Mr. President (Ferry)
Considine	Jones		

Voting in the negative were: Senators

Bennett	Black	Carling

Absent or not voting were: Senators

Bangerter	Barlow	Cornaby	Sandberg

SER-S.B. No. 35 was transmitted to the House.

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S.C.R. No. 2, SCHOOL DISCIPLINE AND CITIZENSHIP, was read the third time and explained by Senator Barton. Senators Swan and Bennett commented. Senator Barton,with the aid of five senators, requested a Call of the Senate. On motion of Senator Barton, the Call of the Senate was lifted and the resolution passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Halverson	Pugh
Bangerter	Christensen	Jeffs	Snow
Barton	Considine	Jones	Sowards
Bennett	Cornaby	Matheson	Swan
Black	Farley	Money	Wayment
Bullen	Finlinson	Peterson, C.	Mr. President (Ferry)
Bunnell	Flamm	Peterson, L.	

Absent or not voting were: Senators

Barlow	Sandberg

S.C.R. No. 2 was transmitted to the House.

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S.C.R. No. 3, ENFORCEMENT OF LAWS RESOLUTION, 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	Halverson	Peterson, L.
Barton	Christensen	Jeffs	Snow
Bennett	Cornaby	Jones	Sowards
Black	Farley	Matheson	Swan
Bullen	Finlinson	Money	Wayment
Bunnell	Flamm	Peterson, C.	Mr. President (Ferry)

Absent or not voting were: Senators

Bangerter	Considine	Pugh	Sandberg
Barlow			

S.C.R. No. 3 was transmitted to the House.

RULES COMMITTEE REPORTS

On motion of Senator Halverson, HER-H.J.R. Nos. 8 and 9 were lifted from Third Reading Calendar and returned to Rules Committee.

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Mr. President January 13, 1982

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 40	DEPRECIATION DEDUCTION FOR MINING (Revenue and Taxation)
S.B. No. 41	SALES TAX EXEMPTION ON VENDING MACHINE SALES (Revenue and Taxation)

reports the bills to the Senate as BUDGETARY and asks that they be printed and assigned to the committees indicated, and

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 36	MEDICALLY INDIGENT
S.B. No. 39	LOOK ALIKE DRUGS
S.B. No. 42	AGRICULTURAL FUNDS
S.B. No. 43	JUSTICES OF PEACE APPOINTMENTS
S.B. No. 44	ASSESSED VALUATION AND TAX NOTICE
S.B. No. 45	INSURANCE GUARANTY ASSOCIATION AMENDMENTS

reports the Senate bills to the Senate as NON-BUDGETARY items and asks that a Senate Enabling Resolution (SER) be prepared, introduced, considered read for the first time and under suspension of the rules, read the second time and placed on Third Reading Calendar for consideration by the Senate. The bills will be held in Rules Committee.

Ronald T. Halverson
Rules Committee Chairman

Committee reports read and adopted. **SER-S.B. Nos. 36, 39, 42, 43, 44** and **45** were introduced, read the first time and, under suspension of the rules, read the second time and placed on Third Reading Calendar.

THIRD READING CALENDAR

HER-H.B. No. 1, VOTED LEEWAY REVIEW, was read the third time, explained by Representative Lee Farnsworth in Committee of the Whole. Senators Bunnell and Swan commented. Senator Bunnell, with the aid of five senators, requested a Call of the Senate. On motion of Senator Bennett the Call of the Senate was lifted and the resolution passed on the following roll call:

Yeas, 20; Nays, 4; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Finlinson	Peterson, L.
Bangerter	Christensen	Flamm	Snow
Barton	Considine	Jeffs	Sowards
Black	Cornaby	Money	Wayment
Bunnell	Farley	Peterson, C.	Mr. President (Ferry)

Voting in the negative were: Senators

Bennett	Halverson	Matheson	Swan

Absent or not voting were: Senators

Barlow	Jones	Pugh	Sandberg
Bullen			

HER-H.B. No. 1 was signed by the President and returned to the House for further action.

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HER-H.B. No. 6, ENTRANCE DATE FOR KINDERGARTEN, was read the third time and passed on the following roll call:

Yeas, 20; Nays, 3; Absent, 6

Voting in the affirmative were: Senators

Asay	Bunnell	Finlinson	Snow
Bangerter	Carling	Flamm	Sowards
Barton	Christensen	Halverson	Swan
Bennett	Considine	Jeffs	Wayment
Black	Cornaby	Peterson, C.	Mr. President (Ferry)

Voting in the negative were: Senators

Farley	Matheson	Money

Absent or not voting were: Senators

Barlow	Jones	Pugh	Sandberg
Bullen	Peterson, L.		

HER-H.B. No. 6 was signed by the President and returned to the House for further action.

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HER-H.B. No. 38, TAX DEFERRAL REQUISITES, was read the third time and explained by Representative Lorin Pace in Committee of the Whole. Senators Black and Matheson commented. Senator Black, with the aid of five Senators, requested a Call of the Senate. On motion of Senator Black, the Call of the Senate was lifted and the resolution passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Flamm	Peterson, L.
Bangerter	Christensen	Halverson	Snow
Barton	Considine	Jeffs	Sowards
Bennett	Cornaby	Matheson	Swan
Black	Farley	Money	Wayment
Bunnell	Finlinson	Peterson, C.	Mr. President (Ferry)

Absent or not voting were: Senators

Barlow	Jones	Pugh	Sandberg
Bullen			

HER-H.B. No. 38 was signed by the President and returned to the House for further action.

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 Jo Ann Free, Chair, Utah Arts Council. She distributed "Arts and the States", a report created by the National Conference of State Legislatures.

On motion of Senator Snow, the Committee of the Whole was dissolved.

THIRD READING CALENDAR

SER-S.B. No. 36, MEDICALLY INDIGENT, 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	Carling	Flamm	Peterson, L.
Bangerter	Christensen	Halverson	Snow
Barlow	Considine	Jeffs	Sowards
Barton	Cornaby	Matheson	Swan
Bennett	Farley	Money	Wayment
Black	Finlinson	Peterson, C.	Mr. President (Ferry)
Bunnell			

Voting in the negative were: Senator
Sandberg

Absent or not voting were: Senators

Bullen	Jones	Pugh

SER-S.B. No. 36 was transmitted to the House.

• • •

SER-S.B. No. 39, LOOK ALIKE DRUGS, was read the third time and explained by Senator Cornaby. Senators Considine and Wayment commented and the resolution passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Halverson	Sandberg
Bangerter	Christensen	Jeffs	Snow
Barlow	Considine	Matheson	Sowards
Barton	Cornaby	Money	Swan
Bennett	Farley	Peterson, C.	Wayment
Black	Finlinson	Peterson, L.	Mr. President (Ferry)
Bunnell	Flamm		

Absent or not voting were: Senators

Bullen	Jones	Pugh

SER-S.B. No. 39 was transmitted to the House.

• • •

SER-S.B. No. 42, AGRICULTURAL FUNDS, was read the third time and explained by Senator Matheson. Senator Snow commented and the resolution passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Sandberg
Bangerter	Carling	Jeffs	Snow
Barlow	Considine	Matheson	Sowards
Barton	Cornaby	Money	Swan
Bennett	Farley	Peterson, C.	Wayment
Black	Finlinson	Peterson, L.	Mr. President (Ferry)
Bullen	Flamm		

Voting in the negative were: Senator
Christensen

Absent or not voting were: Senators

Jones	Pugh

SER-S.B. No. 42 was transmitted to the House.

• • •

SER-S.B. No. 43, JUSTICE OF PEACE APPOINTMENTS, was read the third time, and explained by Senator Barton and failed on the following roll call:

Yeas, 17; Nays, 8; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Farley	Sowards
Bangerter	Christensen	Finlinson	Swan
Barlow	Considine	Flamm	Wayment
Barton	Cornaby	Matheson	Mr. President (Ferry)
Bullen			

Voting in the negative were: Senators

Black	Halverson	Money	Peterson, L.
Carling	Jeffs	Peterson, C.	Snow

Absent or not voting were: Senators

Bennett	Jones	Pugh	Sandberg

SER-S.B. No. 43 is reconsidered.

• • •

SER-S.B. No. 44, ASSESSED VALUATION AND TAX NOTICE, was read the third time and explained by Senator Bullen, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Flamm	Peterson, L.
Bangerter	Christensen	Halverson	Snow
Barlow	Considine	Jeffs	Sowards
Bennett	Cornaby	Matheson	Swan
Black	Farley	Money	Wayment
Bullen	Finlinson	Peterson, C.	Mr. President (Ferry)

Absent or not voting were: Senators

Barton	Jones	Pugh	Sandberg
Bunnell			

SER-S.B. No. 44 was transmitted to the House.

• • •

SER-S.B. No. 45, INSURANCE GUARANTY ASSOCIATIONS AMENDMENTS, was read the third time and explained by Senator Cornaby and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Christensen	Halverson	Sandberg
Bangerter	Considine	Jeffs	Snow
Barlow	Cornaby	Matheson	Sowards
Bennett	Farley	Money	Swan
Black	Finlinson	Peterson, C.	Wayment
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)

Absent or not voting were: Senators

Barton	Carling	Jones	Pugh
Bunnell			

SER-S.B. No. 45 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 13, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **SER-S.B. No. 1,** THIRD JUDICIAL DISTRICT JUDGESHIPS, 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, under suspension of the rules, **SER-S.B. No. 4,** ASSOCIATE IN SCIENCE DEGREE, by Senator Bartong, 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, under suspension of the rules, **SER-S.B. No. 8,** PUBLIC BONDING 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

Allan M. Acomb, Chief Clerk

SER-S.B. Nos. 1, 4 and 3 were signed by the President and referred to the Committee on Rules to be enrolled and transmitted to the Lieutenant Governor.

* * *

Mr. President: January 13, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **HER-H.B. No. 62,** JUDICIAL CONDUCT COMMISSION, 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, under suspension of the rules, **HER-H.B. No. 68,** UNEMPLOYMENT COMPENSATION AMENDMENTS, by Representative Haddow, and the same is transmitted herewith for Senate consideration,

Allan M. Acomb, Chief Clerk

HER-H.B. Nos. 62 and **68** were read the first time. On motion of Senator Snow, and under suspension of the rules, read the second time and placed on Third Reading Calendar.

THIRD READING CALENDAR

HER-H.B. No. 68, UNEMPLOYMENT COMPENSATION AMENDMENTS, was read the third third time and explained by Representatives C. McClain Haddow in Committee of the Whole. The resolution passed 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
Barlow	Flamm	Peterson, C.	Sowards
Bullen	Halverson	Peterson, L.	Wayment
Carling	Jeffs	Pugh	Mr. President (Ferry)
Christensen			

Voting in the negative were: Senators

Black	Considine	Money	Swan
Bunnell	Farley		

Absent or not voting were: Senators
Barton Bennett

HER-H.B. No. 68 was signed by the President and returned to the House for further action.

• • •

HER-H.B. No. 62, JUDICIAL CONDUCT COMMISSION, was read the third time, explained by Representative Lloyd Selleneit, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Flamm	Peterson, L.
Bangerter	Carling	Halverson	Sandberg
Barlow	Christensen	Jeffs	Snow
Barton	Considine	Jones	Sowards
Bennett	Cornaby	Matheson	Swan
Black	Farley	Money	Wayment
Bullen	Finlinson	Peterson, C.	Mr. President (Ferry)

Absent or not voting were: Senators
Pugh

HER-H.B. No. 62 was signed by the President and returned to the House for further action.

• • •

On motion of Senator Matheson, the circle was removed from **SER-S.B. No. 84,** DIVISION OF TAXES REPEAL, and the resolution failed on the following roll call:

Yeas, 8; Nays, 18; Absent, 3

Voting in the affirmative were: Senators

Bullen	Christensen	Matheson	Sandberg
Bunnell	Jones	Money	Mr. President (Ferry)

Voting in the negative were: Senators

Bangerter	Considine	Halverson	Snow
Barlow	Cornaby	Jeffs	Sowards
Barton	Farley	Peterson, C.	Swan
Black	Finlinson	Peterson, L.	Wayment
Carling	Flamm		

Absent or not voting were: Senators

Asay	Bennett	Pugh

SER-S.B. No. 34 is filed.

• • •

Senator Sandberg, having served notice of intent to ask that **HER-H.B. No. 11,** STATE AGENCIES SPACE ACQUISITIONS, be reconsidered on this day, now asked that it be reconsidered. The Senate voted to not reconsider the resolution and it was returned to the House for filing.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 13, 1982

I am directed to inform the Senate that the House of Representatives has this day rejected **SER-S.B. No. 10,** TITLES OF BOATS AND VESSELS, by Senator Sowards, and the same is returned herewith.

Allan M. Acomb, Chief Clerk

SER-S.B. No. 10 is filed

• • •

Mr. President: January 13, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **SER-S.B. No. 8,** PASSENGER TRAMWAY REGISTRATIONS, by Senator Fred W. 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, under suspension of the rules, **SER-S.B. No. 13,** TAX-EXEMPT AGRICULTURAL LAND, 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, under suspension of the rules, **SER-S.B. No. 14,** EMPLOYMENT SECURITY ACT - AGRICULTURAL LABOR, 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, under suspension of the rules, **SER-S.B. No. 17,** INDUSTRIAL COMMISSION PROCEDURES, 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, under suspension of the rules, **SER-S.B. No. 18,** NUMBER OF JURORS, 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, under suspension of the rules, **SER-S.B. No. 19,** JURISDICTION OVER OIL AND GAS WELLS, 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, under suspension of the rules, **SER-S.B. No. 21,** COSMETOLOGY/BARBER LICENSING CHANGES, 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, under suspension of the rules, **SER-S.B. No. 22,** AGRICULTURAL CODE AMENDMENTS, 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, under suspension of the rules, **SER-S.B. No. 23,** RECORDED INSTRUMENTS RETURN, 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

SER-S.B. Nos. 8, 13, 14, 17, 18, 19, 21, 22 and 23 were signed by the President and referred to the Committee on Rules to be enrolled and transmitted to the Lieutenant Governor.

• • •

Mr. President: January 13, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **HER-H.B. No. 51**, UTAH DAIRY COMMISSION, by Representative Olsen, and the same is transmitted herewith for Senate consideration.

Alan M. Acomb, Chief Clerk

HER-H.B. No. 51 was read the first time, and on motion of Senator Snow, and under suspension of the rules, read the second time and placed on Third Reading Calendar.

• • •

On motion of Senator Snow, and at 12:00 noon, the Senate voted to adjourn until 10:00 a.m., Thursday, January 14, 1982.

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 except Senator L. Peterson, excused.

Prayer — Senator Bryce C. Flamm, (Weber — District 19)

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 222.

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President January 14, 1982

The Committee on Revision of the daily Senate Journal respectfully reports that we have read the Journal for the Third Day and find it correct with minor amendments noted on the final copy.

Eldon A. Money, Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 13, 1982

I am directed to inform the Senate that the House of Representatives has this day rejected **SER-S.B. No. 24**, LEASED PREMISES MAINTENANCE, by Senator Barton, and the same is returned herewith.

Allan M. Acomb, Chief Clerk

SER-S.B. No. 24 is filed.

• • •

Mr. President: January 13, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, **HER-H.B. No. 84**, PUBLIC EMPLOYEES POLITICAL ACTIVITIES, 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, under suspension of the rules, **HER-H.B. No. 89**, PROPERTY TAX

ASSESSMENT APPEALS, by Representative Pace, 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, **HER-H.J.R. No. 1,** RESIDENCY REQUISITE FOR LEGISLATORS, by Representative Taylor, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

HER-H.B. Nos. 34 and **39** and **HER-H.J.R. No. 1** were read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

METROPOLITAN WATER DISTRICT ACT AMENDMENTS

S.B. No. 46 *Fred W. Finlinson*

AN ACT RELATING TO METROPOLITAN WATER DISTRICTS; PROVIDING THAT A DETERMINATION THAT THE PUBLIC INTEREST OR NECESSITY DEMAND THE INCURRING OF CERTAIN OBLIGATIONS OR INDEBTEDNESS AND THE PROVISION FOR HOLDING OF AN ELECTION THEREON MAY BE BY RESOLUTION OR ORDINANCE; PROVIDING THAT THE PROPOSITION OF INCURRING SUCH OBLIGATIONS OR OTHER INDEBTEDNESS BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE DISTRICT; PROVIDING THAT THE ELECTION BE HELD, CONDUCTED, AND CANVASSED AND ANY BONDS AUTHORIZED BE ISSUED UNDER THE PROVISIONS OF THE UTAH MUNICIPAL BOND ACT; DELETING THE MAXIMUM RATE OF INTEREST THAT OBLIGATIONS OR INDEBTEDNESS OF METROPOLITAN WATER DISTRICTS MAY BEAR; PROVIDING FOR CHANGES IN FORM; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AMENDS SECTIONS 73-8-22 AND 73-8-25, UTAH CODE ANNOTATED 1953, AND SECTIONS 73-8-26 AND 73-8-28, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 159, LAWS OF UTAH 1957; AND REPEALS SECTION 73-8-23, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

UTAH RENEWABLE ENERGY RESOURCES SURVEY

S.B. No. 47 *Glade M. Sowards*

AN ACT RELATING TO NATURAL RESOURCES; PROVIDING THAT THE UTAH ENERGY OFFICE CONDUCT A RENEWABLE ENERGY RESOURCES SURVEY; AND

APPROPRIATING $150,000 TO THE UTAH ENERGY OFFICE TO PURCHASE, INSTALL, OPERATE, AND MAINTAIN EQUIPMENT DESIGNED TO GATHER RENEWABLE ENERGY RESOURCE DATA FOR PURPOSES OF THE SURVEY, was read the first time and referred to Rules Committee.

BOND ISSUE PUBLICITY

S.B. No. 48 *Glade M. Sowards*

AN ACT RELATING TO SCHOOL DISTRICT BOND ISSUES; ALLOWING THE BOARD OF EDUCATION OF A SCHOOL DISTRICT TO PUBLICIZE A PROPOSED BOND ISSUE, AND TO USE SCHOOL DISTRICT MONIES TO DO SO.

THIS ACT AMENDS SECTION 53-10-2, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 13, LAWS OF UTAH 1970, was read the first time and referred to Rules Committee.

TRUCKING CONTROL STATIONS

S.B. No. 49 *Jack M. Bangerter*

AN ACT RELATING TO PORTS OF ENTRY BORDERS; AUTHORIZING THE COMMISSIONER OF PUBLIC SAFETY TO ENTER INTO BILATERAL AGREEMENTS WITH CONTIGUOUS STATES FOR THE MUTUAL USE OF PORTS OF ENTRY ALONG STATE BORDERS, AND FOR THE COLLECTION OF FEES AND TAXES THERE BY EITHER STATE, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

HER-H.B. No. 51, UTAH DAIRY COMMISSION, 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	Christensen	Jeffs	Sandberg
Bangerter	Considine	Jones	Snow
Barlow	Cornaby	Matheson	Sowards
Barton	Farley	Money	Wayment
Bennett	Finlinson	Pugh	Mr. President (Ferry)
Black	Halverson		

Absent or not voting were: Senators

Bullen	Carling	Peterson, C.	Swan
Bunnell	Flamm	Peterson, L.	

HER-H.B. No. 51 was signed by the President and returned to the House for further action.

RULES COMMITTEE REPORT

Mr. President: January 14, 1982

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 37	PUBLIC SUPPORT OF CHILDREN
S.B. No. 46	METROPOLITAN WATER DISTRICT ACT AMENDMENTS
S.B. No. 47	UTAH RENEWABLE ENERGY RESOURCES SURVEY
S.B. No. 48	BOND ISSUE PUBLICITY
S.B. No. 49	TRUCKING CONTROL STATIONS

reports the Senate bills to the Senate as NON-BUDGETARY items and asks that a Senate Enabling Resolution (SER) be prepared, introduced, considered read for the first time and under suspension of the rules, read the second time and placed on Third Reading Calendar for consideration by the Senate. The bills will be held in Rules Committee.

Ronald T. Halverson,
Rules Committee Chairman

Committee report read and adopted. **SER-S.B. Nos. 37, 46, 47, 48 and 49** were introduced, read the first time and, under suspension of the rules, read the second time and placed on Third Reading Calendar.

THIRD READING CALENDAR

SER-S.B. No. 37, PUBLIC SUPPORT OF CHILDREN, was read the third time and explained by Senator Flamm. Senators Bunnell, Cornaby, Asay and Black commented. Senator Blacks' motion to circle failed on a standing vote. Senators Bunnell, Jones, Snow and Black commented. On motion of Senator Black, the resolution was circled.

• • •

SER-S.B. No. 46, METROPOLITAN WATER DISTRICT ACT AMENDMENTS, was read the third time, and on motion of Senator Bangerter, circled.

• • •

SER-S.B. No. 47, UTAH RENEWABLE ENERGY RESOURCES SURVEY, was read the third time, and on motion of Senator Sowards, circled.

• • •

SER-S.B. No. 48, BOND ISSUE PUBLICITY, was read the third time, and on motion of Senator Sowards, circled.

• • •

SER-S.B. No. 49, TRUCKING CONTROL STATIONS, was read the third time and explained by Senator Bangerter. Senator Bangerter with the aid of five Senators, requested a Call of the Senate. On motion of Senator Bangerter, the Call of the Senate was lifted. Senators Considine, Bunnell and Black commented, and the resolution passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bunnell	Flamm	Peterson, C.
Bangerter	Carling	Halverson	Sandberg
Barlow	Christensen	Jeffs	Snow
Barton	Considine	Jones	Sowards
Bennett	Cornaby	Matheson	Swan
Black	Finlinson	Money	Mr. President (Ferry)

Absent or not voting were: Senators

Bullen	Peterson, L.	Pugh	Wayment
Farley			

SER-S.B. No. 49 was transmitted to the House.

RULES COMMITTEE REPORT

Mr. President: January 14, 1982

The Senate Rules Committee, to which were referred the following Senate Bills:

S.J.R. No. 4	CONCEALED WEAPONS RESOLUTION
S.J.R. No. 6	INTERIM STUDY OF THIRD-PARTY PRESCRIPTION
S.J.R. No. 7	INTERIM STUDY OF THE LAY MIDWIFE PROGRAM

reports that the S.J.R.s' are under suspension of the rules, considered read the second time and placed on Third Reading Calendar, and

The Senate Rules Committee, to which were referred the following Senate Bills:

S.J.R. No. 3	TAX ARTICLE REVISION
S.J.R. No. 5	COMPENSATION AND EXPENSES FOR LEGISLATORS
S.J.R. No. 8	MUNICIPAL TAX EXEMPTION CHANGES

reports the Senate Bills to the Senate as NON-BUDGETARY items and asks that a Senate Enabling Resolution (SER) be prepared, introduced, considered read for the first time and placed on Second Reading Calendar for consideration by both the Senate and the House. The bill will be held in Rules Committee.

Ronald T. Halverson,
Rules Committee Chairman

Committee reports read and adopted and **S.J.R. Nos. 4, 6 and 7** were read the second time and placed on Third Reading Calendar. **SER-S.J.R. Nos. 3, 5 and 8** were introduced, read the first time and placed on Second Reading Calendar.

THIRD READING CALENDAR

On motion of Senator Finlinson, the circle was removed from **SER-S.B. No. 46,** METROPOLITAN WATER DISTRICT ACT AMENDMENTS, and the resolution passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Bunnell	Flamm	Pugh
Barlow	Carling	Halverson	Sandberg
Barton	Christensen	Jeffs	Sowards
Bennett	Considine	Jones	Swan
Black	Cornaby	Matheson	Wayment
Bullen	Finlinson	Peterson, C.	Mr. President (Ferry)

Absent or not voting were: Senators

Asay	Money	Peterson, L.	Snow
Farley			

SER-S.B. No. 46 was transmitted to the House.

• • •

On motion of Senator Sowards, the circle was removed from **SER-S.B. No. 48,** BOND ISSUE PUBLICITY, and the resolution passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Barlow	Carling	Halverson	Pugh
Barton	Christensen	Jeffs	Snow
Bennett	Considine	Jones	Sowards
Black	Cornaby	Matheson	Swan
Bullen	Finlinson	Money	Wayment
Bunnell	Flamm	Peterson, C.	Mr. President (Ferry)

Voting in the negative were: Senator
Sandberg

Absent or not voting were: Senators

Asay	Bangerter	Farley	Peterson, L.

SER-S.B. No. 48 was transmitted to the House.

• • •

On motion of Senator Carling, the Senate voted to reconsider **SER-S.B. No. 43,** JUSTICE OF PEACE APPOINTMENTS, and it was placed on Third Reading Calendar and circled.

• • •

On motion of Senator Halverson, **S.J.R. No. 4,** CONCEALED WEAPONS RESOLUTION, was read the third time and circled.

• • •

On motion of Senator Bangerter, **S.J.R. No. 6,** INTERIM STUDY OF THIRD-PARTY PRESCRIPTION PROGRAM, was read the third time and circled.

• • •

S.J.R. No. 7, INTERIM STUDY OF THE LAY MIDWIFE PROGRAM, was read the third time. Senators Bangerter, Jones, Matheson, Black and Barlow commented and the bill passed on the following roll call:

Yeas, 16; Nays, 7; Absent, 6

Voting in the affirmative were: Senators

Asay	Bennett	Finlinson	Snow
Bangerter	Bullen	Peterson, C.	Sowards
Barlow	Considine	Pugh	Swan
Barton	Farley	Sandberg	Mr. President (Ferry)

Voting in the negative were: Senators

Black	Halverson	Jones	Money
Christensen	Jeffs	Matheson	

Absent or not voting were: Senators

Bunnell	Cornaby	Peterson, L.	Wayment
Carling	Flamm		

S.J.R. No. 7 was transmitted to the House.

• • •

On motion of Senator Bangerter, the circle was removed from **S.J.R. No. 6,** INTERIM STUDY OF THIRD-PARTY PRESCRIPTIONS PROGRAM, and the resolution passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Snow
Bangerter	Christensen	Matheson	Sowards
Barlow	Considine	Money	Swan
Barton	Cornaby	Peterson, C.	Wayment
Bennett	Farley	Sandberg	Mr. President (Ferry)
Black	Finlinson		

Absent or not voting were: Senators

Bullen	Flamm	Jones	Pugh
Carling	Jeffs	Peterson, L.	

S.J.R. No. 6 was transmitted to the House.

• • •

On motion of Senator Bangerter, the circle was removed from **S.J.R. No. 4,** CONCEALED WEAPONS RESOLUTIONS, and the resolution passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bunnell	Finlinson	Sandberg
Bangerter	Carling	Halverson	Snow
Barlow	Christensen	Matheson	Sowards
Barton	Considine	Money	Swan
Bennett	Cornaby	Peterson, C.	Wayment
Black	Farley	Pugh	Mr. President (Ferry)

Absent or not voting were: Senators

Bullen	Jeffs	Jones	Peterson, L.
Flamm			

S.J.R. No. 4 was transmitted to the House.

SECRETARY OF SENATE REPORT

Committee reports have been received from Revenue and Taxation Committee on **S.B. Nos. 6, 25, 40** and **41** and the bills were placed on Second Reading Calendar.

• • •

On motion of Senator Sowards, the circle was removed from **SER-S.B. No. 47,** and on motion of Senator Barton, the circle was removed from **SER-S.B. No. 43,** and on motion of Senator Flamm, the circle was removed from **SER-S.B. No. 37,** and on motion of Senator Snow, **S.B. No. 25,** OCCUPATION TAX INCREASE, with its committee report, was returned to Revenue and Taxation Committee.

• • •

On motion of Senator Snow, and at 12:00 the Senate adjourned until 2:00 p.m. Friday, January 15, 1982.

FIFTH DAY

AFTERNOON SESSION

The Senate was called to order at 2:15 p.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All Senators present.

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

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 222.

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: January 15, 1982

The Committee on Revision of the daily Senate Journal respectfully reports that we have read the Journal for the Fourth Day and find it correct with minor amendments noted on the final copy.

Eldon A. Money, Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 14, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **HER-H.J.R. No. 10,** JUDICIAL ARTICLE REVISION, 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, under suspension of the rules, **HER-H.J.R. No. 12,** SEVERANCE TAX TRUST FUND ALLOCATION, 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, under suspension of the rules, **HER-H.B. No. 41,** HOUSING AUTHORITIES INCLUSION, by Representative Sherman D. Harmer, Jr., and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

HER-H.J.R. Nos. 10 and **12** and **HER-H.B. No. 41** were read the first time, and under suspension of the rules, read the second time and placed on Third Reading Calendar.

• • •

Mr. President: January 14, 1982

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,** SCHOOL DISTRICT -SCHOOL BOARD COOPERATION, 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, under suspension of the rules, **S.C.R. No. 3,** ENFORCEMENT OF LAWS RESOLUTION, 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, under suspension of the rules, **S.J.R. No. 1,** CANCER RESEARCH RESOLUTION, 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, under suspension of the rules, **S.J.R. No. 2,** DRUNK DRIVER STUDY, 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, under suspension of the rules, **SER-S.B. No. 29,** SOLID WASTE MANAGEMENT ACT AMENDMENTS, by Senator Bangerter, 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, under suspension of the rules, **SER-S.B. No. 31,** WATER AND SEWER DISTRICT MODIFICATIONS, 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, under suspension of the rules, **SER-S.B. No. 32,** INTERLOCAL COOPERATION ACT MODIFICATIONS, 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, under suspension of the rules, **SER-S.B. No. 33,** MARITAL DEDUCTION FORMULAS IN WILLS AND TRUSTS, 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, under suspension of the rules, **SER-S.B. No. 35,** WILDLIFE DAMAGE PREVENTION ACT AMENDMENTS, 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.C.R. Nos. 1 and **3, S.J.R. Nos. 1** and **2** and **SER-S.B. Nos. 29, 31, 32, 33** and **35** were signed by the President and referred to the Rules Committee to be enrolled. The **S.C.R.'s** to be transferred to the Governor and the **S.J.R.'s** and **SER's** to the Lieutenant Governor.

• • •

Mr. President: January 14, 1982

I am directed to inform the Senate that the House of Representatives has this day rejected **SER-S.B. No. 5,** MINERAL LEASE FUNDS FOR TRANSPORTATION, by Senator Pugh, and the same is returned herewith, and

I am directed to inform the Senate that the House of Representatives has this day rejected **SER-S.B. No. 26,** LOCAL OPTION OCCUPATION TAX, by Senator Bullen, and the same is returned herewith, and

I am directed to inform the Senate that the House of Representatives has this day rejected **SER-S.B. No. 27,** COUNTY CLERKS' FEES, by Senator Cornaby, and the same is returned herewith.

Allan M. Acomb, Chief Clerk

SER-S.B. Nos. 5, 26 and **27** were filed. Senators Bullen and C. Peterson commented regarding the rejection of **SER-S.B. No. 26.**

SECRETARY OF SENATE REPORT

Committee reports have been received from Transportation and Public Safety Committee on **S.B. Nos. 9, 11 and 12** and the bills were placed on Second Reading Calendar.

PRESENTATION OF RESOLUTION

OFFICER RONALD L. HEAPS RESOLUTION

S.C.R. No. 5 *All members of the Senate*

A CONCURRENT RESOLUTION OF THE BUDGET SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH, THE GOVERNOR CONCURRING THEREIN, EXPRESSING GRATITUDE FOR THE SERVICES OF OFFICER RONALD L. HEAPS; AND EXPRESSING CONDOLENCES TO HIS FAMILY UPON HIS PASSING, was read the first time.

On motion of Senator Black, and under suspension of the rules, the resolution was read the second and third times and passed by unanimous voice vote with all Senators present. **S.C.R. No. 5** was transmitted to the House.

INTRODUCTION OF BILLS

INTERSTATE CORRECTIONS COMPACT AMENDMENTS

S.B. No. 50 *A. Dean Jeffs*

AN ACT RELATING TO INTERSTATE COMPACTS; ADOPTING THE INTERSTATE CORRECTIONS COMPACT FOR THE STATE OF UTAH DUE TO ITS OMISSION FROM THE UTAH CODE OF CRIMINAL PROCEDURE ADOPTED AS CHAPTER 15, LAWS OF UTAH 1980; AND AUTHORIZING THE APPROPRIATE OFFICERS OF THE STATE TO IMPLEMENT THIS COMPACT.

THIS ACT ENACTS CHAPTER 28a, TITLE 77, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

STATE TAX SYSTEM COMMITTEE REPEAL

S.B. No. 51 *E. Verl Asay*

AN ACT RELATING TO REVENUE AND TAXATION; AND PROVIDING FOR REPEAL OF THE PROVISIONS COVERING THE STATE TAX SYSTEM COMMITTEE.

THIS ACT REPEALS ALL OF CHAPTER 19, TITLE 59, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

CROSS-TRAINING RETIREMENT ENROLLMENT

S.B. No. 52 *Fred W. Finlinson, Richard J. Carling, A. Dean Jeffs, K.S. Cornaby*

AN ACT RELATING TO RETIREMENT ENROLLMENT; PROVIDING THAT CITIES, COUNTIES, OR OTHER EMPLOYING UNITS OF GOVERNMENT HAVING PUBLIC SAFETY AND FIREMEN PERSONNEL IN CROSS-TRAINING ACTIVITY, ENROLL SUCH DUAL PURPOSE PERSONNEL IN THE SYSTEM WHERE A MAJORITY OF THEIR TIME IS WORKED; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AMENDS SECTION 49-6a-8, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 149, LAWS OF UTAH 1975, AND SECTION 49-11-15, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 127, LAWS OF UTAH 1969, was read the first time and referred to Rules Committee.

OIL SHALE BONUS RECEIPTS

S.B. No. 53 *Ivan M. Matheson*

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; APPROPRIATING $48,500,000 TO THE HOUSING FINANCE AGENCY; PROVIDING FOR THE TERMS OF THE APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AMENDS SECTION 65-1-64, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 231, LAWS OF UTAH 1977, AND SECTION 65-1-115, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 231, LAWS OF UTAH 1977; AND ENACTS SECTION 63-44a-21, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

REAPPORTIONMENT GUIDELINES

S.B. No. 54 *Karl G. Swan*

AN ACT RELATING TO REAPPORTIONMENT; PROVIDING THE LEGISLATURE WITH GUIDELINES FOR APPORTIONMENT PLANNING.

THIS ACT ENACTS SECTION 36-1-9, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

RULES COMMITTEE REPORTS

Mr. President: January 15, 1982

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 29	SOLID WASTE MANAGEMENT ACT AMENDMENTS (Energy and Natural Resources)
S.B. No. 31	WATER AND SEWER DISTRICT MODIFICATIONS (Energy and Natural Resources)
S.B. No. 32	INTERLOCAL COOPERATION ACT MODIFICATIONS (Energy and Natural Resources)
S.B. No. 33	MARITAL DEDUCTION FORMULAS IN WILLS AND TRUST (Revenue and Taxation)
S.B. No. 35	WILDLIFE DAMAGE PREVENTION ACT AMENDMENTS (Agriculture)

reports the bills to the Senate and asks that they be printed and assigned to the committees indicated, and

The Senate Rules Committee, to which was referred the following Senate Bill:

S.B. No. 53	OIL SHALE BONUS RECEIPTS (Revenue and Taxation)

reports the bills to the Senate as BUDGETARY and asks that it be printed and assigned to the committee indicated, and

The Senate Rules Committee, to which were referred the following House Enabling Resolutions:

HER-H.J.R. No. 1	RESIDENCY REQUISITE FOR LEGISLATORS
HER-H.B. No. 34	PUBLIC EMPLOYEES POLITICAL ACTIVITIES
HER-H.B. No. 39	PROPERTY TAX ASSESSMENTS APPEALS

reports the enabling resolutions to the Senate and asks that, under suspension of the rules, **HER-H.J.R. No. 1** and **HER-H.B. Nos. 34** and **39** be read the second time and placed on Third Reading Calendar, and

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 38	CIVIL LIABILITY FOR SUPPORT AMENDMENT
S.B. No. 50	INTERSTATE CORRECTIONS COMPACT AMENDMENTS
S.B. No. 51	STATE TAX SYSTEM COMMITTEE REPEAL
S.B. No. 52	CROSS-TRAINING RETIREMENT ENROLLMENT

reports the bills to the Senate as NON-BUDGETARY items and asks that a Senate Enabling Resolution (SER) be prepared, introduced, considered read for the first time and under suspension of the rules, read the second time and placed on Third Reading Calendar for consideration by the Senate. The bills will be held in Rules Committee.

Ronald T. Halverson,
Committee Chairman

Committee reports, under suspension of the rules, were read and adopted. **HER-H.J.R. No. 1** and **HER-H.B. Nos. 34** and **39** were read the second time and placed on Third Reading Calendar.

SER-S.B. Nos. 38, 50, 51 and **52** were read the first time and, under suspension of the rules, read the second time and placed on Third Reading Calendar.

THIRD READING CALENDAR

On motion of Senator Flamm, **SER-S.B. No. 37** is circled and on motion of Senator Barton, **SER-S.B. No. 43** is circled.

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SER-S.B. No. 47, UTAH RENEWABLE ENERGY RESOURCES, was before the Senate 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	Matheson	Snow
Barlow	Considine	Money	Sowards
Barton	Cornaby	Peterson, C.	Swan
Bennett	Farley	Peterson, L.	Wayment
Black	Flamm	Pugh	Mr. President (Ferry)
Bullen	Jeffs		

Absent or not voting were: Senators

Carling	Finlinson	Halverson

SER-S.B. No. 47 was transmitted to the House.

• • •

SER-S.B. No. 52, CROSS-TRAINING RETIREMENT ENROLLMENT, was, under suspension of the rules, lifted to the top of the calendar, read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Christensen	Jeffs	Sandberg
Barlow	Considine	Jones	Snow
Barton	Cornaby	Money	Sowards
Bennett	Farley	Peterson, C.	Swan
Black	Finlinson	Peterson, L.	Wayment
Bullen	Flamm	Pugh	Mr. President (Ferry)
Bunnell	Halverson		

Absent or not voting were: Senators

Asay	Carling	Matheson

SER-S.B. No. 52 was transmitted to the House.

• • •

SER-S.B. No. 50, INTERSTATE CORRECTIONS COMPACT AMENDMENTS, was, under suspension of the rules, lifted to the top of the calendar, read the third time and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Halverson	Pugh
Bangerter	Christensen	Jeffs	Sandberg
Barlow	Considine	Jones	Snow
Barton	Cornaby	Matheson	Sowards
Bennett	Farley	Money	Swan
Bullen	Finlinson	Peterson, C.	Mr. President (Ferry)
Bunnell	Flamm	Peterson, L.	

Absent or not voting were: Senators
Black Wayment

SER-S.B. No. 50 was transmitted to the House.

• • •

SER-S.B. No. 51, STATE TAX SYSTEM COMMITTEE REPEAL, was, under suspension of the rules, lifted to the top of the calendar, read the third time and passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Asay	Bunnell	Flamm	Peterson, L.
Barlow	Considine	Jeffs	Pugh
Barton	Cornaby	Jones	Sandberg
Bennett	Farley	Matheson	Snow
Black	Finlinson	Money	Mr. President (Ferry)
Bullen			

Voting in the negative were: Senator
Halverson

Absent or not voting were: Senators

Bangerter	Christensen	Sowards	Wayment
Carling	Peterson, C.	Swan	

SER-S.B. No. 51 was transmitted to the House.

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On motion of Senator Barton, the circles were removed from **SER-S.B. Nos. 37** and **43.**

COMMUNICATION FROM THE HOUSE

Mr. President: January 15, 1982

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. 23,** 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. 23 was read the first time, 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, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	Jones	Sandberg
Bangerter	Considine	Matheson	Snow
Barlow	Cornaby	Money	Sowards
Barton	Farley	Peterson, C.	Swan
Bennett	Flamm	Peterson, L.	Wayment
Bullen	Jeffs	Pugh	Mr. President (Ferry)
Bunnell			

Absent or not voting were: Senators

Black	Christensen	Finlinson	Halverson

H.J.R. No. 23 was signed by the President and returned to the House for further action.

• • •

Mr. President: January 15, 1982

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. 5**, OFFICER RONALD L. HEAPS 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. No. 5 was signed by the President and referred to the Committee on Rules to be enrolled and transmitted to the Governor.

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On motion of Senator Snow, and at 3:20 p.m., the Senate adjourned until 2:00 p.m., Monday, January 18, 1982.

EIGHTH DAY

MORNING SESSION

The Senate was called to order at 2:00 p.m. with President Miles 'Cap' Ferry presiding.

Roll Call— All Senators present.

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

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 222.

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: January 18, 1982

The Committee on Revision of the daily Senate Journal respectfully reports that we have read the Journal for the Fifth Day and find it correct with minor amendments noted on the final copy.

Dona M. Wayment, Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 15, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules **HER-H.B. No. 10,** COLLECTION OF STUDENT LOANS, by Representative Burningham, 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, **HER-H.B. No. 12,** RETIREMENT SYSTEM CONTRIBUTIONS, by Representative Gardner, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

HER-H.B. Nos. 10 and 12 were read the first time. On motion of Senator Halverson, and under suspension of the rules, the resolutions read the second time and placed on Third Reading Calendar.

PRESENTATION OF RESOLUTIONS

GOVERNMENT INVESTMENTS STUDY

S.J.R. No. 9 *Fred W. Finlinson*

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH, DIRECTING THE LEGISLATIVE MANAGEMENT COMMITTEE TO ASSIGN TO AN INTERIM STUDY COMMITTEE THE DUTY TO STUDY THE DESIRABILITY OF CONVERTING GOVERNMENT INVESTMENTS IN DOLLAR DENOMINATED ASSETS TO "STORE OF VALUE" INVESTMENTS, AND DIRECTING THE COMMITTEE TO REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE GENERAL SESSION OF THE 45TH LEGISLATURE, was read the first time and referred to Rules Committee.

SEWAGE AND WASTEWATER TREATMENT FUNDING STUDY

S.J.R. No. 10 *Fred W. Finlinson*

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH; RELATING TO TREATMENT OF SEWAGE AND WASTEWATER IN UTAH; AND DIRECTING THE LEGISLATIVE MANAGEMENT COMMITTEE TO ASSIGN TO THE APPROPRIATE INTERIM STUDY COMMITTEE OF THE LEGISLATURE A STUDY OF THE METHODS BY WHICH THE GROWING NEEDS FOR SUCH TREATMENT IN UTAH CAN BE FUNDED, was read the first time and referred to Rules Committee.

FRANK E. MOSS — GUNN McKAY COMMENDATION

S.J.R. No. 11 *Karl G. Swan*

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH; COMMENDING THE UTAH CONGRESSIONAL DELEGATION, AS WELL AS FORMER CONGRESSMAN GUNN McKAY AND SENATOR FRANK E. MOSS FOR THEIR SUPPORT FOR THE ELIMINATION OF TOBACCO SUBSIDIES IN THE FEDERAL ANNUAL AGRICULTURAL SUPPORT ACT, was read the first time and referred to the Rules Committee.

AUDITING OF OIL AND GAS PAYMENTS

S.J.R. No. 12 *Fred W. Finlinson*

A JOINT RESOLUTION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH, SUPPORTING CONTINUED EFFORTS OF THE UTAH STATE TAX COMMISSION RELATING TO DEVELOPMENT OF AUDITING MEASURE AND PROCEDURES FOR OIL AND GAS ROYALTY PAYMENTS AND PRODUCTION TAXES, was read the first time and referred to the Rules Committee.

RULES COMMITTEE REPORTS

Mr. President: January 18, 1982

The Senate Rule Committee, to which were referred the following Senate Bills:

S.B. No. 1	THIRD JUDICIAL DISTRICT JUDGESHIPS (Judiciary)
S.B. No. 3	PUBLIC BONDING PROVISIONS (State and Local Affairs)
S.B. No. 4	ASSOCIATE IN SCIENCE DEGREE (Higher Education)
S.B. No. 8	PASSENGER TRAMWAY REGISTRATIONS (Transportation and Public Safety)
S.B. No. 13	TAX-EXEMPT AGRICULTURAL LAND (Agriculture)
S.B. No. 14	EMPLOYMENT SECURITY ACT — AGRICULTURAL LABOR (Agriculture)
S.B. No. 17	INDUSTRIAL COMMISSION PROCEDURES (Business, Labor and Economic Development)
S.B. No. 18	NUMBER OF JURORS (Judiciary)
S.B. No. 19	JURISDICTION OVER OIL AND GAS WELLS (Energy and Natural Resources)
S.B. No. 21	COSMETOLOGY/BARBER LICENSING CHANGES (Business, Labor and Economic Development)
S.B. No. 22	AGRICULTURAL, CODE AMENDMENTS (Agriculture)
S.B. No. 23	RECORDED INSTRUMENTS RETURN (State and Local Affairs)

reports the bills to the Senate and asks that they be printed and assigned to the committees indicated, and

The Senate Rules Committee, to which was referred the following Senate Resolution:

S.J.R. No. 9	GOVERNMENT INVESTMENTS STUDY

reports that the S.J.R's are under suspension of the rules, considered read the second time and placed on Third Reading Calendar, and

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 30	MOTOR FUEL SALES
S.B. No. 54	REAPPORTIONMENT GUIDELINES
S.B. No. 55	REVENUE BONDS FOR UTAH TECHNICAL COLLEGE AT PROVO

reports the bills to the Senate as NON-BUDGETARY items and asks that a Senate Enabling Resolution (SER) be prepared, introduced, considered read for the first time and under suspension of the rules, read the second time and placed on Third Reading Calendar for consideration by the Senate. The bills will be held in Rules Committee.

Ronald T. Halverson
Rules Committee Chairman

Committee reports, under suspension of the rules, were read and adopted. **S.J.R. No. 9** was read the second time and placed on Third Reading Calendar. **SER-S.B. Nos. 30, 54 and 55** were read the first time and under suspension of the rules, read the second time and placed on Third Reading Calendar.

INTRODUCTION OF BILLS

REVENUE BONDS FOR UTAH TECHNICAL COLLEGE AT PROVO

S.B. No. 55 *Karl N. Snow, A. Dean Jeffs*

AN ACT RELATING TO REVENUE BONDS FOR UTAH TECHNICAL COLLEGE AT PROVO; AUTHORIZES THE STATE BOARD OF REGENTS TO ISSUE, SELL AND DELIVER REVENUE BONDS OF UTAH TECHNICAL COLLEGE AT PROVO FOR THE PURPOSE OF REMODELING, ADDING TO, AND EXTENDING THE STUDENT SERVICE AND ACTIVITY FACILITIES ON THE CAMPUS OF UTAH TECHNICAL COLLEGE AT PROVO.

THIS ACT AMENDS SECTION 53-38-1.8, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 18, LAWS OF UTAH 1972; AS AMENDED BY CHAPTER 151, LAWS OF UTAH 1975, AS AMENDED BY CHAPTER 156, LAWS OF UTAH 1975; AS AMENDED BY CHAPTER 114, LAWS OF UTAH 1977, AS AMENDED BY CHAPTER 114, LAWS OF UTAH 1979, AS AMENDED BY CHAPTER 114, LAWS OF UTAH 1979, AS AMENDED BY CHAPTER 115, LAWS OF UTAH 1979, AS AMENDED BY CHAPTER 116, LAWS OF UTAH 1979, was read the first time and referred to the Rules Committee.

FUNDS FOR WATER AND SEWER DISTRICTS

S.B. No. 56 *Fred W. Finlinson*

AN ACT RELATING TO WATER AND SEWER DISTRICTS; INCREASING THE AUTHORITY OF THE COMMITTEE ON WATER POLLUTION TO ALLOW IT TO ISSUE OBLIGATIONS TO PROVIDE FUNDS TO THESE DISTRICTS; PROVIDING FOR LIMITATIONS ON THESE OBLIGATIONS; AND PROVIDING FOR DISPOSITION OF RECEIPTS RECEIVED BY THE COMMITTEE.

THIS ACT ENACTS SECTION 73-14-4.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to the Rules Committee.

COUNTY PLANETARIUM MODIFICATIONS

S.B. No. 57 *Fred W. Finlinson*

AN ACT RELATING TO COUNTY PLANETARIUMS; AUTHORIZING COUNTIES TO CONTRACT AND ENTER INTO LEASE AGREEMENTS WITH PRIVATE ENTITIES FOR THE OPERATION AND MANAGEMENT OF A COUNTY PLANETARIUM, FOR THE PROVISION OF FACILITIES AND EQUIPMENT, OR FOR OTHER PLANETARIUM SERVICES; AND PROVIDING FOR A MAXIMUM OF FOUR-YEAR CONTRACTS WITH ANNUAL REVIEWS.

THIS ACT AMENDS SECTIONS 17-37-1, 17-37-2, 17-37-6, 17-37-7, 17-37-8, AND 17-37-9, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 4, LAWS OF UTAH 1978; AND REPEALS AND REENACTS SECTIONS 17-37-4 AND 17-37-5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 4, LAWS OF UTAH 1978, was read the first time and referred to the Rules Committee.

SECRETARY OF SENATE REPORT

Committee reports have been received from the Energy and Natural Resources Committee on **S.B. Nos. 29, 31** and **32** and the bills are placed on Second Reading Calendar.

SECOND READING CALENDAR

On motion of Senator Snow, and under suspension of the rules, the Senate voted to consider resolutions on Second Reading Calendar.

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SER-S.J.R. No. 3, TAX ARTICLE REVISION, was read the second time, and on motion of Senator Soward and under suspension of the rules, 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	Halverson	Sandberg
Bangerter	Christensen	Jeffs	Snow
Barlow	Considine	Matheson	Sowards
Barton	Cornaby	Money	Swan
Bennett	Farley	Peterson, C.	Wayment
Black	Finlinson	Pugh	Mr. President (Ferry)
Bullen	Flamm		

Absent or not voting were: Senators

Carling	Jones	Peterson, L.

SER-S.J.R. No. 3, was transmitted to the House.

• • •

SER-S.J.R. No. 5, COMPENSATION AND EXPENSES FOR LEGISLATORS, was read the second time, and on motion of Senator Black and under suspension of the rules, read the third time and passed on the following roll call:

Yeas, 22; Nays, 5; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Sandberg
Bangerter	Considine	Matheson	Snow
Barlow	Cornaby	Money	Sowards
Barton	Farley	Peterson, C.	Swan
Bennett	Finlinson	Pugh	Wayment
Black	Flamm		

Voting in the negative were: Senators

Bullen	Halverson	Jeffs	Mr. President (Ferry)
Christensen			

Absent or not voting were: Senators

Carling	Peterson, L.

SER-S.J.R. No. 5 was transmitted to the House.

• • •

SER-S.J.R. No. 8, MUNICIPAL TAX EXEMPTION CHANGES, 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, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Sandberg
Bangerter	Carling	Jeffs	Snow
Barlow	Christensen	Jones	Sowards
Barton	Considine	Matheson	Swan
Bennett	Farley	Money	Wayment
Black	Finlinson	Peterson, C.	Mr. President (Ferry)
Bullen	Flamm	Pugh	

Absent or not voting were: Senators

Cornaby	Peterson, L.

SER-S.J.R. No. 8, was transmitted to the House.

THIRD READING CALENDAR

On motion of Senator Snow, **HER-H.J.R. No. 10,** JUDICIAL ARTICLE REVISION, was lifted to the top of the calendar, read the third time and passed on the following roll call:

Yeas, 24; Nays, 3; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Sandberg
Bangerter	Christensen	Jeffs	Snow
Barton	Considine	Jones	Sowards
Bennett	Cornaby	Matheson	Swan
Black	Finlinson	Peterson, C.	Wayment
Bullen	Flamm	Pugh	Mr. President (Ferry)

Voting in the negative were: Senators

Barlow	Carling	Money

Absent or not voting were: Senators

Farley	Peterson, L.

HER-H.J.R. No. 10 was signed by the President and returned to the House for further action.

• • •

HER-H.J.R. No. 1, RESIDENCY REQUISITE FOR LEGISLATORS, was lifted to the top of the calendar, read the third time and passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Halverson	Sandberg
Bangerter	Christensen	Jeffs	Snow
Barlow	Considine	Jones	Sowards
Barton	Farley	Matheson	Swan
Bennett	Finlinson	Money	Wayment
Black	Flamm	Peterson, C.	Mr. President (Ferry)
Bunnell			

Voting in the negative were: Senator
Pugh

Absent or not voting were: Senators

Bullen	Cornaby	Peterson, L.

HER-H.J.R. No. 1 was signed by the President and returned to the House for further action.

• • •

HER-H.J.R. No. 9, STATE GOVERNMENT EXPENSES, was lifted to the top of the calendar, read the third time and on motion of Senator Finlinson circled.

• • •

HER-H.J.R. No. 12, SEVERANCE TAX TRUST FUND ALLOCATION, was lifted to the top of the calendar, read the third time, and explained by Representative C. Hardy Redd in Committee of the Whole, Senators Swan, Christensen and Bunnell, commented, and the resolution failed on the following roll call:

Yeas, 13; Nays, 15; Absent, 5

Voting in the affirmative were: Senators

Asay	Christensen	Matheson	Sowards
Bangerter	Flamm	Money	Swan
Barton	Halverson	Peterson, C.	Wayment
Bunnell			

Voting in the negative were: Senators

Barlow	Considine	Jeffs	Sandberg
Bennett	Cornaby	Jones	Snow
Black	Farley	Peterson, L.	Mr. President (Ferry)
Carling	Finlinson	Pugh	

Absent or not voting were: Senator
Bullen

HER-H.J.R. No. 12 was returned to the House for filing.

• • •

On motion of Senator Snow, and under suspension of the rules, **HER-H.B. No. 12, RETIREMENT SYSTEM CONTRIBUTIONS,** was lifted to the top of the calendar, 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	Flamm	Sandberg
Bangerter	Carling	Halverson	Snow
Barlow	Christensen	Jeffs	Sowards
Barton	Considine	Matheson	Swan
Bennett	Cornaby	Money	Wayment
Black	Farley	Peterson, C.	Mr. President (Ferry)
Bullen	Finlinson	Pugh	

Absent or not voting were: Senators

Jones	Peterson, L.

HER-H.B. No. 12 was signed by the President and returned to the House for further action.

SECOND READING CALENDAR

On motion of Senator Snow, and under suspension of the rules, **S.B. No. 12,** DRIVERS' LICENSE FEES, was lifted to the top of the calendar and read the second time.

Mr. President: January 15, 1982

The Transportation and Public Safety Committee, to which was referred **S.B. No. 12,** DRIVERS' LICENSE FEES, by Senator Glade M. Sowards, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Glade M. Sowards, Committee Chairman

Committee report read and adopted. The bill was explained by Senator Sowards and Black. Senator Swan's motion to have the bill passed without dissent failed. On motion of Senator Sowards, and under suspension of the rules, the bill was read the third time and passed on the following roll call:

Yeas, 20; Nays, 6; Absent, 3

Voting in the affirmative were: Senators

Barlow	Cornaby	Jones	Snow
Barton	Farley	Money	Sowards
Black	Finlinson	Peterson, C.	Swan
Bunnell	Flamm	Pugh	Wayment
Considine	Halverson	Sandberg	Mr. President (Ferry)

Voting in the negative were: Senators

Asay	Bennett	Jeffs	Matheson
Bangerter	Bullen		

Absent or not voting were: Senators

Carling	Christensen	Peterson, L.

S.B. No. 12 was transmitted to the House.

• • •

HER-H.J.R. No. 9, STATE GOVERNMENT EXPENSES, being circled as the Senate adjourned, is placed on Third Reading Table.

• • •

On motion of Senator Snow, and at 3:20 p.m., the Senate adjourned until 2:00 p.m., Tuesday, January 19, 1982.

NINTH DAY

AFTERNOON SESSION

The Senate was called to order at 2:00 p.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All Senators present except Senators Halverson and Finlinson (excused).

Prayer — Senator Dona M. Wayment (District 21, Davis, Weber)

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 222.

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: January 19, 1982

The Committee on Revision of the daily Senate Journal respectfully reports that we have read the Journal for the Eighth Day and find it correct with minor amendments noted on the final copy.

E. Verl Asay, Committee Chairman

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 18, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **HER-H.B. No. 26,** SCHOOL DISTRICT BOARD MEMBERS' TERMS, by Representative Farnsworth, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

HER-H.B. No. 26 was read the first time and on motion of Senator Snow, and under suspension of the rules, read the second time and placed on Third Reading Calendar.

RULES COMMITTEE REPORT

Mr. President: January 19, 1982

Their enabling resolutions having been rejected in either the Senate or House, the Rules Committee recommends that the enacting clause be stricken on the following Senate Bills:

S.B. No. 5	MINERAL LEASE FUNDS FOR TRANSPORTATION
S.B. No. 7	MINERAL LEASE ALLOCATIONS
S.B. No. 10	TITLES OF BOATS AND VESSELS
S.B. No. 15	BURGLAR ALARM SECURITY CERTIFICATION ACT
S.B. No. 20	COUNTY RECORDERS' FEE CHANGES
S.B. No. 24	LEASED PREMISES MAINTENANCE
S.B. No. 26	LOCAL OPTION OCCUPATION TAX
S.B. No. 27	COUNTY CLERKS' FEES
S.B. No. 34	DIVISION OF TAXES REPEAL

Ronald T. Halverson,
Rules Committee Chairman

Committee report read and adopted. The enacting clause was stricken on **S.B. Nos. 5, 7, 10, 15, 20, 24, 26, 27** and **34.**

STANDING COMMITTEE REPORTS

Mr. President: Janaury 19, 1982

The State and Local Affairs Committee, to which was referred **S.B. No. 3,** PUBLIC BONDING PROVISIONS, by Senator Richard J. Carling, et al, has carefully considered the bill and reports that the bill is tabled in committee.

Bryce C. Flamm, Committee Chairman

• • •

Mr. President: January 19, 1982

The Agriculture Committee, to which was referred **S.B. No. 22,** AGRICULTURAL CODE AMENDMENTS, by Senator Eldon Money, has carefully considered the bill and reports it out favorably and with the following amendments and asks that it be placed on the Consent Calendar.

Page 4, line 7:
After *"within"* delete *"five days"* and insert in lieu thereof *"a reasonable period of time to be determined by the department."*

Page 4, line 13:
After *"within"* delete *"10 days"* and insert in lieu thereof *"a reasonable period of time to be determined by the department."*

Page 5, line 9:
After *"in writing"* insert *"by a veterinarian or qualified technician"*

• • •

The Agriculture Committee, to which was referred **S.B. No. 14**, EMPLOYMENT SECURITY ACT — AGRICULTURAL LABOR, by Senator Eldon A. Money, 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.

Ivan M. Matheson, Committee Chairman

Committee reports read and adopted and **S.B. Nos. 22** and **14** were read the second time and placed on Consent Calendar.

SECRETARY OF SENATE REPORT

Commitee reports have been received from the Agriculture Committee on **S.B. Nos. 13** and **35**; Higher Education Committee on **S.B. No. 4**; Revenue and Taxation on **S.B. Nos. 16, 33** and **53**; State and Local Affairs on **S.B. No. 23** and Transportation and Public Safety on **S.B. No. 8**. The bills were placed on Second Reading Calendar.

INTRODUCTION OF BILLS

VOCATIONAL EDUCATION COORDINATING COMMISSION

S.B. No. 58 *Karl N. Snow, Jr., Warren E. Pugh, Eldon A. Money*

AN ACT RELATING TO VOCATIONAL EDUCATION; CREATING THE UTAH VOCATIONAL EDUCATION ACT OF 1982; ABOLISHING THE STATE BOARD OF VOCATIONAL EDUCATION AND CREATING THE VOCATIONAL EDUCATION COORDINATING COMMISSION FOR THE PURPOSE OF COORDINATING CENTRALIZED, SYSTEMATIC AND ORDERLY DEVELOPMENT OF VOCATIONAL FACILITIES AND PROGRAMS; ESTABLISHING APPOINTMENT TO AND MEMBERSHIP ON COMMISSION; ESTABLISHING TERMS OF OFFICE; AND DEFINING POWERS AND DUTIES OF COMMISSION.

THIS ACT AMENDS SECTIONS 53-16-3, 53-16-4, 53-16-5, 53-16-11, AND 53-16-12, UTAH CODE ANNOTATED 1953, AND SECTION 53-16-5.1, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 120, LAWS OF UTAH 1971; AND REPEALS SECTIONS 53-16-2, 53-16-6, 53-16-8, 53-16-10, 53-16-13, AND 53-16-26, UTAH CODE ANNOTATED 1953, AND SECTION 53-16-7.2, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 115, LAWS OF UTAH 1967, was read the first time and referred to Rules Committee.

SUPPLEMENTAL APPROPRIATIONS ACT — BEAR LAKE PROPERTY

S.B. No. 59 *Charles W. Bullen, Fred W. Finlinson, Ronald T. Halverson*

AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 1982, 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 Committee.

CAPITAL PUNISHMENT SENTENCING PROCEDURES

S.B. No. 60 *A. Dean Jeffs, Ronald T. Halverson*

AN ACT RELATING TO CAPITAL PUNISHMENT SENTENCING PROCEEDINGS; CLARIFYING SENTENCING PROCEDURES WHEN A DEFENDANT PLEADS GUILTY TO A CAPITAL FELONY; PROVIDING FOR A RETRIAL OF THE SENTENCING HEARING WHERE AN APPELLATE COURT FINDS ERROR IN PRIOR SENTENCING PROCEEDINGS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AMENDS SECTION 76-3-207, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 196, LAWS OF UTAH 1973, was read the first time and referred to Rules Committee.

IN LIEU PAYMENTS TO LOCAL SUBDIVISIONS

S.B. No. 61 *Fred W. Finlinson, Ivan M. Matheson*

AN ACT RELATING TO STATE LANDS; PROVIDING FOR IN LIEU REAL PROPERTY TAX PAYMENTS TO COUNTIES BY THE STATE IN THE EVENT THE CLAIMS OF THE FEDERAL GOVERNMENT TO CERTAIN PUBLIC LANDS LYING WITHIN THOSE COUNTIES ARE EXTINGUISHED THROUGH THE EXCHANGE OF THOSE LANDS FOR STATE LANDS OR THROUGH THE TRANSFER OF THOSE LANDS BY THE FEDERAL GOVERNMENT TO THE STATE; AND PROVIDING FOR THE COMMENCEMENT OF PAYMENTS.

THIS ACT ENACTS SECTIONS 65-11-4.1, 65-11-4.2, AND 65-11-4.3, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

PROOF OF FINANCIAL RESPONSIBILITY

S.B. No. 62 *Arnold Christensen*

AN ACT RELATING TO LICENSED DRIVERS' PROOF OF FINANCIAL RESPONSIBILITY; SPECIFYING THE FORM OF THE PROOF AND MAKING THE FORM MANDATORY.

THIS ACT AMENDS SECTION 41-12-19, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

HIGHER EDUCATION SICK LEAVE INCENTIVES

S.B. No. 63 *Richard J. Carling*

AN ACT RELATING TO HIGHER EDUCATION; PROVIDING FOR AN INCENTIVE TO REDUCE SICK LEAVE AMONG EMPLOYEES OF HIGHER EDUCATION, was read the first time and referred to Rules Committee.

ANATOMICAL GIFTS

S.B. No. 64 *William T. Barton*

AN ACT RELATING TO THE ANATOMICAL GIFT ACT; PROVIDING THAT INDIVIDUALS LICENSED IN THE PRACTICE OF FUNERAL SERVICE MAY REMOVE CORNEAL TISSUE FROM DECEASED DONOR AFTER COMPLETION OF TRAINING COURSE AND CERTIFICATION FROM EYE BANK.

THIS ACT AMENDS SECTION 26-28-2, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

HOUSING FINANCE AGENCY APPROPRIATION CHANGES

S.B. No. 65 *Charles W. Bullen, E. Verl Asay, Charles E. Bennett, Arnold Christensen, Cary G. Peterson, Karl N. Snow, Ivan M. Matheson*

AN ACT RELATING TO THE UTAH HOUSING FINANCE AGENCY; EFFECTUATING A CHANGE IN THE LAPSE DATE FOR AN APPROPRIATION MADE THAT AGENCY DURING THE 1981 FIRST SPECIAL SESSION; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AMENDS SECTION 2, CHAPTER 5, LAWS OF UTAH 1981, FIRST SPECIAL SESSION, was read the first time and referred to Rules Committee.

HIGHER EDUCATION CLASSIFIED EMPLOYEE DENTAL INSURANCE ACT

S.B. No. 66 *Ronald T. Halverson*

AN ACT PROVIDING STATE FUNDED DENTAL INSURANCE FOR HIGHER EDUCATION CLASSIFIED EMPLOYEES AND DEPENDENTS, was read the first time and referred to Rules Committee.

OGDEN-WEBER AREA VOCATIONAL CENTER

S.B. No. 67 *Ronald T. Halverson*

AN ACT RELATING TO VOCATIONAL EDUCATION AND FACILITIES FOR IT; CREATING IN WEBER COUNTY THE OGDEN-WEBER AREA VOCATIONAL CENTER; AND PROVIDING FOR TRANSFER OF CERTAIN PROPERTY OWNED BY THE YOUTH CORRECTION AGENCY TO WEBER STATE COLLEGE FOR PURPOSES OF THIS VOCATIONAL CENTER, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

SER-S.B. No. 37, PUBLIC SUPPORT OF CHILDREN, was before the Senate, explained by Senator Flamm, and passed on the following roll call:

Yeas, 22; Nays, 4; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Christensen	Matheson	Sandberg
Barlow	Considine	Money	Sowards
Barton	Cornaby	Peterson, C.	Swan
Bennett	Farley	Peterson, L.	Wayment
Bullen	Flamm	Pugh	Mr. President (Ferry)
Bunnell	Jones		

Voting in the negative were: Senators

Asay	Black	Jeffs	Snow

Absent or not voting were: Senators

Carling	Finlinson	Halverson

SER-S.B. No. 37 was transmitted to the House.

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SER-S.B. No. 43, JUSTICE OF PEACE APPOINTMENTS, was before the Senate on reconsideration and explained by Herschel G. Hester, III, Executive Director of the Utah League of Cities and Towns, in Committee of the Whole. Senators Barton, Jeffs, and Matheson commented, and the resolution failed on the following roll call:

Yeas, 15; Nays, 11; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Bullen	Matheson	Sowards
Barlow	Bunnell	Peterson, C.	Swan
Barton	Farley	Peterson, L.	Wayment
Bennett	Flamm	Sandberg	Mr. President (Ferry)

Voting in the negative were: Senators

Asay	Christensen	Jones	Pugh
Black	Considine	Money	Snow
Carling	Jeffs		

Absent or not voting were: Senators

Cornaby	Finlinson	Halverson

SER-S.B. No. 43 is filed.

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SER-S.B. No. 38, CIVIL LIABILITY FOR SUPPORT AMENDMENTS, was read the third time and explained by Senator Flamm. Senators Bunnell, Black, and Jeffs commented and the resolution passed on the following roll call:

Yeas, 25; Nays, 2; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Sandberg
Bangerter	Christensen	Matheson	Snow
Barlow	Considine	Money	Sowards
Barton	Cornaby	Peterson, C.	Swan
Bennett	Farley	Peterson, L.	Wayment
Black	Flamm	Pugh	Mr. President (Ferry)
Bullen			

Voting in the negative were: Senators

Carling	Jeffs

Absent or not voting were: Senators

Finlinson	Halverson

SER-S.B. No. 38 was transmitted to the House.

• • •

SER-S.B. No. 30, MOTOR FUEL SALES, was read the third time and explained by Senator Bangerter. On motion of Senator Bangerter, the Senate voted to return the resolution to Rules Committee.

• • •

SER-S.B. No. 54, REAPPORTIONMENT GUIDELINES, was read the third time and failed on the following roll call:

Yeas, 17; Nays, 7; Absent, 5

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Pugh
Barlow	Considine	Matheson	Sowards
Barton	Farley	Money	Swan
Bennett	Flamm	Peterson, C.	Mr. President (Ferry)
Bullen			

Voting in the negative were: Senators

Bangerter	Cornaby	Peterson, L.	Snow
Christensen	Jones	Sandberg	

Absent or not voting were: Senators

Black	Finlinson	Halverson	Wayment
Carling			

SER-S.B. No. 54 is filed.

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SER-S.B. No. 55, REVENUE BONDS FOR UTAH TECHNICAL COLLEGE AT PROVO, was read the third time and explained by Senator Snow. Senator Considine commented and the resolution passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Pugh
Bangerter	Christensen	Jones	Sandberg
Barlow	Considine	Matheson	Snow

Barton	Cornaby	Money	Sowards
Black	Farley	Peterson, C.	Swan
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)
Bunnell			

Voting in the negative were: Senator
Bennett

Absent or not voting were: Senators

Finlinson	Halverson	Wayment

SER-S.B. No. 55 was transmitted to the House.

• • •

On motion of Senator Snow, and at 3:10 p.m., the Senate adjourned until 9:00 a.m., Wednesday, January 20, 1982.

TENTH 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.

Prayer — Senator Haven J. Barlow (District #22 - Davis)

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 222.

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: January 20, 1982

The Committee on Revision of the daily Senate Journal respectfully reports that we have read the Journal for the Ninth Day and find it correct with minor amendments noted on the final copy.

Eldon A. Money, Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 19, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **HER-H.B. No. 60,** REPRESENTATION BY ATTORNEY GENERAL, by Representative Hilyard, 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, **HER-H.B. No. 66,** NAMES ON ELECTION BALLOTS, 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, under suspension of the rules, **HER-H.B. No. 75,** BILLING IRREGULARITIES BY DENTISTS, by Representative Evans, 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, **HER-H.B. No. 82,** NEIGHBORHOOD

DEVELOPMENT ACT ELECTIONS, by Representative 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, under suspension of the rules, **HER-H.B. No. 80,** DUGWAY PROVING GROUND JURISDICTION CORRECTIONS, by Representative 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, under suspension of the rules, **HER-H.B. No. 58,** IMITATION CONTROLLED SUBSTANCES ACT, by Representative Masur, 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, **HER-H.B. No. 40,** LOBBYIST'S CONTROLS, 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, under suspension of the rules, **HER-H.B. No. 32,** COUNTY JAIL INCARCERATION AS A CONDITION OF PROBATION, by Representative Walker, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

HER-H.B. Nos. 60, 66, 75, 82, 80, 58, 40 and **32** were read the first time. On motion of Senator Snow, and under suspension of the rules, the resolutions were read the second time and placed on Third Reading Calendar.

PRESENTATION OF RESOLUTIONS

SESSIONS OF LEGISLATURE

S.J.R. No. 13 *Fred W. Finlinson*

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH PROPOSING AMENDMENTS TO ARTICLE VI OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO SESSIONS OF THE LEGISLATURE; ELIMINATING BUDGET SESSIONS AND PROVIDING FOR ANNUAL GENERAL SESSIONS; AND PROVIDING THE DURATION OF THESE GENERAL SESSIONS.

THIS RESOLUTION PROPOSES AMENDMENTS TO ARTICLE VI, SECTIONS 2 AND 16 OF THE CONSTITUTION OF UTAH, was read the first time and referred to Rules Committee.

VITRO TAILINGS REMOVAL RESOLUTION

S.J.R. No. 14 *Fred W. Finlinson*

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH, URGING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND THE UNITED STATES DEPARTMENT OF ENERGY TO FULFILL THEIR DUTIES IN SPEEDILY COMPLETING THE REMEDIAL ACTION PROGRAM REGARDING VITRO TAILINGS IN UTAH WITH WHICH CONGRESS HAS CHARGED THEM; AND DIRECTING THE LIEUTENANT GOVERNOR TO FORWARD COPIES OF THE RESOLUTION TO THE CHIEF EXECUTIVE OFFICIALS OF THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND THE UNITED STATES DEPARTMENT OF ENERGY, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

S.J.R. No. 9, GOVERNMENT INVESTMENTS STUDY, 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	Matheson	Snow
Barton	Considine	Money	Sowards
Bennett	Cornaby	Peterson, C.	Swan
Black	Farley	Peterson, L.	Wayment
Bullen	Finlinson	Pugh	Mr. President (Ferry)
Bunnell	Jeffs		

Absent or not voting were: Senators

Barlow	Flamm	Halverson

S.J.R. No. 9 was transmitted to the House.

• • •

HER-H.B. No. 41, HOUSING AUTHORITIES INCLUSION, was read the third time, explained by Senator Pugh, and passed on the following roll call:

Yeas, 27; Nays, 1; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Flamm	Sandberg
Bangerter	Carling	Jones	Snow
Barlow	Christensen	Matheson	Sowards
Barton	Considine	Money	Swan
Bennett	Cornaby	Peterson, C.	Wayment
Black	Farley	Peterson, L.	Mr. President (Ferry)
Bullen	Finlinson	Pugh	

Voting in the negative were: Senator
Jeffs

Absent or not voting were: Senator
Halverson

HER-H.B. No. 41 was signed by the President and returned to the House for further action.

• • •

On motion of Senator Bangerter, **HER-H.J.R. No. 8** is circled.

• • •

HER-H.B. No. 34, PUBLIC EMPLOYEES POLITICAL ACTIVITIES, was read the third time, explained by Senator Carling, and passed on the following roll call:

Yeas, 23; Nays, 4; Absent, 2

Voting in the affirmative were: Senators

Asay	Bullen	Finlinson	Sandberg
Bangerter	Bunnell	Flamm	Snow
Barlow	Carling	Money	Sowards
Barton	Christensen	Peterson, C.	Swan
Bennett	Considine	Peterson, L.	Mr. President (Ferry)
Black	Farley	Pugh	

Voting in the negative were: Senators

Jeffs	Jones	Matheson	Wayment

Absent or not voting were: Senators

Cornaby	Halverson

HER-H.B. No. 34 was signed by the President and returned to the House for further action.

• • •

HER-H.B. No. 39, PROPERTY TAX ASSESSMENT APPEALS, was read the third time, and on motion of Senator Snow, circled.

• • •

HER-H.B. No. 26, SCHOOL DISTRICT BOARD MEMBERS TERMS, was read the third time and explained by Representative Lee Farnsworth in Committee of the Whole. The resolution passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Asay	Bunnell	Flamm	Sandberg
Bangerter	Carling	Jeffs	Snow
Barlow	Considine	Money	Sowards
Barton	Cornaby	Peterson, C.	Swan
Bennett	Farley	Peterson, L.	Mr. President (Ferry)
Black	Finlinson	Pugh	

Voting in the negative were: Senator
Matheson

Absent or not voting were: Senators

Bullen	Halverson	Jones	Wayment
Christensen			

HER-H.B. No. 26 was signed by the President and returned to the House for further action.

• • •

HER-H.B. No. 10, COLLECTION OF STUDENT LOANS, 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	Pugh
Bangerter	Carling	Jones	Sandberg
Barlow	Considine	Matheson	Snow
Barton	Farley	Money	Sowards
Bennett	Finlinson	Peterson, C.	Swan
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)

Absent or not voting were: Senators

Black	Cornaby	Halverson	Wayment
Christensen			

HER-H.B. No. 10 was signed by the President and returned to the House for further action.

• • •

On motion of Senator Snow, the circle was removed from **HER-H.J.R. No. 8,** SOCIAL SERVICES PROVIDING STUDY, and the resolution was read the third time, explained by Representative Doane in Committee of the Whole and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Christensen	Jeffs	Snow
Bangerter	Considine	Money	Sowards
Barlow	Cornaby	Peterson, C.	Swan
Barton	Farley	Peterson, L.	Wayment
Bennett	Finlinson	Sandberg	Mr. President (Ferry)
Carling	Flamm		

Absent or not voting were: Senators

Black	Bunnell	Jones	Pugh
Bullen	Halverson	Matheson	

HER-H.J.R. No. 8 was signed by the President and returned to the House for further action.

• • •

On motion of Senator Snow, the rules were suspended and the following HER's were considered.

• • •

HER-H.B. No. 60, REPRESENTATION BY ATTORNEY GENERAL, was read the third time, explained by Senator Jeffs, and passed on the following roll call:

Yeas, 20; Nays, 2; Absent, 7

Voting in the affirmative were: Senators

Asay	Bunnell	Finlinson	Sandberg
Barlow	Carling	Flamm	Snow
Barton	Christensen	Jeffs	Swan
Bennett	Considine	Jones	Wayment
Bullen	Farley	Peterson, C.	Mr. President (Ferry)

Voting in the negative were: Senators

Matheson	Money

Absent or not voting were: Senators

Bangerter	Cornaby	Peterson, L.	Sowards
Black	Halverson	Pugh	

HER-H.B. No. 60 was signed by the President and returned to the House for further action.

• • •

HER-H.B. No. 66, NAMES ON ELECTION BALLOTS, was read the third time, explained by Senator Snow, and passed on the following roll call:

Yeas, 22; Nays, 2; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Bunnell	Finlinson	Peterson, L.
Barlow	Carling	Flamm	Sandberg
Barton	Christensen	Matheson	Snow
Bennett	Considine	Money	Swan
Black	Cornaby	Peterson, C.	Mr. President (Ferry)
Bullen	Farley		

Voting in the negative were: Senators
Asay Wayment

Absent or not voting were: Senators
Halverson Jones Pugh Sowards
Jeffs

HER-H.B. No. 66 was signed by the President and returned to the House for further action.

RULES COMMITTEE REPORTS

Mr. President: January 20, 1982

The Senate Rules Committee, to which was referred the following Senate Resolutions:

S.J.R. No. 10	SEWAGE AND WASTEWATER TREATMENT FUNDING STUDY
S.J.R. No. 11	FRANK MOSS - GUNN McKAY COMMENDATION
S.J.R. No. 12	AUDITING OF OIL AND GAS PAYMENTS
S.J.R. No. 14	VITRO TAILINGS REMOVAL RESOLUTION

reports that the S.J.R.'s are under suspension of the rules, considered read the second time and placed on Third Reading Calendar, and

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 59	SUPPLEMENTAL APPROPRIATIONS ACT — BEAR LAKE PROPERTY (Energy and Natural Resources)
S.B. No. 65	HOUSING FINANCE AGENCY APPROPRIATION CHANGES (State and Local Affairs)

reports the bills to the Senate as BUDGETARY and asks that they be printed and assigned to the committees indicated, and

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 56	FUNDS FOR WATER AND SEWER DISTRICTS
S.B. No. 57	COUNTY PLANETARIUM MODIFICATIONS
S.B. No. 58	VOCATIONAL EDUCATION COORDINATING COMMISSION
S.B. No. 60	CAPITAL PUNISHMENT SENTENCING PROCEDURES
S.B. No. 61	IN LIEU PAYMENTS TO LOCAL SUBDIVISIONS
S.B. No. 62	PROOF OF FINANCIAL RESPONSIBILITY

S.B. No. 63	HIGHER EDUCATION SICK LEAVE INCENTIVES
S.B. No. 64	ANATOMICAL GIFTS
S.B. No. 66	HIGHER EDUCATION CLASSIFIED EMPLOYEE DENTAL INSURANCE ACT
S.B. No. 67	OGDEN-WEBER AREA VOCATIONAL CENTER
S.J.R. No. 13	SESSIONS OF LEGISLATURE

reports the bills to the Senate as NON-BUDGETARY items and asks that a Senate Enabling Rsolution (SER) be prepared, introduced, considered read for the first time and under suspension of the rules, read the second time and placed on Third Reading Calendar for consideration by the Senate. The bills will be held in Rules Committee.

Karl N. Snow, Rules Committee

Committee reports read and adopted. **S.J.R. Nos. 10, 11, 12 and 14** were read the second time and placed on Third Reading Calendar. **SER-S.B. Nos. 56, 57, 58, 60, 61, 62, 63, 64, 66, 67** and **SER-S.J.R. No. 13** were read the first time and on motion of Senator Snow, and under suspension of the rules, read the second time and placed on Third Reading Calendar.

THIRD READING CALENDAR

HER-H.B. No. 80, DUGWAY PROVING GROUND JURISDICTION CORRECTION, 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	Farley	Peterson, L.
Bangerter	Bunnell	Flamm	Snow
Barlow	Carling	Jeffs	Sowards
Barton	Christensen	Matheson	Swan
Bennett	Considine	Money	Wayment
Black	Cornaby	Peterson, C.	Mr. President (Ferry)

Absent or not voting were: Senators

Finlinson	Jones	Pugh	Sandberg
Halverson			

HER-H.B. No. 80 was signed by the President and returned to the House for further action.

• • •

HER-H.B. No. 82, NEIGHBORHOOD DEVELOPMENT ACT ELECTIONS, was read the third time, and passed on the following roll call:

Yeas, 20; Nays, 4; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Bullen	Jeffs	Peterson, L.
Barlow	Carling	Jones	Sowards
Barton	Considine	Matheson	Swan
Bennett	Cornaby	Money	Wayment
Black	Flamm	Peterson, C.	Mr. President (Ferry)

Voting in the negative were: Senators

Asay	Bunnell	Christensen	Snow

Absent or not voting were: Senators

Farley	Halverson	Pugh	Sandberg
Finlinson			

HER-H.B. No. 82 was signed by the President and returned to the House for further action.

• • •

HER-H.B. No. 75, BILLING IRREGULARITIES BY DENTISTS, was read the third time, explained by Senator Jones, and failed on the following roll call:

Yeas, 15; Nays, 6; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Cornaby	Matheson	Sowards
Black	Flamm	Money	Wayment
Carling	Jeffs	Peterson, C.	Mr. President (Ferry)
Christensen	Jones	Sandberg	

Voting in the negative were: Senators

Barlow	Bunnell	Farley	Snow
Bennett	Considine		

Absent or not voting were: Senators

Asay	Bullen	Halverson	Pugh
Barton	Finlinson	Peterson, L.	Swan

HER-H.B. No. 75 was returned to the House for filing.

• • •

On motion of Senator Snow, **HER-H.B. Nos. 58** and **40** were circled. *Senator Halverson is now present in the Senate Chambers.*

• • •

HER-H.B. No. 32, COUNTY JAIL INCARCERATION AS A CONDITION OF PROBATION, was read the third time, explained by Representative Olene Walker in Committee of the Whole, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Bullen	Farley	Snow
Bangerter	Bunnell	Finlinson	Sowards
Barlow	Carling	Flamm	Swan
Barton	Christensen	Halverson	Wayment
Bennett	Considine	Money	Mr. President (Ferry)
Black	Cornaby	Sandberg	

Absent or not voting were: Senators

Jeffs	Matheson	Peterson, L.	Pugh
Jones	Peterson, C.		

HER-H.B. No. 32 was signed by the President and returned to the House for further action.

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The Senate recessed at 10:25 a.m., and re-assembled at 10:40 a.m. On motion of Senator Snow, **S.J.R. Nos. 10, 11, 12** and **14** were circled.

• • •

SER-S.B. No. 56, FUNDS FOR WATER AND SEWER DISTRICTS, was read the third time, explained by Senator Finlinson. Senators Bunnell and Flamm commented and the resolution passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Halverson	Peterson, L.
Bangerter	Christensen	Jeffs	Sandberg
Barlow	Considine	Jones	Snow
Barton	Cornaby	Matheson	Sowards
Bennett	Farley	Money	Swan
Bullen	Finlinson	Peterson, C.	Wayment
Bunnell	Flamm		

Absent or not voting were: Senators

Black	Pugh	Mr. President (Ferry)

SER-S.B. No. 56 was transmitted to the House.

• • •

SER-S.B. No. 57, COUNTY PLANETARIUM MODIFICATIONS, was read the third time, explained by Senator Finlinson, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Christensen	Jeffs	Sandberg
Barlow	Considine	Jones	Snow
Bennett	Farley	Matheson	Sowards
Black	Finlinson	Money	Swan
Bullen	Flamm	Peterson, C.	Wayment
Bunnell	Halverson	Peterson, L.	Mr. President (Ferry)
Carling			

Absent or not voting were: Senators

Asay	Barton	Cornaby	Pugh

SER-S.B. No. 57 was transmitted to the House.

• • •

SER-S.B. No. 60, CAPITAL PUNISHMENT SENTENCING PROCEDURES, was read the third time, explained by Senator Jeffs and passed on the following roll call:

Yeas, 27; Nays, 1; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Sandberg
Bangerter	Carling	Jeffs	Snow
Barlow	Christensen	Jones	Sowards
Barton	Considine	Matheson	Swan
Bennett	Cornaby	Money	Wayment
Black	Finlinson	Peterson, C.	Mr. President (Ferry)
Bullen	Flamm	Peterson, L.	

Voting in the negative were: Senator
Farley

Absent or not voting were: Senator
Pugh

SER-S.B. No. 60 was transmitted to the House.

• • •

On motion of Senator Bangerter, **SER-S.B. No. 58** is circled and on motion of Senator Carling, **SER-S.B. No. 63** is circled.

• • •

SER-S.B. No. 61, IN LIEU PAYMENT TO LOCAL SUBDIVISIONS, was read the third time and explained by Senator Finlinson, Senators Black and Swan commented and the resolution passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Carling	Flamm	Sandberg
Barlow	Christensen	Halverson	Snow
Barton	Considine	Jeffs	Sowards
Bennett	Cornaby	Money	Swan
Bullen	Farley	Peterson, C.	Wayment
Bunnell	Finlinson	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senator
Black

Absent or not voting were: Senators

Asay	Jones	Matheson	Pugh

SER-S.B. No. 61 was transmitted to the House.

• • •

SER-S.B. No. 62, PROOF OF FINANCIAL RESPONSIBILITY, was read the third time, explained by Senator Christensen, and passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Flamm	Sandberg
Bangerter	Christensen	Halverson	Snow
Barlow	Considine	Jeffs	Sowards
Barton	Cornaby	Money	Swan
Black	Farley	Peterson, C.	Wayment
Bullen	Finlinson	Peterson, L.	Mr. President (Ferry)
Bunnell			

Voting in the negative were: Senator

Bennett

Absent or not voting were: Senators

Jones	Matheson	Pugh

SER-S.B. No. 62 was transmitted to the House.

• • •

SER-S.B. No. 64, ANATOMICAL GIFTS, was read the third time, explained by Senator Barton and passed on the following roll call:

Yeas, 26; Nays, 2; Absent, 1

Voting in the affirmative were: Senators

Bangerter	Christensen	Jeffs	Sandberg
Barlow	Considine	Matheson	Snow
Barton	Cornaby	Money	Sowards
Black	Farley	Peterson, C.	Swan
Bullen	Finlinson	Peterson, L.	Wayment
Bunnell	Flamm	Pugh	Mr. President (Ferry)
Carling	Halverson		

Voting in the negative were: Senators

Asay	Bennett

Absent or not voting were: Senator
Jones

SER-S.B. No. 64 was transmitted to the House.

• • •

SER-S.B. No. 66, HIGHER EDUCATION CLASSIFIED EMPLOYEE DENTAL INSURANCE ACT, was read the third time, explained by Senator Halverson, and passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Christensen	Jeffs	Sandberg
Barlow	Considine	Matheson	Snow
Barton	Farley	Peterson, C.	Sowards
Bennett	Finlinson	Peterson, L.	Swan
Bullen	Flamm	Pugh	Mr. President (Ferry)
Bunnell	Halverson		

Voting in the negative were: Senator
Money

Absent or not voting were: Senators

Asay	Carling	Jones	Wayment
Black	Cornaby		

SER-S.B. No. 66 was transmitted to the House.

• • •

SER-S.B. No. 67, OGDEN-WEBER AREA VOCATIONAL CENTER, was read the third time and explained by Senator Halverson. Senators Black, Bunnell, and Swan commented and the resolution passed on the following roll call:

Yeas, 20; Nays, 5; Absent, 4

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sandberg
Barlow	Cornaby	Matheson	Snow
Barton	Finlinson	Peterson, C.	Sowards
Bullen	Flamm	Peterson, L.	Wayment
Bunnell	Halverson	Pugh	Mr. President (Ferry)

Voting in the negative were: Senators

Black	Farley	Money	Swan
Considine			

Absent or not voting were: Senators

Bangerter	Bennett	Carling	Jeffs

SER-S.B. No. 67 was transmitted to the House.

• • •

SER-S.J.R. No. 18, SESSION OF LEGISLATURE, was read the third time and explained by Senator Finlinson and on motion of Senator Snow, the resolution was circled.

RULES COMMITTEE REPORT

Mr. President: January 20, 1982

The Senate Rules Committee, to which was referred the following Senate Bill:

S.B. No. 30 MOTOR FUEL SALES
(Transportation and Public Safety)

reports the bill as BUDGETARY to the Senate and asks that it be printed and assigned to the committee indicated.

Ronald T. Halverson,
Rules Committee Chairman

Committee report read and adopted.

SECRETARY OF SENATE REPORT

Committee reports have been received from Business, Labor and Economic Development on **S.B. No. 17** and Judiciary Committee on **S.B. No. 1.** The bills were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President: January 20, 1982

The Energy and Natural Resources Committee, to which was referred **S.B. No. 19,** JURISDICTION OVER OIL AND GAS WELLS, 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 that **Substitute S.B. No. 19** replace the original bill and asks that it be placed on the Consent Calendar.

Fred W. Finlinson, Committee Chairman

Committee report read and adopted and on motion of Senator Finlinson, read the second time and placed on Consent Calendar. (**Substitute S.B. No. 19** was not yet printed and in possession of the Senators.)

• • •

The Judiciary Committee, to which was referred **S.B. No. 18,** NUMBER OF JURORS, 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.

A. Dean Jeffs, Committee Chairman

Committee report read and adopted. On motion of Senator Jeffs, **S.B. No. 18** was read the second time and placed on Consent Calendar.

• • •

SER-S.J.R. No. 13, SER-S.B. Nos. 58 and 63, HER-H.B. Nos. 58, 40 and 39 and S.J.R. Nos. 10, 11, 12 and 14, being circled as the Senate adjourned, were placed on Third Reading Table.

• • •

On motion of Senator Snow, and at 12:00 noon, the Senate adjourned until 9:00 a.m., Thursday, January 21, 1982.

ELEVENTH 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 - Senator Charles E. Bennett, Sr. (District 6, Salt Lake)

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 222.

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: January 21, 1982

The Commitee on Revision of the daily Senate Journal respectfully reports that we have read the Journal for the Tenth Day and find it correct with minor amendments noted on the final copy.

E. Veri Asay, Committee Chairman

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 20, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 38**, TAX DEFERRAL REQUISITES, by Representative Pace, 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, **HER-H.J.R. No. 13**, REVISION OF TAX ARTICLE, 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, under suspension of the rules, **HER-H.J.R. No. 16**, MUNICIPAL AND OTHER TAX EXEMPTION CHANGES, 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, under suspension of the rules, **HER-H.J.R. No. 17**, SCHOOL SUPPORT LIMITATION, by Representative Pace, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 38 and **HER-H.J.R. Nos. 13, 16** and **17** were read the first time and referred to Rules Committee.

• • •

Mr. President: January 20, 1982

I am directed to inform the Senate that the House of Representatives has this day rejected **SER-S.B. No. 48,** BOND ISSUE PUBLICITY, by Senator Sowards, and the same is returned herewith.

Allan M. Acomb, Chief Clerk

SER-S.B. No. 48 is filed.

• • •

Mr. President: January 20, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **SER-S.J.R. No. 3,** TAX ARTICLE REVISION, 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, under suspension of the rules, **S.J.R. No. 4,** CONCEALED WEAPONS RESOLUTION, by Senator Bangerter, 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, under suspension of the rules, **SER-S.J.R. No. 5,** COMPENSATION AND EXPENSES FOR LEGISLATORS, 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, under suspension of the rules, **S.J.R. No. 6,** INTERIM STUDY OF THIRD-PARTY PRESCRIPTION PROGRAMS, by Senator Bangerter, 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, under suspension of the rules, **S.J.R. No. 7,** INTERIM STUDY OF THE LAY MIDWIFE PROGRAM, by Senator Bangerter, 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, under suspension of the rules, **SER-S.J.R. No. 8,** MUNICIPAL TAX EXEMPTION CHANGES, 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, under suspension of the rules, **SER-S.B No. 42,** 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, under suspension of the rules, **SER-S.B. No. 44,** ASSESSED VALUATION AND TAX NOTICE, 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, under suspension of the rules, **SER-S.B. No. 45,** INSURANCE GUARANTY ASSOCIATION 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, under suspension of the rules, **SER-S.B. No. 46,** METROPOLITAN WATER DISTRICT ACT AMENDMENTS, 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, under suspension of the rules, **SER-S.B No. 49,** TRUCKING CONTROL STATIONS, by Senator Bangerter, 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, under suspension of the rules, **SER-S.B. No. 50,** INTERSTATE CORRECTIONS COMPACT AMENDMENTS, 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, under suspension of the rules, **SER-S.B. No. 52,** CROSS-TRAINING RETIREMENT ENROLLMENT, 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

SER-S.J.R. No. 3, and **S.J.R. Nos. 4, 5, 6, 7** and **8** and **SER-S.B. Nos. 42, 44, 45, 46, 49, 50** and **52** were signed by the President of the Senate and referred to the Committee on Rules to be enrolled and transmitted to the Lieutenant Governor.

PRESENTATION OF RESOLUTION

UTAH CONFERENCE ON SMALL BUSINESS

S.J.R. No. 15 *Wayne L. Sandberg*

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH, SUPPORTING THE PURPOSES AND OBJECTIVES OF THE 1982 UTAH CONFERENCE ON SMALL BUSINESS, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

SMOKING ON BUSES

S.B. No. 68 *Charles E. Bennett, William T. Barton*

AN ACT RELATING TO THE PROHIBITION OF SMOKING ON PUBLIC BUSES; PROVIDING AN EXCEPTION FOR BUSES TRAVELING INTERSTATE UNDER FEDERAL RULES AND REGULATIONS WHICH PERMIT SMOKING.

THIS ACT AMENDS SECTION 76-10-1506, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 72, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

W.I.C.H.E. STUDENTS RESIDENCY

S.B. No. 69 *Karl G. Swan*

AN ACT RELATING TO HIGHER EDUCATION; PROVIDING THAT STUDENTS IN FOREIGN INSTITUTIONS RECEIVING FINANCIAL ASSISTANCE UNDER THE COMPACT FOR WESTERN REGIONAL CO-OPERATION IN HIGHER EDUCATION

(W.I.C.H.E.) MUST CONTINUE TO MAINTAIN UTAH RESIDENCY IN ORDER TO RECEIVE CONTINUED FINANCIAL SUPPORT PURSUANT TO THE COMPACT; AND PROVIDING THAT STUDENTS WHO TERMINATE RESIDENCY RELINQUISH RIGHTS TO CONTINUED W.I.C.H.E. SUPPORT.

THIS ACT AMENDS SECTION 63-7-16, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 221, LAWS OF UTAH 1979, read the first time and referred to Rules Committee.

DRUNK DRIVING AMENDMENTS

S.B. No. 70 *Dona M. Wayment, A. Dean Jeffs, Karl M. Snow, Jr., Eldon A. Money, Arnold Christensen, E. Verl Asay, Ivan M. Matheson, K. S. Cornaby*

AN ACT RELATING TO MOTOR VEHICLES; PROVIDING THAT CONVICTION FOR DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS SHALL BE PUNISHABLE BY MANDATORY JAIL SENTENCE ON FIRST CONVICTION; PROVIDING INCREASED FINES AND POSSIBILITY OF ONE YEAR IN JAIL FOR FIRST CONVICTION; INCREASING LENGTH OF MANDATORY JAIL SENTENCE FOR SECOND AND SUBSEQUENT CONVICTION: AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AMENDS SECTION 41-6-44, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 63, LAWS OF UTAH 1981, read the first time and referred to Rules Committee.

EMPLOYMENT SECURITY ADVISORY COUNCIL

S.B. No. 71 *Wayne L. Sandberg*

AN ACT RELATING TO THE INDUSTRIAL COMMISSION, AND ITS ADMINISTRATION OF THE UNEMPLOYMENT SECURITY ACT: PROVIDING A STANDARD FOR REPRESENTATIVES RECOMMENDED BY EMPLOYER AND EMPLOYEES.

THIS ACT AMENDS SECTION 35-4-11, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 78, LAWS OF UTAH 1971, read the first time and referred to Rules Committee.

PROCUREMENT CODE AMENDMENTS

S.B. No. 72 *Wayne L. Sandberg*

AN ACT RELATING TO THE PROCUREMENT CODE; MODIFYING THE DEFINITION OF "RESPONSIBLE BIDDER OR OFFEROR", DEFINING "TRADITIONAL FAIR COMPETITIVE BIDDING PROCESS"; AND MAKING CERTAIN TECHNICAL CHANGES.

THIS ACT AMENDS SECTION 63-56-5, AS LAST AMENDED BY CHAPTER 259, LAWS OF UTAH 1981, read the first time and referred to Rules Committee.

COUNTY AND MUNICIPAL ZONING JURISDICTION

S.B. No. 73 *William T. Barton*

AN ACT RELATING TO ZONING; MODIFYING THE ZONING JURISDICTIONOF COUNTIES AND MUNICIPALITIES; AND REQUIRING THE STATE OF UTAH TO CONFORM TO COUNTY AND MUNICIPAL ZONING ORDINANCES.

THIS ACT AMENDS SECTION 10-9-29, UTAH CODE ANNOTATED 1953, AND SECTION 11-16-1, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 24, LAWS OF UTAH 1979, read the first time and referred to Rules Committee.

• • •

At the request of Senator Frances Farley, the Senate agreed to allow her to change her vote from yea to nay on **S.J.R. No. 7**, INTERIM STUDY OF THE LAY MIDWIFE PROGRAM. The final vote is **15 Yeas; 8 Nays; 6 Absent.** Senator Farley explained that her original vote was with the understanding that it was a vote on an enabling resolution.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 20, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **HER-H.J.R. No. 15**, PROPERTY TAX EXEMPTION CHANGES, by Representative Knowlton, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

HER-H.J.R. No. 15 was read the first time and referred to Rules Committee.

SECRETARY OF THE SENATE REPORT

A committee report has been received from Business, Labor and Economic Development Committee on **S.B. No. 21** and the bill is placed on Second Reading Calendar.

• • •

On motion of Senator Bennett, the Senate voted to ask the House to return **HER-H.B. No. 75** to the Senate for reconsideration.

• • •

On motion of Senator Snow the following bills were lifted from Third Reading Table and placed at the top of Third Reading Calendar: **HER-H.B. Nos. 58, 40 and 39; S.J.R. Nos. 10, 11, 12 and 14 and SER-S.J.R. No. 13 and SER-S.B. No. 58.**

THIRD READING CALENDAR

HER-H.B. No. 58, IMITATION CONTROLLED SUBSTANCE ACT, was read the third time and explained by Representative Dorothea Masur in Committee of the Whole. Senator Cornaby commented and on motion of Senator Snow, the resolution was circled.

• • •

HER-H.B. No. 40, LOBBYIST'S CONTROL, was read the third time and explained by Represenative Lee Farnsworth in Committee of the Whole. Senators Swan, Sowards, Jones, Considine, Farley and Pugh commented. The resolution failed on the following roll call:

Yeas, 9; Nays, 16; Absent, 4

Voting in the affirmative were: Senators

Asay	Considine	Money	Snow
Bennett	Farley	Peterson, L.	Swan
Bunnell			

Voting in the negative were: Senators

Barlow	Finlinson	Jones	Sandberg
Bullen	Flamm	Matheson	Sowards
Christensen	Halverson	Peterson, C.	Wayment
Cornaby	Jeffs	Pugh	Mr. President (Ferry)

Absent or not voting were: Senators

Bangerter	Barton	Black	Carling

HER-H.B. No. 40 was returned to the House for filing.

• • •

HER-H.B. No. 39, PROPERTY TAX ASSESSMENT APPEALS, is before the Senate and failed on the following roll call:

Yeas, 15; Nays, 10; Absent, 4

Voting in the affirmative were: Senators

Asay	Christensen	Flamm	Peterson, C.
Bennett	Considine	Jeffs	Snow
Bullen	Farley	Jones	Swan
Bunnell	Finlinson	Matheson	

Voting in the negative were: Senators

Barlow	Money	Sandberg	Wayment
Cornaby	Peterson, L.	Sowards	Mr. President (Ferry)
Halverson	Pugh		

Absent or not voting were: Senators

Bangerter	Barton	Black	Carling

HER-H.B. No. 39 was returned to the House for filing.

• • •

S.J.R. No. 10, SEWAGE AND WASTEWATER TREATMENT FUNDING STUDY, 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	Farley	Matheson	Snow
Barton	Finlinson	Money	Sowards
Bullen	Flamm	Peterson, C.	Swan
Bunnell	Halverson	Peterson, L.	Wayment
Christensen	Jeffs	Pugh	Mr. President (Ferry)
Cornaby	Jones	Sandberg	

Absent or not voting were: Senators

Asay	Bennett	Carling	Considine
Bangerter	Black		

S.J.R. No. 10 was transmitted to the House.

STANDING COMMITTEE REPORT

Mr. President: January 21, 1982

The State and Local Affairs Committee, to which was referred **S.B. No. 65,** HOUSING FINANCE AGENCY APPROPRIATION CHANGES, by Senator Charles 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.

Bryce Flamm, Committee Chairman

Committee Report read and adopted and the bill was read the second time and placed on Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received from Revenue and Taxation Committee on **S.B. No. 25;** State and Local Affairs, on **S.B. No. 3** and Transportation and Public Safety on **S.B. No. 30** and the bills are placed on Second Reading Calendar.

• • •

On motion of Senator Snow and at 10:10 a.m. the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:25 p.m. with President Miles 'Cap' Ferry presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 21, 1982

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,** NATIONAL DISABLED VETERANS WEEK, by Representative Smith, 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, **HER-H.B. No. 47,** JUDICIAL DISTRICT BOUNDARIES AND JUDGESHIPS, 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, under suspension of the rules, **HER-H.B. No. 48,** NORTHWEST INTERSTATE COMPACT ON LOW—LEVEL RADIOACTIVE WASTE, by Representative Brandt, 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, **HER-H.B. No. 22,** INDUSTRIAL DEVELOPMENT ACT, by Representative Hunter, 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, **HER-H.B. No. 69,** FOURTH AMENDMENT ENFORCEMENT ACT, by Representative McKeachnie, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.C.R. No. 2 and **HER-H.B. Nos. 47, 43, 22** and **69** were read the first time and referred to Rules Committee.

INTRODUCTION OF BILL

OVERSIGHT ACT — TRUST BUSINESS

S.B. No. 74 *Bryce G. Flamm, Ronald T. Halverson*

AN ACT RELATING TO TRUST BUSINESS CONDUCTED IN THE STATE OF UTAH; PROVIDING FOR DEFINITIONS AND CLARIFICATION TO LAW ENACTED IN 1981; PROVIDING FOR THE ESTABLISHMENT OF COMMON TRUST FUNDS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AMENDS SECTIONS 7-5-1, 2, 3, 4, 6, 7, 8, 9, 10, 11, AND 12 AND ENACTS PART 2, CHAPTER 5, TITLE 7, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

S.J.R. No. 11, FRANK MOSS - GUNN McKAY COMMENDATION, was read the third time. On motion of Senator Swan **S.J.R. No. 11** was amended as follows:

Page 1, Line 4
Delete in the title *"FRANK MOSS - GUNN McKAY"* and insert in lieu thereof *"CONGRESSIONAL"*

Page 1, Line 11
After *"COMMENDING"* insert *", SENATORS ORRIN HATCH AND JAKE* GARN AND CONGRESSMEN DAN MARRIOTT AND JAMES HANSEN,"

S.J.R. No. 11 passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Bunnell	Jones	Sandberg
Barlow	Christensen	Matheson	Snow
Barton	Considine	Money	Sowards
Bennett	Cornaby	Peterson, C.	Swan
Black	Farley	Peterson, L.	Wayment
Bullen	Flamm	Pugh	Mr. President (Ferry)

Absent or not voting were: Senators

Asay	Finlinson	Halverson	Jeffs
Carling			

S.J.R. No. 11, as amended, was transmitted to the House.

• • •

S.J.R. No. 12, AUDITING OF OIL AND GAS PAYMENTS, 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	Money	Snow
Barlow	Farley	Peterson, C.	Sowards
Bennett	Finlinson	Peterson, L.	Swan
Black	Halverson	Pugh	Wayment
Bunnell	Jeffs	Sandberg	Mr. President (Ferry)
Considine	Matheson		

Absent or not voting were: Senators

Asay	Bullen	Christensen	Jones
Barton	Carling	Flamm	

S.J.R. No. 12 was transmitted to the House.

• • •

On motion of Senator Snow, the circle was removed from **HER-H.B. No. 58,** IMITATION CONTROLLED SUBSTANCES ACT, and passed on the following roll call:

Yeas, 21; Nays, 3; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Considine	Jones	Snow
Barlow	Farley	Matheson	Sowards
Barton	Finlinson	Money	Swan
Bunnell	Halverson	Peterson, C.	Wayment
Carling	Jeffs	Sandberg	Mr. President (Ferry)
Christensen			

Voting in the negative were: Senators

Bennett	Black	Cornaby

Absent or not voting were: Senators

Asay	Flamm	Peterson, L.	Pugh
Bullen			

HER-H.B. No. 58 was signed by the President and returned to the House for further action.

• • •

S.J.R. No. 14, VITRO TAILINGS REMOVAL RESOLUTION, 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	Finlinson	Peterson, C.
Bangerter	Carling	Halverson	Pugh
Barlow	Christensen	Jeffs	Sandberg
Barton	Considine	Jones	Snow
Bennett	Cornaby	Matheson	Sowards
Bullen	Farley	Money	Mr. President (Ferry)

Absent or not voting were: Senators

Black	Peterson, L.	Swan	Wayment
Flamm			

S.J.R. No. 14 was transmitted to the House.

• • •

On motion of Senator Snow, **SER-S.J.R. No. 13** is circled.

* * *

SER-S.B. No. 58, VOCATIONAL EDUCATION COORDINATING COMMISSION, was read the third time. Senators Snow, Pugh, Bunnell, Matheson and Asay commented and the resolution failed on the following roll call:

Yeas, 15; Nays, 13; Absent, 1

Voting in the affirmative were: Senators

Bangerter	Carling	Finlinson	Pugh
Barlow	Christensen	Halverson	Sowards
Barton	Considine	Jeffs	Swan
Black	Farley	Money	

Voting in the negative were: Senators

Asay	Cornaby	Matheson	Snow
Bennett	Flamm	Peterson, C.	Wayment
Bullen	Jones	Sandberg	Mr. President (Ferry)
Bunnell			

Absent or not voting were: Senator
Peterson, L.

SER-S.B. No. 58 is reconsidered.

RULES COMMITTEE REPORTS

Mr. President: January 21, 1982

The Senate Rules Committee, to which were referred the following Senate Joint Resolutions:

S.J.R. No. 3	TAX ARTICLE REVISION
S.J.R. No. 5	COMPENSATION AND EXPENSES FOR LEGISLATORS
S.J.R. No. 8	MUNICIPAL TAX EXEMPTION CHANGES

reports the resolutions to the Senate and asks that they be printed and assigned to the Second Reading Calendar, and

The Senate Rules Committee, to which was referred the following Senate Resolution:

S.J.R. No. 15 UTAH CONFERENCE ON SMALL BUSINESS

reports that this S.J.R. is under suspension of the rules, considered read the second time and placed on the Third Reading Calendar, and

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 69	W.I.C.H.E. STUDENT RESIDENCY
S.B. No. 70	DRUNK DRIVING AMENDMENTS
S.B. No. 74	OVERSIGHT ACT — TRUST BUSINESS

reports the bills to the Senate as NON-BUDGETARY items and asks that a Senate Enabling Resolution (SER) be prepared, introduced, considered read for the first time and under suspension of the rules, read the second time and placed on Third Reading Calendar for consideration by the Senate. The bills will be held in Rules Committee.

Ronald T. Halverson,
Rules Committee Chairman

Committee reports read and adopted. **S.J.R. No. 15** was under suspension of the rules, read the second time and placed on Third Reading Calendar. **SER-S.B. Nos. 69, 70 and 74** were read the first time and under suspension of the rules, read the second time and placed on Third Reading Calendar.

• • •

On motion of Senator Finlinson, the circle was removed from **SER-S.J.R. No. 13.**

• • •

Senator Snow, having voted on the prevailing side now moved that the Senate reconsider its action on **SER-S.B. No. 58,** VOCATIONAL EDUCATION COORDINATING COMMISSION. Senators Sowards, C. Peterson, Asay and Bunnell commented. The motion carried and the resolution remains on Third Reading Calendar for reconsideration.

• • •

On motion of Senator Snow, and at 3:25 p.m., the Senate adjourned until 9:00 a.m., Friday, January 22, 1982.

TWELFTH DAY

MORNING SESSION

The Senate was called to order at 9:10 a.m. with President Miles 'Cap' Ferry presiding.

Roll Call — All Senators present except Senator Halverson (excused)

Prayer — Senator Warren E. Pugh (District 9, Salt Lake)

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 222.

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: January 22, 1982

The Committee on Revision of the daily Senate Journal respectfully reports that we have read the Journal for the Eleventh Day and find it correct with minor amendments noted on the final copy.

Eldon A. Money, Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 21, 1982

I have been directed by the members of the House of Representatives to request **SER-S.B. No. 48,** BOND ISSUE PUBLICITY, by Senator Sowards, be returned for reconsideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, the Senate voted to return the resolution to the House for reconsideration.

• • •

Mr. President: January 21, 1982

I have been directed by the members of the House of Representatives to comply with your request to return to the Senate for reconsideration **HER-H.B. No. 75,** BILLING IRREGULARITIES BY DENTISTS, by Representative Evans, and the same is transmitted herewith.

Allan M. Acomb, Chief Clerk

HER-H.B. No. 75 was placed on Third Reading Calendar.

• • •

Mr. President: January 21, 1982

I am directed to inform the Senate that the House of Representatives has this day reconsidered and rejected **SER-S.B. No. 36**, MEDICALLY INDIGENT, by Senator Matheson, et al, and the same is returned herewith.

Allan M. Acomb, Chief Clerk

SER-S.B. No. 36 is filed.

• • •

Mr. President: January 21, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **SER-S.B. No. 47**, UTAH RENEWABLE ENERGY RESOURCES SURVEY, 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, under suspension of the rules, **SER-S.B. No. 55**, REVENUE BONDS FOR UTAH TECHNICAL COLLEGE AT PROVO, by Senator Snow, 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

SER-S.B. Nos. 47 and **55** were signed by the President of the Senate and referred to the Rules Committee to be enrolled and transmitted to the Lieutenant Governor.

• • •

Mr. President: January 21, 1982

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. 31**, JOHN HENRY SCHMUTZ RESOLUTION, by All Members of the House, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.J.R. No. 31 was read the first time. On motion of Senator Snow, and under suspension of the rules, the resolution was read the second and third times and passed by unanimous voice vote of all Senators present. Senators Flamm, Finlinson and Halverson were absent. **H.J.R. No. 31** was signed by the President and returned to the House for further action.

* * *

Mr. President: January 21, 1982

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. 5,** GEORGE S. ECCLES COMMENDATION, by Representative Garff, 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 times and passed by unanimous voice vote of all Senators present. Senators Flamm, Finlinson and Halverson were absent. **H.C.R. No. 5** was signed by the President and returned to the House for further action.

RULES COMMITTEE REPORT

Mr. President: January 22, 1982

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 42	AGRICULTURAL FUNDS
S.B. No. 44	ASSESSED VALUATION AND TAX NOTICE
S.B. No. 45	INSURANCE GUARANTY ASSOCIATION AMENDMENTS
S.B. No. 46	METROPOLITAN WATER DISTRICT ACT AMENDMENTS
S.B. No. 49	TRUCKING CONTROL STATIONS
S.B. No. 50	INTERSTATE CORRECTIONS COMPACT AMENDMENTS
S.B. No. 52	CROSS-TRAINING RETIREMENT ENROLLMENT

reports the bills to the Senate and asks that they be printed and under suspension of the rules placed on Second Reading Calendar.

Ronald T. Halverson,
Rules Committee Chairman

Committee report read and adopted. On motion of Senator Snow, the Senate voted to allow committee chairmen to remove the bills from the Second Reading Calendar and consider them in committee if requested.

PRESENTATION OF RESOLUTION

MOBILE HOME PARK RULES LEASES STUDY

S.J.R. No. 16 *Karl G. Swan*

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH DIRECTING THE LEGISLATIVE MANAGEMENT COMMITTEE TO ASSIGN A STUDY OF THE NEED FOR CLARIFYING AMENDMENTS TO THE LEASE, PARK RULE, OR OTHER PROVISIONS OF THE MOBILE HOME PARK RESIDENCY ACT was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

UTAH STATE UNIVERSITY LAND TRANSFER

S.B. No. 75 *Charles W. Bullen*

AN ACT RELATING TO LAND OWNED BY UTAH STATE UNIVERSITY; DIRECTING THAT CERTAIN OF ITS LAND ALONG U.S. HIGHWAY 89 BE CONVEYED TO THE STATE DEPARTMENT OF TRANSPORTATION; APPROPRIATING $50,000 FROM THE GENERAL FUND TO THE DEPARTMENT OF TRANSPORTATION TO PROVIDE FUNDS FOR PREVENTION OF LANDSLIDES ON THIS LAND; AND PROVIDING AN EFFECTIVE DATE, was read the first time and referred to Rules Committee.

OCCUPATION TAX ON COAL

S.B. No. 76 *Charles W. Bullen, Glade M. Sowards, Frances Farley, Arnold Christensen, Lowell S. Peterson, E. Verl Asay, Bryce C. Flamm, Wilford R. Black, Charles E. Bennett*

AN ACT RELATING TO TAXES ON PRODUCTION OF MINERALS; REDEFINING CERTAIN TERMS IN THIS REGARD; EXTENDING THE OCCUPATION TAX TO COAL AND ESTABLISHING THE RATE ON IT; MAKING CERTAIN CHANGES IN FORM; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AMENDS SECTION 59-5-66, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 120, LAWS OF UTAH 1955, AND SECTION 59-5-67, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 106, LAWS OF UTAH 1959, was read the first time and referred to Rules Committee.

COMPARATIVE NEGLIGENCE FINDINGS

S.B. No. 77 *Frances Farley*

AN ACT RELATING TO JURY INSTRUCTIONS; PROVIDING FOR INSTRUCTIONS TO JUROR AS TO THE APPLICATION AND CONSEQUENCES OF COMPARATIVE NEGLIGENCE.

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.

DIVISION OF REGISTRATION COMMITTEES

S.B. No. 78 *Ronald T. Halverson*

AN ACT RELATING TO COMMITTEES WITHIN THE DIVISION OF REGISTRATION; PROVIDING THAT INITIALLY APPOINTED MEMBERS OF A NEWLY CREATED COMMITTEE NEED NOT BE LICENSED OR CERTIFIED.

THIS ACT AMENDS SECTION 58-1-6, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 34, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

STATE ASSESSED PROPERTY

S.B. No. 79 *Jack M. Bangerter*

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING FOR THE ASSESSMENT OF ALL STATE ASSESSED PROPERTY ON THE SAME BASIS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AMENDS SECTION 59-5-57, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 231, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

SALES TAX ON PROFESSIONAL SERVICES

S.B. No. 80 *Wilford R. Black, Jr.*

AN ACT RELATING TO SALES TAX; DEFINING PROFESSIONAL SERVICES AND PROVIDING FOR A FOUR CENT SALES TAX ON THOSE SERVICES; AND MAKING CERTAIN TECHNICAL CHANGES.

THIS ACT AMENDS SECTION 59-15-2, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 239, LAWS OF UTAH 1981, SECTION 59-15-4, UTAH CODE

ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 220, LAWS OF UTAH 1977, AND SECTION 59-16-3, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 14, LAWS OF UTAH 1969, FIRST SPECIAL SESSION, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

On motion of Senator Snow, **SER-S.J.R. No. 13** and **SER-S.B. No. 58** are circled.

• • •

SER-S.B. No. 69, W.I.C.H.E. STUDENTS RESIDENCY, 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	Christensen	Matheson	Sandberg
Barlow	Considine	Money	Snow
Bennett	Farley	Peterson, C.	Swan
Black	Flamm	Peterson, L.	Wayment
Bullen	Jeffs	Pugh	Mr. President (Ferry)
Carling	Jones		

Absent or not voting were: Senators

Asay	Bunnell	Finlinson	Sowards
Barton	Cornaby	Halverson	

SER-S.B. No. 69 was transmitted to the House.

• • •

SER-S.B. No. 70, DRUNK DRIVING AMENDMENT, 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	Jones	Sandberg
Bangerter	Christensen	Matheson	Snow
Barlow	Considine	Money	Sowards
Barton	Cornaby	Peterson, C.	Swan
Bennett	Farley	Peterson, L.	Wayment
Bullen	Flamm	Pugh	Mr. President (Ferry)

Absent or not voting were: Senators

Black	Finlinson	Halverson	Jeffs
Bunnell			

SER-S.B. No. 70 was transmitted to the House.

• • •

SER-S.B. No. 74, OVERSIGHT ACT—TRUST BUSINESS, 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	Halverson	Sandberg
Bangerter	Considine	Jones	Snow
Barton	Cornaby	Matheson	Swan
Bennett	Farley	Money	Wayment
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)
Carling			

Absent or not voting were: Senators

Barlow	Bunnell	Jeffs	Pugh
Black	Finlinson	Peterson, C.	Sowards

SER-S.B. No. 74 was transmitted to the House.

• • •

S.J.R. No. 15, UTAH CONFERENCE ON SMALL BUSINESS, 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	Pugh
Barlow	Carling	Jones	Sandberg
Barton	Christensen	Matheson	Snow
Bennett	Considine	Money	Swan
Black	Farley	Peterson, L.	Mr. President (Ferry)
Bullen	Flamm		

Absent or not voting were: Senators

Bangerter	Finlinson	Peterson, C.	Wayment
Cornaby	Halverson	Sowards	

S.J.R. No. 15 was transmitted to the House.

• • •

On motion of Senator Snow, **SER-S.B. No. 58** is circled.

• • •

HER-H.B. No. 75, BILLING IRREGULARITIES—DENTISTS, having been returned from the House, is before the Senate on reconsideration and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Bullen	Flamm	Peterson, L.
Bangerter	Bunnell	Jeffs	Pugh
Barlow	Carling	Jones	Sandberg
Barton	Considine	Matheson	Swan
Bennett	Cornaby	Money	Mr. President (Ferry)
Black	Farley	Peterson, C.	

Absent or not voting were: Senators

Christensen	Halverson	Sowards	Wayment
Finlinson	Snow		

HER-H.B. No. 75 was signed by the President and returned to the House for further action.

• • •

Senator Pugh, having voted on the prevailing side as **SER-S.B. No. 20,** COUNTY RECORDERS' FEES CHANGES, failed, now moved that the Senate reconsider its action. The motion carried and the resolution passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Bunnell	Jeffs	Pugh
Barlow	Carling	Jones	Sandberg
Barton	Considine	Matheson	Snow
Bennett	Cornaby	Money	Swan
Black	Farley	Peterson, C.	Wayment
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)

Absent or not voting were: Senators

Asay	Finlinson	Halverson	Sowards
Christensen			

SER-S.B. No. 20 was transmitted to the House.

SECOND READING CALENDAR

S.B. No. 6, CIRGARETTE TAX INCREASE, was read the second time.

Mr. President: January 14, 1982

The Revenue and Taxation Committee, to which was referred **S.B. No. 6,** CIGARETTE TAX INCREASE, by Senator Karl N. Snow, Jr., has carefully considered the bill and reports its 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, 24; Nays, 2; Absent, 3

Voting in the affirmative were: Senators

Asay	Bullen	Flamm	Peterson, L.
Bangerter	Bunnell	Jeffs	Pugh
Barlow	Carling	Jones	Sandberg
Barton	Christensen	Matheson	Snow
Bennett	Considine	Money	Swan
Black	Farley	Peterson, C.	Wayment

Voting in the negative were: Senators

Cornaby	Mr. President (Ferry)

Absent or not voting were: Senators
Finlinson Halverson Sowards

• • •

S.B. No. 40, DEPRECIATION DEDUCTION FOR MINING, was read the second time.

Mr. President: January 14, 1982

The Revenue and Taxation Committee, to which was referred **S.B. No. 40,** DEPRECIATION DEDUCTION FOR MINING, by Senator Charles W. Bullen, et al, has carefully considered the bill and reports its out of committee with a favorable recommendation.

Charles W. Bullen, Committee Chairman

Committee report read and adopted and on motion of Senator Bullen **S.B. No. 40** was amended as follows:

Page 2, Line 29:
After "*prior taxable years*" insert a period, delete the remainder of lines 29 and 30 and insert:
"*However, previous to the amendment of this subsection a taxpayer was allowed to deduct actual costs expended during the year and was allowed up to a three year carry forward if such costs resulted in negative net proceeds for the year. For taxable years 1982 and 1983, the taxpayer may deduct actual costs and for taxable years 1983, 1984, 1985 and 1986, a taxpayer may elect to exhaust its three year carry forward of actual cost derived negative net proceeds before adopting the depreciation method; provided, however, that all taxpayers shall use the depreciation method for all taxable years after 1986. All actual costs expended in 1984 and years thereafter shall be subject to the depreciation methods even if the taxpayer elects to exhaust its carry forward in years 1983, 1984, 1985 and 1986. Once the taxpayer commences using the depreciation method it may depreciate all actual costs not previously deducted.*"

Page 3, Line 9:
After "*taxable years*" insert a period, delete the remainder of lines 9 and 10 and insert:
"*However, previous to the amendment of this subsection a taxpayer was allowed to deduct actual costs expended during the year and was*

allowed up to a three year carry forward if such costs resulted in negative net proceeds for the year. For taxable years 1982 and 1983, the taxpayer may deduct actual costs and for taxable years 1983, 1984, 1985 and 1986, a taxpayer may elect to exhaust its three year carry forward of actual cost derived negative net proceeds before adopting the depreciation method; provided, however, that all taxpayers shall use the depreciation method for all taxable years after 1986. All actual costs expended in 1984 and years thereafter shall be subject to the depreciation methods even if the taxpayer elects to exhaust its carry forward in years 1983, 1984, 1985 and 1986. Once the taxpayer commences using the depreciation method it may depreciate all actual costs not previously deducted."

Page 4, Line 4: Delete entirely.

On motion of Senator Bullen, and under suspension of the rules, the bill 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	Pugh
Bangerter	Christensen	Jones	Sandberg
Barton	Considine	Matheson	Snow
Bennett	Cornaby	Money	Swan
Black	Farley	Peterson, C.	Wayment
Bullen	Finlinson	Peterson, L.	Mr. President (Ferry)
Bunnell	Flamm		

Voting in the negative were: Senator
Barlow

Absent or not voting were: Senators
Halverson Sowards

S.B. No. 40 was transmitted to the House.

• • •

S.B. No. 41, SALES TAX EXEMPTION ON VENDING MACHINE SALES, was read the second time.

Mr. President: January 14, 1982

The Revenue and Taxation Committee, to which was referred **S.B. No. 41**, SALES TAX EXEMPTION ON VENDING MACHINE SALES, 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 and the bill pased on the following roll call:

Yeas, 24; Nays, 3; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Bunnell	Finlinson	Sandberg
Barlow	Carling	Flamm	Snow
Barton	Christensen	Jeffs	Sowards
Bennett	Considine	Jones	Swan
Black	Cornaby	Peterson, C.	Wayment
Bullen	Farley	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Matheson	Money	Pugh

Absent or not voting were: Senators

Asay	Halverson

• • •

On motion of Senator Snow, the circles were removed from **SER-S.J.R. No. 13** and **SER-S.B. No. 58.**

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On motion of Senator Snow, and at 10:20 a.m., the Senate adjourned until 10:00 a.m., Monday, January 25, 1982.

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 Matheson and Halverson (excused)

Prayer — Senator Eldon A. Money (District 17 - Utah)

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 222.

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: January 25, 1982

The Committee on Revision of the daily Senate Journal respectfully reports that we have read the Journal for the Twelfth Day and find it correct with minor amendments noted on the final copy.

E. Verl Asay, Committee Chairman

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 22, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **SER-S.B. No. 56,** FUNDS FOR WATER AND SEWER DISTRICTS, 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, under suspension of the rules, **SER-S.B. No. 37,** PUBLIC SUPPORT OF CHILDREN, 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, under suspension of the rules, **SER-S.B. No. 38,** CIVIL LIABILITY FOR SUPPORT 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, under suspension of the rules, **SER-S.B. No. 51,** STATE TAX SYSTEM COMMITTEE REPEAL, 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 House of Representatives has this day passed, under suspension of the rules, **SER-S.B. No. 57,** COUNTY PLANETARIUM MODIFICATIONS, 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, under suspension of the rules, **SER-S.B. No. 60,** CAPITAL PUNISHMENT SENTENCING PROCEDURES, 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, under suspension of the rules, **SER-S.B. No. 62,** PROOF OF FINANCIAL RESPONSIBILITY, 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, under suspension of the rules, **SER-S.B. No. 64,** ANATOMICAL GIFTS, 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

SER-S.B. Nos. 56, 37, 38, 51, 57, 60, 62 and **64** were signed by the President of the Senate and referred to the Committee on Rules to be enrolled and transmitted to the Lieutenant Governor.

• • •

Mr. President: January 22, 1982

I am directed to inform the Senate that the House of Representatives has this day rejected **SER-S.B. No. 61,** IN LIEU PAYMENTS TO LOCAL SUBDIVISONS, by Senator Finlinson, and the same is returned herewith, and

I am directed to inform the Senate that the House of Representatives has this day rejected **SER-S.B. No. 66,** HIGHER EDUCATION CLASSIFIED EMPLOYEE DENTAL INSURANCE ACT, by Senator Halverson, and the same is returned herewith.

Allan M. Acomb, Chief Clerk

SER-S.B. Nos. 61 and **66** were filed.

• • •

Mr. President: January 21, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 27,** SCHOOL IMMUNIZATION ACT, by Representative Doane, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 27 was read the first time and referred to Rules Committee.

PRESENTATION OF RESOLUTION

DIVERSION OF EFFLUENT WATER STUDY

S.J.R. No. 17 *Jack M. Bangerter, Ivan M. Matheson, Eldon A. Money, Lowell S. Peterson, Cary G. Peterson, Arnold Christensen, William T. Barton, E. Verl Asay, Charles W. Bullen*

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH; REQUESTING A STUDY BY THE DIVISION OF WATER RIGHTS OF THE DIVERSION OF EFFLUENT WATER FROM TREATMENT PLANTS IN SOUTH SALT LAKE COUNTY, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

INCREASED OCCUPATION TAX ON METALLIFEROUS MINERALS

S.B. No. 81 *Charles W. Bullen, Glade M. Sowards, Frances Farley, Arnold Christensen, Lowell S. Peterson, E. Verl Asay, Bryce C. Flamm, Wilford R. Black, Charles E. Bennett, Omar B. Bunnell*

AN ACT RELATING TO TAXES ON PRODUCTION OF MINERALS; REDEFINING CERTAIN TERMS IN THIS REGARD; INCREASING THE OCCUPATION TAX TO ALL METALLIFEROUS MINERALS; MAKING CERTAIN CHANGES IN FORM; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AMENDS SECTION 59-5-66, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 120, LAWS OF UTAH 1955, AND SECTION 59-5-67, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 106, LAWS OF UTAH 1959, was read the first time and referred to Rules Committee.

STATE EMPLOYEE LIFE INSURANCE

S.B. No. 82 *Karl G. Swan, Wilford R. Black, Charles E. Bennett*

AN ACT RELATING TO LIFE INSURANCE; PROVIDING FOR STATE FUNDED TERM LIFE INSURANCE FOR STATE EMPLOYEES, was read the first time and referred to Rules Committee.

PERMANENT SCHOOL FUNDS INVESTMENT

S.B. No. 83 *Charles E. Bennett, Cary G. Peterson*

AN ACT RELATING TO PUBLIC FUNDS AND ACCOUNTS; PROVIDING FOR THE INVESTMENT OF PERMANENT SCHOOL FUNDS IN REAL ESTATE FOR THE PRODUCTION OF INCOME; AND PROVIDING A LIMITATION UPON THE AMOUNT OF SUCH FUNDS WHICH CAN BE SO INVESTED.

THIS ACT AMENDS SECTION 51-7-12, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 50, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

RULES COMMITTEE REPORTS

Mr. President: January 25, 1982

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 47	UTAH RENEWABLE ENERGY RESOURCES SURVEY
S.B. No. 55	REVENUE BONDS FOR UTAH TECHNICAL COLLEGE AT PROVO

reports the bills to Senate and asks that they be printed and under suspension of the rules placed on the Second Reading Calendar, and

The Senate Rules Committee, to which was referred the following House Resolution:

H.C.R. No. 2 NATIONAL DISABLED VETERANS

reports the resolution to the Senate and asks that under suspension of the rules, it be read the second time and placed on Third Reading Calendar, and

The Senate Rules Committee, to which were referred the following House Enabling Resolutions:

HER-H.J.R. No. 13	REVISION OF TAX ARTICLE
HER-H.J.R. No. 15	PROPERTY TAX EXEMPTION CHANGES
HER-H.J.R. No. 16	MUNICIPAL AND OTHER TAX EXEMPTION CHANGES
HER-H.J.R. No. 17	SCHOOL SUPPORT LIMITATION
HER-H.B. No. 22	INDUSTRIAL DEVELOPMENT ACT PROJECTS
HER-H.B. No. 43	NORTHWEST INTERSTATE COMPACT ON LOW-LEVEL RADIOACTIVE WASTE
HER-H.B. No. 47	JUDICIAL DISTRICT BOUNDARIES AND JUDGESHIPS
HER-H.B. No. 69	FOURTH AMENDMENT ENFORCEMENT ACT

reports the enabling resolutions to the Senate and asks that under suspension of the rules, they be read the second time and placed on Third Reading Calendar.

Karl N. Snow, Jr.,
Acting Rules Committee Chairman

HCR No. 2 and **HER-H.J.R. Nos. 13, 15, 16, 17** and **HER-H.B. Nos. 22, 43, 47** and **69** were read the second time, and under suspension of the rules, placed on Third Reading Calendar.

THIRD READING CALENDAR

SER-S.J.R. No. 13, SESSIONS OF LEGISLATURE, was explained by Senator Finlinson. Senators Asay, Bennett and C. Peterson commented and the resolution failed on the following roll call:

Yeas, 14; Nays, 11; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Considine	Flamm	Snow
Barton	Cornaby	Peterson, C.	Sowards
Bennett	Farley	Peterson, L.	Mr. President (Ferry)
Black	Finlinson		

Voting in the negative were: Senators

Asay	Carling	Jones	Sandberg
Barlow	Christensen	Money	Swan
Bunnell	Jeffs	Pugh	

Absent or not voting were: Senators

Bullen	Halverson	Matheson	Wayment

Senator Swan, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action.

• • •

SER-S.B. No. 58, VOCATIONAL EDUCATION COORDINATING COMMISSION, was before the Senate on reconsideration. Senators Asay, Snow and Pugh commented and the resolution failed on the following roll call:

Yeas, 14; Nays, 12; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Considine	Jeffs	Snow
Barlow	Cornaby	Money	Swan
Black	Farley	Pugh	Wayment
Carling	Finlinson		

Voting in the negative were: Senators

Asay	Bunnell	Jones	Sandberg
Barton	Christensen	Peterson, C.	Sowards
Bennett	Flamm	Peterson, L.	Mr. President (Ferry)

Absent or not voting were: Senators

Bullen	Halverson	Matheson

SER-S.B. No. 58 is filed.

• • •

S.B. No. 6, CIGARETTE TAX INCREASE, was read the third time and passed on the following roll call:

Yeas, 17; Nays, 7; Absent, 5

Voting in the affirmative were: Senators

Asay	Farley	Peterson, C.	Snow
Barlow	Flamm	Peterson, L.	Sowards
Barton	Jeffs	Pugh	Swan
Bunnell	Jones	Sandberg	Wayment
Christensen			

Voting in the negative were: Senators

Bennett	Carling	Cornaby	Mr. President (Ferry)
Black	Considine	Finlinson	

Absent or not voting were: Senators

Bangerter	Halverson	Matheson	Money
Bullen			

S.B. No. 6 was transmitted to the House.

• • •

S.B. No. 41, SALES TAX EXEMPTION ON VENDING MACHINE SALES, was read the third time and on motion of Senator Swan amended as follows:

Page 1, Line 30:
Delete *"117%"* and insert in lieu thereof *"120%"*

Senator Pugh's motion to circle failed and the bill passed on the following roll call:

Yeas, 24; Nays, 2; Absent, 3

Voting in the affirmative were: Senators

Asay	Bullen	Finlinson	Sandberg
Bangerter	Bunnell	Flamm	Snow
Barlow	Carling	Jeffs	Sowards
Barton	Considine	Peterson, C.	Swan
Bennett	Cornaby	Peterson, L.	Wayment
Black	Farley	Pugh	Mr. President (Ferry)

Voting in the negative were: Senators

Christensen	Jones

Absent or not voting were: Senators
Halverson Matheson Money

S.B. No. 41 was transmitted to the House.

• • •

Senator Snow moved that, under suspension of the rules, the HER's on Third Reading Calendar be considered today. The motion carried.

HER-H.J.R. No. 13, REVISION OF TAX ARTICLE, 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	Flamm	Pugh
Barlow	Christensen	Jeffs	Sandberg
Barton	Considine	Jones	Snow
Bennett	Cornaby	Money	Sowards
Black	Farley	Peterson, C.	Swan
Bullen	Finlinson	Peterson, L.	Mr. President (Ferry)
Bunnell			

Absent or not voting were: Senators

Bangerter	Halverson	Matheson	Wayment

HER-H.J.R. No. 13 was signed by the President of the Senate and returned to the House for further action.

• • •

HER-H.J.R. No. 15, PROPERTY TAX EXEMPTION CHANGES, was read the third time. **HER-H.J.R. No. 16,** MUNICIPAL AND OTHER TAX EXEMPTION CHANGES, was read the third time. **HER-H.J.R. No. 17,** SCHOOL SUPPORT LIMITATION, was read the third time. Senator Snow moved that under suspension of the rules, a unanimous vote of all senators present be cast on the three resolutions. Senator Finlinson's substitute motion that **HER-H.J.R. No. 17** not be included in the Snow motion carried. Senator Snow's motion that **HER-H.J.R. Nos. 15** and **16** be considered togethered carried and the resolutions passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Bunnell	Jeffs	Snow
Barlow	Carling	Jones	Sowards
Barton	Christensen	Peterson, C.	Swan
Bennett	Considine	Peterson, L.	Wayment
Black	Finlinson	Pugh	Mr. President (Ferry)
Bullen	Flamm	Sandberg	

Absent or not voting were: Senators

Asay	Farley	Matheson	Money
Cornaby	Halverson		

HER-H.J.R. Nos. 15 and **16** were signed by the President of the Senate and returned to the House for further action.

• • •

HER-H.J.R. No. 17, SCHOOL SUPPORT LIMITATION, passed under suspension of the rules 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	Money	Sowards
Bennett	Farley	Peterson, C.	Swan
Black	Finlinson	Peterson, L.	Wayment
Bullen	Flamm	Pugh	Mr. President (Ferry)

Absent or not voting were: Senators

Asay	Cornaby	Halverson	Matheson
Considine			

HER-H.J.R. No. 17 was signed by the President of the Senate and returned to the House for further action.

CONSENT CALENDAR

S.B. No. 14, EMPLOYMENT SECURITY ACT—AGRICULTURAL LABOR, 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	Jeffs	Sandberg
Barlow	Carling	Jones	Snow
Barton	Christensen	Money	Sowards
Bennett	Farley	Peterson, C.	Swan
Black	Finlinson	Peterson, L.	Wayment
Bullen	Flamm	Pugh	Mr. President (Ferry)

Absent or not voting were: Senators

Asay	Cornaby	Halverson	Matheson
Considine			

S.B. No. 14, was transmitted to the House.

• • •

S.B. No. 22, AGRICULTURAL CODE 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

Bangerter	Carling	Jeffs	Sandberg
Barlow	Christensen	Jones	Snow
Barton	Considine	Money	Sowards
Bennett	Farley	Peterson, C.	Swan
Black	Finlinson	Peterson, L.	Wayment
Bullen	Flamm	Pugh	Mr. President (Ferry)
Bunnell			

Absent or not voting were: Senators

Asay	Cornaby	Halverson	Matheson

S.B. No. 22, was transmitted to the House.

• • •

S.B. No. 19, JURSIDICTION OVER OIL AND GAS WELLS, was before the Senate. On motion of Senator Finlinson the bill was placed at the top of Second Reading Calendar and **SUB. S.B. No. 19** replaced the original bill and it was again placed on

Consent Calendar. **SUB. S.B. No. 19** 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	Jeffs	Sandberg
Barlow	Christensen	Jones	Snow
Barton	Considine	Money	Sowards
Bennett	Cornaby	Peterson, C.	Swan
Black	Farley	Peterson, L.	Wayment
Bullen	Finlinson	Pugh	Mr. President (Ferry)
Bunnell	Flamm		

Absent or not voting were: Senators

Asay	Halverson	Matheson

SUB. S.B. No. 19, was transmitted to the House.

• • •

S.B. No. 18, NUMBER OF JURORS, 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	Carling	Flamm	Sandberg
Barlow	Christensen	Jeffs	Sowards
Bennett	Considine	Money	Swan
Black	Cornaby	Peterson, C.	Wayment
Bullen	Farley	Peterson, L.	Mr. President (Ferry)
Bunnell	Finlinson	Pugh	

Absent or not voting were: Senators

Asay	Halverson	Matheson	Snow
Barton	Jones		

S.B. No. 18, was transmitted to the House.

CONSENT CALENDAR OBJECTION

S.B. No. 65, HOUSING FINANCE AGENCY APPROPRIATION CHANGES, being on Consent Calender was objected to by Senators Pugh, Snow and Carling and the bill resumes its regular place on Second Reading Calendar.

THIRD READING CALENDAR

On motion of Senator Sowards, **HER-H.B. No. 22** is circled.

• • •

HER-H.B. No. 43, NORTHWEST INTERSTATE COMPACT ON LOW LEVEL RADIOACTIVE WASTE, 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	Finlinson	Peterson, L.
Barlow	Carling	Flamm	Sandberg
Barton	Christensen	Jeffs	Snow
Bennett	Considine	Jones	Swan
Black	Cornaby	Money	Mr. President (Ferry)
Bullen	Farley	Peterson, C.	

Absent or not voting were: Senators

Asay	Matheson	Sowards	Wayment
Halverson	Pugh		

HER-H.B. No. 43 was signed by the President of the Senate and returned to the House for further action.

• • •

HER-H.B. No. 47, JUDICIAL DISTRICT BOUNDARIES AND JUDGESHIPS, 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	Flamm	Sandberg
Barlow	Christensen	Jeffs	Snow
Barton	Considine	Jones	Sowards
Bennett	Cornaby	Peterson, C.	Swan
Black	Farley	Peterson, L.	Wayment
Bullen	Finlinson	Pugh	Mr. President (Ferry)
Bunnell			

Voting in the negative were: Senator
Money

Absent or not voting were: Senators

Asay	Halverson	Matheson

HER-H.B. No. 47 was signed by the President of the Senate and returned to the House for further action.

• • •

HER-H.B. No. 69, FOURTH AMENDMENT ENFORCEMENT ACT, was read the third time and passed on the following roll call:

Yeas, 22; Nays, 2; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Carling	Money	Snow
Barlow	Christensen	Peterson, C.	Sowards
Barton	Finlinson	Peterson, L.	Swan
Bennett	Flamm	Pugh	Wayment
Black	Jeffs	Sandberg	Mr. President (Ferry)
Bullen	Jones		

Voting in the negative were: Senators

Considine	Farley

Absent or not voting were: Senators

Asay	Cornaby	Halverson	Matheson
Bunnell			

HER-H.B. No. 69 was signed by the President of the Senate and returned to the House for further action.

• • •

H.C.R. No. 2, NATIONAL DISABLED VETERANS, was read the third time and passed, under suspension of the rules, on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Bunnell	Jeffs	Pugh
Barlow	Christensen	Jones	Sowards
Barton	Considine	Money	Swan
Bennett	Farley	Peterson, C.	Wayment
Black	Finlinson	Peterson, L.	Mr. President (Ferry)
Bullen	Flamm		

Absent or not voting were: Senators

Asay	Cornaby	Matheson	Snow
Carling	Halverson	Sandberg	

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

• • •

On motion of Senator Snow and at 12:10, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

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

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 25, 1982

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 6,** ENTRANCE DATE FOR KINDERGARTEN, by Representative Arrington, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 6 was read the first time and referred to Rules Committee.

• • •

Mr. President: January 25, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **HER-H.B. No. 63,** CABLE TELEVISION AMENDMENTS, by Representative Selleneit, and the same is transmitted herewith for consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **HER-H.B. No. 64,** STATE MONEY MANAGEMENT ACT — PUBLIC FUNDS, by Representative Harmer, 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, **HER-H.B. No. 67,** LICENSE PLATES— FORMER P.O.W'S, by Representative Christensen, 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, under suspension of the rules, **HER-H.B. No. 59,** PYRAMID OR CHAIN LETTER SCHEMES, 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, under suspension of the rules, **HER-H.B. No. 77,** COUNTY SERVICE AREA AMENDMENTS, by Representative Dahl, 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, **HER-H.B. No. 98,** BUTYL NITRATE CONTROL, 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, under suspension of the rules, **HER-H.B. No. 101,** HOSPITAL COOPERATIVE ASSOCIATION VEHICLES, by Representative Doane, and the same is transmitted herewith for Senate Consideration.

Allan M. Acomb, Chief Clerk

HER-H.B. Nos. 63, 64, 67, 59, 77, 98 and 101 were read the first time and referred to Rules Committee.

SECRETARY OF SENATE REPORT

A committee report has been received from Energy and Natural Resources on S.B. No. 59 and the bill is placed on Second Reading Calendar.

STANDING COMMITTEE REPORT

Mr. President: January 25, 1982

The Social Services Committee, to which was referred S.B. No. 50, 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.

William N. Jones,
Acting Committee Chairman

Committee report read and adopted and S.B. No. 50 is read the second time and placed on Consent Calendar.

SECOND READING CALENDAR

S.B. No. 9, AUTOMOBILE INSPECTIONS REPEAL, was read the second time. Senators Sowards, Bangerter, and Black commented.

Mr. President: January 15, 1982

The Transportation and Public Safety Committee, to which was referred S.B. No. 9, AUTOMOBILE INSPECTIONS REPEAL, by Senator William T. Barton, et al, has carefully considered the bill and reports it out of committee with an unfavorable recommendation.

Glade M. Sowards, Committee Chairman

Committee report read and adopted and S.B. No. 9 is filed.

• • •

S.B. No. 11, COMBINING OF ROAD FUNDS, was read the second time.

Mr. President: January 15, 1982

The Transportation and Public Safety Committee, to which was referred S.B. No. 11, COMBINING OF ROAD FUNDS, by Senator Wilford R. Black, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Glade M. Sowards, Committee Chairman

Committee report read and adopted. Senators Black, Christensen and Matheson commented. Don Spencer, Director of Public Works, Salt Lake County, explained the bill in Committee of the Whole. The bill passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Christensen	Jeffs	Sandberg
Barlow	Considine	Jones	Snow
Bennett	Cornaby	Matheson	Sowards
Black	Farley	Peterson, C.	Swan
Bunnell	Finlinson	Peterson, L.	Wayment
Carling	Flamm	Pugh	Mr. President (Ferry)

Voting in the negative were: Senator
Barton

Absent or not voting were: Senators

Asay	Bullen	Halverson	Money

THIRD READING CALENDAR

On motion of Senator Matheson, the circle was removed from **HER-H.B. No. 22,** INDUSTRIAL DEVELOPMENT ACT PROJECTS and the resolution 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	Christensen	Jeffs	Pugh
Bangerter	Considine	Jones	Sandberg
Barlow	Cornaby	Matheson	Snow
Barton	Farley	Peterson, C.	Sowards
Black	Finlinson	Peterson, L.	Wayment
Carling	Flamm		

Voting in the negative were: Senators

Bennett	Swan

Absent or not voting were: Senators

Bullen	Halverson	Money	Mr. President (Ferry)
Bunnell			

HER-H.B. No. 22 was signed by the President of the Senate and returned to the House for further action.

SECOND READING CALENDAR

S.B. No. 29, SOLID WASTE MANAGEMENT ACT AMENDMENTS, is read the second time. Senator Bangerter explained the bill. Senators Matheson, Finlinson, Bunnell, Farley and Barton commented.

Mr. President: January 18, 1982

The Energy and Natural Resources Committee, to which was referred **S.B. No. 29,** SOLID WASTE MANAGEMENT ACT AMENDMENTS, by Senator Jack M. Bangerter, et al, has carefully considered the bill and reports it out favorably and with the following amendments:

Page 2:
Delete lines 14 through 17 and on line 18 delete *"electric energy beyond the project site;"* and insert in lieu thereof *"facilities for resource recovery of energy consisting of (a) facilities for the production, transmission, distribution and sale of heat and steam, and (b) facilities for the generation and sale of electric energy to a public utility or municipality or other public entity which owns and operates an electric power system on March 15, 1982, and for the generation, sale and transmission of electric energy on an emergency basis only to a military installation of the United States;"*

Fred W. Finlinson, 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

Bangerter	Carling	Jeffs	Sandberg
Barlow	Christensen	Matheson	Snow
Barton	Considine	Money	Sowards
Bennett	Cornaby	Peterson, C.	Swan
Black	Farley	Peterson, L.	Wayment
Bullen	Finlinson	Pugh	Mr. President (Ferry)
Bunnell	Flamm		

Absent or not voting were: Senators
Asay Halverson Jones

• • •

S.B. No. 31, WATER AND SEWER DISTRICT MODIFICATIONS, was read the second time. Senator Swan commented.

Mr. President: January 18, 1982

The Energy and Natural Resources Committee, to which was referred **S.B. No. 31,** WATER AND SEWER DISTRICT MODIFICATIONS, 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 Finlinson the bill was amended as follows:

Page 1, Line 14:
Before *"ELIMINATING"* insert *"INCLUDING TAX EQUIVALENT PROPERTY FOR COMPUTING DEBT LIMITS OF DISTRICTS;"*

Page 1, Line 16:
Before *"UPDATING"* insert *"INCREASING THE TAX LEVY LIMIT FOR DISTRICTS;"*

Page 2, Lines 23 and 24:
Delete *"interest rate and"*

Page 3, Lines 17 and 18:
Delete *"Where an election is held, the bonds shall"*; and insert immediately thereafter *"Bonds may"*

Page 3, Lines 18 and 19:
Delete *"or purposes provided in the voted proposition"* and insert thereafter *"of constructing or acquiring"*

Page 3, Lines 20 through 22:
Remove the bracketing and asterisks from these lines and restore language.

Page 3, Lines 22 and 23:
Delete ". *A bond resolution*"; include "*may*" within brackets; and delete "*provide*"

Page 4, Line 2:
After "*bonds.*" insert "*The assessed value of all tax equivalent property, as defined in section 59-29-2, shall be included as a part of the total* assessed value of taxable property in the district for purposes of the foregoing limitations."

Page 6, Lines 25 through 28:
Remove the bracketing and asterisks from these lines and restore language.

S.B. No. 31 passed on the following roll call:

Yeas, 22; Nays, 2; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Christensen	Jeffs	Sandberg
Barlow	Considine	Matheson	Snow
Black	Cornaby	Peterson, C.	Sowards
Bullen	Farley	Peterson, L.	Swan
Bunnell	Finlinson	Pugh	Wayment
Carling	Flamm		

Voting in the negative were: Senators

Bennett	Money

Absent or not voting were: Senators

Asay	Halverson	Jones	Mr. President (Ferry)
Barton			

• • •

S.B. No. 32, INTERLOCAL CO-OPERATION ACT MODIFICATIONS, was read the second time.

Mr. President: January 18, 1982

The Energy and Natural Resources Committee, to which was referred **S.B. No. 32,** INTERLOCAL CO-OPERATION ACT MODIFICATIONS, 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 Finlinson, the bill was amended as follows:

Page 1, Line 20:
Before "*AND*" insert "*VALIDATING THE CREATION OF PREVIOUSLY ESTABLISHED ENTITIES, THEIR PROCEEDINGS AND BONDS;*"

S.B. No. 32 passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Carling	Jeffs	Pugh
Barlow	Christensen	Jones	Sandberg
Barton	Considine	Matheson	Snow
Bennett	Cornaby	Money	Swan
Black	Farley	Peterson, C.	Wayment
Bullen	Finlinson	Peterson, L.	Mr. President (Ferry)
Bunnell	Flamm		

Absent or not voting were: Senators

Asay	Halverson	Sowards

• • •

S.B. No. 13, TAX-EXEMPT AGRICULTURAL LAND, was read the second time.

Mr. President: January 19, 1982

The Agriculture Committee, to which was referred **S.B. No. 13,** TAX-EXEMPT AGRICULTURAL LAND, by Senator Charles W. Bullen, 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 and the bill passed on the following roll call:

Yeas, 23; Nays, 2; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Carling	Flamm	Snow
Barlow	Christensen	Matheson	Sowards
Barton	Considine	Money	Swan
Bennett	Cornaby	Peterson, C.	Wayment
Black	Farley	Peterson, L.	Mr. President (Ferry
Bullen	Finlinson	Sandberg	

Voting in the negative were: Senators

Bunnell	Jeffs

Absent or not voting were: Senators

Asay	Halverson	Jones	Pugh

• • •

On motion of Senator Snow, **S.B. Nos. 16** and **1** and **S.J.R. Nos. 3** and **8** and **S.B No. 25** were moved to the top of Second Reading Calendar

• • •

S.B. No. 16, CIRCUIT BREAKER MODIFICATIONS, was read the second time

Mr. President: January 19, 198

The Revenue and Taxation Committee, to which was referred **S.B. No. 16** CIRCUIT BREAKER MODIFICATIONS, by Senator Haven J. Barlow, 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, 1; Absent, 6

Voting in the affirmative were: Senators

Barlow	Christensen	Jeffs	Snow
Barton	Considine	Matheson	Sowards
Bennett	Cornaby	Money	Swan
Black	Farley	Peterson, C.	Wayment
Bunnell	Finlinson	Sandberg	Mr. President (Ferry)
Carling	Flamm		

Voting in the negative were: Senator
Jones

Absent or not voting were: Senators

Asay	Bullen	Peterson, L.	Pugh
Bangerter	Halverson		

• • •

S.B. No. 1, THIRD JUDICIAL DISTRICT JUDGESHIPS, was read the second time.

Mr. President: January 20, 1982

The Judiciary Committee, to which was referred **S.B. No. 1,** THIRD JUDICIAL DISTRICT JUDGESHIPS, 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. Senators Matheson and Jeffs commented and the bill passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Sandberg
Bangerter	Christensen	Jones	Snow
Barton	Considine	Matheson	Sowards
Bennett	Cornaby	Peterson, C.	Swan
Black	Farley	Peterson, L.	Wayment
Bullen	Finlinson	Pugh	Mr. President (Ferry)
Bunnell	Flamm		

Voting in the negative were: Senator
Money

Absent or not voting were: Senators

Barlow	Halverson

• • •

S.J.R. No. 3, TAX ARTICLE REVISION, was read the second time. Senator Sowards explained the resolution.

On motion of Senator Snow, **S.J.R. No. 3** was amended as follows:

Page 2, Line 31:
After *"boundaries"* insert *"as defined by law"*

On motion of Senator Pugh, **S.J.R. No. 3** was amended as follows:

Page 3, Line 2:
Delete *"primarily"* and insert in lieu thereof *"exclusively"*

On motion of Senator Snow, **S.J.R. No. 3** was amended as follows:

Page 4, Lines 14 through 18:
Delete all underlined language.

Page 4, Line 8:
Delete *"50%"* and insert in lieu thereof *"30%"*

The resolution passed on the following roll call:

Yeas, 26; Nays, 2; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Sandberg
Bangerter	Carling	Jones	Snow
Barlow	Christensen	Matheson	Sowards
Barton	Considine	Peterson, C.	Swan
Bennett	Farley	Peterson, L.	Wayment
Black	Finlinson	Pugh	Mr. President (Ferry)
Bullen	Flamm		

Voting in the negative were: Senators

Cornaby	Money

Absent or not voting were: Senator
Halverson

• • •

On motion of Senator Snow, and at 4:10 p.m., the Senate adjourned until 10:00 a.m., Tuesday, January 26, 1982.

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 Halverson (excused)

Prayer — **Senator Fred W. Finlinson** (District 8 Salt Lake)

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 222.

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: January 26, 1982

The Committee on Revision of the daily Senate Journal respectfully reports that we have read the Journal for the Fifteenth Day and find it correct with minor amendments noted on the final copy.

Dona M. Wayment, Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 25, 1982

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. 7,** MINING TECHNOLOGY RESOLUTION, by Representative Dmitrich, 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. 35,** TRANSPORTATION PERMIT FEE INCREASE, 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, under suspension of the rules, **HER-H.B. No. 103,** OUT OF STATE TUITION WAIVER, by Represenative 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, under suspension of the rules, **HER-H.B. No. 73,** CONCEALED WEAPON

AMENDMENT, by Representative Selleneit, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.J.R. No. 7, H.B. No. 35, HER-H.B. Nos. 103 and 73 were read the first time and referred to Rules Committee.

• • •

Mr. President: January 25, 1982

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 12,** DRIVERS LICENSE FEES, 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. No. 12 was signed by the President of the Senate and referred to the Committee on Rules to be enrolled and transmitted to the Governor.

RULES COMMITTEE REPORT

Mr. President: January 26, 1982

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 37	PUBLIC SUPPORT OF CHILDREN
S.B. No. 38	CIVIL LIABLITY FOR SUPPORT AMENDMENTS
S.B. No. 51	STATE TAX SYSTEM COMMITTEE REPEAL
S.B. No. 56	FUNDS FOR WATER AND SEWER DISTRICTS
S.B. No. 57	COUNTY PLANETARIUM MODIFICATIONS
S.B. No. 60	CAPITAL PUNISHMENT SENTENCING PROCEDURES
S.B. No. 62	PROOF OF FINANCIAL RESPONSIBILITY
S.B. No. 64	ANATOMICAL GIFTS

reports the bills to the Senate and asks that they be printed and under suspension of the rules placed on the Second Reading Calendar.

Karl N. Snow, Jr.
Acting Rules Committee Chairman

Committee report read and adopted.

THIRD READING CALDENDAR

On motion of Senator Snow, **S.B. No. 11** is circled.

• • •

S.B. No. 29, SOLID WASTE MANAGEMENT ACT AMENDMENTS, was read the third time, explained by Senator Bangerter and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Sandberg
Bangerter	Carling	Matheson	Snow
Barlow	Christensen	Money	Sowards
Barton	Considine	Peterson, C.	Swan
Bennett	Cornaby	Peterson, L.	Wayment
Black	Finlinson	Pugh	Mr. President (Ferry)
Bullen			

Absent or not voting were: Senators

Farley	Flamm	Halverson	Jones

S.B. No. 29 was transmitted to the House.

• • •

S.B. No. 31, WATER AND SEWER DISTRICT MODIFICATIUONS, 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	Sandberg
Bangerter	Bunnell	Jeffs	Snow
Barlow	Carling	Matheson	Sowards
Barton	Christensen	Peterson, C.	Swan
Bennett	Considine	Peterson, L.	Wayment
Black	Cornaby	Pugh	Mr. President (Ferry)

Absent or not voting were: Senators

Farley	Halverson	Jones	Money
Flamm			

S.B. No. 31 was transmitted to the House.

• • •

S.B. No. 32, INTERLOCAL CO-OPERATION ACT MODIFICATIONS, 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	Matheson	Snow
Barlow	Considine	Money	Sowards
Barton	Cornaby	Peterson, C.	Swan
Bennett	Farley	Peterson, L.	Wayment
Black	Finlinson	Pugh	Mr. President (Ferry)
Bullen	Flamm		

Absent or not voting were: Senators

Christensen	Halverson	Jones

S.B. No. 32 was transmitted to the House.

• • •

S.B. No. 13, TAX EXEMPT AGRICULTURAL LAND, was read the third time, and on motion of Senator Bullen amended as follows:

Page 3, Line 9
Delete *"59-2-1"* and insert in lieu thereof *"59-2-30"*

The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Sandberg
Bangerter	Carling	Matheson	Snow
Barlow	Christensen	Money	Sowards
Barton	Considine	Peterson, C.	Swan
Bennett	Cornaby	Peterson, L.	Wayment
Black	Farley	Pugh	Mr. President (Ferry)
Bullen	Finlinson		

Absent or not voting were: Senators

Flamm	Halverson	Jones

S.B. No. 13 was transmitted to the House.

• • •

On motion of Senator Black, the circle was removed from **S.B. No. 11**, COMBINING OF ROAD FUNDS, and it 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	Matheson	Snow
Barlow	Considine	Money	Sowards
Barton	Cornaby	Peterson, C.	Swan
Bennett	Farley	Peterson, L.	Wayment
Black	Finlinson	Pugh	Mr. President (Ferry)
Bullen	Flamm		

Absent or not voting were: Senators

Christensen	Halverson	Jones

S.B. No. 11 was transmitted to the House.

• • •

S.B. No. 16, CIRCUIT BREAKER MODIFICATIONS, 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	Matheson	Snow
Barlow	Considine	Money	Sowards
Barton	Cornaby	Peterson, C.	Swan
Bennett	Farley	Peterson, L.	Wayment
Black	Finlinson	Pugh	Mr. President (Ferry)
Bullen	Flamm		

Absent or not voting were: Senators
Christensen Halverson Jones

S.B. No. 16 was transmitted to the House.

• • •

S.B. No. 1, THIRD JUDICIAL DISTRICT JUDGESHIPS, 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	Matheson	Snow
Barlow	Considine	Money	Sowards
Barton	Cornaby	Peterson, C.	Swan
Bennett	Farley	Peterson, L.	Wayment
Black	Finlinson	Pugh	Mr. President (Ferry)
Bullen	Flamm		

Absent or not voting were: Senators
Christensen Halverson Jones

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

• • •

On motion of Senator Sowards, **S.J.R. No. 3** is circled.

SECOND READING CALENDAR

S.J.R. No. 8, MUNICIPAL TAX EXEMPTION CHANGES, was read the second time and on motion of Senator Snow amended as follows:

Page 2, Line 4
After *"boundaries"* insert *", as defined by law,"*

The resolution passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Jeffs	Sandberg
Bangerter	Christensen	Matheson	Snow
Barlow	Considine	Money	Sowards
Barton	Cornaby	Peterson, C.	Swan
Bennett	Farley	Peterson, L.	Wayment
Black	Flamm	Pugh	Mr. President (Ferry)
Bullen			

Absent or not voting were: Senators

Carling	Finlinson	Halverson	Jones

• • •

S.B. No. 25, OCCUPATION TAX INCREASE, was read the second time.

Mr. President: January 21, 1982

The Revenue and Taxation Committee, to which was referred **S.B. No. 25,** OCCUPATION TAX INCREASE, by Senator Charles W. Bullen, et al, has carefully considered the bill and reports it out favorably and with the following amendments:

Page 8, Line 12
Delete *"fair"*

Page 8, Line 13
After *"after being so processed"* delete the period and insert *"minus these processing costs."*

Charles W. Bullen, Committee Chairman

Committee report, as amended, read and adopted, and on motion of Senator Bullen, the bill is circled.

• • •

S.B. No. 35, WILDLIFE DAMAGE PREVENTION ACT AMENDMENTS, was read the second time.

Mr. President: January 19, 1982

The Agriculture Committee, to which was referred **S.B. No. 35,** WILDLIFE DAMAGE PREVENTION ACT AMENDMENTS, by Senator Ivan M. Matheson, has carefully considered the bill and reports it out favorably and with the following amendment:

Page 2, line 34
After *"Equivalent of"* delete the decimal and after *"16"* insert *"cents"*

Ivan M. Matheson, Committee Chairman

Committee report, as amended, 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	Christensen	Jeffs	Sandberg
Bangerter	Considine	Matheson	Snow
Barlow	Cornaby	Money	Sowards
Barton	Farley	Peterson, C.	Swan
Black	Finlinson	Peterson, L.	Wayment
Bunnell	Flamm	Pugh	

Voting in the negative were: Senator
Bennett

Absent or not voting were: Senators

Bullen	Halverson	Jones	Mr. President (Ferry)
Carling			

INTRODUCTION OF BILL

At the request of Senator Snow, the Senate agreed without dissent to allow introduction of the following bill:

VOTER INFORMATION PAMPHLET

S.B. No. 84 *Karl N. Snow, Jr., Jack M. Bangerter, Omar B. Bunnell*

AN ACT RELATING TO THE VOTER INFORMATION PAMPHLET; CHANGING THE MANNER OF DISTRIBUTION FROM MAIL TO DISTRIBUTION BY NEWSPAPER SUPPLEMENT; AND REPEALING PROVISIONS RELATING TO PUBLICATION OF BALLOT ISSUES IN NEWSPAPERS.

THIS ACT AMENDS SECTION 20-11a-10, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 108, LAWS OF UATH 1981, AND REPEALS SECTION 20-1-18, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 88, LAWS OF UTAH 1979, was read the first time and referred to the Rules Committee.

• • •

The Senate recessed for a Rules Committee meeting at 11:00 a.m. and reassembled at 11:25.

• • •

S.B. No. 4, ASSOCIATE IN SCIENCE DEGREE, was read the second time.

Mr. President: January 19, 1982

The Higher Education Committee, to which was referred **S.B. No. 4,** ASSOCIATE IN SCIENCE DEGREE, by Senator William T. Barton et al, has carefully considered the bill and reports it out favorably and with the following amendments:

Page 1, Line 28:
Delete *"three-year"*

Page 2, Line 6:
Delete *"three-year"*

Page 2, Line 11:
Delete *"three-year"*

Page 2, Line 13:
Delete *"three-year"* and insert in lieu thereof *"trials"*

Page 2, Lines 13 and 14:
Delete *"for the Utah Technical College at Salt Lake,"*

Page 2, Line 16:
Delete *"regarding"*

Page 2, Lines 16 and 17:
Delete *"on June 30, 1985, regarding"*

Page 2, Line 17:
After *"Salt Lake,"* delete *"and"*

Lowell S. Peterson, Committee Chairman

Committee report as amended read and adopted, and on motion of Senator Barton amended as follows:

Page 1, Line 11:
Delete "*three year*"

Senator Barton moved that the bill be read for the third time. Senator Swan's substitute motion to restore the bill to its original form carried without dissent. The bill is before the Senate in its original form, and on motion of Senator Barton, it is, under suspension of the rules, read the third time, before the Senate on final passage and passed on the following roll call:

Yeas, 22; Nays, 5; Absent, 2

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Snow
Bangerter	Bunnell	Matheson	Sowards
Barlow	Christensen	Peterson, C.	Swan
Barton	Considine	Pugh	Wayment
Bennett	Farley	Sandberg	Mr. President (Ferry)
Black	Flamm		

Voting in the negative were: Senators

Carling	Finlinson	Money	Peterson, L.
Cornaby			

Absent or not voting were: Senators

Halverson	Jones

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

• • •

At the request of Senator Swan, **SER-S.J.R. No. 13** will remain in the Senate for reconsideration tomorrow.

• • •

S.B. No. 33, MARITAL DEDUCTION FORMULAS IN WILLS AND TRUSTS, was read the second time.

Mr. President: January 19, 1982

The Revenue and Taxation Committee, to which was referred **S.B. No. 33,** MARITAL DEDUCTION FORMULAS IN WILLS AND TRUSTS, by Senator Bryce C. Flamm, 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, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Bunnell	Flamm	Sandberg
Bangerter	Christensen	Jeffs	Snow
Barlow	Considine	Matheson	Swan
Bennett	Cornaby	Peterson, C.	Wayment
Black	Farley	Peterson, L.	Mr. President (Ferry)
Bullen	Finlinson	Pugh	

Absent or not voting were: Senators

Barton	Halverson	Money	Sowards
Carling	Jones		

• • •

S.B. No. 53, OIL SHALE BONUS RECEIPTS, was read the second time.

Mr. President: January 19, 1982

The Revenue and Taxation Committee, to which was referred **S.B. No. 53,** OIL SHALE BONUS RECEIPTS, by Senator Ivan M. Matheson 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 Matheson the bill is placed on Second Reading Table.

• • •

S.B. No. 23, RECORDED INSTRUMENTS RETURN, was read the second time.

Mr. President: January 19, 1982

The State and Local Affairs Committee, to which was referred, **S.B. No. 23,** RECORDED INSTRUMENTS RETURN, 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 and on motion of Senator Cornaby and under suspension of the rules, the bill was read the third time and passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Christensen	Jeffs	Sandberg
Barton	Considine	Matheson	Snow
Bennett	Cornaby	Money	Sowards
Black	Farley	Peterson, C.	Wayment
Bullen	Finlinson	Peterson, L.	Mr. President (Ferry)
Bunnell	Flamm		

Voting in the negative were: Senator
Asay

Absent or not voting were: Senators

Barlow	Halverson	Pugh	Swan
Carling	Jones		

S.B. No. 23 was transmitted to the House.

• • •

On motion of Senator Snow and at 11:55 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.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 26, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, **Substitute H.B. No. 15,** CONTROLLED SUBSTANCES ACT FORFEITURES, by Representative Masur, 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, **HER-H.J.R. No. 20,** OCCUPATION TAX REVENUES USAGE, 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, upon reconsideration, as amended, **H.B. No. 33,** VEHICLE REGISTRATION FEE INCREASE, by Representative Strong, 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, **HER-H.B. No. 44,** POLITICAL CAMPAIGN FINANCIAL REPORTS, by Representative F. 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, under suspension of the rules, **HER-H.B. No. 46,** ADDITIONAL CIRCUIT COURT JUDGESHIP, 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, under suspension of the rules, **HER-H.B. No. 57,** SCHOOL DISTRICTS —RISK MANAGEMENT FUND, by Representative Pace, 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. 68,** UNEMPLOYMENT COMPENSATION AMENDMENTS, 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, under suspension of the rules, **HER-H.B. No. 79,** APPEALS IN CAPITAL CRIMINAL CASES, 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. 84,** LOST CREEK ROAD APPROPRIATION, by Representative Brown, 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, **HER-H.B. No. 100,** REPLACED INCOME

TAX PROVISIONS REPEAL, by Representative F. 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, under suspension of the rules, **HER-H.B. No. 114,** COURT REPORTERS FEES, by Representative Hillyard, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

Sub. H.B. No. 15, HER-H.J.R. No. 20, H.B. No. 33, HER-H.B. Nos. 44, 46, 57, H.B. No. 68, HER-H.B. No. 79, H.B. No. 84 and **HER-H.B. Nos. 100** and **114** were read the first time and referred to Rules Committee.

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Mr. President: January 26, 1982

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. 25,** DARLENE JERMAN COMMENATION, by Representative Bangerter, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.J.R. No. 25 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 with a unanimous vote of all senators present. Senators Flamm, Halverson, Jeffs, Jones, C. Peterson, Pugh and Sowards were absent.

H.J.R. No. 25 was signed by the President of the Senate and returned to the House for further action.

RULES COMMITTEE REPORTS

Mr. President: January 26, 1982

The Senate Rules Committee, to which were referred the following House Enabling Resolutions:

HER-H.B. No. 101	HOSPITAL COOPERATIVE ASOCIATION VEHICLES
HER-H.B. No. 73	CONCEALED WEAPON AMENDMENT
HER-H.B. No. 103	OUT OF STATE TUITION WAIVER
HER-H.B. No. 63	CABLE TELEVSION AMENDMENTS

reports the enabling resolutions to the Senate and asks that under suspension of the rules, read the second time and placed on the Third Reading Calendar in the above order, and

The Senate Rules Committee, to which was referred the following House Resolution:

H.J.R. No. 7 MINING TECHNOLOGY RESOLUTION

reports the H.J.R.'s are under suspension of the rules, considered read the second time and placed on Third Reading Calendar, and

The Senate Rules Committee, to which was referred the following Senate Resolution:

S.J.R. No. 17 DIVERSION OF EFFLUENT WATER STUDY

reports that the S.J.R. is under suspension of the rules, considered read the second time and placed on Third Reading Calendar, and

The Senate Rules Committee, to which were referred the following House Bills:

H.B. No. 27 SCHOOL IMMUNIZATION ACT
H.B. No. 6 ENTRANCE DATE FOR KINDERGARTEN
H.B. No. 35 TRANSPORTATION PERMIT FEE INCREASE

reports the bills to the Senate and asks that they be placed on the Second Reading Calendar, and

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 75 U.S.U. LAND TRANSFER TO HIGHWAY DEPARTMENT
S.B. No. 76 SEVERANCE OCCUPATION TAX ON COAL
S.B. No. 81 INCREASE SEVERANCE OCCUPATION TAX ON METAL
S.B. No. 84 VOTER INFORMATION PAMPHLET

reports the bills to the Senate as BUDGETARY and asks that they be printed and assigned to the Second Reading Calendar.

Karl N. Snow, Jr.,
Acting Rules Committee Chairman

Committee reports read and adopted. **S.J.R. No. 17** and **H.J.R. No. 7** and **HER-H.B. Nos. 101, 73, 103** and **63** were read the second time and placed on Third Reading Calendar.

SECOND READING CALENDAR

S.B. No. 8, PASSENGER TRAMWAY REGISTRATION, was read the second time.

Mr. President: January 19, 1982

The Transportation and Public Safety Standing Committee, to which was referred **S.B. No. 8,** PASSENGER TRAMWAY REGISTRATIONS, by Senator Fred W. Finlinson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Glade M. Sowards, Committee Chairman

Committee report read and adopted and on motion of Senator Finlinson the bill was, under suspension of the rules, read the third time and passed on the following roll call:

Yeas, 20; Nays, 1; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Bunnell	Farley	Peterson, L.
Barton	Carling	Finlinson	Pugh
Bennett	Christensen	Flamm	Sandberg
Black	Considine	Money	Swan
Bullen	Cornaby	Peterson, C.	Wayment

Voting in the negative were: Senator
Asay

Absent or not voting were: Senators

Barlow	Jeffs	Matheson	Sowards
Halverson	Jones	Snow	Mr. President (Ferry)

S.B. No. 8 was transmitted to the House.

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On motion of Senator Cornaby the rules were suspended and **S.B. No. 17,** INDUSTRIAL COMMISSION PROCEDURES was read the second and third times and placed on final passage.

Mr. President: January 20, 1982

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 17,** INDUSTRIAL COMMISSION PROCEDURES, 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, 1; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Bunnell	Finlinson	Sandberg
Barlow	Christensen	Flamm	Snow
Barton	Considine	Money	Sowards
Bennett	Cornaby	Peterson, C.	Swan
Black	Farley	Peterson, L.	Wayment
Bullen			

Voting in the negative were: Senator
Asay

Absent or not voting were: Senators

Carling	Jeffs	Matheson	Mr. President (Ferry)
Halverson	Jones	Pugh	

S.B. No. 17 was transmitted to the House.

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On motion of Senator Bullen, **S.B. No. 65** is circled.

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On motion of Senator Bullen, the circle was removed from **S.B. No. 25**, OCCUPATION TAX INCREASE, and **SUB. S.B. No. 25** replaced the original bill.

On motion of Senator Bullen, the Senate voted to lift **S.B. Nos. 76** and **81** and place them immediately beneath **SUB. S.B. No. 25** on Second Reading Calendar.

On motion of Senator Bullen **SUB. S.B. No. 25** was amended as follows:

Page 14. Line 7:
Delete "*, as defined and included*" and insert in lieu thereof "*that are* subject to the occupation tax provided for"

Senator Bullen explained the bill. Senator Swan and Finlinson commented. Senator Finlinson moved to delete Section 10 (Page 13, Lines 22 thru 33 and Page 14, Lines 3 thru 31). Senator Bullen comments. Senator Jeffs substitute motion to have **SUB. S.B. No. 25** declared a BUDGETARY bill carried. Senator Finlinson again moved to delete Section 10. Senators Bunnell, C. Peterson, Sowards, Swan, Snow and Matheson commented and Senator Finlinson's motion failed on the following roll call:

Yeas, 8; Nays, 19; Absent, 2

Voting in the affirmative were: Senators

Barlow	Christensen	Finlinson	Sandberg
Carling	Cornaby	Pugh	Snow

Voting in the negative were: Senators

Asay	Bunnell	Jones	Sowards
Barton	Considine	Matheson	Swan
Bennett	Farley	Money	Wayment
Black	Flamm	Peterson, C.	Mr. President (Ferry)
Bullen	Jeffs	Peterson, L.	

Absent or not voting were: Senators

Bangerter	Halverson

On motion of Senator Bullen **SUB. S.B. No. 25** was amended as follows:

Page 4, Line 27:
Delete "4%" and insert in lieu thereof "4½%"

SUB. S.B. No. 25 passed on the following roll call:

Yeas, 22; Nays, 6; Absent, 1

Voting in the affirmative were: Senators

Asay	Bullen	Jeffs	Snow
Bangerter	Bunnell	Money	Sowards
Barlow	Christensen	Peterson, C.	Swan
Barton	Considine	Pugh	Wayment
Bennett	Farley	Sandberg	Mr. President (Ferry)
Black	Flamm		

Voting in the negative were: Senators

Carling	Finlinson	Matheson	Peterson, L.
Cornaby	Jones		

Absent or not voting were: Senator
Halverson

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S.B. No. 76, OCCUPATION TAX ON COAL, was read the second time and explained by Senator Bullen. Senators Swan, Matheson, Bangerter, Black, C. Peterson and Asay commented.

Senator Bullen's motion to increase the tax from 1% to 1¼% on Page 3, Line 30, failed on a voice vote.

S.B. No. 76 failed on the following roll call:

Yeas, 13; Nays, 15; Absent, 1

Voting in the affirmative were: Senators

Asay	Bullen	Farley	Peterson, L.
Barlow	Bunnell	Flamm	Snow
Bennett	Considine	Peterson, C.	Wayment
Black			

Voting in the negative were: Senators

Bangerter	Cornaby	Matheson	Sowards
Barton	Finlinson	Money	Swan
Carling	Jeffs	Pugh	Mr. President (Ferry)
Christensen	Jones	Sandberg	

Absent or not voting were: Senator
Halverson

Senator Swan, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action.

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S.B. No. 81, INCREASED OCCUPATION TAX ON METALLIFEROUS MINERALS, was read the second time.

On motion of Senator Bullen, **S.B. No. 81** was amended as follows:

Page 4, Line 8:
Delete "*2%*" and insert in lieu thereof "*1¼%*"

Senator Swan commented and the bill failed on the following roll call:

Yeas, 10; Nays, 18; Absent, 1

Voting in the affirmative were: Senators

Asay	Bullen	Money	Peterson, L.
Bennett	Bunnell	Peterson, C.	Wayment
Black	Flamm		

Voting in the negative were: Senators

Bangerter	Considine	Jones	Snow
Barlow	Cornaby	Matheson	Sowards
Barton	Farley	Pugh	Swan
Carling	Finlinson	Sandberg	Mr. President (Ferry)
Christensen	Jeffs		

Absent or not voting were: Senator
Halverson

S.B. No. 81 is filed.

THIRD READING CALENDAR

On motion of Senator Snow, the circle is removed from **S.J.R. No. 8,** TAX ARTICLE REVISION, and the resolution is read the third time.

On motion of Senator Pugh, **S.J.R. No. 3** was amended as follows on the goldenrod copy.

Page 2, Line 34:
After *"educational"* add a comma and the word *"hospital"*

S.J.R. No. 3 passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Snow
Barlow	Considine	Matheson	Sowards
Bennett	Farley	Peterson, C.	Swan
Bullen	Finlinson	Peterson, L.	Wayment
Bunnell	Flamm	Pugh	Mr. President (Ferry)
Carling	Jeffs	Sandberg	

Voting in the negative were: Senator
Cornaby

Absent or not voting were: Senators

Bangerter	Black	Halverson	Money
Barton			

S.J.R. No. 3 was transmitted to the House

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On motion of Senator Snow, the circle was removed from **S.B. No. 65.**

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At the request of Senator Snow, the Senate agreed to allow him to change his vote on **S.B. No. 76,** OCCUPATION TAX ON COAL, from aye to nay. The final vote is 16 nay; 12 aye; 1 absent.

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Senator Karl N. Snow, acting Rules Committee Chairman, directed that the following bills on Second Reading Calendar be returned to Rules Committee.

S.B. No. 65, S.B. No 3, S.B. No. 30, S.J.R. No. 5, S.B. No. 42, S.B. No. 44, S.B. No 45, S.B. No. 46, S.B. No. 49, S.B. No. 52, S.B. No. 47, S.B. No. 55, S.B. No. 59, S.B. No. 37, S.B. No. 38, S.B. No. 51, S.B. No. 56, S.B. No. 57, S.B. No. 60, S.B. No. 62, S.B. No. 64, H.B. No. 27, H.B. No. 6, H.B. No. 35, S.B. No. 75, S.B. No. 84.

Senator Black's motion that the following bills remain on Second Reading Calendar carried:

S.B. No. 65, S.B. No. 3, S.B. No. 30, S.J.R. No. 5, S.B. No. 42, S.B. No. 44, S.B. No. 45.

Senator Snow directed that **HER-H.B. Nos. 101, 73, 103** and **63** on Third Reading Calendar be returned to Rules Committee.

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On motion of Senator Snow, and at 4:20 p.m., the Senate adjourned until 10:00 a.m., Wednesday, January 27, 1982.

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 Senators L. Peterson and Halverson (excused).

Prayer — Senator K.S. Cornaby (District 7, Salt Lake)

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 222.

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: January 27, 1982

The Committee on Revision of the daily Senate Journal respectfully reports that we have read the Journal for the Sixteenth Day and find it correct with minor amendments noted on the final copy.

E. Veri Asay, Committee Chairman

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 26, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, **HER-H.B. No. 28,** PROFESSIONAL LEGISLATIVE STAFF AMENDMENTS, 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, under suspension of the rules, **H.B. No. 58,** IMITATION CONTROLLED SUBSTANCES ACT, by Representative Masur, 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, **HER-H.B. No. 61,** AMENDMENTS TO UTAH GOVERNMENTAL IMMUNITY ACT 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, under suspension of the rules, **HER-H.B. No. 72,** REDEPOSIT OF PUBLIC SAFETY CONTRIBUTIONS, by Representative Wharton, 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, **HER-H.B. No. 85,** REDEPOSIT FOR RETIREMENT SERVICE CREDIT, by Representative Wharton, 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, **HER-H.B. No. 88,** TAX LEVY FOR COUNTY ZOOS, by Representative Harmer, 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, **HER-H.B. No. 92,** TAX ON MINERAL PRODUCTION WITHHOLDING, 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, under suspension of the rules, **HER-H.B. No. 106,** ADMINISTRATIVE RULE-MAKING AMENDMENTS, by Representative Olsen, 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, as amended, **H.C.R. No. 3,** NUCLEAR FALLOUT RESOLUTION, by Representative Hunter, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

HER-H.B. No. 28, H.B. No. 58, HER-H.B. Nos. 61, 72, 85, 88, 92, 106 and **H.C.R. No. 3** were read the first time and referred to Rules Committee.

PRESENTATION OF RESOLUTION

At the request of Senator L. Peterson yesterday, the Senate agrees without dissent to allow introduction of the following resolution.

PRISON SITES STUDY

S.J.R. No. 18 *Lowell S. Peterson, Bryce G. Flamm*

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH DIRECTING THE LEGISLATIVE MANAGEMENT COMMITTEE TO ASSIGN TO AN INTERIM STUDY COMMITTEE THE DUTY TO STUDY THE MATTER OF APPROPRIATE LEGISLATION WHICH WOULD REQUIRE LEGISLATIVE APPROVAL OF NEW PRISON SITES, AND TO REPORT TO THE GENERAL SESSION OF THE 45TH LEGISLATURE, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

S.J.R. No. 8, MUNICIPAL TAX EXEMPTION CHANGES, was read the third time, and passed on the following roll call:

Yeas, 21; Nays, 3; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Flamm	Pugh
Bangerter	Christensen	Jeffs	Sandberg
Barlow	Considine	Jones	Snow
Barton	Cornaby	Matheson	Sowards
Bennett	Finlinson	Money	Mr. President (Ferry)
Bullen			

Voting in the negative were: Senators

Black	Farley	Swan

Absent or not voting were: Senators

Bunnell	Peterson, C.	Peterson, L.	Wayment
Halverson			

S.J.R. No. 8, was transmitted to the House.

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S.B. No. 35, WILDLIFE DAMANGE PRVENTION ACT AMENDMENT, was read the third time. On motion of Senator Sowards S.B. No. 35 was amended as follows:

Page 3, Line 4:
After "*state.*" insert "*All costs to promote or advance sheep interests shall be deducted from the total revenue collected prior to calculating the annual budget request to be made by the division of wildlife resources as specified in section 4-23-9.*"

S.B. No. 35 passed on the following roll call:

Yeas, 23; Nays, 3; Absent, 3

Voting in the affirmative were: Senators

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

Voting in the negative were: Senators

Bennett	Considine	Farley

Absent or not voting were: Senators

Halverson	Peterson, C.	Peterson, L.

S.B. No. 35 was transmitted to the House.

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S.B. No. 33, MARITAL DEDUCTION FORMULAS IN WILLS AND TRUSTS, 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	Matheson	Sowards
Barton	Considine	Money	Swan
Bennett	Cornaby	Peterson, C.	Wayment
Black	Farley	Pugh	Mr. President (Ferry)
Bullen	Flamm		

Absent or not voting were: Senators

Finlinson	Halverson	Peterson, L.

S.B. No. 33 was transmitted to the House.

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H.J.R. No. 7, MINING TECHNOLOGY RESOLUTION, was read the third time, explained by Senator Bunnell and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Flamm	Sandberg
Bangerter	Carling	Jeffs	Snow
Barlow	Christensen	Jones	Sowards
Barton	Considine	Matheson	Swan
Bennett	Cornaby	Money	Wayment
Black	Farley	Pugh	Mr. President (Ferry)
Bullen	Finlinson		

Absent or not voting were: Senators

Halverson	Peterson, C.	Peterson, L.

H.J.R. No. 7 was signed by the President of the Senate and returned to the House for further action.

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S.J.R. No. 17, DIVERSION OF EFFLUENT WATER STUDY, 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	Flamm	Pugh
Bangerter	Christensen	Jeffs	Sandberg
Barlow	Considine	Jones	Snow
Barton	Cornaby	Matheson	Swan
Bennett	Farley	Money	Wayment
Black	Finlinson	Peterson, C.	Mr. President (Ferry)
Bullen			

Absent or not voting were: Senators

Carling	Halverson	Peterson, L.	Sowards

S.J.R. No. 17 was transmitted to the House.

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SUB. S.B. No. 25, OCCUPATION TAX INCREASE, was read the third time. Senator Finlinson proposed the following amendment:

Page 13, Line 26:
Delete *"until"* and insert in lieu thereof *"if"*

On motion of Senator Bullen, the bill is circled.

PRESENTATION OF RESOLUTIONS

At the request of Senator Considine, the Senate, without dissent, agreed to allow introduction of the following resolution:

INDUSTRIAL TRAINING FOR UTAH RESOLUTION

S.J.R. No. 19 *James F. Considine*

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH; STIPULATING AN INTERIM STUDY BY THE LEGISLATURE ON THE QUESTIONS CONCERNING INDUSTRY SPECIFIC JOB TRAINING. THE STUDY SHALL ENCOMPASS JOB TRAINING IN EXPANDING INDUSTRIES AND POTENTIAL FUNDING MECHANISM FOR SUCH TRAINING, was read the first time and referred to Rules Committee.

At the request of Senator Barlow, the Senate, without dissent, agreed to allow introduction of the following resolution:

DR. WALTER D. TALBOT RESOLUTION

S.C.R. No. 4 *Haven J. Barlow, Omar B. Bunnell, Warren E. Pugh, William T. Barton, E. Verl Asay*

A CONCURRENT RESOLUTION OF THE BUDGET SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH, THE GOVERNOR CONCURRING THEREIN; EXPRESSING APPRECIATION FOR THE CONTRIBUTIONS AND ACCOMPLISHMENTS OF DR. WALTER D. TALBOT, STATE SUPERINTENDNET OF PUBLIC INSTRUCTION, ON OCCASION OF HIS RETIREMENT, was read the first time.

On motion of Senator Barlow, and under suspension of the rules, **S.C.R. No. 4** was read the second and third time and passed by a unanimous voice vote of all Senators present. Senators Bullen, Finlinson, Halverson, Jeffs, Money, L. Peterson, Pugh and Swan were absent. **S.C.R. No. 4** was transmitted to the House.

SECOND READING CALENDAR

S.B. No. 65, HOUSING FINANCE AGENCY APPROPRIATIONS, was before the Senate. On motion of Senator Bullen, **SUBSTITUTE S.B. No. 65,** HOUSING FINANCE AGENCY CHANGES, replaced the original bill. Senator Bullen explained the bill. Senators Bangerter and Jeffs commented. On motion of Senator Pugh the bill is circled.

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S.B. No. 21, COSMETOLOGY/BARBER LICENSING CHANGE, was read the second time.

Mr. President: January 20, 1982

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 21,** COSMETOLOGY/BARBER LICENSING CHANGES, by Senator Wilford R. Black, 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 Black explained the bill. Senator Matheson commented. On motion of Senator Black and under suspension of the rules, the bill was read the third time and passed on the following roll call:

Yeas, 21; Nays, 3; Absent, 5

Voting in the affirmative were: Senators

Asay	Christensen	Flamm	Sandberg
Barlow	Considine	Matheson	Sowards
Bennett	Cornaby	Money	Swan
Black	Farley	Peterson, C.	Wayment
Bullen	Finlinson	Pugh	Mr. President (Ferry)
Bunnell			

Voting in the negative were: Senators

Bangerter	Jeffs	Jones

Absent or not voting were: Senators

Barton	Halverson	Peterson, L.	Snow
Carling			

S.B. No. 21 was trasmitted to the House.

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On motion of Senator Bullen, the circle was removed from **SUB. S.B. No. 25,** OCCUPATION TAX INCREASE, and Senator Finlinson's proposed amendment is again before the Senate and passed on a voice vote. On motion of Senator Bullen, the bill is again circled.

RULES COMMITTEE REPORT

Mr. President: January 27, 1982

The Senate Rules Committee, to which were referred the following House Enabling Resolutions:

HER-H.B. No. 101	HOSPITAL COOPERATIVE ASSOCIATION VEHICLES
HER-H.B. No. 73	CONCEALED WEAPON AMENDMENT
HER-H.B. No. 103	OUT OF STATE TUITION WAIVER
HER-H.B. No. 63	CABLE TELEVISION AMENDMENTS

reports the enabling resolutions to the Senate and asks that, under suspension of the rules, they be placed on Third Reading Calendar.

Karl N. Snow, Jr., Commitee Chairman

Committee report read and adopted.

SECOND READING CALENDAR

S.B. No. 3, PUBLIC BONDING PROVISIONS, was read the second time.

Mr. President: January 21, 1982

The State and Local Affairs Committee, to which was referred **S.B. No. 3,** PUBLIC BONDING PROVISIONS, by Senator Richard J. Carling, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Bryce Flamm, Committee Chairman

Committee report read and adopted and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Bunnell	Jeffs	Sandberg
Barlow	Carling	Jones	Snow
Barton	Christensen	Matheson	Swan
Bennett	Cornaby	Money	Wayment
Black	Farley	Pugh	Mr. President (Ferry)
Bullen	Flamm		

Absent or not voting were: Senators

Asay	Finlinson	Peterson, C.	Sowards
Considine	Halverson	Peterson, L.	

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S.B. No. 30, MOTOR FUEL SALES, was read the second time.

Mr. President: January 21, 1982

The Transportation and Public Safety Committee, to which was referred **S.B. No. 30,** MOTOR FUEL SALES, by Senator Jack M. Bangerter, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Glade M. Sowards, Committee Chairman

Committee report read and adopted. On motion of Senator Bangerter, **SUBSTITUTE S.B. No. 30** replaced the original bill and it was, under suspension of the rules, read the third time and passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Asay	Bunnell	Flamm	Sandberg
Bangerter	Christensen	Jeffs	Snow
Barlow	Considine	Jones	Swan
Barton	Cornaby	Matheson	Wayment
Black	Farley	Money	Mr. President (Ferry)
Bullen			

Voting in the negative were: Senator

Bennett

Absent or not voting were: Senators

Carling	Halverson	Peterson, L.	Sowards
Finlinson	Peterson, C.	Pugh	

S.B. No. 30 was transmitted to the House.

THIRD READING CALENDAR

On motion of Senator Bullen, the circle was removed from **SUB. S.B. No. 25,** OCCUPATION TAX INCREASE. On motion of Senator Bullen and with 15 voice votes, **SUB. S.B. No. 25** was amended as follows:

Page 14, Line 9b (goldenrod:)
After *"7, chapter 5, title 59"* add *"except metalliferous minerals."*

SUB. S.B. No. 25 passed on the following roll call:

Yeas, 16; Nays, 6; Absent, 7

Voting in the affirmative were: Senators

Asay	Bullen	Flamm	Sandberg
Barlow	Bunnell	Jeffs	Snow
Bennett	Considine	Money	Swan
Black	Farley	Peterson, C.	Mr. President (Ferry)

Voting in the negative were: Senators

Bangerter	Christensen	Finlinson	Matheson
Barton	Cornaby		

Absent or not voting were: Senators

Carling	Jones	Pugh	Wayment
Halverson	Peterson, L.	Sowards	

SUB. S.B. No. 25 was transmitted to the House.

COMMUNICATION FROM THE HOUSE

Mr. President: January 27, 1982

I am directed to request the Senate to return to the House of Representatives **SER-S.B. No. 61,** IN LIEU PAYMENTS TO LOCAL SUBDIVISIONS, by Senator Finlinson, for reconsideration by the House.

Allan M. Acomb, Chief Clerk

On motion of Senator Finlinson, the Senate voted to return the resolution to the House for reconsideration.

SECOND READING CALENDAR

S.J.R. No. 5, COMPENSATION AND EXPENSES FOR LEGISLATORS, was read the second time. Senator Black explained the resolution. Senators Farley, Snow, Matheson and Sandberg commented. On motion of Senator Swan **S.J.R. No. 5** was amended as follows:

Page 1, Line 23:
Following "*Legislature*" insert "*shall not increase the salaries of its members on its own initiative, but*"

Senator Black, with the aid for five senators, requested a Call of the Senate. On motion of Senator Black, the Call of the Senate was lifted, and under suspension of the rules, the resolution was read the third time and passed on the following roll call:

Yeas, 23; Nays, 4; Absent, 2

Voting in the affirmative were: Senators

Asay	Bullen	Flamm	Sandberg
Bangerter	Bunnell	Jeffs	Snow
Barlow	Considine	Jones	Sowards
Barton	Cornaby	Matheson	Swan
Bennett	Farley	Money	Wayment
Black	Finlinson	Peterson, C.	

Voting in the negative were: Senators

Carling	Christensen	Pugh	Mr. President (Ferry)

Absent or not voting were: Senators

Halverson	Peterson, L.

S.J.R. No. 5 was transmitted to the House.

• • •

On motion of Senator Matheson the rules were suspended with no dissenting votes, and **S.B. No. 42**, AGRICULTURAL FUNDS, was read the second and third times and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bunnell	Flamm	Sandberg
Bangerter	Christensen	Jeffs	Snow
Barlow	Considine	Jones	Sowards
Barton	Cornaby	Matheson	Swan
Black	Farley	Money	Wayment
Bullen	Finlinson	Peterson, C.	Mr. President (Ferry)

Absent or not voting were: Senators

Bennett	Halverson	Peterson, L.	Pugh
Carling			

S.B. No. 42 was transmitted to the House.

• • •

S.B. No. 44, ASSESSED VALUATION AND TAX NOTICE, was read the second time. On motion of Senator Bullen **S.B. No. 44** was amended as follows:

Page 1, Line 24:
After *"59-5-45,"* and before *"59-6-1"* insert *"59-5-52, 59-5-53,"*

Page 27, Line 15:
Before *"Section 30."* insert the new *"Section 30."* as follows:
"Section 30. Section 59-5-53, Utah Code Annotated 1953, is amended to read:

59-5-53. Such officer or agent as the state tax commission may designate of every corporation, association or person owning or operating a public utility in this state, or owning or operating a pipeline, power, canal or irrigation company in more than one county in this state, shall on or before ["the "second "Monday "in "February "] March first in each year furnish to the state tax commission a statement signed and sworn to by such officer or agent showing in detail all property, real or personal, owned by such corporation, association or person in this state, including a statement of mileage in each county in the state, as valued at 12 o'clock m. of the 1st day of January of such year, and such other information as the state tax commission may require. The commission may for cause extend the time for filing such statement, not exceeding thirty days.

Any person willfully failing, on demand, to furnish the statement required by this section, or any other information considered by the state tax commission necessary to enable it to determine valuations for assessment purposes or for the apportionment thereof, shall be subject to a penalty of $100 for each day of the continuance of such willful failure, which penalty shall be recovered in a proper action brought in the name of the state of Utah in any court of competent jurisidiction."

Page 27, Line 15:
Delete *"Section 30."* insert *"Section 31."*

Page 29, Line 9:
Delete *"31"* and insert *"32"*

Page 30, Line 26:
Delete *"32"* and insert *"33"*

Page 31, Line 9:
Delete *"33"* and insert *"34"*

Page 32, Line 30:
Delete *"34"* and insert *"35"*

Page 34, Line 24:
Delete *"35"* and insert *"36"*

Page 36, Line 2:
Delete *"36"* and insert *"37"*

Page 36, Line 27:
Delete *"37"* and insert *"38"*

Page 37, Line 11:
Delete *"38"* and insert *"39"*

Page 38, Line 11:
Delete *"39"* and insert *"40"*

Page 38, Line 20:
Delete *"40"* and insert *"41"*

Page 38, Line 32:
Delete "*41*" and insert "*42*"

Page 39, Line 7:
Delete "*42*" and insert "*43*"

Page 39, Line 15:
Delete "*43*" and insert "*44*"

Page 39, Line 27:
Delete "*44*" and insert "*45*"

Page 40, Line 11:
Delete "*45*" and insert "*46*"

Page 40, Line 33:
Delete "*46*" and insert "*47*"

Page 41, Line 13:
Delete "*47*" and insert "*48*"

Page 41, Line 29:
Delete "*48*" and insert "*49*"

Page 42, Line 12:
Delete "*49*" and insert "*50*"

Page 42, Line 33:
Delete "*50*" and insert "*51*"

Page 43, Line 15:
Delete "*51*" and insert "*52*"

Page 46, Line 2:
Delete "*52*" and insert "*53*"

Page 46, Line 16:
Delete "*53*" and insert "*54*"

Page 47, Line 6:
Delete "*54*" and insert "*55*"

Page 48, Line 7:
Delete "*55*" and insert "*56*"

Page 48, Line 20:
Delete "*56*" and insert "*57*"

Page 49, Line 4:
Delete "*57*" and insert "*58*"

Page 49, Line 23:
Delete "*58*" and insert "*59*"

Page 50, Line 27:
Delete "*59*" and insert "*60*"

Page 51, Line 12:
Delete "*60*" and insert "*61*"

Page 52, Line 7:
Delete "*61*" and insert "*62*"

Page 52, Line 15:
Delete "*62*" and insert "*63*"

Page 53, Line 11:
Delete "*63*" and insert "*64*"

Page 60, Line 16:
Delete "*64*" and insert "*65*"

Page 60, Line 28:
Delete "*65*" and insert "*66*"

Page 61, Line 24:
Delete "*66*" and insert "*67*"

Page 62, Line 2:
Delete "*67*" and insert "*68*"

Page 63, Line 8:
Delete "*68*" and insert "*69*"

Page 63, Line 10:
Delete *"69"* and insert *"70"*

Senator Finlinson commented, and the bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bunnell	Flamm	Sandberg
Bangerter	Christensen	Jeffs	Snow
Barton	Considine	Jones	Sowards
Bennett	Cornaby	Matheson	Swan
Black	Farley	Money	Wayment
Bullen	Finlinson	Peterson, C.	Mr. President (Ferry)

Absent or not voting were: Senators

Barlow	Halverson	Peterson, L.	Pugh
Carling			

• • •

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

AFTERNOON SESSION

The Senate reassembled at 2:15 p.m. with President Miles 'Cap' Ferry presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 27, 1982

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,** UTAH COUNCIL OF VOLUNTEERS RESOLUTION, by Representative Richards, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.C.R. No. 1, was read the first time. On motion of Senator Bangerter, and under suspension of the rules, the resolution was read the second and third times and passed by a unanimous voice vote of all senators present. Senators Bullen, Bunnell, Considine, Cornaby, Halverson, Money, L. Peterson, Pugh, Snow, Swan and Wayment were absent. **H.C.R. No. 1** was signed by the President of the Senate and returned to the House for further action.

• • •

Mr. President: January 27, 1982

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. 4,** UTAH WAR VETERANS ARLINGTON CEMETERY MEMORIAL, by Representative Tom Christensen, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.C.R. No. 4, was read the first time. On motion of Senator Bangerter, and under suspension of the rules, the resolution was read the second and third times and passed by a unanimous voice vote of all senators present. Senators Bullen, Bunnell, Cornaby, Halverson, Matheson, Money, L. Peterson, Pugh, Snow, Swan and Wayment were absent. **H.C.R. No. 4** was signed by the President of the Senate and returned to the House for further action.

• • •

Mr. President: January 27, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **SUB. H.J.R. No. 10,** JUDICIAL ARTICLE REVISION, 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, under suspension of the rules, **HER-H.J.R. No. 27,** CORPORATE OFFICERS AMENDMENT, 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, under suspension of the rules, **HER-H.B. No. 102,** COUNTY DESIGNATION ON LICENSE PLATES, 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, under suspension of the rules, **HER-H.B. No. 105,** STUDENT LOAN PROGRAM, 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, under suspension of the rules, **HER-H.B. No. 109,** SICK LEAVE ABUSE INCENTIVES, by Representative Harmer, 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, **HER-H.B. No. 110,** ADMINISTRATIVE RULES OVERSIGHT ACT, 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, under suspension of the rules, **HER-H.B. No. 131,** INTOXICATED DRIVERS AMENDMENT, 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, under suspension of the rules, **HER-H.B. No. 132,** REPORTING SEXUAL ABUSE OF CHILDREN, 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, under suspension of the rules, **HER-H.B. No. 136,** PREPAID DENTAL PLANS, 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, under suspension of the rules, **HER-H.B. No. 138,** NATURAL RESOURCES DEVELOPMENT REVOLVING ACCOUNT INCOME, 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, under suspension of the rules, **HER-H.B. No. 144,** IMPOUNDMENT OF VEHICLES, by Representative Johnson, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

SUB. H.J.R. No. 10, HER-H.J.R. No. 27, HER-H.B. Nos. 102, 105, 109, 110, 131, 132, 136, 138 and **144** were read the first time and referred to Rules Committee.

SECOND READING CALENDAR

S.B. No. 45, INSURANCE GUARANTY ASSOCIATION AMENDMENTS, was before the Senate. Senator Cornaby explained the bill. Senators Christensen and Jones commented. On motion of Senator Cornaby the rules were suspended and the bill was read the second and third times and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Considine	Jones	Snow
Barton	Cornaby	Matheson	Sowards
Bennett	Farley	Money	Swan
Black	Finlinson	Peterson, C.	Wayment
Bunnell	Flamm	Sandberg	Mr. President (Ferry)
Christensen	Jeffs		

Absent or not voting were: Senators

Asay	Bullen	Halverson	Pugh
Barlow	Carling	Peterson, L.	

S.B. No. 45 was transmitted to the House.

THIRD READING CALENDAR

On motion of Senator Snow the Senate, under suspension of the rules, agreed to consider the following HER's on Third Reading Calendar.

• • •

HER-H.B. No. 101, HOSPITAL COOPERATIVE ASSOCIATION VEHICLES, 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	Flamm	Sandberg
Bangerter	Christensen	Jeffs	Snow
Barton	Considine	Jones	Sowards
Bennett	Cornaby	Matheson	Wayment
Black	Farley	Money	Mr. President (Ferry)
Bunnell	Finlinson	Peterson, C.	

Absent or not voting were: Senators

Barlow	Halverson	Pugh	Swan
Bullen	Peterson, L.		

HER-H.B. No. 101 was signed by the President of the Senate and returned to the House for further action.

• • •

HER-H.B. No. 73, CONCEALED WEAPON 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	Carling	Jeffs	Sandberg
Bangerter	Christensen	Jones	Snow
Barton	Considine	Matheson	Sowards
Bennett	Cornaby	Money	Wayment
Black	Farley	Peterson, C.	Mr. President (Ferry)
Bunnell	Flamm		

Absent or not voting were: Senators

Barlow	Finlinson	Peterson, L.	Swan
Bullen	Halverson	Pugh	

HER-H.B. No. 73 was signed by the President of the Senate and returned to the House for further action.

• • •

HER-H.B. No. 103, OUT OF STATE TUITION WAIVER, 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	Bunnell	Finlinson	Peterson, C.
Bangerter	Carling	Flamm	Snow
Barlow	Christensen	Jeffs	Sowards
Barton	Considine	Jones	Wayment
Bennett	Cornaby	Matheson	Mr. President (Ferry)
Black	Farley	Money	

Voting in the negative were: Senator
Sandberg

Absent or not voting were: Senators

Bullen	Peterson, L.	Pugh	Swan
Halverson			

HER-H.B. No. 103 was signed by the President of the Senate and returned to the House for further action.

• • •

HER-H.B. No. 63, CABLE TELEVISION AMENDMENTS, was read the third time. Senator Jeffs explained the bill. Senator Jeffs, with the aid of five Senators, requested a Call of the Senate. On motion of Senator Jeffs, the Call of the Senate was lifted. Senator Barton commented and the resolution passed on the following roll call:

Yeas, 21; Nays, 4; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	Jones	Snow
Bangerter	Christensen	Matheson	Sowards
Barlow	Finlinson	Money	Swan
Bennett	Flamm	Peterson, C.	Wayment
Black	Jeffs	Sandberg	Mr. President (Ferry)
Bullen			

Voting in the negative were: Senators

Barton	Considine	Farley	Pugh

Absent or not voting were: Senators

Bunnell	Cornaby	Halverson	Peterson, L.

HER-H.B. No. 63 was signed by the President of the Senate and returned to the House for further action.

RULES COMMITTEE REPORT

Mr. President: January 27, 1982

The Senate Rules Committee, to which were referred the following House Enabling Resolutions:

HER-H.B. No. 92 TAX ON MINERAL PRODUCTION WITHHOLDING
HER-H.B. No. 61 AMENDMENTS TO UTAH GOVERNMENTAL IMMUNITY ACT
HER-H.B. No. 88 TAX LEVY FOR COUNTY ZOOS

reports the enabling resolutions to the Senate and asks that, under suspension of the rules, read the second time and placed on the Third Reading Calendar.

Karl N. Snow,
Acting Rules Committee Chairman

Committee report read and adopted. **HER-H.B. Nos. 92, 61 and 88** were read for the second time and placed at the top of Third Reading Calendar.

THIRD READING CALENDAR

HER-H.B. No. 92, TAX ON MINERAL PRODUCTION WITHHOLDING 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	Jeffs	Sandberg
Barlow	Christensen	Matheson	Snow
Bennett	Considine	Money	Sowards
Black	Farley	Peterson, C.	Swan
Bullen	Finlinson	Pugh	Mr. President (Ferry)
Bunnell	Flamm		

Absent or not voting were: Senators

Asay	Cornaby	Jones	Wayment
Barton	Halverson	Peterson, L.	

HER-H.B. No. 92 was signed by the President of the Senate and returned to the House for further action.

• • •

HER-H.B. No. 61, AMENDMENTS TO UTAH GOVERNMENTAL IMMUNITY ACT, was read the third time, explained by Senator Cornaby, and passed on the following roll call:

Yeas, 22; Nays, 2; Absent, 5.

Voting in the affirmative were: Senators

Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Matheson	Snow
Barton	Farley	Money	Sowards
Black	Finlinson	Peterson, C.	Swan
Bullen	Flamm	Pugh	Mr. President (Ferry)
Bunnell	Jeffs		

Voting in the negative were: Senators

Bennett	Considine

Absent or not voting were: Senators

Asay	Halverson	Peterson, L.	Wayment
Carling			

HER-H.B. No. 61 was signed by the President of the Senate and returned to the House for further action.

• • •

HER-H.B. No. 88, TAX LEVY FOR COUNTY ZOOS, was read the third time, explained by Senator Carling, and passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Asay	Bullen	Finlinson	Pugh
Bangerter	Bunnell	Jeffs	Sandberg
Barlow	Carling	Jones	Snow
Barton	Considine	Matheson	Swan
Bennett	Cornaby	Money	Mr. President (Ferry)
Black	Farley	Peterson, C.	

Voting in the negative were: Senator

Christensen

Absent or not voting were: Senators

Flamm	Peterson, L.	Sowards	Wayment
Halverson			

HER-H.B. No. 88 was signed by the President of the Senate and returned to the House for further action.

RULES COMMITTEE REPORT

Mr. President: January 27, 1982

The Senate Rules Committee, to which were referred the following bills:

S.B. No. 84	VOTER INFORMATION PAMPHLET
S.B. No. 75	UTAH STATE UNIVERSITY LAND TRANSFER
S.B. No. 46	METROPOLITAN WATER DISTRICT ACT AMENDMENTS
S.B. No. 49	TRUCKING CONTROL STATIONS
S.B. No. 52	CROSS-TRAINING RETIREMENT ENROLLMENT
S.B. No. 47	UTAH RENEWABLE ENERGY RESOURCES SURVEY
S.B. No. 55	REVENUE BONDS FOR UTAH TECHNICAL COLLEGE AT PROVO
S.B. No. 37	PUBLIC SUPPORT OF CHILDREN
S.B. No. 38	CIVIL LIABLITY FOR SUPPORT AMENDMENTS
H.B. No. 33	VEHICLE REGISTRATION FEE INCREASE
H.B. No. 35	TRANSPORTATION PERMIT FEE INCREASE

reports the bills to the Senate and asks that, under suspension of the rules, they be placed on the Second Reading Calendar in the above order.

Karl N. Snow, Jr.,
Acting Rules Committee Chairman

Committee report read and adopted.

SECOND READING CALENDAR

S.B. No. 84, VOTER INFORMATION PAMPHLET, was read the second time, explained by the Senator Snow, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bunnell	Finlinson	Pugh
Bangerter	Carling	Flamm	Sandberg
Barlow	Christensen	Jeffs	Snow
Barton	Considine	Jones	Swan
Bennett	Cornaby	Money	Wayment
Bullen	Farley	Peterson, C.	Mr. President (Ferry)

Absent or not voting were: Senators

Black	Matheson	Peterson, L.	Sowards
Halverson			

• • •

S.B. No. 75, UTAH STATE UNIVERSITY LAND TRANSFER, was read the second time, explained by Senator Bullen, and under suspension of the rules, 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	Flamm	Sandberg
Bangerter	Christensen	Jones	Sowards
Barlow	Considine	Matheson	Swan
Bennett	Cornaby	Money	Wayment
Bullen	Farley	Peterson, C.	Mr. President (Ferry)
Bunnell	Finlinson	Pugh	

Absent or not voting were: Senators

Barton	Halverson	Peterson, L.	Snow
Black	Jeffs		

S.B. No. 75 was transmitted to the House.

• • •

S.B. No. 46, METROPOLITAN WATER DISTRICT ACT AMENDMENTS. On motion of Senator Finlinson, the rules were suspended and the bill was read the second and third times and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Carling	Flamm	Pugh
Bangerter	Christensen	Jones	Sowards
Barlow	Considine	Matheson	Swan
Bennett	Cornaby	Money	Wayment
Black	Farley	Peterson, C.	Mr. President (Ferry)
Bunnell	Finlinson		

Absent or not voting were: Senators

Barton	Halverson	Peterson, L.	Snow
Bullen	Jeffs	Sandberg	

S.B. No. 46 was transmitted to the House.

• • •

On motion of Senator Bangerter, the rules were suspended and **S.B. No. 49,** TRUCKING CONTROL STATIONS, was read the second and third times and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Bullen	Farley	Peterson, C.
Bangerter	Bunnell	Finlinson	Pugh
Barlow	Carling	Flamm	Sandberg
Barton	Christensen	Jones	Sowards
Bennett	Considine	Matheson	Swan
Black	Cornaby	Money	Wayment

Absent or not voting were: Senators

Halverson	Peterson, L.	Snow	Mr. President (Ferry)
Jeffs			

S.B. No. 49 was transmitted to the House.

• • •

On motion of Senator Finlinson the rules were suspended and **S.B. No. 52,** CROSS TRAINING RETIREMENT ENROLLMENT, was read the second and third times and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Bullen	Farley	Pugh
Bangerter	Bunnell	Finlinson	Sandberg
Barlow	Carling	Matheson	Sowards
Barton	Christensen	Money	Swan
Bennett	Considine	Peterson, C.	Wayment
Black	Cornaby		

Absent or not voting were: Senators

Flamm	Jeffs	Peterson, L.	Mr. President (Ferry)
Halverson	Jones	Snow	

S.B. No. 52 was transmitted to the House.

• • •

On motion of Senator Sowards, the rules were suspended and **S.B. No. 47**, UTAH RENEWABLE ENERGY RESOURCES SURVEY, was read the second and third times.

On motion of Senator Sowards, **S.B. No. 47** was amended as follows:

Page 1, Line 12:
Delete *"$150,000"* and insert in lieu thereof *"$75,000"*

Page 2, Line 5:
Delete *"$150,000"* and insert in lieu thereof *"$75,000"*

On motion of Senator Money, **S.B. No. 47** was amended as follows:

Page 1, Line 20:
Delete *"bimass"* and insert in lieu thereof *"biomass"*

Page 2, Line 7:
After *"wind"* add a comma, delete *"and"* and add the words *"biomass and"*

S.B. No. 47 passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Bullen	Finlinson	Sandberg
Bangerter	Carling	Flamm	Sowards
Barlow	Christensen	Matheson	Swan
Barton	Considine	Money	Wayment
Bennett	Cornaby	Peterson, C.	Mr. President (Ferry)
Black	Farley		

Absent or not voting were: Senators

Bunnell	Jeffs	Peterson, L.	Snow
Halverson	Jones	Pugh	

S.B. No. 47, as amended, was transmitted to the House.

• • •

On motion of Senator Bangerter, **S.B. No. 55** is circled.

• • •

S.B. No. 37, PUBLIC SUPPORT OF CHILDREN, was read the second time. Senators Flamm, Asay, Bunnell and Farley commented. On motion of Senator Flamm **S.B. No. 37** was amended as follows:

Page 1, Line 33:
Delete ", *or any other administratively determined order*" and insert in lieu thereof "*by an administrative law judge after hearing and a determination of both the ability of the obligor to pay and the need of the dependent child or children, and*"

Page 2, Line 2:
Delete "*of a payment*"

Page 3, Lines 21 and 22:
Delete "*and which is 90 days or less delinquent, or has been ordered as*"

Page 4, Line 11:
After "*hearing.*" insert "*The administrative law judge shall remind the payee of visitation rights of the payor and under proper circumstances the administrative law judge may make support payments conditional upon the child's custodian making the child available for the exercise of visitation rights.*"

Page 5, Line 16:
Delete "*reasonable*"

Page 5:
Delete Section 5 on lines 17 through 23 and insert in lieu thereof
"*(5) Should any employer discharge an employee in violation of*

subsection (4), that employer shall be liable to the employee for such damages as the employee may suffer and, additionally, to the department in an amount equal to the debt which is the basis of the assignment, together with costs, interest and attorneys' fees. In no instance shall any employer's combined liability for damages to the obligor employee and the department exceed $1,000."

S.B. No. 37, as amended, passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Asay	Bullen	Flamm	Snow
Bangerter	Bunnell	Jeffs	Sowards
Barlow	Christensen	Matheson	Swan
Barton	Considine	Peterson, C.	Wayment
Bennett	Cornaby	Pugh	Mr. President (Ferry)
Black	Farley	Sandberg	

Voting in the negative were: Senator
Carling

Absent or not voting were: Senators

Finlinson	Jones	Money	Peterson, L.
Halverson			

• • •

S.B. No. 38, CIVIL LIABILITY FOR SUPPORT AMENDMENTS, was read the second time. On motion of Senator Flamm, **S.B. No. 38** was amended as follows:

Page 3, Line 14:
After *"represented"* delete *"is"* and insert in lieu thereof *"as"*

Page 3, Line 29:
Delete *"upon ex parte motion of the obligee"* and insert in lieu thereof *"after hearing"*

Page 3, Line 30:
After *"shown,"* delete *"shall"* and insert in lieu thereof *"may"*

Page 3, Line 31:
After *"support amount"* insert *"together with the costs and reasonable attorney fees of obtaining said order"*

Page 4, Lines 4 and 5:
Delete *"and which is 90 or less days delinquent or has been ordered"*

Page 4, Line 5:
After *"ordered"* delete *"as"* and insert in lieu thereof *"for"*

Page 4, Line 6:
After *"which"* insert *"amount"*

Page 5, line 20:
Delete *"reasonable"*

Page 5:
Delete Section 4 on lines 21 through 27 and insert in lieu thereof
"(4) Should any employer discharge an employee in violation of subsection (3), that employer shall be liable to the employee for such damages as the employee may suffer together with costs, interest, and reasonable attorneys fees. Provided, however, that the employer's combined liability for damages to the obligor and obligee shall not exceed $1,000."

S.B. No. 38, as amended, passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 11

Voting in the affirmative were: Senators

Asay	Black	Farley	Sandberg
Bangerter	Bullen	Flamm	Snow
Barlow	Bunnell	Jeffs	Sowards
Barton	Christensen	Matheson	Mr. President (Ferry)
Bennett	Considine		

Absent or not voting were: Senators

Carling	Halverson	Peterson, C.	Swan
Cornaby	Jones	Peterson, L.	Wayment
Finlinson	Money	Pugh	

• • •

On motion of Senator Snow, the circle was removed from **S.B. No. 55,** REVENUE BONDS FOR UTAH TECHNICAL COLLEGE AT PROVO, and the bill was read the second time. Senators Christensen and Bunnell commented and the bill passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Bunnell	Farley	Peterson, C.
Bangerter	Carling	Finlinson	Sandberg
Barton	Christensen	Flamm	Snow
Bennett	Considine	Jeffs	Sowards
Black	Cornaby	Matheson	Mr. President (Ferry)

Absent or not voting were: Senators

Barlow	Jones	Peterson, L.	Swan
Bullen	Money	Pugh	Wayment
Halverson			

• • •

SUB. S.B. No. 65, HOUSING FINANCE AGENCY CHANGE, being circled as the Senate adjourned, is placed on Second Reading Table.

• • •

On motion of Senator Snow, and at 4:15 p.m., the Senate adjourned until 10:00 a.m., Thursday, January 28, 1982.

EIGHTEENTH DAY

MORNING SESSION

The Senate was called to order at 10:15 a.m with President Miles 'Cap' Ferry presiding.

Roll Call — All Senators present except Senator L. Peterson (excused).

Prayer — The Honorable Richard C. Howe, Justice of the Utah Supreme Court (Former Utah State Senator).

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 222.

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: January 28, 1982

The Committee on Revision of the daily Senate Journal respectfully reports that we have read the Journal for the Seventeenth Day and find it correct with minor amendments noted on the final copy.

Eldon A. Money, Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 27, 1982

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. 29**, ROGER TEW RESOLUTION, by Representative Stratford, et al. and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.J.R. No. 29, was read the first time. On motion of Senator Snow, the resolution was, under suspension of the rules, read the second and third time and passed by a unanimous voice vote of all senators present. Senator Bunnell, Finlinson, Halverson, Jones, C. Peterson, L. Peterson, and Swan were absent. **H.J.R. No. 29** was signed by the President of the Senate and returned to the House for further action.

. . .

Mr. President: January 27, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, **H.J.R. No. 1,** RESIDENCY REQUISITE FOR LEGISLATORS, 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. 10,** COLLECTION OF STUDENT LOANS, by Representative Burningham, 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. 12,** RETIREMENT SYSTEM CONTRIBUTIONS, 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, **SUBSTITUTE H.B. No. 26,** SCHOOL DISTRICT BOARD MEMBERS' TERMS, 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. 34,** PUBLIC EMPLOYEES' POLITICAL ACTIVITIES, 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. 51,** UTAH DAIRY COMMISSION, by Representative Olsen, 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. 60,** REPRESENTATION 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, **H.B. No. 66,** NAMES ON ELECTION BALLOTS, by Representative Walker, 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. 82,** NEIGHBORHOOD DEVELOPMENT ACT ELECTIONS, by Representative 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, under suspension of the rules, **H.B. No. 45,** DRINKING DRIVER FEE ACCOUNT, by Representative Rogers, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.J.R. No. 1, H.B. Nos. 10, 12, 28, 34, 60, 66, 82, and **45** were read the first time and referred to Rules Committee.

RULES COMMITTEE REPORT

Mr. President: January 28, 1982

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 51	STATE TAX SYSTEM COMMITTEE REPEAL
S.B. No. 56	FUNDS FOR WATER AND SEWER DISTRICTS
S.B. No. 57	COUNTY PLANETARIUM MODIFICATIONS
S.B. No. 60	CAPITAL PUNISHMENT SENTENCING PROCEDURES
S.B. No. 62	PROOF OF FINANCIAL RESPONSIBILITY
S.B. No. 64	ANATOMICAL GIFTS
S.B. No. 59	SUPPLEMENTAL APPROPRIATIONS ACT — BEAR LAKE PROPERTY
S.J.R. No. 18	PRISON SITES STUDY

reports the bills to the Senate and asks that they be printed and under suspension of the rules placed on the Second Reading Calendar.

Ronald T. Halverson,
Committee Chairman

Committee report read and adopted.

THIRD READING CALENDAR

S.B. No. 3, PUBLIC BONDING PROVISIONS, was read the third time. On motion of Senator Finlinson. **S.B. No. 3** was amended as follows:

Page 2, Line 4:
After *"Section 2."* insert *"After the effective date of this chapter, and"*
Change *"Before"* to *"before"*

Page 3, Line 33:
Delete *"by this"* and insert in lieu thereof *"for contracts issued after the effective date of this"*

On motion of Senator Barlow, the following amendments were proposed:

Page 4, Line 20:
After "*1953*" insert "*, and those entities may authorize or permit exceptions to the bonding provisions of this chapter if the engineer's estimate is 50,000 or less and other acceptable security, as approved by the appropriate county, city, municipality, or public body thereof, is offered and provided by the contractor*"

On motion of Senator Barlow, the bill is circled.

• • •

S.B. No. 44, ASSESSED VALUATION AND TAX NOTICE, was read the third time. On motion of Senator Bullen **S.B. No. 44** was amended as follows:

Page 24, Line 3:
After "*ownership of the*" insert "*real*"

S.B. No. 44 passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	Halverson	Pugh
Bangerter	Considine	Jeffs	Snow
Barlow	Cornaby	Jones	Sowards
Barton	Farley	Matheson	Swan
Bennett	Finlinson	Money	Wayment
Black	Flamm	Peterson, C.	Mr. President (Ferry)
Bullen			

Absent or not voting were: Senators

Bunnell	Christensen	Peterson, L.	Sandberg

S.B. No. 44 was transmitted to the House.

• • •

S.B. No. 84, VOTER INFORMATION PAMPHLET, 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	Pugh
Bangerter	Carling	Jeffs	Sandberg
Barlow	Christensen	Jones	Snow
Barton	Considine	Matheson	Sowards
Bennett	Cornaby	Money	Swan
Black	Farley	Peterson, C.	Wayment
Bullen	Flamm		Mr. President (Ferry)

Absent or not voting were: Senators

Finlinson	Peterson, L.

S.B. No. 84 was transmitted to the House.

• • •

S.B. No. 87, PUBLIC SUPPORT OF CHILDREN, 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	Halverson	Sandberg
Bangerter	Carling	Jeffs	Snow
Barlow	Christensen	Jones	Sowards
Barton	Considine	Matheson	Swan
Bennett	Cornaby	Money	Wayment
Black	Farley	Pugh	Mr. President (Ferry)
Bullen	Flamm		

Absent or not voting were: Senators

Finlinson	Peterson, C.	Peterson, L.

S.B. No. 87 was transmitted to the House.

• • •

S.B. No. 88, CIVIL LIABLITY FOR SUPPORT 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	Sandberg
Bangerter	Carling	Jones	Snow
Barlow	Considine	Matheson	Sowards
Barton	Cornaby	Money	Swan
Bennett	Farley	Peterson, C.	Wayment
Black	Flamm	Pugh	Mr. President (Ferry)
Bullen	Halverson		

Absent or not voting were: Senators

Christensen	Finlinson	Peterson, L.

S.B. No. 38 was transmitted to the House.

• • •

S.B. No. 55, REVENUE BONDS FOR UTAH TECHNICAL COLLEGE AT PROVO, 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	Halverson	Sandberg
Bangerter	Christensen	Jeffs	Snow
Barlow	Considine	Jones	Sowards
Barton	Cornaby	Matheson	Swan
Bennett	Farley	Peterson, C.	Wayment
Black	Finlinson	Pugh	Mr. President (Ferry)
Bunnell	Flamm		

Absent or not voting were: Senators

Bullen	Money	Peterson, L.

S.B. No. 55 was transmitted to the House.

• • •

S.B. No. 50, INTERSTATE CORRECTIONS COMPACT AMENDMENTS, was before the Senate on Consent Calendar, read the third time, and passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Asay	Bunnell	Money	Sowards
Bangerter	Christensen	Peterson, C.	Swan
Barton	Farley	Pugh	Wayment
Bennett	Jeffs	Sandberg	Mr. President (Ferry)
Bullen	Matheson	Snow	

Absent or not voting were: Senators

Barlow	Considine	Flamm	Jones
Black	Cornaby	Halverson	Peterson, L.
Carling	Finlinson		

S.B. No. 50 was transmitted to the House.

• • •

The Senate recessed at 10:45 a.m. for a Rules Committee meeting, and reassembled at 11:15 a.m.

SECOND READING CALENDAR

On motion of Senator Halverson, **H.B. No. 33,** VEHICLE REGISTRATION FEE INCREASE, was returned to the House for correction.

• • •

On motion of Senator Bangerter, **H.B. No. 35** is circled.

• • •

On motion of Senator Snow, the rules were suspended and the following bills were considered:

S.B. No. 51, STATE TAX SYSTEM COMMITTEE REPEAL, was read the second time, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Christensen	Jeffs	Sandberg
Bangerter	Considine	Jones	Snow
Barlow	Cornaby	Matheson	Sowards
Barton	Farley	Money	Swan
Bennett	Flamm	Peterson, C.	Wayment
Black	Halverson		

Absent or not voting were: Senators

Bullen	Carling	Peterson, L.	Mr. President (Ferry)
Bunnell	Finlinson	Pugh	

• • •

On motion of Senator Finlinson, **S.B. No. 56** is circled.

• • •

On motion of Senator Finlinson, the rules were suspended, and **S.B. No. 57,** COUNTY PLANETARIUM MODIFICATIONS, 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	Bunnell	Flamm	Sandberg
Bangerter	Carling	Halverson	Snow
Barlow	Christensen	Jones	Sowards
Barton	Considine	Matheson	Swan
Bennett	Cornaby	Money	Wayment
Black	Farley	Peterson, C.	Mr. President (Ferry)
Bullen	Finlinson		

Absent or not voting were: Senators

Jeffs	Peterson, L.	Pugh

S.B. No. 57 was transmitted to the House.

THIRD READING CALENDAR

On motion of Senator Barlow, **S.B. No. 3,** PUBLIC BONDING PROVISION, was uncircled and before the Senate. The proposed Barlow amendments were not adopted.

On motion of Senator Carling, **S.B. No. 3** was amended as follows:

Page 3, Line 33:
Delete *"fails to"* and insert in lieu thereof *"does not"*

On motion of Senator Sandberg **S.B. No. 3** was amended as follows:

Page 1, Line 31:
Delete *"shall"* and insert in lieu thereof *"may"*

S.B. No. 3, as amended, passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Christensen	Halverson	Sandberg
Barlow	Considine	Jeffs	Snow
Barton	Cornaby	Jones	Sowards
Bennett	Farley	Matheson	Swan
Black	Finlinson	Money	Wayment
Bullen	Flamm	Peterson, C.	Mr. President (Ferry)
Carling			

Absent or not voting were: Senators

Asay	Bunnell	Peterson, L.	Pugh

S.B. No. 3, as amended, was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator Jeffs, the rules were suspended and **S.B. No. 60**, CAPITAL PUNISHMENT SENTENCING PROCEDURES, was read the second and third times and passed on the following roll call:

Yeas, 22; Nays, 2; Absent, 5

Voting in the affirmative were: Senators

Asay	Bunnell	Jones	Snow
Bangerter	Christensen	Matheson	Sowards
Barlow	Cornaby	Money	Swan
Barton	Finlinson	Peterson, C.	Wayment
Bennett	Halverson	Sandberg	Mr. President (Ferry)
Bullen	Jeffs		

Voting in the negative were: Senators

Considine	Farley		

Absent or not voting were: Senators

Black	Flamm	Peterson, L.	Pugh
Carling			

S.B. No. 60 was transmitted to the House.

• • •

On motion of Senator Christensen, the rules were suspended and **S.B. No. 62,** PROOF OF FINANCIAL RESPONSIBILITY, was read the second and third times and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Christensen	Halverson	Sandberg
Barlow	Considine	Jeffs	Snow
Barton	Cornaby	Jones	Sowards
Bennett	Farley	Matheson	Swan
Black	Finlinson	Money	Wayment
Bullen	Flamm	Peterson, C.	Mr. President (Ferry)
Bunnell			

Absent or not voting were: Senators

Bangerter	Carling	Peterson, L.	Pugh

S.B. No. 62 was transmitted to the House.

• • •

On motion of Senator Barton the rules were suspended and **S.B. No. 64,** ANATOMICAL GIFTS, was read the second and third times. On motion of Senator Barton **S.B. No. 64** was amended as follows:

Page 2, Line 5:
Delete *"corneal"* and insert in lieu thereof *"eye"*

Page 2, Line 9:
Delete *"remove the corneal tissue."* and insert in lieu thereof *"enucleate the eye."*

S.B. No. 64 passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Snow
Barlow	Christensen	Jeffs	Sowards
Barton	Considine	Jones	Swan
Bennett	Cornaby	Money	Wayment
Black	Farley	Peterson, C.	Mr. President (Ferry)
Bullen	Finlinson	Sandberg	

Absent or not voting were: Senators

Bangerter	Flamm	Peterson, L.	Pugh
Carling	Matheson		

S.B. No. 64 was transmitted to the House.

RULES COMMITTEE REPORTS

Mr. President: January 28, 1982

The Senate Rules Committee, to which were referred the following House Enabling Resolutions:

HER-H.B. No. 57	SCHOOL DISTRICTS — RISK MANAGEMENT FUND
HER-H.B. No. 64	STATE MONEY MANGEMENT ACT—PUBLIC FUNDS
HER-H.B. No. 100	REPLACED INCOME TAX PROVISIONS REPEAL
HER-H.B. No. 105	STUDENT LOAN PROGRAM
HER-H.B. No. 109	SICK LEAVE ABUSE INCENTIVES
HER-H.B. No. 132	REPORTING SEXUAL ABUSE OF CHILDREN
HER-H.B. No. 138	NATURAL RESOURCES DEVELOPMENT REVOLVING ACCOUNT INCOME
HER-H.B. No. 144	IMPOUNDMENT OF VEHICLES
HER-H.B. No. 28	PROFESSIONAL LEGISLATIVE STAFF AMENDMENTS
HER-H.B. No. 77	COUNTY SERVICE AREA AMENDMENTS
HER-H.B. No. 110	ADMINISTRATIVE RULES OVERSIGHT ACT
HER-H.B. No. 131	INTOXICATED DRIVERS AMENDMENTS
HER-H.B. No. 44	POLITICAL CAMPAIGN FINANCIAL REPORTS

reports the enabling resolutions to the Senate and asks that under suspension of the rules, read the second time and placed on Third Reading Calendar, and

The Senate Rules Committee, to which were referred the following House Bills:

H.B. No. 51	UTAH DAIRY COMMISSION
H.B. No. 66	NAMES ON ELECTION BALLOTS

reports the bills to the Senate and asks that under suspension of the rules they be considered read the second time and placed on the Consent Calendar.

Ronald T. Halverson,
Rules Committee Chairman

Committee reports read and adopted and the HER's were read the second time and placed on Third Reading Calendar. **H.B. Nos. 51** and **66** were read the second time and placed on Consent Calendar.

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On motion of Senator Snow, and at 12:00 noon. The Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:10 p.m. with President Miles 'Cap' Ferry presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 28, 1982

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. 26,** RETIREMENT BOARD STUDY, by Representative Mecham, 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, **HER-H.B. No. 48,** FEDERAL ASSISTANCE AMENDMENTS, 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, under suspension of the rules, **HER-H.B. No. 95,** FACILITIES CONSTRUCTION LIMITATION, 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, under suspension of the rules, **HER-H.B. No. 128,** LIFE CYCLE COST ANALYSES, 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, under suspension of the rules, **HER-H.B. No. 129,** DEPARTMENT OF BUSINESS REGULATION, by Representative D. Johnson, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.J.R. No. 26, HER-H.B. Nos. 48, 95, 128 and **129** were read the first time and referred to Rules Committee.

RULES COMMITTEE REPORT

Mr. President: January 28, 1982

Their enabling resolutions having been rejected in either the Senate or House, the Rules Committee recommends that the enacting clause be stricken on the following Senate Bills:

S.B. No. 43	JUSTICES OF PEACE APPOINTMENTS
S.B. No. 36	MEDICALLY INDIGENT
S.B. No. 54	REAPPORTIONMENT GUIDELINES
S.B. No. 58	VOCATIONAL EDUCATION COORDINATING COMMISSION
S.B. No. 61	IN LIEU PAYMENTS TO LOCAL SUBDIVISIONS
S.B. No. 66	HIGHER EDUCATION CLASSIFIED EMPLOYEE DENTAL INSURANCE ACT
S.J.R. No. 18	SESSIONS OF LEGISLATURE, and

The Senate Rules Committee, to which were referred the following House Enabling Resolutions:

HER-H.J.R. No. 20	OCCUPATION TAX REVENUES USAGE
HER-H.J.R. No. 27	CORPORATE OFFICERS AMENDMENT

reports the enabling resolutions to the Senate and asks that, under suspension of the rules, read the second times and placed on Third Reading Calendar, and

The Senate Rules Committee, to which were referred the following House Bills:

H.B. No. 12	RETIREMENT SYSTEM CONTRIBUTIONS
H.B. No. 10	COLLECTION OF STUDENT LOANS
H.C.R. No. 3	NUCLEAR FALLOUT RESOLUTION
SUB. H.J.R. No. 10	JUDICIAL ARTICLE REIVISION
H.B. No. 6	ENTRANCE DATE FOR KINDERGARTEN
SUB. H.B. No. 15	CONTROLLED SUBSTANCES ACT FORFEITURES
H.B. No. 27	SCHOOL IMMUNIZATION ACT
H.B. No. 58	IMITATION CONTROLLED SUBSTANCE ACT
H.B. No. 68	UNEMPLOYMENT COMPENSATION AMENDMENTS
H.B. No. 34	PUBLIC EMPLOYEES POLITICAL ACTIVITIES
H.B. No. 45	DRINKING DRIVER FEE ACCOUNT
H.J.R. No. 1	RESIDENCY REQUISITE FOR LEGISLATORS

reports the bills to the Senate and asks that, they under suspension of the rules, be placed on the Second Reading Calendar.

Ronald T. Halverson,
Committee Rules Chairman

Committee reports read and adopted. The enacting clause was stricken on the S.B.'s. **HER-H.J.R. Nos. 20** and **27** were read the second time and placed on Third Reading Calendar.

SECOND READING CALENDAR

On motion of Senator Bullen, **SUB. S.B. No. 65,** HOUSING FINANCE AGENCY CHANGES, was lifted from Second Reading Table, placed on the top of the calendar and before the Senate. **SUB. S.B. No. 65** was, under suspension of the rules, 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	Pugh
Bangerter	Bunnell	Halverson	Snow
Barlow	Carling	Matheson	Sowards
Barton	Christensen	Money	Swan
Bennett	Considine	Peterson, C.	Wayment
Black	Farley	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Cornaby	Jeffs

Absent or not voting were: Senators
Finlinson Jones Sandberg

S.B. No. 65 was transmitted to the House.

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On motion of Senator Bullen, the rules were suspended and **S.B. No. 59,** SUPPLEMENTAL APPROPRIATIONS ACT — BEAR LAKE PROPERTY, was read the second and third times.

Mr. President: January 25, 1982

The Energy and Natural Resources Committee, to which was referred **S.B. No. 59,** SUPPLEMENTAL APPROPRIATIONS ACT — BEAR LAKE PROPERTY, by Senator Charles W. Bullen, 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, 5; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Snow
Bangerter	Christensen	Jones	Sowards
Barton	Considine	Matheson	Swan
Bennett	Farley	Money	Wayment
Black	Finlinson	Peterson, L.	Mr. President (Ferry)
Bullen	Flamm	Sandberg	

Voting in the negative were: Senators

Carling	Jeffs	Peterson, C.	Pugh
Cornaby			

Absent or not voting were: Senator
Barlow

S.B. No. 59 was transmitted to the House.

• • •

Senator Swan, having voted on the prevailing side and having served notice that he might ask the Senate to reconsider its action on **S.B. No. 76,** OCCUPATION TAX ON COAL, now asked that it be reconsidered. Senator Bullen, with the aid of five Senators, requested a Call of the Senate. On motion of Senator Bullen, the Call of the Senate was lifted and the bill passed on the following roll call:

Yeas, 16; Nays, 12; Absent, 1.

Those voting in the affirmative were: Representatives

Asay	Bullen	Farley	Peterson, L.
Barlow	Bunnell	Flamm	Sowards
Bennett	Christensen	Halverson	Swan
Black	Considine	Peterson, C.	Wayment

Voting in the negative were: Senators

Bangerter	Cornaby	Matheson	Sandberg
Barton	Finlinson	Money	Snow
Carling	Jeffs	Pugh	Mr. President (Ferry)

Absent or not voting were: Senator
Jones

On motion of Senator Bullen, and under suspension of the rules, **S.B. No. 76** was read the third time, and passed on the following roll call:

Yeas, 16; Nays, 12; Absent, 1.

Voting in the affirmative were: Senators

Asay	Bullen	Farley	Peterson, L.
Barlow	Bunnell	Flamm	Sowards
Bennett	Christensen	Halverson	Swan
Black	Considine	Peterson, C.	Wayment

Voting in the negative were: Senators

Bangerter	Cornaby	Matheson	Sandberg
Barton	Finlinson	Money	Snow
Carling	Jones	Pugh	Mr. President (Ferry)

Absent or not voting were: Senator
Jeffs

S.B. No. 76 was transmitted to the House.

• • •

S.J.R. No. 18, PRISON SITES STUDY, was read the second time. Senators L. Peterson, Jones, Barton, and Black commented and the resolution failed on the following roll call:

Yeas, 12; Nays, 17; Absent, 0

Voting in the affirmative were: Senators

Bangerter	Flamm	Matheson	Sowards
Barton	Halverson	Peterson, C.	Wayment
Bullen	Jeffs	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Asay	Carling	Farley	Pugh
Barlow	Christensen	Finlinson	Sandberg
Bennett	Considine	Jones	Snow
Black	Cornaby	Money	Swan
Bunnell			

S.J.R. No. 18 is filed.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 28, 1982

I am returning to the Senate **H.B. No. 33,** VEHICLE REGISTRATION FEE INCREASE, by Representative Strong. The technical review has been made by the House.

Allan M. Acomb, Chief Clerk

H.B. No. 33 was read the second time. Senator Bangerter commented, and moved that the House amendments be deleted and the bill returned to its original form. Senator Black, Jones, Sowards, Christensen and Barton commented. Senator Bangerter's motion passed and the bill was before the Senate in its original and unamended form.

Senators Pugh, Sowards, Asay, Finlinson, Christensen and Black commented and **H.B. No. 33** passed on the following roll call:

Yeas, 16; Nays, 12; Absent, 1

Voting in the affirmative were: Senators

Barton	Carling	Jeffs	Snow
Bennett	Considine	Money	Sowards
Black	Farley	Pugh	Swan
Bunnell	Finlinson	Sandberg	Mr. President (Ferry)

Voting in the negative were: Senators

Asay	Bullen	Flamm	Peterson, C.
Bangerter	Christensen	Jones	Peterson, L.
Barlow	Cornaby	Matheson	Wayment

Absent or not voting were: Senator
Halverson

• • •

On motion of Senator Snow, the circle was removed from **H.B. No. 35,** TRANSPORTATION PERMIT FEE INCREASE, is read the second time. Senator Sowards commented. Senator Bangerter moved to strike the enacting clause of the bill. Senators Black and Bunnell commented and Senator Bangerter's motion failed. On motion of Senator Bangerter, the bill is circled.

THIRD READING CALENDAR

On motion of Senator Snow, and under suspension of the rules, the HER's on Third Reading Calendar are to be considered.

• • •

HER-H.B. No. 57, SCHOOL DISTRICTS — RISK MANAGEMENT FUND, was read the third time, and passed on the following roll call:

Yeas, 22; Nays, 5; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Halverson	Snow
Barlow	Considine	Jeffs	Sowards
Barton	Cornaby	Jones	Swan
Bennett	Farley	Peterson, L.	Wayment
Bullen	Finlinson	Pugh	Mr. President (Ferry)
Bunnell	Flamm		

Voting in the negative were: Senators

Black	Money	Peterson, C.	Sandberg
Matheson			

Absent or not voting were: Senators

Bangerter	Christensen

HER-H.B. No. 57 was signed by the President of the Senate and returned to the House for further action.

• • •

HER-H.B. No. 64, STATE MONEY MANAGEMENT ACT — PUBLIC FUNDS, was read the third time, and passed on the following roll call:

Yeas, 24; Nays, 5; Absent, 0

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Pugh
Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Matheson	Snow
Barton	Finlinson	Money	Sowards
Bullen	Flamm	Peterson, C.	Wayment
Bunnell	Halverson	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Bennett	Considine	Farley	Swan
Black			

HER-H.B. No. 64 was signed by the President of the Senate and returned to the House for further action.

• • •

Senator Swan, having voted on the prevailing side and having served notice on January 25th that he might ask the Senate to reconsider its action on **SER-S.J.R. No. 13,** SESSIONS OF LEGISLATURE, now ask that it be reconsidered. **SER-S.J.R. No. 13** was placed at the bottom of Second Reading Calendar.

• • •

HER-H.B. No. 100, REPLACED INCOME TAX PROVISIONS REPEAL. was read the third time. and passed on the following roll call:

Yeas, 28; Nays, 1; Absent, 0

Voting in the affirmative were: Senators

Asay	Bunnell	Flamm	Pugh
Bangerter	Carling	Jeffs	Sandberg
Barlow	Christensen	Jones	Snow
Barton	Considine	Matheson	Sowards
Bennett	Cornaby	Money	Swan
Black	Farley	Peterson, C.	Wayment
Bullen	Finlinson	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senator
Halverson

HER-H.B. No. 100 was signed by the President of the Senate and returned to the House for further action.

• • •

HER-H.B. No. 105, STUDENT LOAN PROGRAM. 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	Considine	Jeffs	Sandberg
Barlow	Cornaby	Matheson	Snow
Bennett	Farley	Money	Sowards
Black	Finlinson	Peterson, C.	Swan
Bullen	Flamm	Peterson, L.	Wayment
Carling	Halverson	Pugh	Mr. President (Ferry)
Christensen			

Absent or not voting were: Senators

Bangerter	Barton	Bunnell	Jones

HER-H.B. No. 105, was signed by the President of the Senate and returned to the House for further action.

• • •

HER-H.B. No. 109, SICK LEAVE ABUSE INCENTIVES, 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	Christensen	Halverson	Sandberg
Barlow	Considine	Jeffs	Snow
Bennett	Cornaby	Matheson	Sowards
Black	Farley	Money	Swan
Bullen	Finlinson	Peterson, L.	Wayment
Carling	Flamm	Pugh	Mr. President (Ferry)

Absent or not voting were: Senators

Bangerter	Bunnell	Jones	Peterson, C.
Barton			

HER-H.B. No. 109, was signed by the President of the Senate and returned to the House for further action.

• • •

HER-H.B. No. 138, NATURAL RESOURCES DEVELOPMENT REVOLVING ACCOUNT INCOME, was read the third time, explained by Senator Pugh, and passed on the following roll call:

Yeas, 24; Nays, 2; Absent, 3

Voting in the affirmative were: Senators

Asay	Christensen	Halverson	Pugh
Barlow	Considine	Jones	Sandberg
Barton	Cornaby	Matheson	Snow
Bennett	Farley	Money	Sowards
Black	Finlinson	Peterson, C.	Wayment
Carling	Flamm	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Bunnell	Swan

Absent or not voting were: Senators
Bangerter Bullen Jeffs

HER-H.B. No. 138, was signed by the President of the Senate and returned to the House for further action.

• • •

HER-H.B. No. 44, POLITICAL CAMPAIGN FINANCIAL REPORTS, was read the third time, explained by Senator Finlinson, and passed on the following roll call:

Yeas, 24; Nays, 3; Absent, 2

Voting in the affirmative were: Senators

Asay	Christensen	Halverson	Sandberg
Barlow	Considine	Jeffs	Snow
Barton	Cornaby	Jones	Sowards
Black	Farley	Peterson, C.	Swan
Bullen	Finlinson	Peterson, L.	Wayment
Carling	Flamm	Pugh	Mr. President (Ferry)

Voting in the negative were: Senators
Bunnell Matheson Money

Absent or not voting were: Senators
Bangerter Bennett

HER-H.B. No. 44, was signed by the President of the Senate and returned to the House for further action.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 28, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **HER-H.B. No. 134,** UTAH PUBLIC SAFETY RETIREMENT ACT MODIFICATION, 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, under suspension of the rules, as amended, **H.J.R. No. 28,** WORK FOR WELFARE RECIPIENTS RESOLUTION, 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, under suspension of the rules, **H.B. No. 43,** NORTHWEST INTERSTATE COMPACT ON LOW-LEVEL RADIOACTIVE WASTE, 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, under suspension of the rules, **H.B. No. 47,** JUDICIAL DISTRICT BOUNDARIES AND JUDGESHIPS, by Representative McKeachnie, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

HER-H.B. No. 134, H.J.R. No. 28 and **H.B. Nos. 43** and **47** were read the first time and referred to Rules Committee.

THIRD READING CALENDAR

HER-H.B. No. 132, REPORTING SEXUAL ABUSE OF CHILDREN, 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	Carling	Halverson	Pugh
Barlow	Christensen	Jeffs	Sandberg
Barton	Considine	Jones	Snow
Bennett	Cornaby	Matheson	Sowards
Black	Farley	Money	Swan
Bullen	Finlinson	Peterson, C.	Wayment
Bunnell	Flamm	Peterson, L.	Mr. President (Ferry)

Absent or not voting were: Senator
Bangerter

HER-H.B. No. 132 was signed by the President of the Senate and returned to the House for further action.

• • •

HER-H.B. No. 144, IMPOUNDMENT OF VEHICLES, 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	Carling	Jeffs	Sandberg
Barlow	Christensen	Jones	Snow
Barton	Considine	Matheson	Sowards
Bennett	Cornaby	Money	Swan
Black	Farley	Peterson, C.	Wayment
Bullen	Finlinson	Peterson, L.	Mr. President (Ferry)
Bunnell	Flamm	Pugh	

Absent or not voting were: Senators

Bangerter	Halverson

HER-H.B. No. 144, was signed by the President of the Senate and returned to the House for further action.

• • •

HER-H.B. No. 77, COUNTY SERVICE AREA AMENDMENTS, was read the third time, explained by Senator Finlinson, and failed on the following roll call:

Yeas, 16; Nays, 9; Absent, 4

Voting in the affirmative were: Senators

Barlow	Cornaby	Jones	Snow
Barton	Finlinson	Matheson	Sowards
Bullen	Flamm	Money	Wayment
Christensen	Jeffs	Pugh	Mr. President (Ferry)

Voting in the negative were: Senators

Bennett	Considine	Halverson	Peterson, L.
Black	Farley	Peterson, C.	Swan
Bunnell			

Absent or not voting were: Senators

Asay	Bangerter	Carling	Sandberg

• • •

HER-H.B. No. 131, INTOXICATED DRIVERS' AMENDMENTS, was read the third time, explained by Senator Wayment, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Pugh
Bangerter	Christensen	Jeffs	Sandberg
Barlow	Considine	Jones	Snow
Barton	Cornaby	Matheson	Sowards
Bennett	Farley	Money	Swan
Black	Finlinson	Peterson, C.	Wayment
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)

Absent or not voting were: Senator
Carling

HER-H.B. No. 131, was signed by the President of the Senate and returned to the House for further action.

• • •

On motion of Senator Snow, **HER-H.B. No. 134,** UTAH PUBLIC SAFETY RETIREMENT ACT MODIFICATION was, under suspension of the rules, lifted from Rules Committee, 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	Halverson	Pugh
Bangerter	Christensen	Jeffs	Sandberg
Barlow	Considine	Jones	Snow
Barton	Cornaby	Matheson	Sowards
Bennett	Farley	Money	Swan
Black	Finlinson	Peterson, C.	Wayment
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)

Absent or not voting were: Senator
Carling

HER-H.B. No. 134, was signed by the President of the Senate and returned to the House for further action.

• • •

On motion of Senator Snow, the circle was removed from **H.B. No. 35** and **S.B. No. 56** on Second Reading Calendar.

• • •

Senator L. Peterson, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action on **HER-H.B. No. 77**, COUNTY SERVICE AREA AMENDMENTS.

• • •

On motion of Senator Snow, and at 4:30 p.m., the Senate adjourned until 9:00 a.m., Friday, January 29, 1982.

NINETEENTH DAY

MORNING SESSION

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

Roll Call — All Senators present.

Prayer — The Right Reverend Otis Charles, (Bishop of the Episcopal Diocese of Salt Lake)

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 222.

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: January 29, 1982

The Committee on Revision of the daily Senate Journal respectfully reports that we have read the Journal for the Eighteenth Day and find it correct with minor amendments noted on the final copy.

Dona M. Wayment, Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 28, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 41,** HOUSING AUTHORITIES INCLUSION, by Representative Harmer, 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. 55,** SALES AND USE TAX FOR BASIC SCHOOL PROGRAM, by Representative Pace, 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. 86,** RETIREMENT BENEFITS FOR SCHOOL AND PUBLIC EMPLOYEES, 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, under suspension of the rules, **H.B. No. 135,** MEDICAL ASSISTANCE PROGRAM, by Representative Doane, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. Nos. 41, 55, 86 and **135** were read the first time and referred to Rules Committee.

THIRD READING CALENDAR

On motion of Senator Snow, **SER-S.J.R. No. 13** is circled.

• • •

HER-H.B. No. 28, PROFESSIONAL LEGISLATIVE STAFF AMENDMENTS was read the third time and explained by Representative Sykes in Committee of the Whole. The resolution passed on the following roll call:

Yeas, 23; Nays, 2; Absent, 4

Voting in the affirmative were: Senators

Asay	Considine	Jeffs	Sandberg
Barlow	Cornaby	Jones	Snow
Barton	Farley	Matheson	Sowards
Bullen	Finlinson	Money	Swan
Bunnell	Flamm	Peterson, C.	Mr. President (Ferry)
Christensen	Halverson	Peterson, L.	

Voting in the negative were: Senators

Carling	Pugh

Absent or not voting were: Senators

Bangerter	Bennett	Black	Wayment

HER-H.B. No. 28 was signed by the President of the Senate and returned to the House for further action.

• • •

On motion of Senator Halverson **H.B. No. 84,** LOST CREEK ROAD APPROPRIATIONS, was under suspension of the rules lifted from Rules (Sifting) Committee, read the second and third times, and circled.

• • •

S.B. No. 51, STATE TAX SYSTEM COMMITTEE REPEAL, 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	Flamm	Pugh
Bangerter	Carling	Halverson	Sandberg
Barlow	Christensen	Jeffs	Snow
Barton	Considine	Jones	Sowards
Bennett	Cornaby	Matheson	Swan
Black	Farley	Money	Wayment
Bullen	Finlinson	Peterson, L.	Mr. President (Ferry)

Absent or not voting were: Senators
Peterson, C.

S.B. No. 51 was transmitted to the House.

• • •

Senator L. Peterson, having voted on the prevailing side and having served notice of intent to ask that the Senate reconsider its action on **HER-H.B. No. 77,** COUNTY SERVICE AREA AMENDMENTS, now asked that it be reconsidered. The resolution passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Flamm	Pugh
Bangerter	Carling	Halverson	Sandberg
Barlow	Christensen	Jeffs	Snow
Barton	Considine	Jones	Sowards
Bennett	Cornaby	Matheson	Swan
Black	Farley	Money	Wayment
Bullen	Finlinson	Peterson, L.	Mr. President (Ferry)

Absent or not voting were: Senators
Peterson, C.

HER-H.B. No. 77 was signed by the President of the Senate and returned to the House for further action.

• • •

H.B. No. 33, VEHICLE REGISTRATON FEE INCREASE, was read the third time. On motion of Senator Bangerter, **H.B. No. 35** was amended as follows:

Page 5, Line 21:
Change the effective date from July 1, 1982 to *"January 1, 1983"*

Senators Bangerter and Black commented and the bill passed on the following roll call:

Yeas, 17; Nays, 12; Absent, 0

Voting in the affirmative were: Senators

Barton	Considine	Jones	Snow
Bennett	Farley	Money	Sowards
Black	Finlinson	Peterson, L.	Swan
Bunnell	Jeffs	Pugh	Mr. President (Ferry)
Carling			

Voting in the negative were: Senators

Asay	Bullen	Flamm	Peterson, C.
Bangerter	Christensen	Halverson	Sandberg
Barlow	Cornaby	Matheson	Wayment

H.B. No. 33, as amended, was returned to the House.

• • •

HER-H.B. No. 110, ADMINISTRATIVE RULES OVERSIGHT ACT, was read the third time, and failed on the following roll call:

Yeas, 14; Nays, 10; Absent, 5

Voting in the affirmative were: Senators

Asay	Halverson	Peterson, C.	Snow
Bangerter	Jeffs	Pugh	Wayment
Christensen	Jones	Sandberg	Mr. President (Ferry)
Flamm	Matheson		

Voting in the negative were: Senators

Barlow	Considine	Finlinson	Peterson, L.
Bennett	Cornaby	Money	Swan
Black	Farley		

Absent or not voting were: Senators

Barton	Bunnell	Carling	Sowards
Bullen			

HER-H.B. No. 110 was returned to the House for filing.

• • •

On motion of Senator Halverson, the circle is removed from **H.B. No. 84,** LOST CREEK ROAD APPROPRIATION, and it is before the Senate and passed on the following roll call:

Yeas, 18; Nays, 9; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Farley	Money	Sowards
Barton	Finlinson	Peterson, C.	Swan
Bennett	Flamm	Peterson, L.	Wayment
Bullen	Halverson	Snow	Mr. President (Ferry)
Christensen	Matheson		

Voting in the negative were: Senators

Black	Considine	Jeffs	Pugh
Bunnell	Cornaby	Jones	Sandberg
Carling			

Absent or not voting were: Senators

Asay	Barlow

H.B. No. 84 was signed by the President of the Senate and returned to the House for further action.

• • •

HER-H.J.R. No. 20, OCCUPATION TAX REVENUES USAGE, was read the third time, and failed on the following roll call:

Yeas, 19; Nays, 7; Absent, 3

Voting in the affirmative were: Senators

Asay	Christensen	Jeffs	Pugh
Bangerter	Considine	Jones	Sandberg
Barton	Farley	Matheson	Sowards
Bennett	Flamm	Peterson, C.	Wayment
Black	Halverson	Peterson, L.	

Voting in the negative were: Senators

Barlow	Cornaby	Snow	Mr. President (Ferry)
Bunnell	Finlinson	Swan	

Absent or not voting were: Senators

Bullen	Carling	Money

HER-H.J.R. No. 20 was returned to the House for filing.

• • •

HER-H.J.R. No. 27, CORPORATE OFFICERS' AMENDMENT, 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	Halverson	Sandberg
Bangerter	Considine	Jones	Snow
Barton	Cornaby	Matheson	Sowards
Bennett	Farley	Money	Swan
Bunnell	Finlinson	Peterson, C.	Wayment
Carling	Flamm	Peterson, L.	Mr. President (Ferry)

Voting in the negative were: Senators

Barlow	Black	Jeffs	Pugh

Absent or not voting were: Senator
Bullen

HER-H.J.R. No. 27 was signed by the President of the Senate and returned to the House for further action.

* * *

On motion of Senator Finlinson, the Senate uncircled and reconsidered **SER-S.J.R. No. 13,** SESSIONS OF THE LEGISLATURE, and it failed on the following roll call:

Yeas, 19; Nays, 9; Absent, 1

Voting in the affirmative were: Senators

Asay	Considine	Matheson	Sowards
Barlow	Cornaby	Money	Swan
Barton	Farley	Peterson, C.	Wayment
Bennett	Finlinson	Peterson, L.	Mr. President (Ferry)
Black	Halverson	Snow	

Voting in the negative were: Senators

Bangerter	Christensen	Jeffs	Pugh
Bunnell	Flamm	Jones	Sandberg
Carling			

Absent or not voting were: Senator
Bullen

SER-S.J.R. No. 13 is filed.

SECOND READING CALENDAR

On motion of Senator Snow, the rules were suspended, and **H.B. No. 12,** RETIREMENT SYSTEMS CONTRIBUTIONS, was read the second and third times and passed on the following roll call:

Yeas, 24; Nays, 2; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Sandberg
Bangerter	Carling	Jones	Snow
Barlow	Considine	Money	Sowards
Bennett	Farley	Peterson, C.	Swan
Black	Finlinson	Peterson, L.	Wayment
Bullen	Flamm	Pugh	Mr. President (Ferry)

Voting in the negative were: Senators

Cornaby	Matheson

Absent or not voting were: Senators

Barton	Christensen	Jeffs

H.B. No. 12 was signed by the President of the Senate and returned to the House for further action.

• • •

H.B. No. 35, TRANSPORTATION PERMIT FEE INCREASE, was before the Senate. On motion of Senator **Bangerter H.B. No. 35** was amended as follows:

Page 7, Line 29:
Delete "*$10*" and insert in lieu thereof "*$20*" and delete "*$20*" and insert in lieu thereof "*$40*"

Page 13, Line 7:
Delete "*$400*" and insert in lieu thereof "*$300*"

On motion of Senator Pugh and under suspension of the rules, the bill was read the third time, and passed on the following roll call:

Yeas, 21; Nays, 5; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Cornaby	Money	Snow
Barlow	Farley	Peterson, C.	Sowards
Black	Finlinson	Peterson, L.	Swan
Bunnell	Flamm	Pugh	Wayment
Carling	Matheson	Sandberg	Mr. President (Ferry)
Considine			

Voting in the negative were: Senators

Asay	Bullen	Christensen	Halverson
Bennett			

Absent or not voting were: Senators

Barton	Jeffs	Jones

H.B. No. 35, as amended, was returned to the House.

• • •

On motion of Senator L. Peterson, the rules were suspended and **H.B. No. 10,** COLLECTION OF STUDENT LOANS, was read the second and third times, and passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Flamm	Sandberg
Bangerter	Christensen	Matheson	Snow
Barlow	Considine	Money	Sowards
Barton	Cornaby	Peterson, C.	Swan
Bennett	Farley	Peterson, L.	Wayment
Bullen	Finlinson	Pugh	Mr. President (Ferry)
Bunnell			

Voting in the negative were: Senator

Halverson

Absent or not voting were: Senators

Black	Jeffs	Jones

H.B. No. 10 was signed by the President of the Senate and returned to the House for further action.

• • •

The Senate recessed at 10:45 a.m. for Republican Party Caucus, and reassembled at 11:20 a.m.

• • •

On motion of Senator Matheson the rules were suspended and **H.C.R. No. 3**, NUCLEAR FALLOUT RESOLUTION, was read the second and third times and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Christensen	Jeffs	Sandberg
Barton	Considine	Jones	Snow
Bennett	Cornaby	Matheson	Sowards
Black	Finlinson	Money	Swan
Bunnell	Flamm	Peterson, C.	Wayment
Carling	Halverson	Pugh	Mr. President (Ferry)

Absent or not voting were: Senators

Bangerter	Bullen	Farley	Peterson, L.
Barlow			

H.C.R. No. 3 was signed by the President of the Senate and returned to the House for further action.

• • •

On motion of Senator Finlinson, **H.J.R. No. 10** is circled.

• • •

H.B. No. 6, ENTRANCE DATE FOR KINDERGARTEN, was read the second time. Senators Bunnell, Matheson and Cornaby commented. Senator Farley proposed the following amendment:

> Page 1, Line 24:
> After "*sought*" delete the period and insert "*; except that any child may enter kindergarten upon the recommendation of a committee composed of the parent, a certified psychologist, certified social worker and the district superintendent.*"

Senators Barton, Pugh, Black, Carling, Bunnell, Bennett, Jones and Considine commented and the proposed amendment failed on a voice vote. On motion of Senator Bunnell, the rules were suspended, and the bill was read the third time, and passed on the following roll call:

Yeas, 22; Nays, 7; Absent, 0

Voting in the affirmative were: Senators

Asay	Carling	Jones	Snow
Bangerter	Christensen	Money	Sowards
Barlow	Cornaby	Peterson, C.	Swan
Barton	Farley	Pugh	Wayment
Bennett	Finlinson	Sandberg	Mr. President (Ferry)
Bunnell	Flamm		

Voting in the negative were: Senators

Black	Considine	Jeffs	Peterson, L.
Bullen	Halverson	Matheson	

H.B. No. 6 was signed by the President of the Senate and returned to the House for further action.

• • •

On motion of Senator Halverson, the Senate voted to reconsider its action whereby the enacting clause was stricken on **S.B. Nos. 20 and 61** and **S.J.R. No. 18** and the bills remain as before that action, and in Rules Committee.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 29, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.B. No. 6,** CIGARETTE TAX INCREASE, by Senator Karl N. Snow, Jr., 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, under suspension of the rules, **S.B. No. 18,** TAX-EXEMPT AGRICULTURAL LAND, 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, and

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **SER-S.B. No. 20,** COUNTY RECORDERS' FEE CHANGES, 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, under suspension of the rules, upon reconsideration, **SER-S.B. No. 48,** BOND ISSUE PUBLICITY, 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, under suspension of the rules, upon reconsideration, **SER-S.B. No. 61,** IN LIEU PAYMENTS TO LOCAL SUBDIVISIONS, 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, under suspension of the rules, **SER-S.B. No. 70,** DRUNK DRIVING AMENDMENTS, by Senator Wayment, 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, under suspension of the rules, **SER-S.B. No. 74,** OVERSIGHT ACT —TRUST BUSINESS, by Senator Flamm, 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, under suspension of the rules, **S.B. No. 41,** SALES TAX EXEMPTION ON VENDING MACHINE SALES, 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. Nos. 6, 13 and 41 and SER-S.B. Nos. 20, 48, 61, 70 and 74 were signed by the President of the Senate and referred to the Committee on Rules to be enrolled and the S.B.'s were transmitted to the Governor and the SER's to the Lieutenant Governor.

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Mr. President: January 29, 1982

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. 62,** JUDICIAL CONDUCT COMMISSION, by Representative Selleneit, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 62 was read the first time and referred to Rules Committee.

RULES COMMITTEE REPORTS

Mr. President: January 29, 1982

The Senate Rules Committee, to which were referred the following House Bills:

H.B. No. 41	HOUSING AUTHORITIES INCLUSION
H.B. No. 86	RETIREMENT BENEFITS FOR SCHOOL AND PUBLIC EMPLOYEES
H.B. No. 135	MEDICAL ASSISTANCE PROGRAM
H.B. No. 43	NORTHWEST INTERSTATE COMPACT ON LOW-LEVEL RADIOACTIVE WASTE
H.B. No. 47	JUDICIAL DISTRICT BOUNDARIES AND JUDGES
H.B. No. 60	REPRESENTATION BY ATTORNEY GENERAL
SUB. H.B. No. 26	SCHOOL DISTRICT BOARD MEMBERS' TERMS
H.B. No. 38	TAX DEFERRAL REQUISITES

reports the bills to the Senate and asks that under suspension of the rules read the second time and placed on Third Reading Calendar, and

The Senate Rules Committee, to which was referred the following Senate Bill:

S.B. No. 77	COMPARATIVE NEGLIGENCE FINDINGS

reports the bill to the Senate as a NON-BUDGETARY item and asks that a Senate Enabling Resolution (SER) be prepared, introduced, considered read for the first time and under suspension of the rules, read the second time and placed at the bottom of the Third Reading Calendar. The bill will be held in Rules Committee, and

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 74	OVERSIGHT ACT — TRUST BUSINESS
S.B. No. 70	DRUNK DRIVING AMENDMENTS
S.B. No. 48	BOND ISSUE PUBLICITY
S.B. No. 20	COUNTY RECORDERS' FEE CHANGES
S.B. No. 61	IN LIEU PAYMENTS TO LOCAL SUBDIVISIONS

reports the bills to the Senate and asks that, under suspension of the rules, read the second time and placed on Third Reading Calendar.

Ronald T. Halverson,
Rules Committee Chairman

Committee reports read and adopted and the H.B.'s and S.B.'s were read the second time and placed on Third Reading Calendar. **SER-S.B. No. 77** was introduced, read the first and second times and placed at the bottom of Third Reading Calendar.

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Denise M. Basse spoke before the Senate in Committee of the Whole regarding the Health Fair 1982.

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

AFTERNOON SESSION

The Senate reassembled at 2:05 p.m. with President Miles 'Cap' Ferry presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 29, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.B. No. 14,** EMPLOYMENT SECURITY ACT — AGRICULTURAL LABOR, 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, under suspension of the rules, **SUBSTITUTE S.B. No. 19,** JURISDICTION OVER OIL AND GAS WELLS, 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, under suspension of the rules, **S.B. No. 82,** INTERLOCAL CO-OPERATION ACT MODIFICATIONS, 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, under suspension of the rules, **SER-S.B. No. 69,** W.I.C.H.E. STUDENTS' RESIDENCY, 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.

Allan M. Acomb, Chief Clerk

S.B. No. 14, SUB S.B. No. 19, S.B. No. 32 and **SER-S.B. No. 69** were signed by the President of the Senate and referred to the Committee on Rules to be enrolled and the S.B.'s transmitted to the Governor and **SER-S.B. No. 69** to the Lieutenant Governor.

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Mr. President: January 29, 1982

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. 7,** 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, under suspension of the rules, as amended, **H.B. No. 53,** LOCAL OPTIONAL SALES TAX REPEAL, by Representative Pace, 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, as amended, **H.B. No. 56,** SALES AND USE TAX FOR MINIMUM SCHOOL FINANCE PROGRAM, by Representative Pace, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. Nos. 7, 53 and **56** were read the first time and referred to Rules Committee.

THIRD READING CALENDAR

On motion of Senator Flamm, **S.B. No. 74** is circled.

• • •

SER-S.B. No. 77, COMPARATIVE NEGLIGENCE FINDINGS, was read the third time, explained by Senators Farley and Jeffs, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Sandberg
Bangerter	Carling	Jeffs	Snow
Barlow	Christensen	Jones	Swan
Barton	Considine	Matheson	Wayment
Bennett	Farley	Money	Mr. President (Ferry)
Black	Flamm	Peterson, C.	

Absent or not voting were: Senators

Bullen	Finlinson	Pugh	Sowards
Cornaby	Peterson, L.		

SER-S.B. No. 77 was transmitted to the House.

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On motion of Senator Halverson, **S.B. No. 69,** W.I.C.H.E. STUDENTS' RESIDENCY, was lifted from Rules Committee, and under suspension of the rules, read the second time, placed on Third Reading Calendar and circled.

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The Senate recessed for Republican Party Caucus at 2:20 p.m., and reassembled at 2:55 p.m.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 29, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.B. No. 22,** AGRICULTURAL CODE AMENDMENTS, 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, under suspension of the rules, **S.B. No. 33,** MARITAL DEDUCTION FORMULAS IN WILLS AND TRUSTS, 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, under suspension of the rules, **S.B. No. 35,** WILDLIFE DAMAGE PREVENTION ACT AMENDMENTS, 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. 22, 33 and **35** were signed by the President of the Senate and referred to the Committee on Rules to be enrolled and transmitted to the Governor.

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Mr. President: January 29, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **SUBSTITUTE H.B. No. 73,** CONCEALED WEAPON AMENDMENT, 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, under suspension of the rules, as amended **H.B. No. 22,** INDUSTRIAL DEVELOPMENT ACT PROJECTS, by Representative Hunter, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

SUB. H.B. No. 73 and **H.B. No. 22** were read the first time and referred to Rules Committee.

THIRD READING CALENDAR

On motion of Senator Halverson, the circle is removed from **S.B. No. 74,** OVERSIGHT ACT — TRUST BUSINESS and the bill is read the third time, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Halverson	Pugh
Bangerter	Christensen	Jeffs	Sandberg
Barlow	Considine	Jones	Snow
Bennett	Cornaby	Matheson	Swan
Black	Farley	Money	Wayment
Bullen	Finlinson	Peterson, C.	Mr. President (Ferry)
Bunnell	Flamm	Peterson, L.	

Absent or not voting were: Senators
Barton Sowards

S.B. No. 74 was transmitted to the House.

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S.B. No. 70, DRUNK DRIVING AMENDMENT, was read the third time, and on motion of Senator Wayment **S.B. No. 70** was amended as follows:

Page 1, Line 13:
Delete the words *"INCREASED FINES"* and insert in lieu thereof *"THE AMOUNT OF THE FINE".*

Page 1, Lines 13 and 14:
Delete *"POSSIBILITY OF ONE YEAR IN JAIL"* and insert in lieu thereof *"A MINIMUM JAIL TERM OF 60 DAYS"*

Page 1, Line 16:
After *"CONVICTION;"* and before *"AND"* insert *"PROVIDING THAT PLEAS OF GUILTY OR NO CONTEST TO OFFENSE OF RECKLESS DRIVING MADE PURSUANT TO ORIGINAL CHARGE OF DRIVING UNDER THE INFLUENCE IS A PRIOR OFFENSE IN SUBSEQUENT CONVICTION FOR DRIVING UNDER THE INFLUENCE; REQIRING PROSECUTOR TO STATE FOR THE RECORD A FACTUAL BASIS FOR SUCH PLEA, INCLUDING WHETHER THER HAD BEEN CONSUMPTION OF ALCOHOL OR DRUGS, OR A COMBINATION OF BOTH, BY THE DEFENDANT;"*

Page 2, Line 34:
Restore *"six months"* and delete *"one year".*

Page 3, Lines 2 and 3:
Delete *"not less than/ ••$100••/$299 nor more than/ ••$299••/$1,000"* and insert in lieu thereof *"$299"*

Page 4, Line 5:
After the sentence ending with the words *"has been served."* insert the following new subsection:
"(g) When the prosecution agrees to a plea of guilty or not contest to a charge of a violation of section 41-6-45 in satisfaction of, or as a substitute for, an original charge of a violation of this section, the prosecution shall state for the record a factual basis for the plea,

including whether or not there had been consumption of alcohol or drugs, or a combination of both, by the defendant in connection with the offense. The statement shall be an offer of proof of the facts which show whether or not there was consumption of alcohol or drugs, or a combination of both, by the defendant in connection with the offense.

The court shall advise the defendant prior to the acceptance of the plea offered pursuant to this subsection of the consequences of a violation of section 41-6-45 as follows: If the court accepts the defendant's plea of guilty or no contest to a charge of violating section 41-6-45, and the prosecutor states for the record that there was consumption of alcohol or drugs, or a combination of both, by the defendant in connection with the offense, the resulting conviction shall be a prior offense for the purposes of paragraph (f) of this section.

The court shall notify the department of motor vehicles of each conviction of section 41-6-45, which shall be a prior offense for the purposes of paragraph (f) of this section."

Page 4, Line 6:
Delete the *"(g)"* and insert an *"(h)"*

Page 4, Line 13:
Delete the *"(h)"* and insert an *"(i)"*

Page 3, Line 19:
Delete the period after "*days*" and insert *"or to obtain treatment at an alcohol rehabilitation facility."*

Page 3, Line 27:
Delete the period after "*days*" and insert *"or to obtain treatment at an alcohol rehabilitation facility."*

Page 3, Line 34:
Delete the period after "*days*" and insert *"plus obtain treatment at an alcohol rehabilitation facility."*

S.B. No. 70 passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Bunnell	Flamm	Pugh
Bangerter	Carling	Jeffs	Sandberg
Barlow	Christensen	Jones	Snow
Barton	Considine	Matheson	Swan
Bennett	Cornaby	Money	Wayment
Black	Farley	Peterson, C.	Mr. President (Ferry)
Bullen	Finlinson	Peterson, L.	

Absent or not voting were: Senators

Halverson	Sowards

S.B. No. 70, is reconsidered.

• • •

S.B. No. 20, COUNTY RECORDERS' FEE CHANGES, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 2; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Carling	Flamm	Pugh
Barton	Christensen	Jeffs	Sandberg
Bennett	Considine	Jones	Snow
Black	Cornaby	Matheson	Swan
Bullen	Farley	Money	Wayment
Bunnell	Finlinson	Peterson, C.	Mr. President (Ferry)

Voting in the negative were: Senators

Halverson	Peterson, L.

Absent or not voting were: Senators

Asay	Barlow	Sowards

S.B. No. 20 was transmitted to the House.

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H.B. No. 41, HOUSING AUTHORITIES INCLUSION, was read the third time, and passed on the following roll call:

Yeas, 21; Nays, 2; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Carling	Flamm	Peterson, L.
Barlow	Considine	Halverson	Snow
Bennett	Cornaby	Jones	Swan
Black	Farley	Matheson	Wayment
Bullen	Finlinson	Peterson, C.	Mr. President (Ferry)
Bunnell			

Voting in the negative were: Senators

Barton	Jeffs

Absent or not voting were: Senators

Asay	Money	Sandberg	Sowards
Christensen	Pugh		

H.B. No. 41 was signed by the President of the Senate and returned to the House for further action.

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S.B. No. 61, IN LIEU PAYMENTS TO LOCAL SUBDIVISIONS, was read the third time and on motion of Senator Finlinson, **S.B. No. 61** was amended as follows:

Page 2, Line 17:
After *"Government"* delete the comma and insert *"each year"*

S.B. No. 61 passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Carling	Halverson	Peterson, L.
Barlow	Considine	Jeffs	Sandberg
Barton	Cornaby	Jones	Snow
Bennett	Farley	Matheson	Swan
Black	Finlinson	Money	Wayment
Bullen	Flamm	Peterson, C.	Mr. President (Ferry)
Bunnell			

Absent or not voting were: Senators

Asay	Christensen	Pugh	Sowards

S.B. No. 61 was transmitted to the House.

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On motion of Senator Snow, **H.B. No. 86** is circled.

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H.B. No. 135, MEDICAL ASSISTANCE PROGRAM, was read the third time, and passed on the following roll call:

Yeas, 20; Nays, 7; Absent, 2

Voting in the affirmative were: Senators

Asay	Bullen	Jones	Sandberg
Bangerter	Bunnell	Matheson	Snow
Barlow	Carling	Money	Sowards
Barton	Christensen	Peterson, C.	Swan
Black	Jeffs	Pugh	Mr. President (Ferry)

Voting in the negative were: Senators

Bennett	Cornaby	Finlinson	Peterson, L.
Considine	Farley	Halverson	

Absent or not voting were: Senators

Flamm	Wayment

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On motion of Senator Wayment, **S.B. No. 70,** DRUNK DRIVING AMENDMENTS, is reconsidered.

On motion of Senator Wayment, **S.B. No. 70** was amended as follows:

Page 3, Line 3:
Restore ";"

Page 3, Lines 4 thru 13:
Restore all language.

S.B. No. 70 passed on reconsideration and 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	Matheson	Sowards
Barton	Considine	Money	Swan
Bennett	Farley	Peterson, C.	Wayment
Black	Finlinson	Peterson, L.	Mr. President (Ferry)
Bullen	Flamm	Pugh	

Absent or not voting were: Senators

Cornaby	Jones

S.B. No. 70, as amended, was transmitted to the House.

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On motion of Senator Snow, and at 3:30 p.m., the Senate recessed to attend a Joint Convention in the House Chambers.

JOINT CONVENTION

The Utah State Senate and House of Representatives met in Joint Convention in the House Chamber. The Joint Convention was called to order by President Miles 'Cap' Ferry. A quorum of Senate and House members were present.

President Ferry acknowledged the presence of The Honorable Scott M. Matheson, Governor of the State of Utah and the members of Utah's United States Congressional Delegation, Senators Garn and Hatch and Representatives Marriott and Hansen.

Speaking before the Joint Convention was:

The Honorable GEORGE BUSH
Vice President, United States of America

Thank you. Governor Matheson. I certainly appreciate, Sir, your courtesy in being here.

To the Speaker and the President, Lieutenant Governor, my appreciation for arranging this very warm reception. And I want to thank Senator Hatch for that to-the-point introduction. I had the pleasure of riding out with him and Senator Garn on the plane and also with Congressman Marriott and Congressman Hansen. To all of you in the Legislature let me say how much Barbara and I appreciate this opportunity to visit.

I would be remiss if I didn't mention the cooperation we have with the Utah Delegation. Jake Garn is Chairman of the Banking Committee and a former mayor of Salt Lake City. He's doing an outstanding job as Chairman.

Orrin Hatch, Chairman of the Labor Committee, which is, as all of you know, a committee that handles some of the most difficult and contentious of legislation to come before the United States Senate. In these two men you are indeed fortunate to have a couple of great fighters for principle, great fighters for what, I believe, Utahns of both parties believe in - that free enterprise system.

Congressman Marriott, identified as Mr. Small Business in the House, has given me many suggestions, as I am the Chairman of the President's Task Force on Regulatory Reform. I will not dwell on your former speaker, but Jim Hansen is building a national reputation in Washington.

And I want to single out Governor Matheson, the incoming chairman of the Western Governor's Conference and in spite of his party difference, he is a man of principle. He gave a speech, I believe it was here, on federalism, that got national notoriety. At least his remarks have been given great consideration by us and I remember how in a very non-partisan vein, he testified for Jim Watt, a member of the President's cabinet.

I'm delighted to be here and I hope the feeling is mutual. One of the reasons I am glad to be here is, frankly, that I'm glad to get out of Washington. And I'm very serious about it, because you get, not a wagon train mentality there, but you sometimes get the feeling that you're in battle and that you're really not dealing with reality quite as much and it's nice to be back here in this state.

I think there's a tendency in the country sometimes, and I guess it's understandable and maybe when you're part of an administration, you notice it more, to dwell on negative things. But, in a joint session in a place somewhat bigger than this I must say, I thought that the ovation for Lennie Scutnick, the guy that dove into the pond the other day to save that life, touched a note that challenged the cynicism of Washington and struck a real cord in the hearts of every American. And yesterday, in spite of the fact that we're fighting with big problems, the freeing of General Dozier, and then his comments and his dedication and thanks to the Italians and to the others who worked so hard for his freedom. Again, I think that was an uplifting thing for the United States.

I don't want to compare legislative bodies, but in my own state of Texas, a state representative, Jack Hawkins, once rose to speak and said in a loud voice, "The bill is so good, that I can see you rising from your chairs in admiration. You're going to

pass the bill and it won't need enrolling by the clerk, for it will sail across the rotunda like a dove and coming through the Senate door this august body will rise like one and shout aye. This bill is going to float through the transom to the Governor's office and he is going to look up and without turning his eyes, reach to an aide and declare, 'hand me my golden pen'". The next day the Dallas Morning News noted, the House overwhelmingly voted to squash the bill flatter than a pancake.

So I will speak to you about the President's proposed legislation in somewhat calmer tones. I do want to thank you for inviting me to speak on behalf of the administration. The objectives of our administration are the same as yours -making this nation a freer and better place for all Americans. We share the same goals of reinvigorating an economy that has been plagued in recent years with so many problems. Our present problems can only be dealt with in an atmosphere of bi-partisan cooperation. And during the past year in Washington, we've seen an extraordinary spirit of cooperation between the President and the Congress.

We all know, just as in this august body, there's going to be rhetoric, partisan rhetoric, but I think it's fair to look at the record and, it's fair to say, gratefully, that there has been fine cooperation betwen the parties. And why, because the objective situation was clear. When the President was inaugurated, the inflation rate was 12.4% and the interest rates that day, 20.5%, having raised in January, this month, a year ago from 21.5 to 20%. Federal spending was at its highest level in peace time history. President Reagan inherited the worst economy since the Great Depression.

The Congress acted on his proposal to cut the growth of Federal spending and to cut taxes for every American. And we in the Executive Branch, have made good progress in reducing regulatory red tape. Red tape that is killing off the competitiveness and the creativity of small business particularly. The Congress, Democrats and Republicans cooperating, acted wisely with the result that this administration was off to a good start. The rate of inflation fell to single digits for the first time in three years. Interest rates dropped 25%, not good enough, but a remarkable percentage drop. Unemployment, I'm sad to say, has moved painfully in the wrong direction, and we're concerned, the President is concerned, about those who are out of work and want to work. We recognize the hardship those workers and their families now endure. But help is on the way in the form of a healing economy, and there are hopeful indications now that the recession may have bottomed out. Five of the ten economic indicators released yesterday, these fundamental indicators were up and we look forward to additional economic growth during the spring and recovery by early summer.

The President is determined more than ever to stick to his course of action and pursue a bold course. Three nights ago the President unveiled a new concept. A concept to reverse a fifty-year trend in expanding central government. Behind this concept is the conviction that government closest to the people governs best. The President's new federalism is a major rethinking of the relationship between

Washington and the States. It's not a divorce, it's a new partnership. Federal grants to State and Local Governments in 1960 totaled $7 billion. That was, what, 21 years ago - $7 billion. That sum increased in 1981 to approximately $95 billion. During the same period, the number of grant programs tripled to 500 programs. The Department of HHS now administers more than 160 separate programs in the area of health care alone. There are nearly 80 separate grant programs for elementary, secondary and vocational education programs; 80 separate grant programs. Just the statutory requirements and the massive regulations that go hand in hand with federal assistance make the present grant system a total nightmare. Let me give you one example of that point. Child nutrition programs now involve 273 pages of federal regulations and 62 million burden hours of paperwork per year and that's the equivalent of 30,000 people working 40 hours per week, 52 weeks a year, filling out forms. We've got to do something different in terms of that, and we're going to change it.

What are the highlights of the President's plan?

First, beginning in 1984, the Federal Government would take the full financial responsibility for Medicaid. The states, in turn, would take over the two major welfare programs, the Food Stamps and AFDC (Aid for Dependent Children). This is a $20 billion exchange. And second, it would consolidate the responsibility for the major medical programs at the Federal level. States would assume the responsibility for income assistance for the non-elderly needy. Third, in order to transfer other Federal Grant programs, a new $28 billion trust fund for the States would be established, financed by existing federal excise taxes and a percentage of the oil windfall profits tax. The states would be able to draw from this fund, as they assume responsibility for grant programs in the areas of education, community development, transportation, and social services. After four years, the Federal Excise Taxes will start to phase out, 25% a year and will disappear after 1991. The trust fund would go out of business on that same schedule. The states will be able to impose the same excise taxes, at their option, to preserve new revenues with no tax raising effect on the items concerned, or they can choose other revenues, or they can improve, streamline, reduce programs.

Now, some critics could barely wait for the conclusion of the President's State of the Union Address before they were speaking out against the initiative. They were saying that the Federal Government was turning its back on traditional social welfare programs. Others complained that this administration was attempting to pass off major programs to budget-squeezed states without proper compensation. And still others, frankly, oppose the ideas simply out of a reluctance to face reality, and yet they had not one new counter-proposal. Only the same old thread-bare concept of more taxes and more spending. But the times have changed, and we must change with them. It's not Government that wants the change, it's the people that want the change. And as we are their servants, we must obey. We have the chance to make history. How history would judge us if we do not. Remember that history, as

Huxley said, warns us that it is customary fate of new truths to begin as heresies, and to end as superstitions.

Members of both houses of this Legislature seek answers to many questions. The most important being "What's the bottom line?" Well, the bottom line is this. On a national basis, the exchange of medicaid for food stamps and AFDC, involves a net savings for the states in total of more than 2 billion in Fiscal '84. And this amount of savings is going to grow in future years, simply because of the rapidly rising cost of Medicaid. And some will ask, "Where will the trust funds come from?" And the answer is, Washington is going to earmark existing excise taxes on alcohol, tobacco and telephone service along with 2¢ of the gasoline tax and a proportion of the windfall profits tax, for the new $28 billion federalism trust fund that will belong to the states.

I don't want to spend any more of our time together reciting details that comprise this new program. I do want to spend the last minute, very frankly, asking for your support. The President has told you, and the American people, that he's open to ideas and to suggestions making his new plan workable and efficient. I was with him today in the Oval Office as he met with a couple of groups discussing details, saying frankly, we need suggestions as we flush out the details for the out years of this bold new approach. I hope that you'll take his advice to heart, and in the spirit traditional of Americans, let us have your suggestions. All of us here, I believe, are trying to accomplish the same goals. Public service, I feel strongly and I know each of you do or you wouldn't be involved in it, can be a noble profession. It is especially so when we have the satisfaction of knowing that our work has helped and has enriched somebody else, enriched our fellow citizens. As we achieve our common goals, we're all winners — Republicans and Democrats alike. But more importantly, we will have served a higher cause than party or partisanship. We will have been true to our oaths, to the Constitution, to the American people and to ourselves. Thank you all very, very much.

• • •

The Joint Convention was dissolved at 4:30 p.m.

• • •

The Senate reassembled at 4:35 p.m.

• • •

On motion of Senator Money, **H.B. No. 135,** MEDICAL ASSISTANCE PROGRAM, was before the Senate on reconsideration.

On motion of Senator Jones, **H.B. No. 135** was amended as follows:

Page 2, Line 6:
After *"resources of the"* insert *"spouse"* and after *"mother,"* delete *"brothers,"*

Page 2, Lines 7 and 8:
Delete *"sisters"* and after *"and"* insert *"adult"* and after *"application"* add a period and delete *"for assistance."*

H.B. No. 135 passed on the following roll call:

Yeas, 18; Nays, 3; Absent, 8

Voting in the affirmative were: Senators

Asay	Carling	Jeffs	Sowards
Barton	Christensen	Jones	Swan
Bennett	Considine	Money	Wayment
Black	Farley	Sandberg	Mr. President (Ferry)
Bunnell	Finlinson		

Voting in the negative were: Senators

Flamm	Peterson, C.	Peterson, L.

Absent or not voting were: Senators

Bangerter	Bullen	Halverson	Pugh
Barlow	Cornaby	Matheson	Snow

H.B. No. 135, as amended, was transmitted to the House.

• • •

H.B. No. 43, NORTHWEST INTERSTATE COMPACT ON LOW LEVEL RADIOACTIVE WASTE, 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	Flamm	Sandberg
Bangerter	Christensen	Jeffs	Sowards
Barton	Considine	Jones	Swan
Bennett	Cornaby	Money	Wayment
Black	Farley	Peterson, C.	Mr. President (Ferry)
Bullen	Finlinson	Peterson, L.	

Absent or not voting were: Senators

Barlow	Halverson	Pugh	Snow
Bunnell	Matheson		

H.B. No. 43 was signed by the President of the Senate and returned to the House for further action.

• • •

H.B No. 47, JUDICIAL DISTRICT BOUNDARIES AND JUDGESHIPS, was read the third time. Senator Swan proposed an amendment which failed. The bill passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Bangerter	Christensen	Jeffs	Sandberg
Bennett	Considine	Jones	Sowards
Black	Cornaby	Money	Swan
Bullen	Farley	Peterson, C.	Mr. President (Ferry)
Carling	Flamm	Peterson, L.	

Absent or not voting were: Senators

Asay	Bunnell	Matheson	Snow
Barlow	Finlinson	Pugh	Wayment
Barton	Halverson		

H.B. No. 47 was signed by the President of the Senate and returned to the House for further action.

• • •

S.B. No. 48, BOND ISSUE PUBLICITY, was read the third time. On motion of Senator Sowards, **S.B. No. 48** was amended as follows:

Page 2, Lines 4, 5, 6:
After "*may*" delete the remainder and insert:
"*publish formal notice of a proposed bond issue and, in addition, may publish a voter information pamphlet comparable to that referred to in chapter 11 a of title 20. Any voter information pamphlet so published shall contain factual arguments both for and against the proposed bond issue and school district monies may be used to do so.*"

S.B. No. 48 passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Christensen	Halverson	Sandberg
Bangerter	Considine	Jeffs	Snow
Bennett	Cornaby	Jones	Sowards
Black	Farley	Money	Swan
Bullen	Finlinson	Peterson, C.	Wayment
Carling	Flamm	Peterson, L.	Mr. President (Ferry)

Absent or not voting were: Senators

Barlow	Bunnell	Matheson	Pugh
Barton			

S.B. No. 48, as amended, was transmitted to the House.

COMMUNICATION FROM THE HOUSE

Mr. President: January 29, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **HER-H.B. No. 142,** RESIDENTIAL PROPERTY ASSESSMENT, by Representative F. Knowlton, and the same is transmitted herewith for Senate consideration.

Allan A. Acomb, Chief Clerk

HER-H.B. No. 142 was read the first time. On motion of Senator Snow, and under suspension of the rules, the resolution was read the second and third times and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Christensen	Halverson	Sandberg
Bangerter	Considine	Jeffs	Snow
Barton	Cornaby	Jones	Sowards
Bennett	Farley	Money	Swan
Black	Finlinson	Peterson, C.	Wayment
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)
Carling			

Absent or not voting were: Senators

Barlow	Bunnell	Matheson	Pugh

HER-H.B. No. 142 was signed by the President of the Senate and returned to the House for further action.

• • •

Mr. President: January 29, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **HER-H.B. No. 155,** ABORTION AMENDMENTS, by Representative Sykes, and the same is transmitted herewith for Senator consideration.

Allan A. Acomb, Chief Clerk

HER-H.B. No. 155 was read the first time. On motion of Senator Halverson, and under suspension of the rules, the resolution was read the second and third times and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Christensen	Jeffs	Snow
Bangerter	Cornaby	Jones	Sowards
Bennett	Farley	Money	Swan
Black	Finlinson	Peterson, C.	Wayment
Bullen	Flamm	Peterson, L.	Mr. President (Ferry)
Carling	Halverson	Sandberg	

Absent or not voting were: Senators

Barlow	Bunnell	Matheson	Pugh
Barton	Considine		

HER-H.B. No. 155 was signed by the President of the Senate and returned to the House for further action.

• • •

S.B. No. 69, W.I.C.H.E. STUDENTS RESIDENCY, was uncircled and 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	Flamm	Peterson, L.
Bangerter	Christensen	Halverson	Sandberg
Barton	Considine	Jeffs	Snow
Bennett	Cornaby	Jones	Swan
Black	Farley	Money	Wayment
Bullen	Finlinson	Peterson, C.	Mr. President (Ferry)

Absent or not voting were: Senators

Barlow	Matheson	Pugh	Sowards
Bunnell			

S.B. No. 69 was transmitted to the House.

• • •

On motion of Senator Halverson, **SUB. H.B. No. 73,** CONCEALED WEAPON AMENDMENT, was, under suspension of the rules, lifted from Rules Committee, read the second and third times.

On motion of Senator C. Peterson, **SUB. H.B. No. 73** was amended as follows:

Page 2, After Line 13 insert:
"Section 2. This act shall take effect upon approval."

SUB. H.B. No. 73 passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Bunnell	Flamm	Pugh
Bangerter	Carling	Halverson	Sandberg
Barlow	Christensen	Jeffs	Snow
Barton	Considine	Jones	Sowards
Bennett	Cornaby	Money	Swan
Black	Farley	Peterson, C.	Wayment
Bullen	Finlinson	Peterson, L.	Mr. President (Ferry)

Absent or not voting were: Senator
Matheson

SUB. H.B. No. 73, as amended, was returned to the House.

• • •

H.B. No 60, REPRESENTATION BY ATTORNEY GENERAL, was read the third time, and passed on the following roll call:

Yeas, 22; Nays, 3; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	Jones	Sandberg
Bangerter	Christensen	Money	Snow
Barlow	Cornaby	Peterson, C.	Sowards
Barton	Finlinson	Peterson, L.	Wayment
Black	Flamm	Pugh	Mr. President (Ferry)
Bunnell	Jeffs		

Voting in the negative were: Senators

Considine	Farley	Swan

Absent or not voting were: Senators

Bennett	Bullen	Halverson	Matheson

H.B. No. 60 was signed by the President of the Senate and returned to the House for further action.

COMMUNICATIONS FROM THE HOUSE

Mr. President: Janaury 29, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.B. No. 23,** RECORDED INSTRUMENTS RETURN, 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, under suspension of the rules, **S.B. No. 18,** NUMBER OF JURORS, 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, under suspension of the rules, **S.B. No. 17,** INDUSTRIAL COMMISSION

PROCEDURES, 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, under suspension of the rules, **S.J.R. No. 17,** DIVERSION OF EFFLUENT WATER STUDY, by Senator Bangerter, 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, under suspension of the rules, **S.J.R. No. 10,** SEWAGE AND WASTEWATER TREATMENT FUNDING STUDY, 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. Nos. 23, 18, 17 and **S.J.R. Nos. 17** and **10** were signed by the President of the Senate and referred to the Committee on Rules to be enrolled and the S.B.'s were transmitted to the Governor and the SJ.R.'s to the Lieutenant Governor.

• • •

H.B. No. 86, RETIREMENT BENEFITS FOR SCHOOL AND PUBLIC EMPLOYEES, and **H.J.R. No. 10,** JUDICIAL ARTICLE REVISION, being circled as the Senate adjourned were placed on Second Reading Table.

• • •

On motion of Senator Snow, and at 5:35 p.m., the Senate adjourned until 10:00 a.m., Saturday, January 30, 1982.

TWENTIETH 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 — Monsignor Jerome C. Stoffel (Former Pastor of St. Thomas; Logan, Utah)

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 222.

COMMITTEE ON REVISION OF THE JOURNAL

Mr. President: January 30, 1982

The Committee on Revision of the daily Senate Journal respectfully reports that we have read the Journal for the Nineteenth Day and find it correct with minor amendments noted on the final copy.

Eldon A. Money, Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 29, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.B. No. 40,** DEPRECIATION DEDUCTION FOR MINING, 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, and

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.B. No. 8,** PASSENGER TRAMWAY REGISTRATIONS, 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, under suspension of the rules, **S.J.R. No. 12,** AUDITING OF OIL AND GAS PAYMENTS, 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. Nos. 40 and **8** and **S.J.R. No. 12** were signed by the President of the Senate and referred to the Committee on Rules to be enrolled and the **S.B. Nos.** were transmitted to the Governor and **S.J.R. No. 12** to the Lieutenant Governor.

• • •

Mr. President: January 29, 1982

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. 15**, PROPERTY TAX EXEMPTION CHANGES, 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, under suspension of the rules, **H.J.R. No. 17**, SCHOOL SUPPORT LIMITATION, by Representative Pace, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.J.R. Nos. 15 and **17** were read the first time and referred to Rules Committee.

• • •

SUB. H.B. No. 26, SCHOOL DISTRICT BOARD MEMBERS' TERMS, was read the third time and explained by Senator Finlinson. Senators Matheson and Swan commented and the bill passed on the following roll call:

Yeas, 17; Nays, 7; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Considine	Halverson	Pugh
Barlow	Farley	Jeffs	Sandberg
Bennett	Finlinson	Jones	Snow
Black	Flamm	Peterson, L.	Mr. President (Ferry)
Bunnell			

Voting in the negative were: Senators

Asay	Matheson	Sowards	Wayment
Christensen	Money	Swan	

Absent or not voting were: Senators

Barton	Carling	Cornaby	Peterson, C.
Bullen			

SUB. H.B. No. 26 is transmitted to the House.

• • •

H.B. No. 38, TAX DEFERRAL REQUISITES, 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	Flamm	Snow
Bangerter	Carling	Jeffs	Sowards
Barlow	Christensen	Matheson	Swan
Bennett	Considine	Money	Wayment
Black	Farley	Peterson, L.	Mr. President (Ferry)
Bullen	Finlinson	Pugh	

Absent or not voting were: Senators

Barton	Halverson	Peterson, C.	Sandberg
Cornaby	Jones		

H.B. No. 38 was signed by the President of the Senate and returned to the House for further action.

• • •

H.B. No. 51, UTAH DAIRY COMMISSION, on Consent Calendar, 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	Flamm	Pugh
Bangerter	Carling	Halverson	Snow
Barlow	Christensen	Jeffs	Sowards
Bennett	Considine	Matheson	Swan
Black	Farley	Money	Wayment
Bullen	Finlinson	Peterson, L.	Mr. President (Ferry)

Absent or not voting were: Senators

Barton	Jones	Peterson, C.	Sandberg
Cornaby			

H.B. No. 51 was signed by the President of the Senate and returned to the House for further action.

• • •

H.B. No. 66, NAMES ON ELECTION BALLOTS, on Consent Calendar, 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	Halverson	Pugh
Bangerter	Carling	Jeffs	Snow
Barlow	Christensen	Jones	Sowards
Barton	Considine	Matheson	Swan
Bennett	Farley	Money	Wayment
Black	Flamm	Peterson, L.	Mr. President (Ferry)

Absent or not voting were: Senators

Bullen	Finlinson	Peterson, C.	Sandberg
Cornaby			

H.B. No. 66 was signed by the President of the Senate and returned to the House for further action.

• • •

On motion of Senator Snow, the Senate voted to ask the House to return **SUB. H.B. No. 73,** CONCEALED WEAPON AMENDMENT, to the Senate for reconsideration.

INTRODUCTION OF BILL

At the request of Senator Snow, and without dissent, the Senate agreed to allow introduction of the following bill:

HIGHER EDUCATION RETIREMENT CONTRIBUTIONS

S.B. No. 85 *Karl N. Snow, Jr., Warren E. Pugh*

AN ACT RELATING TO PENSIONS; PROVIDING FOR AN INCREASE IN THE RETIREMENT CONTRIBUTIONS THAT MAY BE MADE BY HIGHER EDUCATION INSTITUTIONS; REPEALING THE REQUIREMENT THAT FACULTY MEMBERS CONTRIBUTE DIRECTLY TO THEIR RETIREMENT.

THIS ACT AMENDS SECTION 49-10-56, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 19, LAWS OF UTAH 1978.

On motion of Senator Snow, and under suspension of the rules, the Senate voted to declare the bill BUDGETARY, and it was read the first and second times, and placed on Third Reading Calendar.

SECOND READING CALENDAR

On motion of Senator Bangerter the rules were suspended and **SUB. H.B. No. 15**, CONTROLLED SUBSTANCES ACT FORFEITURES, 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	Bunnell	Jeffs	Sandberg
Bangerter	Carling	Jones	Snow
Barlow	Christensen	Matheson	Sowards
Barton	Considine	Money	Swan
Bennett	Farley	Peterson, L.	Wayment
Black	Flamm	Pugh	Mr. President (Ferry)
Bullen	Halverson		

Absent or not voting were: Senators

Cornaby	Finlinson	Peterson, C.

SUB. H.B. No. 15 was signed by the President 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.B. No. 27**, SCHOOL IMMUNIZATION ACT, was read the second and third times, and passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Jones	Snow
Bangerter	Christensen	Matheson	Sowards
Barlow	Considine	Money	Swan
Barton	Farley	Peterson, L.	Wayment
Bullen	Flamm	Pugh	Mr. President (Ferry)
Bunnell	Jeffs	Sandberg	

Voting in the negative were: Senator
Bennett

Absent or not voting were: Senators

Black	Finlinson	Halverson	Peterson, C.
Cornaby			

H.B. No. 27 was signed by the President of the Senate and returned to the House for further action.

• • •

J. Dale Madsen, past Department Commander of American Legion and Veterans' of Foreign Wars, spoke in Committee of the Whole.

THIRD READING CALENDAR

On motion of Senator Pugh, and under suspension of the rules, **S.B. No. 85,** HIGHER EDUCATION RETIREMENT CONTRIBUTIONS, 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	Sandberg
Bangerter	Christensen	Jones	Snow
Barlow	Considine	Money	Sowards
Barton	Farley	Peterson, C.	Swan
Bennett	Finlinson	Peterson, L.	Wayment
Bullen	Flamm	Pugh	Mr. President (Ferry)
Bunnell	Halverson		

Voting in the negative were: Senators
Matheson

Absent or not voting were: Senators
Black Cornaby

S.B. No. 85 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 30, 1982

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. 135,** MEDICAL ASSISTANCE PROGRAM, by Representative Doane, et al, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

H.B. No. 135 was signed by the President of the Senate and returned to the House for further action.

• • •

Mr. President: January 30, 1982

The House of Representatives is returning **SUB. H.B. No. 73,** CONCEALED WEAPON AMENDMENT, by Representative Selleneit, for Senate reconsideration.

Allan M. Acomb, Chief Clerk

On motion of Senator C. Peterson, and under suspension of the rules, **SUB. H.B. No. 73** is before the Senate on reconsideration. The grey substitute dated 1/28/82 is before the Senate, and the amendments made on January 29 by Senator C. Peterson are incorporated in the bill, and it passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Halverson	Sandberg
Bangerter	Christensen	Jeffs	Snow
Barlow	Considine	Jones	Sowards
Barton	Cornaby	Matheson	Swan
Bennett	Farley	Money	Wayment
Black	Finlinson	Peterson, C.	Mr. President (Ferry)
Bunnell	Flamm	Peterson, L.	

Absent or not voting were: Senators
Bullen Pugh

SUB. H.B. No. 73 is signed by the President and returned to the House for further action.

• • •

H.B No. 58, IMITATION CONTROLLED SUBSTANCES ACT, was read the second and third times, and on motion of Senator Flamm, amended as follows:

Page 1, Line 25:
After *"attempted"* insert *"sale,"*

Page 1, Line 28:
After *"encapsulating"* insert *"tableting,"*

Page 1, Line 32:
After *"by"* insert *"overall"*

Page 2, Line 13:
After *"resold"* delete *"for substantial profit"* and insert in lieu thereof *"at a price substantially higher than the usual and customary price for the ingredients contained in the substance"*

Page 2, Line 14:
After *"packaged"* insert *"or labeled"*

Page 3, Line 20:
After *"placebo"* insert *"or investigational new drug."*

Page 3, Line 20:
After *"in the"* insert *"ordinary"*

Page 4, Line 31:
Omit *"(g)"* and insert in lieu thereof *"(h)"*

Page 10, Line 24:
Insert *"Section 11. This act shall take effect upon approval."*

Page 1, Line 32:
After *"unit"* insert *"substantially resembles a specific controlled substance in"*

Page 1, Line 33:
After *"appearance"* delete *"including"* and insert *"such as,"*

Page 3, Line 21:
After *"research"* insert *"or on any law enforcement officer acting in the course and legitimate scope of that employment."*

H.B. No. 58, as amended, passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Halverson	Pugh
Bangerter	Carling	Jones	Sandberg
Barlow	Christensen	Matheson	Sowards
Barton	Considine	Money	Swan
Bennett	Farley	Peterson, C.	Wayment
Black	Finlinson	Peterson, L.	Mr. President (Ferry)
Bullen	Flamm		

Absent or not voting were: Senators

Cornaby	Jeffs	Snow

H.B. No. 58, as amended, was returned to the House.

• • •

On motion of Senator Halverson, the rules were suspended and **H.B. Nos. 68, 34, 45** and **H.J.R. No. 1** were read the second time and placed on Third Reading Calendar. In addition, **H.J.R. No.10** was lifted from Second Reading Table, read the second time and placed at the bottom of the Third Reading Calendar and circled.

• • •

H.B. No. 68, UNEMPLOYMENT COMPENSATION AMENDMENT, was read the third time. Representative Haddow and Duane Price, Director of Unemployment Insurance explained the bill in Committee of the Whole. Senators Sandberg, Carling, Bunnell, Christensen, Farley, Black, Swan, Considine, Pugh and Jones commented. On motion of Senator Christensen **H.B. No. 68** was amended as follows:

Page 24, Line 30:
After *"date"* insert a period and delete the remainder of line

Page 24, Lines 3 and 32:
Delete entirely.

Page 25, Line 2:
After "*who*" add a period and delete the remainder of line.

Page 25, Lines 3 thru 12:
Delete entirely.

Page 25:
After the above deletions insert ", *except for amounts due under commission determinations that have not become final, paid all contributions prescribed by the commission with respect to the 12 consecutive calendar quarters immediately preceding the computation date. Delinquency in filing contribution reports shall not be the basis for denial of a less than 3.0% rate.*"

Page 1, Line 32:
After "*YEAR;*" insert "*REQUIRING THE INDUSTRIAL COMMISSION'S "SPECIAL ADMINISTRATIVE EXPENSE FUND" TO BE PLACED UNDER THE JURISDICTION OF THE LEGISLATURE AND ALLOWING MONIES PAID INTO THE FUND TO BE DEPOSITED INTO THE STATE GENERAL FUND;*"

Page 2, Line 11:
After "*1971*" delete "; *AND*" and insert in lieu thereof ","

Page 2, Line 12:
After "*1981*" insert ", *AND SECTION 35-4-15, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 64, LAWS OF UTAH 1957*".

Page 49, Line 25:
After the "." insert:

"*Section 8. Section 35-4-15, Utah Code Annotated 1953, as last amended by Chapter 64, Laws of Utah 1957, is amended to read:*

35-4-15. There is hereby created in the state treasury a special fund to be known as the special administrative expense fund. All interest and penalties collected/ ••on•of•after•July•1,•1949,••/ under/ ••the• provisions•of••/ this act, less refunds made/ ••pursuant•to•the•provisions•of•section••/ under subsection 35-4-7 (d), shall be paid into this fund from the clearing account of the fund at the end of each calendar month. Any voluntary contributions tendered as a contribution

to this fund and any other moneys received for/ ''such'' / that purpose shall be paid into this fund. / ''Said'' / The moneys shall not be expended or available for expenditure in any manner which would permit their substitution for/ ''('' /, or a corresponding reduction in / '')'' /, federal funds which would in the absence of/ ''said'' / those moneys be available to finance expenditures for the administration of the Employment Security Act/ '', 'but 'nothing'' /. Nothing in this section shall prevent/ ''said'' / those moneys from being used as a revolving fund to cover expenditures/ ''('' /, necessary and proper under the act / '')'' /, for which federal funds have been duly requested but not yet received, subject to the charging of / ''such'' / those expenditures against/ ''such'' / the funds when received. The moneys in this fund shall be deposited, administered, and dispersed in accordance with the directions of the/ ''commission'' / legislature./ ''Said'' / The moneys shall be used for the payment of costs of administration which are found not to have been properly and validly chargeable against federal grants / ''('' /or other funds/ '')'' / received for or in the employment security administration fund/ ''on 'or 'after 'July '1, '1949'' /, and may be used for the payment of refunds of interest and penalties/ ''pursuant 'to' section'' / under subsection 35-4-7(d). / ''Such'' / The moneys shall be available either to satisfy the obligations incurred by the commission directly or by requesting the state treasurer to transfer the required amounts from the special administrative expense fund to the employment security administration fund. The moneys in this fund are hereby specifically made available to replace within a reasonable time any moneys received by this state/ ''pursuant 'to'' / under section 302 of the Federal Social Security Act as amended, which because of any action of contingency have been lost or have been expended for / ''purpose'' / purposes other than or in amounts in excess of those necessary for the proper administration of the Employment Security Act. The moneys in this fund shall be continuously available to the commission for expenditure in accordance with/ ''the 'provisions 'of'' / this section and shall not lapse at any times or be transferred to any other fund except / ''as 'herein 'provided'' / as directed by the legislature. The state treasurer shall pay all warrants drawn upon it by the commision or its duly authorized agent in accordance with such regulations as the commission shall prescribe. Moneys in this fund shall not be commingled with other state funds, unless authorized by the legislature to be deposited in the state general fund, but shall be maintained in a separate account on the books of a depository bank. / ''Such'' / The moneys, if deposited in a separate account shall be secured by the depository in which they are held to the same extent and

in the same manner as required by the General Depository Law of the state and collateral pledged shall be maintained in a separate custody account. The state treasurer shall be liable on his official bond for the faithful performance of his duties in connection with the special administrative expense fund provided for under this act. / ''Such' liability'' / Liability on the official bond shall / ''be' effective' July' 1,' 1949,' and' such' liability' shall'' / exist in addition to any liability upon any separate bond existent on the effective date of this provision or which may be given in the future. All sums recovered on any surety bond losses sustained by the special administrative expense fund shall be deposited in / ''said'' / that fund or in the general fund if so directed by the legislature."

Page 49, Line 26:
After *"Section"* delete *"8"* and insert in lieu thereof *"9"*

Page 52, Line 24:
After *"Section"* delete *"9"* and insert in lieu thereof *"10"*

Page 75, Line 30:
After *"Section"* delete *"10"* and insert in lieu thereof *"11"*

Senator Farley's motion to delete the following language or Page 15, Lines 24 through 27 failed on a voice vote.

"Notwithstanding any other provision of this section, a claimant who has left work voluntarily to accompany, follow or join his or her spouse to or in a new locality does so without good cause for purposes of this subsection."

Senator Bunnell moved to delete the following language on Page 3, Line 29, 30 and 31:

"The maximum 'weekly benefit amount' as computed each year is frozen at the July 5, 1981, rate of $166 for one year from July 4, 1982, through July 2, 1983."

Senator Bunnell's motion failed on the following roll call:

Yeas, 10; Nays, 19; Absent, 0

Voting in the affirmative were: Senators

Bangerter	Bunnell	Jeffs	Peterson, L.
Bennett	Considine	Money	Swan
Black	Farley		

Voting in the negative were: Senators

Asay	Christensen	Jones	Snow
Barlow	Cornaby	Matheson	Sowards
Barton	Finlinson	Peterson, C.	Wayment
Bullen	Flamm	Pugh	Mr. President (Ferry)
Carling	Halverson	Sandberg	

Senator Swan's motion to circle failed on voice vote.

H.B. No. 68, as amended, passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Snow
Bangerter	Cornaby	Matheson	Sowards
Barlow	Finlinson	Peterson, C.	Wayment
Barton	Flamm	Peterson, L.	Mr. President (Ferry)
Bullen	Halverson	Pugh	
Carling	Jeffs	Sandberg	

Absent or not voting were: Senators

Bennett	Bunnell	Farley	Swan
Black	Considine	Money	

H.B. No. 68, as amended, was returned to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 30, 1982

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. 33**, VEHICLE REGISTRATION FEE INCREASE, by Representative Strong, and requests the Senate to recede from its amendments.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, the Senate voted to refuse to recede from its amendments. President Ferry appointed a conference committee comprised of Senators Bangerter, Bennett and Sowards and the bill was returned to the House.

• • •

Mr. President: January 30, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.B. No. 16,** CIRCUIT BREAKER MODIFICATIONS, 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, and

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.B. No. 4,** ASSOCIATE IN SCIENCE DEGREE, 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, under suspension of the rules, **S.B. No. 29,** SOLID WASTE MANAGEMENT ACT AMENDMENTS, by Senator Bangerter, 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. 16, 4 and **29** were signed by the President of the Senate and referred to the Committee on Rules to be enrolled and transmitted to the Governor.

• • •

Note: The Daily Minutes did not reflect the following: "On motion of Senator Halverson, the Senate voted without dissent to ask the House to return **SUB. H.B. No. 26,** SCHOOL DISTRICT BOARD MEMBERS' TERMS, to the Senate for possible reconsideration." After reviewing Senate Recording Disc No. 92 of Senate proceedings, this Certified Senate Journal records that the motion was made.

• • •

On motion of Senator Snow, and at 12:10, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:30 p.m. with President Miles 'Cap' Ferry presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 30, 1982

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. 35,** TRANSPORTATION PERMIT FEE INCREASE, by Representative Phelps, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

H.B. No. 35 was signed by the President of the Senate and returned to the House for further action.

• • •

Mr. President: January 30, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 80,** DUGWAY PROVING GROUND JURISDICTION CORRECTIONS, 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, under suspension of the rules, **H.B. No. 123,** LEGISLATIVE EXEMPTIONS — PROCUREMENT CODE, by Representative Bangerter, 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.J.R. No. 36,** REAL PROPERTY VALUATION STUDY, 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, under suspension of the rules, **H.B. No. 142,** RESIDENTIAL PROPERTY ASSESSMENT, 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, under suspension of the rules, **H.B. No. 144,** IMPOUNDMENT OF VEHICLES, by Representative D. Johnson, 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. 138,** NATURAL RESOURCES DEVELOPMENT REVOLVING ACCOUNT INCOME, by Representative Brockbank, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Halverson and under suspension of the rules **H.B. Nos. 80, 123, 142, 144** and **138** and **H.J.R. No. 36** were read the first and second times and placed at the bottom of Third Reading Calendar.

• • •

On motion of Senator Halverson, and under suspension of the rules, **H.B. No. 62,** JUDICIAL CONDUCT COMMISSION was lifted from Rules Committee, read the second and third times and before the Senate. On motion of Senator Jeffs **SUBSTITUTE H.B. No. 62,** JUDICIAL SELECTION, replaced the original bill. Senator Swan's motion to delete Lines 9, 10 and 11 on Page 1 and delete all underlined material on Page 4 failed. The bill passed on the following roll call:

Yeas, 18; Nays, 7; Absent, 4

Voting in the affirmative were: Senators

Asay	Christensen	Matheson	Sandberg
Bangerter	Cornaby	Peterson, C.	Snow
Barlow	Finlinson	Peterson, L.	Wayment
Barton	Jeffs	Pugh	Mr. President (Ferry)
Carling	Jones		

Voting in the negative were: Senators

Bennett	Bunnell	Farley	Swan
Black	Considine	Money	

Absent or not voting were: Senators

Bullen	Flamm	Halverson	Sowards

SUB. H.B. No. 62 is reconsidered.

• • •

Senator James F. Considine read the following proclamation by Governor Scott M. Matheson.

PROCLAMATION

WHEREAS, the Polish Workers have demonstrated a strong commitment to share in the advantages of a free democratic union, SOLIDARITY, in their country, and

WHEREAS, this movement has seen the articulations of basic worker rights expand to include the basic human rights and freedoms of press, expression, association, and religion, and

WHEREAS, the brutal, cruel, and repressive crackdown on Poland's independent labor union, SOLIDARITY, by the Jaruzelski regime flies in the face of government guaranteed agreement throughout the union's development, and

WHEREAS, the International Confederation of Free Trade Unions, a United Nations labor organization, has been requested by Solidarity leaders to coordinate a world-wide demonstration, January 30, 1982, to protest the imposition of martial law and the suppression of Polish people's freedoms, be it therefore

RESOLVED, that Governor of the State of Utah designate January 30th as a day of SOLIDARITY with the workers and people of Poland in recognition of their valiant struggle for a free democratic and independent labor union movement, and be it also

RESOLVED, that a "Solidarnosc" banner fly from the State Capitol Building in recognition of Utah's Solidarity with Polish people in their time of crisis.

Scott M. Matheson,
Governor, State of Utah

THIRD READING CALENDAR

H.B. No. 34, PUBLIC EMPLOYEES' POLITICAL ACTIVITIES, 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	Black	Finlinson	Sowards
Bangerter	Bunnell	Money	Swan
Barlow	Carling	Peterson, L.	Wayment
Barton	Considine	Sandberg	Mr. President (Ferry)
Bennett	Farley	Snow	

Voting in the negative were: Senators

Bullen	Jeffs	Jones	Matheson
Christensen			

Absent or not voting were: Senators

Cornaby	Halverson	Peterson, C.	Pugh
Flamm			

H.B. No. 34 was signed by the President of the Senate and returned to the House for further action.

• • •

H.B. No. 45, DRINKING DRIVER FEE ACCOUNT, 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	Jones	Sandberg
Bangerter	Bunnell	Matheson	Snow
Barlow	Considine	Money	Sowards
Barton	Farley	Peterson, C.	Swan
Bennett	Finlinson	Peterson, L.	Wayment
Black	Halverson	Pugh	Mr. President (Ferry)

Absent or not voting were: Senators

Carling	Cornaby	Flamm	Jeffs
Christensen			

H.B. No. 45 was signed by the President of the Senate and returned to the House for further action.

• • •

H.J.R. No. 1, RESIDENCY REQUISITE FOR LEGISLATORS, was read the third time. Senators Black and Considine commented. Senator Black, with the aid of five Senators, requested a call of the Senate. On motion of Senator Black, the call of the Senate was lifted and the resolution 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	Considine	Matheson	Sowards
Bennett	Cornaby	Money	Swan
Black	Farley	Peterson, C.	Wayment
Bullen	Finlinson	Peterson, L.	Mr. President (Ferry)

Absent or not voting were: Senator
Flamm

H.J.R. No. 1 was signed by the President of the Senate and returned to the House for further action.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 29, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, under suspension of the rules, **S.J.R. No. 3,** TAX ARTICLE REVISION, by Senator Sowards, et al, and the same is transmitted herewith for 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. The resolution was returned to the House.

• • •

Mr. President: January 30, 1982

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. 88,** TAX LEVY FOR COUNTY ZOOS, by Representative Harmer, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Halverson, **H.B. No. 88** was, under suspension of the rules, read the first and second times and placed at the bottom of Third Reading Calendar.

• • •

Mr. President: January 30, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, under suspension of the rules, **SUBSTITUTE S.B. No. 30,** MOTOR FUEL SALES, by Senator Bangerter, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Bangerter, the Senate voted to not concur in the House amendments and to ask the House to recede from its amendment. The bill was returned to the House.

• • •

Mr. President: January 30, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.B. No. 74,** OVERSIGHT ACT — TRUST BUSINESS, 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, under suspension of the rules, **S.B. No. 44,** ASSESSED VALUATION AND TAX NOTICE, 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.

Allan M. Acomb, Chief Clerk

S.B. Nos. 74 and **44** were signed by the President of the Senate and referred to the Committee on Rules to be enrolled and transmitted to the Governor.

• • •

On motion of Senator Bullen, **S.B. No. 40,** DEPRECIATION DEDUCTION FOR MINING, the Senate voted to ask Legislative Legal Counsel to return the bill to the Senate for reconsideration.

• • •

On motion of Senator Halverson, and under suspension of the rules, **SUB. H.B. No. 26,** having been returned from the House, is to be reconsidered and is circled on Third Reading Calendar.

• • •

Mr. President: January 30, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 157**, SCHOOL LUNCH TAX, 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, under suspension of the rules, **H.B. No. 57**, SCHOOL DISTRICTS —RISK MANAGEMENT FUND, by Representative Pace, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Halverson, and under suspension of the rules, **H.B. Nos. 157** and **57** were read the first and second times and placed on the top of Third Reading Calendar.

* * *

H.B. No. 157, SCHOOL LUNCH TAX, was, under suspension of the rules, read the third time and passed on the following roll call:

Yeas, 20; Nays, 4; Absent, 5

Voting in the affirmative were: Senators

Barlow	Cornaby	Jones	Sandberg
Barton	Farley	Money	Snow
Bunnell	Finlinson	Peterson, C.	Sowards
Carling	Halverson	Peterson, L.	Wayment
Christensen	Jeffs	Pugh	Mr. President (Ferry)

Voting in the negative were: Senators

Bennett	Black	Considine	Swan

Absent or not voting were: Senators

Asay	Bullen	Flamm	Matheson
Bangerter			

H.B. No. 157 was signed by the President of the Senate and returned to the House for further action.

* * *

H.B. No. 57, SCHOOL DISTRICTS — RISK MANAGEMENT FUND, under suspension of the rules, 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	Christensen	Jones	Sandberg
Barlow	Considine	Matheson	Snow
Barton	Cornaby	Money	Sowards
Bennett	Farley	Peterson, C.	Swan
Black	Finlinson	Peterson, L.	Wayment
Bunnell	Halverson	Pugh	Mr. President (Ferry)
Carling	Jeffs		

Absent or not voting were: Senators

Asay	Bullen	Flamm

H.B. No. 57 was signed by the President of the Senate and returned to the House for further action.

• • •

On motion of Senator Snow, the Senate voted to reconsider **SUB H.B. No. 62**, JUDICIAL SELECTION. On motion of Senator Jeffs **SUB. H.B. No. 62** was amended as follows:

Page 1, Line 12:
Delete *"AMENDS"* and insert in lieu thereof *"REPEALS AND REENACTS"*

Page 1, Line 18:
Delete *"amended"* and insert in lieu thereof *"repealed and reenacted"*

Page 3, Line 10:
Delete *"amended"* and insert in lieu thereof *"repealed and reenacted"*

Page 4, Line 9:
Delete *"amended"* and insert in lieu thereof *"repealed and reenacted"*

SUB. H.B. No. 62 passed on reconsideration on the following roll call:

Yeas, 20; Nays, 6; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Christensen	Jones	Sandberg
Barlow	Cornaby	Matheson	Snow
Barton	Finlinson	Peterson, C.	Sowards
Bunnell	Halverson	Peterson, L.	Wayment
Carling	Jeffs	Pugh	Mr. President (Ferry)

Voting in the negative were: Senators

Bennett	Considine	Money	Swan
Black	Farley		

Absent or not voting were: Senators

Asay	Bullen	Flamm

SUB. H.B. No. 62, as amended, was returned to the House for further action.

• • •

S.B. No. 40, DEPRECIATION DEDUCTION FOR MINING, having been returned from Legal Services for reconsideration was before the Senate. On motion of Senator Bullen **S.B. No. 40** was amended as follows:

Page 1, Line 14:
After *"FORWARDS"* add a period and delete remainder of line

Page 2a, Lines 10 and 11 (goldenrod):
Delete *"but will be allowed in costs not deducted since January 1, 1980."*

Page 3 Lines 23 and 24 (goldenrod):
Delete *"but will be allowed in costs not deducted since January 1, 1980."*

S.B. No. 40 passed on reconsideration and on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Considine	Jones	Sandberg
Barlow	Cornaby	Matheson	Snow
Bennett	Farley	Money	Sowards
Black	Finlinson	Peterson, C.	Swan

Bullen	Halverson	Peterson, L.	Wayment
Bunnell	Jeffs	Pugh	Mr. President (Ferry)
Christensen			

Absent or not voting were: Senators

Asay	Barton	Carling	Flamm

S.B. No. 40 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 30, 1982

I am directed to inform the Senate that the House of Representatives has this day appointed a Conference Committee consisting of Representative Strong, Johnson and Brown to act with a like Committee from the Senate to consider or amend **H.B. No. 33,** VEHICLE REGISTRATION FEE INCREASE, by Representative Strong.

Allan M. Acomb, Chief Clerk

• • •

The Senate recessed at 4:00 p.m. and reassembled at 4:20 p.m.

• • •

Mr. President: January 30, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.B. No. 21,** COSMETOLOGY/BARBER LICENSING CHANGES, 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, under suspension of the rules, **S.B. No. 42,** 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, under suspension of the rules, **S.B. No. 84,** VOTER INFORMATION PAMPHLET, 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. 21, 42 and 84 were signed by the President of the Senate, and referred to Rules Committee to be enrolled and transmitted to the Governor.

• • •

Mr. President: January 30, 1982

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. 58,** IMITATION CONTROLLED SUBSTANCES ACT, the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

H.B. No. 58 was signed by the President of the Senate and returned to the House for further action.

• • •

Mr. President: January 30, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 92,** TAX ON MINERAL PRODUCTION WITHHOLDING, by Representative McMullin, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow and under suspension of the rules, the bill was read the first and second times and placed at the bottom of Third Reading Calendar.

• • •

On motion of Senator Snow, **H.B. No. 86,** RETIREMENT BENEFITS FOR SCHOOL AND PUBLIC EMPLOYEES, was lifted from Second Reading Table and, under suspension of the rules, read the third time. On motion of Senator Barlow **H.B. No. 86** was amended as follows:

Page 1, Line 14:
Delete *"$630,000"* and insert in lieu thereof *"$490,000"*

Page 1, Lines 25 and 26:
Restore *"before July 1, 1977,"*

Page 2, Line 6:
Delete *"$630,000"* and insert in lieu thereof *"$490,000"*

H.B. No. 86 passed on the following roll call:

Yeas, 19; Nays, 7; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Carling	Jeffs	Snow
Barlow	Considine	Money	Swan
Bennett	Cornaby	Peterson, C.	Wayment
Black	Farley	Peterson, L.	Mr. President (Ferry)
Bunnell	Halverson	Pugh	

Voting in the negative were: Senators

Asay	Flamm	Matheson	Sowards
Barton	Jones	Sandberg	

Absent or not voting were: Senators

Bullen	Christensen	Finlinson

Senator Barlow, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action.

INTRODUCTION OF BILLS

At the request of Senator Pugh and Barlow, and by unanimous consent of the Senate, the following bills are introduced:

SCHOOL BUILDING PROGRAM APPROPRIATION

S.B. No. 86 *Haven J. Barlow*

AN ACT RELATING TO THE SCHOOL BUILDING PROGRAM IN THIS STATE; APPROPRIATING $14,721,800 FROM THE UNIFORM SCHOOL FUND FOR THE STATE'S CONTRIBUTION TO THE SCHOOL BUILDING SUPPORTED PROGRAM FOR FISCAL YEAR 1983; AND PROVIDING AN EFFECTIVE DATE.

S.B. No. 86 was read the first time. On motion of Senator Barlow, the rules were suspended and the bill was read the second and third times, and passed on the following roll call:

Yeas, 22; Nays, 3; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Considine	Matheson	Snow
Barlow	Cornaby	Peterson, C.	Sowards
Barton	Farley	Peterson, L.	Swan
Bunnell	Finlinson	Pugh	Wayment
Carling	Halverson	Sandberg	Mr. President (Ferry)
Christensen	Jones		

Voting in the negative were: Senators

Asay	Bennett	Money

Absent or not voting were: Senators

Black	Bullen	Flamm	Jeffs

S.B. No. 86 was transmitted to the House.

SUPPLEMENTAL APPROPRIATIONS ACT

S.B. No. 87 *Warren E. Pugh*

AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 1982 FOR THE USE AND SUPPORT OF CERTAIN STATE DEPARTMENTS AND AGENCIES OF STATE GOVERNMENT AND FOR OTHER PURPOSES AS IN THIS ACT PROVIDED.

S.B. No. 87 was read the first time. On motion of Senator Pugh, the rules were suspended and the bill was read the second and third times, and passed on the following roll call:

Yeas, 23; Nays, 2; Absent, 4

Voting in the affirmative were: Senators

Asay	Considine	Jones	Snow
Bangerter	Cornaby	Matheson	Sowards
Barlow	Farley	Peterson, C.	Swan
Barton	Finlinson	Peterson, L.	Wayment
Bunnell	Halverson	Pugh	Mr. President (Ferry)
Christensen	Jeffs	Sandberg	

Voting in the negative were: Senators

Bennett	Money

Absent or not voting were: Senators

Black	Bullen	Carling	Flamm

S.B. No. 87 was transmitted to the House.

RULES COMMITTEE REPORT

Mr. President: January 30, 1982

The Senate Rules Committee, to which were referred the following House Bills:

H.B. No. 82	NEIGHBORHOOD DEVELOPMENT ACT ELECTIONS
H.J.R. No. 28	WORK FOR WELFARE RECIPIENTS RESOLUTION

reports the bills to the Senate and asks that under suspension of the rules they be considered read the second time and placed at the bottom of the Third Reading Calendar.

Ronald T. Halverson,
Committee Chairman

Committee report read and adopted and **H.B. No. 82** and **H.J.R. No. 28** were read the second time and placed at the bottom of Third Reading Calendar.

• • •

H.B. No. 80, DUGWAY PROVING GROUND JURISDICTION CORRECTIONS, 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	Christensen	Jones	Sandberg
Bangerter	Considine	Matheson	Snow
Barlow	Cornaby	Money	Sowards
Barton	Farley	Peterson, C.	Swan
Bennett	Halverson	Peterson, L.	Wayment
Bunnell	Jeffs		

Absent or not voting were: Senators

Black	Carling	Flamm	Mr. President (Ferry)
Bullen	Finlinson	Pugh	

H.B. No. 80 was signed by the President of the Senate and referred to the House for further action.

• • •

Senator Barton's motion to lift **H.B. No. 7**, AUDIT OF PUBLIC TRANSIT DISTRICTS, from Rules Committee failed on a voice vote.

• • •

H.B. No. 123, LEGISLATIVE EXEMPTION — PROCUREMENT CODE, was read the third time. On motion Senator Sandberg **H.B. No. 123** was amended as follows:

Page 3, Line 19:
"except as provided in section 63-56-35.5"

On motion of Senator Sandberg, the bill is circled.

• • •

On motion of Senator Bangerter, **H.B. No. 142** is circled.

• • •

H.B. No. 144, IMPOUNDMENT OF VEHICLES, was read the third time. Senators Wayment, Black, Sowards, Bunnell, Cornaby, Jones, Considine, Farley, Asay and Jeffs commented. Senators Bunnell and Cornaby proposed amendments which failed.

Senator Farley's motion that on Page 1, Line 30, the period be deleted and the words *"regardless of sex, race, age or income"* inserted, failed on the following roll call:

Yeas, 9; Nays, 16; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Considine	Farley	Money
Bennett	Cornaby	Flamm	Swan
Bunnell			

Voting in the negative were: Senators

Asay	Christensen	Matheson	Snow
Barlow	Halverson	Peterson, C.	Sowards
Barton	Jeffs	Pugh	Wayment
Carling	Jones	Sandberg	Mr. President (Ferry)

Absent or not voting were: Senators

Black	Bullen	Finlinson	Peterson, L.

H.B. No. 144 passed on the following roll call:

Yeas, 22; Nays, 4; Absent, 3

Voting in the affirmative were: Senators

Asay	Christensen	Money	Snow
Bangerter	Flamm	Peterson, C.	Sowards
Barlow	Halverson	Peterson, L.	Swan
Barton	Jeffs	Pugh	Wayment
Bennett	Jones	Sandberg	Mr. President (Ferry)
Carling	Matheson		

Voting in the negative were: Senators

Bunnell	Considine	Cornaby	Farley

Absent or not voting were: Senators

Black	Bullen	Finlinson

H.B. No. 144 was signed by the President of the Senate and returned to the House for further action.

• • •

On motion of Senator Snow, the circle was removed from **H.B. No. 142,** RESIDENTIAL PROPERTY ASSESSMENT, and the bill 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	Jones	Sandberg
Bangerter	Considine	Matheson	Snow
Barlow	Cornaby	Money	Sowards
Bennett	Farley	Peterson, C.	Swan
Black	Flamm	Peterson, L.	Wayment
Bunnell	Halverson	Pugh	Mr. President (Ferry)
Carling	Jeffs		

Absent or not voting were: Senators
Barton Bullen Finlinson

H.B. No. 142 was signed by the President of the Senate and returned to the House for further action.

SENATE RULES

On motion of Senator Halverson, the Senate voted to adopt the additional "Senate Constitutional Provisions" and "Impeachment" language as part of the revised "Senate Rules". The motion carried without dissent.

18. CONSTITUTIONAL PROVISIONS — ARTICLE VI

18.01 Senate to be Judge of Election and Qualifications of Members—Expulsion.

The Senate shall be the judge of the election and qualifications of all Senators. It may punish Senators for disorderly conduct. With the concurrence of two-thirds of all of the members elected, the Senate may expel a member for cause. (10)

18.02 Quorum—Attendance Compelled.

A majority of the members constitutes a quorum to transact business. Less than a quorum may convene from day to day and compel the attendance of absent members. (11)

18.03 Journal.

The Senate shall keep a journal of its proceedings; however, the vote on any question does not have to be recorded unless it is requested by five Senators. The proceedings of any Executive Session shall not be recorded nor published. (14)

18.05 Passage and Amendment of Laws.

Every bill and Joint Resolution to be enacted shall be read three times and approved by a majority of all the members elected to both houses. The final vote shall be by roll call and entered in the Senate Journal. No law shall be revised or amended by reference to its title only. The act as revised or section as amended shall be re-enacted and published at length. (22)

18.06 Bill to Contain Only One Subject

Every bill passed by the Legislature shall be restricted to only one subject except general appropriation bills and bills that recodify and revise laws. The title of the bills shall clearly express the content of the proposed legislation. (22)

18.07 Date of General and Budget Sessions.

Sessions of the Legislature shall be held annually at the State Capitol in Salt Lake City beginning on the second Monday in January. A General Session—convened during odd-numbered years—shall not exceed sixty calendar days. Budget Sessions—convened during even-numbered years—shall not exceed twenty calendar days. (2)

18.08 Eligibility of Legislators.

To be eligible to the office of Senator, a person must be a citizen of the United States, twenty-five years of age, a qualified voter for one year in the district from which elected and a resident of the State of Utah for three years. (5)

Anyone holding a public office of profit or trust under authority of the United States, or of Utah, shall not be a member of the Legislature except for those holding appointments in the State Militia, and the offices of notary public, justice of the peace, United States Commissioner and postmaster of the fourth class. (6)

Senators during their term of office, shall not be appointed or elected to any civil office of profit that has been created or the emoluments increased during the term of the Senator. (7)

18.09 Privilege from Arrest.

Senators shall not be arrested during each session or fifteen days before or after each session except for treason, felony or breach of the peace. Senators shall not be questioned in any place other than the legislative chambers for words used in any speech or debate in either house. (8)

18.10 Compensation.

Senators shall receive compensation of $25 per diem and expenses of $15 per diem and mileage as provided by law for their services while actually in session. (9)

18.11 Rules, Officers and Employees.

The Senate shall determine its own rules of procedures and choose its own officers and employees. (12)

18.12 Public Sessions—Adjournments.

All sessions of the Senate, except for Executive Sessions, shall be public. Without the consent of the House, the Senate shall not adjourn for more than three days. The Senate may not meet in any place other than the Capitol without the consent of the House. (15)

18.13 Nonbudgetary Items During Budget Sessions

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. (2)

18.14 Special and Impeachment Sessions.

Any special session called by the Governor shall not exceed thirty days. When any session trying cases of impeachment exceeds the regular number of calendar days, the Senate may remain in session and the Senators shall receive the usual per diem, compensation and mileage. (16)

18.15 Veto Session Duration.

Any Veto Session called by the leadership of the Legislature may not exceed five days. (Art. VII, Sec. 8)

18.16 Income Tax Regulation.

In any law imposing income taxes, the Legislature 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. (23)

18.17 President of the Senate to Sign Bills.

The President of the Senate shall sign all legislation passed by the Legislature certifying to their accuracy and authenticity not more than five days following adjournment, sine die. (24)

18.18 Effective Date of Legislation.

No act shall become effective until it has been officially published. Unless there is an Emergency Clause in a bill, passed by two-thirds of the members of both houses, all bills shall become effective sixty days after adjournment of the session during which the bills were passed.

18.19 Legislative Limitations.

In all cases where a general law can be applicable, no special law shall be enacted. (26)

The Legislature shall not authorize any game of chance, lottery or gift enterprise under any pretense or for any purpose. (27)

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. (28)

The Legislature shall not authorize the State, any county, city, town, township, district or other political 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. (31)

18.20 Additional Legislative Compensation.

Senators attending interim committee meetings shall receive additional per diem compensation and mileage. (31)

19. IMPEACHMENT

19.01 Judicial Powers.

Judicial power of the State of Utah shall be vested in the Senate sitting as a Court of Impeachment, in a Supreme Court, in district courts, in justices of the peace, and such other courts inferior to the Supreme Court as may be set up by law. (Art. VIII, Sec. 1)

19.02 Officers Liable to Impeachment.

The Governor and other state and judicial officers, except justices of the peace, shall be liable to impeachment. (Art. VI, Sec. 19; 77-6-1)

19.03 Judgment—Prosecution by Law.

Judgment in impeachment 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 by impeachment, shall nevertheless be liable to prosecution, trial and punishment according to the law. (Art. VI, Sec. 19)

19.04 Causes for Impeachment

State and judicial officers shall be liable to impeachment for high crimes, misdemeanors or malfeasance in office (Art. VI, Sec. 19; 77-6-1), which would include the following:

1. Habitual disregard for the public interest in the discharge of official duties;
2. Commission of an indictable criminal offense;
3. Intentional act of omission or commission relating to official duties involving a substantial breach of trust;
4. Usurpation of power or personal misconduct;
5. Substantial breach of trust imposed upon the official by the nature of his office, and which conduct is of such a character as to offend against commonly accepted standards of honesty and morality;
6. Physical or mental disability impacting ability to function properly;
7. Such other meanings as have existed historically and at common law.

19.05 Sole Power of Impeachment—Vote Required

The House of Representatives shall the sole power of impeachment. Impeachment shall require two-thirds of all members of the House of Representatives elected voting in favor. The House of Representatives shall forward the Articles of Impeachment to the Senate for trial. (Art. VI, sec. 17)

19.06 Presiding Officer for Impeachment.

The President of the Senate shall be the presiding officer for a Trial of Impeachment except when the Governor is on trial. When the Governor is on trial, the Chief Justice of the Supreme Court shall preside. (Art. VI, Sec. 18; 77-6-3). In case the Chief Justice is disqualified or unable to act, the Senate shall select by a constitutional majority some other Justice of the Supreme Court. (77-6-3)

19.07 Delivery of the Impeachment Articles.

The President of the Senate shall receive the Articles of Impeachment against an officer passed by the House of Representatives. (77-6-5)

19.08 Articles of Impeachment—Highest Priority

Articles of Impeachment shall be regarded by the President of the Senate as priority business, and as such immediately supercedes business otherwise in order under the rules.

19.09 Articles of Impeachment—Procedure.

All impeachments must be by resolution adopted by, originating in, and conducted by managers elected by the House of Representatives. The manager shall prepare Articles of Impeachment. These managers shall present the Articles of Impeachment at the bar of the Senate and prosecute them.

19.10 Hearing, Notice of—Defendant Served with Articles.

The Senate must assign a day for the hearing of the Impeachment, and inform the House of Respresentatives. The President of the Senate shall have a copy of the Articles of Impeachment, with a Notice to appear and answer the charges at the time and place appointed to be served on the defendant by the Senate Sergeant at Arms not less than ten days prior to the day fixed for the hearing. (Art. VI, Sec. 20; 77-6-6)

19.11 Service, How Made.

The service of the Articles of Impeachment must be made upon the defendant personally by the Senate Sergeant at Arms. If the defendant cannot be found within the state, the Senate may order publication of a notice requiring the defendant to appear at a specified time and place to answer the Articles of Impeachment. (77-6-7)

19.12 Failure to Appear—Procedure.

If the defendant does not appear, the Senate, upon proof of service or publication as provided, may, of its own motion or for cause shown, assign another day for hearing the impeachment, or may proceed in the absence of the defendant to trial and judgment (77-6-8). The President of the Senate shall appoint some person as counsel if the defendant fails to appear. This person shall make defense for the defendant. (77-6-9)

19.13 Appointment of Counsel for Defendant.

If the defendant is unable to procure the assistance of counsel, the President of the Senate shall appoint some suitable person to assist in the defense. (77-6-9)

19.14 Rules of Senate to Govern.

The Rules of Senate, unless otherwise provided for by law, shall govern any Senate proceedings while it sits as a Court of Impeachment. The Senate in sitting as a Court of Impeachment shall resolve itself into a Committee of the Whole for Impeachment.

19.15 Committee of the Whole for Impeachment.

In order to sit as a Court of Impeachment, the Senate shall resolve itself by motion and a constitutional majority into a Committee of the Whole for Impeachment. This Committee shall be able to hear from the managers elected by the House of Representatives who shall present the Articles of Impeachment at the bar of the Senate as well as counsel for the defendant. While in a Committee of the Whole for Impeachment, motions may be made by Senators, defense counsel and managers for the House. Also, votes on motions related to the Articles of Impeachment may be taken. Once the Senate has resolved intself into a Committee of the Whole for Impeachment, no other business may be entertained by the Senate until there has been a final determination on all Articles of Impeachment.

19.16 Defendant May Answer or Demur.

The defendant may object to the sufficiency of the Articles of Impeachment in writing or answer them by an oral plea of not guilty. This plea of not guilty shall be entered upon the journal of the Senate. This not guilty plea puts in issue every material allegation of the Articles of Impeachment. (77-6-10)

19.17 Procedure When Demurrer Overruled.

The counsel for the defendant may make a motion of objection to the sufficiency of the Articles of Impeachment. The Senators shall vote on the motion by a roll call vote. If the objection is not sustained by a majority of the members of the Senate elected, the defendant must be ordered to answer the Articles of Impeachment. If the defendant pleads guilty, the Senate must render judgment of conviction. If the defendant pleads not guilty or refuses to plead, the Senate must, at such times as it may appoint, proceed to try the impeachment. (77-6-11)

19.18 Trial—Senators to be Sworn.

At the time and place appointed, and before the Senate proceeds to act on the impeachment, the Secretary of the Senate must administer to the President of the Senate an oath or affirmation to do justice according to law and the evidence. The President of the Senate shall then administer the oath or affirmation to each member of the Senate. No member of the Senate can act or vote upon the impeachment, or upon any question arising thereon, without having taken such oath or affirmation. (77-6-12)

19.19 Voting.

All procedural motions made by the Senators, counsel for the defense or the managers elected by the House of Representatives shall require a consitutional majority to pass. The defendant shall not be convicted on impeachment without the concurrence of two-thirds of the members elected, voting by a roll call. If there is not two-thirds concurrence in a conviction, the defendant shall be acquited. (77-6-13)

19.20 Resolution of Judgment.

After conviction, the Senate must pronounce judgment in the form of a resolution. This resolution shall be entered into the Senate Journal. This resolution of Judgment shall become effective upon a majority vote of the members present, who voted on the question of acquittal or conviction. (77-6-14; 77-6-15)

19.21 Nature of Judgment.

The judgment of the Senate entered into the Resolution of Judgment may be that the defendant is to be suspended, or that the defendant is to be removed from office and disqualified to hold any office of honor, trust or profit in the State. (77-6-16)

19.22 Effect of Suspension.

If the Senate issues a judgment of suspension, the defendant during the time established for such suspension, is disqualified from receiving the salary, fees or emoluments of the office. (77-6-17)

THIRD READING CALENDAR

H.B. No. 138, NATURAL RESOURCES DEVELOPMENT REVOLVING ACCOUNT INCOME, 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	Considine	Jeffs	Pugh
Barlow	Cornaby	Jones	Sandberg
Barton	Farley	Matheson	Snow
Bennett	Finlinson	Money	Sowards
Black	Flamm	Peterson, C.	Wayment
Bunnell	Halverson	Peterson, L.	Mr. President (Ferry)
Carling			

Voting in the negative were: Senators

Christensen	Swan

Absent or not voting were: Senators

Asay	Bullen

H.B. No. 138, was signed by the President of the Senate and returned to the House for further action.

JOINT CONFERENCE COMMITTEE REPORT

H.B. No. 33, VEHICLE REGISTRATION FEE INCREASE

Mr. Speaker and Mr. President: January 30, 1982

Your Conference Committee, consisting of Senators Sowards, Bangerter and Bennett and Representatives Strong, Johnson and Brown to which was referred **H.B. No. 33,** VEHICLE REGISTRATION FEE INCREASE, by Represenative Don R. Strong, begs leave to report as follows:

Page 2, Line 29:
Delete "*30.00*" and insert in lieu thereof "*40.00*"

Page 2, Line 30:
Delete "*40.00*" and insert in lieu thereof "*50.00*"

Page 2, Line 31:
Delete "*55.00*" and insert in lieu thereof "*65.00*"

Page 2, Line 32:
Delete "*70.00*" and insert in lieu thereof "*80.00*"

Page 2, Line 33a:
Delete "*90.00*" and insert in lieu thereof "*100.00*"

Page 2, Line 34a:
Delete "*110.00*" and insert in lieu thereof "*120.00*"

Page 3, Line 2a:
Delete "*130.00*" and insert in lieu thereof "*140.00*"

Page 3, Line 3a:
Delete "*155.00*" and insert in lieu thereof "*165.00*"

Page 3, Line 4a:
Delete "*175.00*" and insert in lieu thereof "*185.00*"

Page 3, Line 5a:
Delete "*200.00*" and insert in lieu thereof "*210.00*"

Page 3, Line 6a:
Delete "*220.00*" and insert in lieu thereof "*230.00*"

Page 3, Line 7a:
Delete "*250.00*" and insert in lieu thereof "*260.00*"

Page 3, Line 8a:
Delete "*275.00*" and insert in lieu thereof "*285.00*"

Page 3, Line 9a:
Delete "*305.00*" and insert in lieu thereof "*315.00*"

Page 3, Line 10a:
Delete "*330.00*" and insert in lieu thereof "*340.00*"

Page 3, Line 11a:
Delete "*360.00*" and insert in lieu thereof "*370.00*"

Page 3, Line 12a:
Delete "*385.00*" and insert in lieu thereof "*395.00*"

Page 3, Line 13a:
Delete "*415.00*" and insert in lieu thereof "*425.00*"

Page 3, Line 14a:
Delete "*445.00*" and insert in lieu thereof "*455.00*"

Page 3, Line 15a:
Delete "*475.00*" and insert in lieu thereof "*485.00*"

Page 3, Line 16a:
Delete "*505.00*" and insert in lieu thereof "*515.00*"

Page 3, Line 17a:
Delete "*540.00*" and insert in lieu thereof "*550.00*"

Page 3, Line 18a:
Delete "*570.00*" and insert in lieu thereof "*580.00*"

Page 3a, Line 3:
Delete "*605.00*" and insert in lieu thereof "*615.00*"

Page 3a, Line 5:
Delete "*645.00*" and insert in lieu thereof "*655.00*"

Page 3a, Line 12:
Delete "*22.00*" and insert in lieu thereof "*32.00*"

Page 3a, Line 13:
Delete "*25.00*" and insert in lieu thereof "*35.00*"

Page 3a, Line 14:
Delete "*35.00*" and insert in lieu thereof "*45.00*"

Page 3a, Line 15:
Delete "*45.00*" and insert in lieu thereof "*55.00*"

Page 3a, Line 16:
Delete "*55.00*" and insert in lieu thereof "*65.00*"

Page 3a, Line 17:
Delete "*65.00*" and insert in lieu thereof "*75.00*"

Page 3a, Line 18:
Delete "*75.00*" and insert in lieu thereof "*85.00*"

Page 3a, Line 20:
Delete "*90.00*" and insert in lieu thereof "*100.00*"

Page 4, Line 2a:
Delete "*100.00*" and insert in lieu thereof "*110.00*"

Page 4, Line 3a:
Delete "*110.00*" and insert in lieu thereof "*120.00*"

Page 4, Line 4a:
Delete "*120.00*" and insert in lieu thereof "*130.00*"

Page 4, Line 5a:
Delete "*140.00*" and insert in lieu thereof "*150.00*"

Page 4, Line 6a:
Delete "*150.00*" and insert in lieu thereof "*160.00*"

Page 4, Line 7a:
Delete "*160.00*" and insert in lieu thereof "*170.00*"

Page 4, Line 8a:
Delete "*170.00*" and insert in lieu thereof "*180.00*"

Page 4, Line 9a:
Delete "*180.00*" and insert in lieu thereof "*190.00*"

Page 4, Line 10a:
Delete "*195.00*" and insert in lieu thereof "*205.00*"

Page 4, Line 11a:
Delete "*205.00*" and insert in lieu thereof "*215.00*"

Page 4, Line 12a:
Delete "*215.00*" and insert in lieu thereof "*225.00*"

Page 4, Line 13a:
Delete "*225.00*" and insert in lieu thereof "*235.00*"

Page 4, Line 14a:
Delete "*235.00*" and insert in lieu thereof "*245.00*"

Page 4, Line 15a:
Delete "*250.00*" and insert in lieu thereof "*260.00*"

Page 4, Line 16a:
Delete "*260.00*" and insert in lieu thereof "*270.00*"

Page 4, Line 17a:
Delete "*270.00*" and insert in lieu thereof "*280.00*"

Page 4, Line 18a:
Delete "*280.00*" and insert in lieu thereof "*290.00*"

Page 5, Line 21 and 22:
Delete "*January 1, 1983*" and insert in lieu thereof "*July 1, 1982*"

Glade M. Sowards,
Chairman Senate Committee
Don R. Strong,
Chairman, House Committee

On motion of Senator Sowards, the Senate voted to adopt the Joint Conference Committee Report on the following roll call and the bill passed on the following roll call:

Yeas, 16; Nays, 11; Absent, 2

Voting in the affirmative were: Senators

Barton	Finlinson	Peterson, L.	Sowards
Black	Jeffs	Pugh	Swan
Carling	Jones	Sandberg	Wayment
Considine	Money	Snow	Mr. President (Ferry)

Voting in the negative were: Senators

Asay	Bennett	Farley	Matheson
Bangerter	Christensen	Flamm	Peterson, C.
Barlow	Cornaby	Halverson	

Absent or not voting were: Senators

Bullen	Bunnell

H.B. No. 33, was transmitted to the House.

• • •

On motion of Senator Snow, **H.J.R. No. 36** is circled.

• • •

H.B. No. 88, TAX LEVY FOR COUNTY ZOOS, 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	Considine	Jeffs	Sandberg
Barlow	Cornaby	Jones	Snow
Barton	Farley	Matheson	Swan
Bennett	Finlinson	Peterson, C.	Wayment
Black	Flamm	Peterson, L.	Mr. President (Ferry)
Carling	Halverson	Pugh	

Voting in the negative were: Senators

Asay	Christensen	Money

Absent or not voting were: Senators

Bullen	Bunnell	Sowards

H.B. No. 88 was signed by the President of the Senate and returned to the House for further action.

• • •

On motion of Senator Pugh, **H.B. No. 123,** LEGISLATIVE EXEMPTION PROCUREMENT CODE, was uncircled and before the Senate. On motion of Senator Pugh **H.B. No. 123** was amended as follows:

Delete the previous Sandberg amendment on Page 3, Line 19 *"except as provided in section 63-56-35.5"*

H.B. No. 123 passed unamended on the following roll call:

Yeas, 16; Nays, 7; Absent, 6

Voting in the affirmative were: Senators

Asay	Considine	Matheson	Snow
Barlow	Finlinson	Peterson, L.	Sowards
Black	Flamm	Pugh	Wayment
Christensen	Jeffs	Sandberg	Mr. President (Ferry)

Voting in the negative were: Senators

Bennett	Farley	Money	Swan
Carling	Halverson	Peterson, C.	

Absent or not voting were: Senators

Bangerter	Bullen	Cornaby	Jones
Barton	Bunnell		

H.B. No. 123 was signed by the President of the Senate and returned to the House for further action.

• • •

H.B. No. 92, TAX ON MINERAL PRODUCTION WITHHOLDING, was read the third time. On motion of Senator Finlinson **H.B. No. 92** was amended as follows:

Page 3, Lines 6 through 24:
Delete entirely.

H.B. No. 92 passed on the following roll call:

Yeas, 21; Nays, 6; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Considine	Jones	Snow
Barlow	Farley	Peterson, C.	Sowards
Bennett	Finlinson	Peterson, L.	Swan
Black	Flamm	Pugh	Wayment
Bunnell	Jeffs	Sandberg	Mr. President (Ferry)
Carling			

Voting in the negative were: Senators

Barton	Cornaby	Matheson	Money
Christensen	Halverson		

Absent or not voting were: Senators
Asay Bullen

H.B. No. 92, as amended, was returned to the House.

• • •

On motion of Senator Halverson, Rules Committee Chairman, **S.B. Nos. 53** and **56** on Second Reading Table and Calendar; **SER-S.B. No. 2, HER-H.J.R. No. 9** and **SER-S.B. No. 63** on Third Reading Table and **H.B. No. 82** and **H.J.R. No. 28** on Third Reading Calendar were returned to Rules Committee. The circles were removed from **SUB. H.B. No. 26, H.J.R. No. 10** and **H.J.R. No. 36** on Third Reading Calendar, and they were returned to Rules Committee.

• • •

On motion of Senator Barlow, **H.B. No. 86,** RETIREMENT BENEFITS FOR SCHOOL AND PUBLIC EMPLOYEES, is reconsidered. Senator Barlow proposed the following amendments:

Page 1, Line 11:
Delete *"$7.00"* and insert in lieu thereof *"$6.75"*

Page 1, Line 14:
Delete *"$490,000"* and insert in lieu thereof *"$230,000"*

Page 1, Line 26:
Delete *"$7.00"* and insert in lieu thereof *"$6.75"*

Page 1, Line 6:
Delete *"$490,000"* and insert in lieu thereof *"$230,000"*

The Barlow amendments passed on the following roll call:

Yeas, 18; Nays, 9; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Christensen	Jeffs	Pugh
Barlow	Cornaby	Jones	Snow
Barton	Finlinson	Peterson, C.	Wayment
Bunnell	Flamm	Peterson, L.	Mr. President (Ferry)
Carling	Halverson		

Voting in the negative were: Senators

Asay	Considine	Matheson	Sandberg
Bennett	Farley	Money	Swan
Black			

Absent or not voting were: Senators

Bullen	Sowards

H.B. No. 86 passed on the following roll call:

Yeas, 22; Nays, 4; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Christensen	Halverson	Pugh
Barlow	Considine	Jeffs	Snow
Bennett	Cornaby	Money	Swan
Black	Farley	Peterson, C.	Wayment
Bunnell	Finlinson	Peterson, L.	Mr. President (Ferry)
Carling	Flamm		

Voting in the negative were: Senators

Asay	Barton	Matheson	Sandberg

Absent or not voting were: Senators

Bullen	Jones	Sowards

H.B. No. 86, as amended, was returned to the House.

• • •

Mr. President: January 29, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, as amended, **S.J.R. No. 8,** MUNICIPAL TAX EXEMPTION CHANGES, by Senator Matheson, and the same is transmitted herewith for Senate 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.

• • •

The Senate recessed at 6:30 p.m and reassembled at 8:20 p.m.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 30, 1982

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 January 30, 1982, **H.B. No. 33,** VEHICLE REGISTRATION FEE INCREASE, by Representative Strong, 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, under suspension of the rules, **S.B. No. 52,** CROSS-TRAINING RETIREMENT ENROLLMENT, 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, under suspension of the rules, **S.B. No. 57,** COUNTY PLANETARIUM MODIFICATIONS, 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, under suspension of the rules, **S.B. No. 86,** SCHOOL BUILDING PROGRAM APPROPRIATION, 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, and

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.B. No. 62,** PROOF OF FINANCIAL RESPONSIBILITY, 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, under suspension of the rules, **S.B. No. 70,** DRUNK DRIVING 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.

Allan M. Acomb, Chief Clerk

H.B. No. 33 and **S.B. Nos. 52, 57, 86, 62** and **70** were signed by the President of the Senate, and referred on the Committee on Rules to be enrolled and transmitted to the Governor. **H.B. No. 33** was returned to the House for further action.

• • •

Mr. President: January 30, 1982

I am directed to inform the Senate that the House of Representatives has this day refused to recede from its amendments to **S.J.R. No. 3,** TAX ARTICLE REVISION, by Senator Sowards, et al, and has appoint a Conference Committee consisting of Representatives Knowlton, Richards and Le Fevre, to act with a like Committee from the Senate on this bill.

Allan M. Acomb, Chief Clerk

On motion of Senator Sowards, the Senate refused to recede from its amendments. President Ferry appointed a Conference Committee comprised of Senators Snow, Finlinson and Money.

• • •

Mr. President: January 30, 1982

I am directed to inform the Senate that the House of Representatives has this day rejected **SUBSTITUTE S.B. No. 25,** OCCUPATIONS TAX INCREASE, by Senator Bullen, et al, and the same is returned herewith.

Allan M. Acomb, Chief Clerk

SUB. S.B. No. 25 is filed.

• • •

Mr. President: January 30, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and the House, under suspension of the rules, **S.B. No. 38,** CIVIL LIABILITY FOR SUPPORT AMENDMENTS, by Senator Flamm, and the same is transmitted herewith for further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Flamm, the Senate voted to concur in the House amendments, and the bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sandberg
Bangerter	Considine	Matheson	Sowards
Barlow	Cornaby	Peterson, C.	Swan
Barton	Farley	Peterson, L.	Wayment
Bennett	Flamm	Pugh	Mr. President (Ferry)
Black	Halverson		

Absent or not voting were: Senators

Bullen	Carling	Jeffs	Snow
Bunnell	Finlinson	Money	

S.B. No. 38 was transmitted to the House.

• • •

Mr. President: January 30, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, under suspension of the rules, **S.B. No. 37**, PUBLIC SUPPORT OF CHILDREN, by Senator Flamm, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Halverson, 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	Jeffs	Sandberg
Bangerter	Considine	Jones	Sowards
Barlow	Cornaby	Matheson	Swan
Barton	Farley	Peterson, C.	Wayment
Bennett	Flamm	Peterson, L.	Mr. President (Ferry)
Bunnell	Halverson	Pugh	

Absent or not voting were: Senators

Black	Carling	Money	Snow
Bullen	Finlinson		

S.B. No. 37 was transmitted to the House.

• • •

On motion of Senator Halverson, and under suspension of the rules, **H.J.R. No. 28** and **H.B. No. 82** were lifted from Rules Committee and placed at the top of Third Reading Calendar.

• • •

Mr. President: January 30, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **SUBSTITUTE H.B. No. 77,** COUNTY SERVICE AREA AMENDMENT, by Representative Dahl, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

SUB. H.B. No. 77 was read the first time. On motion of Senator Bangerter, and under suspension of the rules, the bill was read the second time and placed on Third Reading Calendar.

• • •

Mr. President: January 30, 1982

The House of Representatives requests the return of **H.B. No. 26,** SCHOOL DISTRICT BOARD MEMBERS' TERMS. This bill was retrieved from the House of Representatives inadvertently, and the House requests that it be returned.

Allan M. Acomb, Chief Clerk

On motion of Senator Halverson, **SUB. H.B. No. 26** was lifted from Rules Committee, placed at the top of Third Reading Calendar and before the Senate on reconsideration.

On motion of Senator Sowards, **SUB. H.B. No. 26** was amended as follows:

Page 2, Lines 5 thru 34, Delete entirely

Page 3, Lines 1 thru 34, Delete entirely

Page 4, Lines 1 thru 15, Delete entirely

SUB H.B. No. 26 failed on the following roll call:

Yeas, 5; Nays, 20; Absent, 4

Voting in the affirmative were: Senators

Asay	Halverson	Sandberg	Mr. President (Ferry)
Bangerter			

Voting in the negative were: Senators

Barlow	Carling	Flamm	Peterson, L.
Barton	Christensen	Jeffs	Pugh
Bennett	Considine	Jones	Sowards
Black	Cornaby	Matheson	Swan
Bunnell	Farley	Peterson, C.	Wayment

Absent or not voting were: Senators

Bullen	Finlinson	Money	Snow

SUB. H.B. No. 26, as amended, was returned to the House for filing.

• • •

Mr. President: January 30, 1982

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. 37,** INTERIM STUDY ASSIGNMENTS, by Representative Farnsworth, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.J.R. No. 37 was read the first time. On motion of Senator Snow, and under suspension of the rules, the resolution was read the second time and placed at the bottom of Third Reading Calendar.

• • •

H.J.R. No. 28, WORK FOR WELFARE RECIPIENTS 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	Christensen	Halverson	Sandberg
Bangerter	Considine	Jones	Snow
Barlow	Cornaby	Matheson	Sowards
Bennett	Farley	Peterson, C.	Swan
Black	Finlinson	Peterson, L.	Wayment
Bunnell	Flamm	Pugh	Mr. President (Ferry)
Carling			

Absent or not voting were: Senators
Barton Bullen Jeffs Money

H.J.R. No. 28 was signed by the President of the Senate and returned to the House for further action.

• • •

H.B. No. 82, NEIGHBORHOOD DEVELOPMENT ACT ELECTION, was read the third time, and on motion of Senator Farley the bill was circled.

• • •

Mr. President: January 30, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 69,** FOURTH AMENDMENT ENFORCEMENT ACT — 1982, 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, under suspension of the rules, **H.B. No. 103,** OUT OF STATE TUITION WAIVER, by Representative Hillyard, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Halverson, and under suspension of the rules, **H.B. Nos. 69** and **103** were read the first and second times, and placed on Third Reading Calendar.

• • •

On motion of Senator Halverson, **H.B. No. 69** was circled.

• • •

SUB. H.B. No. 77, COUNTY SERVICE AREA AMENDMENT, 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	Considine	Jeffs	Pugh
Barlow	Cornaby	Jones	Sandberg
Barton	Farley	Matheson	Snow
Black	Finlinson	Money	Sowards
Bullen	Flamm	Peterson, C.	Swan
Bunnell	Halverson	Peterson, L.	Mr. President (Ferry)
Christensen			

Voting in the negative were: Senator
Bennett

Absent or not voting were: Senators

Asay	Carling	Wayment

SUB. H.B. No. 77 was signed by the President of the Senate and returned to the House for further action.

• • •

H.J.R. No. 37, INTERIM STUDY ASSIGNMENTS, under suspension of the rules, was read the third time. On motion of Senator Barlow, **H.J.R. No. 31** was amended as follows:

Page 9, Line 5:
Insert "*(78) Neighborhood Development Act — To study the need for changes in the Neighborhood Development Act.*"

H.J.R. No. 37 passed on the following roll call:

Yeas, 25; Nays, 2; Absent, 2

Voting in the affirmative were: Senators

Asay	Christensen	Halverson	Sandberg
Bangerter	Considine	Jeffs	Snow
Barlow	Cornaby	Jones	Sowards
Barton	Farley	Matheson	Swan
Black	Finlinson	Peterson, C.	Wayment
Bunnell	Flamm	Peterson, L.	Mr. President (Ferry)
Carling			

Voting in the negative were: Senators
Bennett Money

Absent or not voting were: Senators
Bullen Pugh

H.J.R. No. 37, as amended was returned to the House.

• • •

Mr. President: January 30, 1982

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. 134,** UTAH PUBLIC SAFETY RETIREMENT ACT MODIFICATIONS, by Representative Mecham, et al. and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 134 was read the first time. On motion of Senator Halverson and under suspension of the rules, the bill was read the second and third times, placed on Third Reading Calendar and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	Flamm	Sandberg
Bangerter	Christensen	Halverson	Snow
Barlow	Considine	Jeffs	Sowards
Barton	Cornaby	Money	Swan
Bennett	Farley	Peterson, C.	Wayment
Black	Finlinson	Peterson, L.	Mr. President (Ferry)
Bunnell			

Absent or not voting were: Senators

Bullen	Jones	Matheson	Pugh

H.B. No. 134 was signed by the President of the Senate and returned to the House for further action.

• • •

Mr. President: January 30, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.B. No. 64,** ANATOMICAL GIFTS, by Senator Barton, which has been signed by the Speaker in open session, and the same is transmitted herewith for signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.J.R. No. 15,** UTAH CONFERENCE ON SMALL BUSINESS, by Senator Sandberg, which has been signed by the Speaker in open session, and the same is transmitted herewith for signature of the President.

Allan M. Acomb, Chief Clerk

S.J.R. No. 15 and **S.B. No. 64** were signed by the President of the Senate and referred to the Committee on Rules to be enrolled with **S.B. No. 64** transmitted to the Governor, and **S.J.R. No. 15** to the Lieutenant Governor.

• • •

H.B. No. 103, OUT OF STATE TUITION WAIVER, under suspension of the rules, 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	Carling	Halverson	Pugh
Bangerter	Christensen	Jeffs	Sandberg
Barlow	Considine	Jones	Snow
Barton	Cornaby	Matheson	Sowards
Bennett	Farley	Money	Swan
Black	Finlinson	Peterson, C.	Wayment
Bunnell	Flamm	Peterson, L.	Mr. President (Ferry)

Absent or not voting were: Senator
Bullen

H.B. No. 103 was signed by the President of the Senate and returned to the House for further action.

• • •

Mr. President: January 30, 1982

I am directed to inform the Senate that the House of Represenatives has this day passed, under suspension of the rules, **H.B. No. 64,** STATE MONEY MANAGEMENT ACT—PUBLIC FUNDS, by Representative Harmer, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 64, was read the first time. On motion of Senator Halverson, and under suspension of the rules, the bill was read the second and third times and passed on the following roll call:

Yeas, 23; Nays, 4; Absent, 2.

Voting in the affirmative were: Senators

Asay	Christensen	Jeffs	Snow
Bangerter	Considine	Jones	Sowards
Barlow	Cornaby	Peterson, C.	Swan
Barton	Farley	Peterson, L.	Wayment
Bunnell	Finlinson	Pugh	Mr. President (Ferry)
Carling	Flamm	Sandberg	

Voting in the negative were: Senators

Bennett	Halverson	Matheson	Money

Absent or not voting were: Senators

Black	Bullen

H.B. No. 64 was signed by the President of the Senate and returned to the House for further action.

• • •

On motion of Senator Jeffs, the circle was removed from **H.B. No. 69,** FOURTH AMENDMENT ENFORCEMENT ACT-1982, and under suspension of the rules read the third time and passed on the following roll call:

Yeas, 19; Nays, 6; Absent, 4

Voting in the affirmative were: Senators

Asay	Finlinson	Matheson	Sandberg
Barlow	Flamm	Money	Snow
Barton	Halverson	Peterson, C.	Wayment
Carling	Jeffs	Peterson, L.	Mr. President (Ferry)
Christensen	Jones	Pugh	

Voting in the negative were: Senators

Bennett	Bunnell	Farley	Swan
Black	Considine		

Absent or not voting were: Senators

Bangerter	Bullen	Cornaby	Sowards

H.B. No. 69 was signed by the President of the Senate and returned to the House for further action.

• • •

The Senate recessed at 9:50 p.m., and reassembled at 10:20 p.m.

• • •

Mr. President: January 30, 1982

I am directed to inform the Senate that the House of Represenatives has this day passed, under suspension of the rules, **S.B. No. 11**, COMBINING OF ROAD FUNDS, 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 Represenatives has this day passed, under suspension of the rules, **S.B. No. 61**, IN-LIEU PAYMENTS TO LOCAL SUBDIVISIONS, 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. Nos. 11 and 61 were signed by the President of the Senate and referred to the Committee on Rules to be enrolled and transmitted to the Governor.

• • •

Mr. President: January 30, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, as amended, **S.B. No. 87,** SUPPLEMENTAL APPROPRIATIONS ACT, by Senator Pugh, 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, 21; Nays, 2; Absent, 6

Voting in the affirmative were: Senators

Asay	Cornaby	Jones	Snow
Barlow	Farley	Matheson	Sowards
Black	Flamm	Peterson, C.	Swan
Bullen	Halverson	Peterson, L.	Wayment
Carling	Jeffs	Sandberg	Mr. President (Ferry)
Christensen			

Voting in the negative were: Senators

Bennett	Money

Absent or not voting were: Senators

Bangerter	Bunnell	Finlinson	Pugh
Barton	Considine		

S.B. No. 87 was returned to the House.

• • •

Mr. President: January 29, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, as amended, **H.J.R. No. 16,** MUNICIPAL AND OTHER TAX EXEMPTION CHANGES, by Representative Harrison, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.J.R. No. 16 was read the first time and referred to Rules Committee.

• • •

Mr. President: January 30, 1982

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. 27,** CORPORATE OFFICERS' AMENDMENT, 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, under suspension of the rules, as amended, **H.B. No. 32,** COUNTY JAIL INCARCERATION AS CONDITION OF PROBATION, 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, under suspension of the rules, **H.B. No. 100,** REPLACED INCOME TAX PROVISIONS REPEAL, by Representative F. W. 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, under suspension of the rules, as amended, **H.B. No. 132,** REPORTING SEXUAL ABUSE OF CHILDREN, by Representative Smith, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.J.R. No. 27 and **H.B. Nos. 32, 100** and **132** were read the first time. On motion of Senator Snow, and under suspension of the rules, the bills were read the second time and placed on Third Reading Calendar.

* * *

H.J.R. No. 27, CORPORATE OFFICERS' AMENDMENT, under suspension of the rules, 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	Farley	Matheson	Snow
Barlow	Finlinson	Money	Sowards
Barton	Flamm	Peterson, C.	Swan
Carling	Halverson	Peterson, L.	Wayment
Christensen	Jeffs	Pugh	Mr. President (Ferry)
Cornaby	Jones	Sandberg	

Voting in the negative were: Senators

Bennett	Black		

Absent or not voting were: Senators

Bangerter	Bullen	Bunnell	Considine

H.J.R. No. 27 was signed by the President of the Senate and returned to the House for further action.

• • •

H.B. No. 32, COUNTY JAIL INCARCERATION AS CONDITION OF PROBATION, under suspension of the rules, was read the third time, explained by Senator Cornaby, and passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Asay	Christensen	Jeffs	Sandberg
Barlow	Considine	Jones	Snow
Barton	Cornaby	Money	Sowards
Bullen	Farley	Peterson, C.	Wayment
Bunnell	Flamm	Peterson, L.	Mr. President (Ferry)
Carling	Halverson	Pugh	

Voting in the negative were: Senator

Bennett

Absent or not voting were: Senators

Bangerter	Finlinson	Matheson	Swan
Black			

H.B. No. 32 was signed by the President of the Senate and returned to the House for further action.

INTRODUCTION OF BILL

At the request of Senator Bullen, and with unanimous consent, the Senate voted to allow introduction of the following bill.

OCCUPATION TAX AMENDMENTS

S.B. No. 88 *Charles W. Bullen*

AN ACT RELATING TO TAXES ON PRODUCTION OF MINERALS AND THE USAGE OF THESE REVENUES; REDEFINING CERTAIN TERMS IN THIS REGARD; INCREASING THE RATE OF THE OCCUPATION TAX ON OIL AND GAS; PROVIDING FOR QUARTERLY PAYMENTS; PROVIDING FOR THE DEPOSIT OF THE TAXES COLLECTED INPART TO THE GENERAL FUND, IN PART TO THE UNIFORM SCHOOL FUND, AND IN PART TO RETIRE STATE BONDED INDEBTEDNESS; 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 ANNOATED 1953, AS LAST AMENDED BY CHAPTER 69, LAWS OF UTAH 1980; AND REPEALS AND REENACTS SECTION 59-5-84, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 134, LAWS OF UTAH 1953.

On motion of Senator Bullen, the bill ws read the first, second and third times and before the Senate.

Senator Finlinson's motion to refer the bill to Rules Committee failed. Senators Sowards and Cornaby commented. **S.B No. 88** passed on the following roll call:

Yeas, 16; Nays, 11; Absent, 2

Voting in the affirmative were: Senators

Asay	Black	Considine	Snow
Bangerter	Bullen	Farley	Swan
Barlow	Bunnell	Flamm	Wayment
Bennett	Christensen	Halverson	Mr. President (Ferry)

Voting in the negative were: Senators

Barton	Jones	Peterson, C.	Sandberg
Cornaby	Matheson	Peterson, L.	Sowards
Finlinson	Money	Pugh	

Absent or not voting were: Senators

Carling	Jeffs

S.B. No. 88 was transmitted to the House.

JOINT CONFERENCE COMMITTEE REPORT
(S.J.R. No. 3, TAX ARTICLE REVISION)

Mr. Speaker and Mr. President: January 30, 1982

Your Conference Committee, consisting of Senators Snow, Finlinson and Money and Representatives Knowlton, Richards and LeFevre, to which was referred **S.J.R. No. 3,** TAX ARTICLE REVISION, by Senator Sowards, begs leave to report the following amendments:

Page 1, Lines 13 through 17:
Following the word *"TAXATION;"* delete the brackets and reinsert the following language *"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;"*

Page 1, Line 29:
Following the word *"PROPERTIES;"* insert the language *"PROVIDING FOR EXEMPTION FROM TAXATION OF CERTAIN PROPERTY USED FOR RELIGIOUS, CHARITABLE OR EDUCATIONAL PURPOSES;"*

Page 2, Line 2:
Following the ";" insert the language *"PROVIDING FOR PERMISSIVE SHARING OF REVENUES BETWEEN POLITICAL SUBDIVISIONS OF THE STATE;"*

Page 2, Lines 21a through 22:
Delete the words *"counties, cities, towns,"*

Page 2, Line 22a:
Delete the words *"municipal corporations"*

Page 2, Lines 23a through 25:
Delete all the language.

Page 2, Lines 26 through 32:
Remove the brackets and reinsert the following language: *"(b) The property of counties, cities, towns, special districts, and all other political subdivisions of the state, except that to the extent and in the manner provided by the Legislature the property of a county, city, town, special district or other political subdivision of the state located outside*

of its geographic boundaries as defined by law may be subject to the ad valorem property tax;"

Page 3, Line 2:
Insert the following language *"(c) Property owned by a nonprofit entity which is used exclusively for religious, charitable or educational purposes;"*

Page 3, Line 6:
Delete the *"(c)"* and insert *"(d)"*

Page 4, Line 8:
Delete *"50%"* and insert */"40%"/*

Page 5, Lines 14 and 15:
Remove the brackets from and reinsert the following language: ", *provided that the Legislature may determine the manner and extent of taxing*"

Page 5, Line 16:
Following the word *"transient"* remove the brackets from and reinsert the word *"livestock"*

Page 6, Lines 31 through 34:
Delete the brackets and reinsert the following language: *"Notwithstanding anything to the contrary contained in this Constitution political subdivisions may share their tax and other revenues with other political subdivisions as provided by statute."*

Franklin W. Knowlton,
Chairman, House Committee
Karl N. Snow, Jr,
Chairman, Senate Committee

JOINT CONFERENCE COMMITTEE MINORITY REPORT
S.J.R. No. 3, TAX ARTICLE REVISION

Mr. Speaker and Mr. President: January 30, 1982

Your Conference Committee consisting of Representative Franklin W. Knowlton files a minority report indicating that he agrees with the Conference Committee in the deletion of the tangible personal property exemption and the vertical revenue provision but dissents from the Conference Committee on the remaining amendments.

Franklin W. Knowlton

Mr. President: January 30, 1982

I am directed to inform the Senate that the House of Representatives has this day rejected the Joint Conference Committee Report and adopted the Minority Report as of January 30, 1982, on **S.J.R. No. 3,** TAX ARTICLE REVISION, by Senator Sowards, et al, and it is hereby returned for further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, the Senate voted to refuse to adopt the Minority Report and the resolution was returned to the House.

• • •

On motion of Senator Snow, **H.B. No. 100** is circled on Third Reading Calendar.

• • •

Mr. President: January 30, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 155,** ABORTION AMENDMENTS, 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, under suspension of the rules, **H.B. No. 105,** STUDENT LOAN PROGRAM, 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, under suspension of the rules, and as amended, **H.B. No. 44,** POLITICAL CAMPAIGN FINANCIAL REPORTS, by Representative Knowlton, et al, and the same is herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. Nos. 155, 105 and **44** were read the first time and under suspension of the rules, read the second time and placed on Third Reading Calendar.

• • •

H.B. No. 132, REPORTING SEXUAL ABUSE OF CHILDREN, under suspension of the rules, 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	Halverson	Sandberg
Bangerter	Considine	Jones	Snow
Barlow	Cornaby	Money	Sowards
Barton	Farley	Peterson, C.	Swan
Bennett	Finlinson	Peterson, L.	Wayment
Black	Flamm	Pugh	Mr. President (Ferry)

Absent or not voting were: Senators

Bullen	Christensen	Jeffs	Matheson
Carling			

H.B. No. 132 was signed by the President of the Senate and returned to the House for further action.

• • •

H.B. No. 155, ABORTION AMENDMENTS, was under suspension of the rules, 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	Snow
Bangerter	Christensen	Money	Sowards
Barlow	Farley	Peterson, C.	Swan
Barton	Flamm	Peterson, L.	Wayment
Bennett	Halverson	Pugh	Mr. President (Ferry)
Bunnell	Jeffs	Sandberg	

Absent or not voting were: Senators

Black	Considine	Finlinson	Matheson
Bullen	Cornaby		

H.B. No. 155 was signed by the President of the Senate and returned to the House for further action.

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H.B. No. 105, STUDENT LOAN PROGRAM, under suspension of the rules, 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	Halverson	Sandberg
Barlow	Considine	Jeffs	Snow
Barton	Cornaby	Jones	Sowards
Black	Farley	Peterson, C.	Swan
Bullen	Finlinson	Peterson, L.	Wayment
Bunnell	Flamm	Pugh	Mr. President (Ferry)
Carling			

Voting in the negative were: Senator
Bennett

Absent or not voting were: Senators

Bangerter	Matheson	Money

H.B. No. 105 was signed by the President of the Senate and returned to the House for further action.

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H.B. No. 44, POLITICAL CAMPAIGN FINANCIAL REPORTS, under suspension of the rules, 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	Christensen	Jeffs	Sandberg
Bangerter	Considine	Jones	Snow
Barlow	Cornaby	Money	Sowards
Bennett	Farley	Peterson, C.	Swan
Black	Finlinson	Peterson, L.	Wayment
Bullen	Flamm	Pugh	Mr. President (Ferry)
Carling	Halverson		

Voting in the negative were: Senator
Bunnell

Absent or not voting were: Senators
Barton Matheson

H.B. No. 44 was signed by the President of the Senate and returned to the House for further action.

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On motion of Senator Halverson, **H.B. Nos. 100 and 82** were uncircled, lifted from Third Reading Calendar and returned to Rules Committee.

SENATE BILLS
(Senate Strikes Enacting Clause)

Mr. President: January 30, 1982

The Sifting (Rules) Committee recommends that the enacting clause be stricken on the following Senate Bills, Senate Joint Resolutions and Senate Enabling Resolutions and that they be filed.

S.B. No. 2	CRIMINAL COURT COSTS REPEAL
S.B. No. 28	SALES AND USE TAXES—MONETARY ITEMS EXEMPTION
S.B. No. 39	LOOK ALIKE DRUGS
S.B. No. 53	OIL SHALE BONUS RECEIPTS
S.B. No. 56	FUNDS FOR WATER AND SEWER DISTRICTS
S.B. No. 63	HIGHER EDUCATION SICK LEAVE INCENTIVES
S.B. No. 67	OGDEN-WEBER AREA VOCATIONAL CENTER
S.B. No. 68	SMOKING ON BUSES
S.B. No. 71	EMPLOYMENT SECURITY ADVISORY COUNCIL
S.B. No. 72	PROCUREMENT CODE AMENDMENTS
S.B. No. 73	COUNTY AND MUNICIPAL ZONING JURISDICTION
S.B. No. 77	COMPARATIVE NEGLIGENCE FINDINGS
S.B. No. 78	DIVISION OF REGISTRATION COMMITTEES
S.B. No. 79	STATE ASSESSED PROPERTY
S.B. No. 80	SALES TAX ON PROFESSIONAL SERVICES
S.B. No. 82	STATE EMPLOYEE LIFE INSURANCE
S.B. No. 83	OGDEN-WEBER AREA VOCATIONAL CENTER PERMANENT SCHOOL FUNDS INVESTMENT
S.J.R. No. 13	SESSIONS OF LEGISLATURE
S.J.R. No. 16	MOBILE HOME PARK RULES LEASES STUDY
S.J.R. No. 19	INDUSTRIAL TRAINING FOR UTAHNS RESOLUTION
SER-S.B. No. 2	CRIMINAL COURT COSTS REPEAL
SER-S.B. No. 63	HIGHER EDUCATION SICK LEAVE INCENTIVES

Ronald T. Halverson,
Rules Committee Chairman

SENATE BILLS
(House Strikes Enacing Clause)

Mr. President: January 30, 1982

I am directed to inform the Senate that the House of Representatives has this day struck the enacting clause on the following Senate Bills and Resolutions:

S.B. No. 1	THIRD JUDICIAL DISTRICT JUDGESHIPS
S.B. No. 3	PUBLIC BONDING PROVISIONS
S.B. No. 20	COUNTY RECORDERS' FEE CHANGES
SUB. S.B. No. 30	MOTOR FUEL SALES
S.B. No. 31	WATER AND SEWER DISTRICT MODIFICATIONS
S.B. No. 47	UTAH RENEWABLE ENERGY RESOURCES SURVEY
S.B. No. 48	BOND ISSUE PUBLICITY
S.B. No. 51	STATE TAX SYSTEM COMMITTEE REPEAL
S.B. No. 59	SUPPLEMENTAL APPROPRIATIONS ACT — BEAR LAKE PROPERTY
S.B. No. 69	W.I.C.H.E. STUDENTS RESIDENCY
S.B. No. 76	OCCUPATION TAX ON COAL
S.B. No. 88	OCCUPATION TAX AMENDMENTS
S.C.R. No. 2	SCHOOL DISCIPLINE AND CITIZENSHIP
S.J.R. No. 8	MUNICIPAL TAX EXEMPTION CHANGES
S.J.R. No. 9	GOVERNMENT INVESTMENTS STUDY
S.J.R. No. 11	CONGRESSIONAL COMMENDATION
SER-S.B. No. 39	LOOK ALIKE DRUGS
SER-S.B. No. 67	OGDEN-WEBER AREA VOCATIONAL CENTER
SER-S.B. No. 77	COMPARATIVE NEGLIGENCE FINDINGS

Allan M. Acomb, Chief Clerk

HOUSE BILLS
(Senate Strikes Enacting Clause)

Mr. Speaker: January 30, 1982

I am directed to inform you that the Senate on this day struck the enacting clause on the following House Bills, House Joint Resolutions and House Enabling Resolutions:

HER-H.B. No. 46	ADDITIONAL CIRCUIT COURT JUDGESHIP
HER-H.B. No. 48	FEDERAL ASSISTANCE AMENDMENTS
HER-H.B. No. 59	PYRAMID OR CHAIN LETTER SCHEMES
HER-H.B. No. 67	LICENSE PLATES — FORMER P.O.W.'S
HER-H.B. No. 72	REDEPOSIT OF PUBLIC SAFETY CONTRIBUTIONS
HER-H.B. No. 79	APPEALS IN CAPITAL CRIMINAL CASES
HER-H.B. No. 85	REDEPOSIT FOR RETIREMENT SERVICE CREDIT
HER-H.B. No. 95	FACILITIES CONSTRUCTION LIMITATION
HER-H.B. No. 98	BUTYL NITRATE CONTROL
HER-H.B. No. 102	COUNTY DESIGNATION ON LICENSE PLATES
HER-H.B. No. 106	ADMINISTRATIVE RULE—MAKING AMENDMENTS
HER-H.B. No. 114	COURT REPORTERS FEES
HER-H.B. No. 128	LIFE CYCLE COST ANALYSES
HER-H.B. No. 129	DEPARTMENT OF BUSINESS REGULATION
HER-H.B. No. 136	PREPAID DENTAL PLANS
HER-H.J.R. No. 9	STATE GOVERNMENTAL EXPENDITURES
H.B. No. 7	AUDIT OF PUBLIC TRANSIT DISTRICTS
H.B. No. 22	INDUSTRIAL DEVELOPMENT ACT PROJECTS
H.B. No. 53	LOCAL OPTIONAL SALES TAX REPEAL
H.B. No. 55	SALES AND USE TAX FOR BASIC SCHOOL PROGRAMS
H.B. No. 56	SALES AND USE TAX FOR MINIMUM SCHOOL FINANCE PROGRAM
SUB. H.J.R. No. 10	JUDICIAL ARTICLE REVISION
H.J.R. No. 15	PROPERTY TAX EXEMPTION CHANGES
H.J.R. No. 17	SCHOOL SUPPORT LIMITATION
H.J.R. No. 26	RETIREMENT BOARD STUDY
H.J.R. No. 36	REAL PROPERTY VALUATION STUDY
H.J.R. No. 16	MUNICIPAL AND OTHER TAX EXEMPTION CHANGES
H.B. No. 82	NEIGHBORHOOD DEVELOPMENT ACT ELECTIONS
H.B. No. 100	REPLACED INCOME TAX PROVISIONS REPEAL

Sophia C. Buckmiller,
Secretary of the Senate

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Mr. President: January 30, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 158,** APPROPRIATION ACT 1982 BUDGET SESSION, by Representative Brockbank, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Pugh, and under suspension of the rules, the bill was read the first, second and third times and passed on the following roll call:

Yeas, 27; Nays, 1; Absent, 1

Voting in the affirmative were: Senators

Asay	Christensen	Jeffs	Sandberg
Bangerter	Considine	Jones	Snow
Barlow	Cornaby	Matheson	Sowards
Barton	Farley	Money	Swan
Black	Finlinson	Peterson, C.	Wayment
Bunnell	Flamm	Peterson, L.	Mr. President (Ferry)
Carling	Halverson	Pugh	

Voting in the negative were: Senator
Bennett

Absent or not voting were: Senator
Bullen

H.B. No. 158 was signed by the President of the Senate and returned to the House for further action.

INTRODUCTION OF BILL

At the request of Senator Pugh, the Senate voted without dissent to allow introduction of the following bill.

APPROPRIATIONS ACT

S.B. No. 89 *Warren E. Pugh*

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 1982, AND ENDING JUNE 30, 1983, AND PROMULGATING REGULATIONS AND RESTRICTIONS CONCERNING EXPENDITURES.

S.B. No. 89 was read the first time. On motion of Senator Pugh, and under suspension of the rules, the bill was read the second and third times and before the Senate. Senators Pugh and Black proposed amendments which failed. The bill passed on the following roll call:

Yeas, 25; Nays, 2; Absent, 2

Voting in the affirmative were: Senators

Asay	Christensen	Halverson	Sandberg
Bangerter	Considine	Jeffs	Snow
Barlow	Cornaby	Matheson	Sowards
Barton	Farley	Peterson, C.	Swan
Black	Finlinson	Peterson, L.	Wayment
Bunnell	Flamm	Pugh	Mr. President (Ferry)
Carling			

Voting in the negative were: Senators

Bennett	Money

Absent or not voting were: Senators

Bullen	Jones

S.B No. 89 was transmitted to the House.

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Mr. President: January 30, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 159,** SCHOOL FINANCE, by Representative Pace, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 159 was read the first time. On motion of Senator Barlow, and under suspension of the rules, read the second and third time and passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Asay	Cornaby	Jones	Sandberg
Bangerter	Farley	Matheson	Snow
Barlow	Finlinson	Money	Sowards
Bunnell	Flamm	Peterson, C.	Swan
Carling	Halverson	Peterson, L.	Wayment
Christensen	Jeffs	Pugh	Mr. President (Ferry)
Considine			

Voting in the negative were: Senator
Bennett

Absent or not voting were: Senators
Barton Black Bullen

H.B. No. 159 was signed by the President of the Senate and returned to the House for further action.

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Mr. President: January 30, 1982

I am directed to inform the Senate that the House of Representatives has this day adopted the Joint Conference Committee Report as of January 30, 1982, and passed **S.J.R. No. 3,** TAX ARTICLE REVISION, by Senator Glade M. Sowards, et al, and the resolution is being transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

SECOND JOINT CONFERENCE COMMITTEE REPORT
S.J.R. No. 3, TAX ARTICLE REVISION

Mr. President: January 30, 1982

Your Conference Committee, consisting of Senators Snow, Finlinson and Money and Representatives Knowlton, Richards and LeFevre to which was referred **S.J.R. No. 3,** TAX ARTICLE REVISION, by Senator Sowards, begs leave to report the following amendments:

Page 1, Lines 13 through 17:
Following the word *"TAXATION;"* delete the brackets and reinsert the following language: *"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;"*

Page 1, Line 19:
Following the word *"PROPERTIES;"* insert the language: *"PROVIDING FOR EXEMPTION FROM TAXATION OF CERTAIN PROPERTY USED FOR RELIGIOUS, CHARITABLE OR EDUCATIONAL PURPOSES;"*

Page 2, Line 2:
Following the ";" insert the language: *"PROVIDING FOR PERMISSIVE SHARING OF REVENUES BETWEEN POLITICAL SUBDIVISIONS OF THE STATE;"*

Page 2, Lines 21a through 22:
Delete the words *"counties, cities, towns,"*

Page 2, Line 22a:
Delete the words *"municipal corporations"*

Page 2, Line 23a through 25:
Delete all the language.

Page 2, Lines 26 through 32:
Remove the brackets and reinsert the following language:
"(b) The property of counties, cities, towns, special districts, and all other political subdivisions of the state, except that to the extent and in the manner provided by the Legislature the property of a county, city, town, special district or other political subdivision of the state located outside of its geographic boundaries as defined by law may be subject to the ad valorem property tax;"

Page 3, Line 2:
Insert the following language: *"(c) Property owned by a nonprofit entity which is used exclusively for religious, charitable or educational purposes;"*

Page 3, Line 6:
Delete the *"(c)"* and insert *"(d)"*

Page 4, Line 8:
Delete *"50%"* and insert *"45%"*

Page 5, Lines 14 and 15:
Remove the brackets from and reinsert the following language: ", *provided that the Legislature may determine the manner and extent of taxing"*

Page 5, Line 16:
Following the word *"transient"* remove the brackets from and reinsert the word *"livestock"*

Page 6, Lines 31 through 34:
Delete the brackets and reinsert the following language:
"Notwithstanding anything to the contrary contained in the Constitution political subdivisions may share their tax and other revenues with other political subdivisions as provided by statute."

Franklin W. Knowlton,
Chairman, House Committee

On motion of Senator Sowards, the Senate voted to adopt the Joint Conference Committee report on the following roll call:

Yeas, 24; Nays, 3; Absent, 2

Voting in the affirmative were: Senators

Asay	Christensen	Jeffs	Sandberg
Bangerter	Considine	Jones	Snow
Barlow	Farley	Money	Sowards
Black	Finlinson	Peterson, C.	Swan
Bunnell	Flamm	Peterson, L.	Wayment
Carling	Halverson	Pugh	Mr. President (Ferry)

Voting in the negative were: Senators

Bennett	Cornaby	Matheson

Absent or not voting were: Senators

Barton	Bullen

S.J.R. No. 3 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 30, 1982

I am directed to inform the Senate that the Speaker has signed **S.J.R. No. 3,** TAX ARTICLE REVISION, by Senator Sowards, et al, and the same is transmitted herewith for the signature of the President, *(signed by President 02/03/82)* and

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.J.R. No. 5,** COMPENSATION AND EXPENSES FOR LEGISLATORS, 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, *(signed by President 01/31/82)* and

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.J.R. No. 14,** VITRO TAILINGS REMOVAL RESOLUTION, 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, *(signed by President 01/31/82)* and

I am directed to inform the Senate that the Speaker has signed **S.B. No. 37,** PUBLIC SUPPORT OF CHILDREN, by Senator Flamm, and the same is transmitted herewith for the signature of the President, *(signed by President 02/03/82)* and

I am directed to inform the Senate that the Speaker has signed **S.B. No. 38,** CIVIL LIABILITY FOR SUPPORT AMENDMENTS, by Senator Flamm, and the same is transmitted herewith for the signature of the President, *(signed by President 02/03/82)* and

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.B. No. 40,** DEPRECIATION DEDUCTION FOR MINING, by Senator Bullen, which has been signed by the Speaker and the same is transmitted herewith for the signature of the President, *(signed by President 02/03/82)* and

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.B. No. 45,** INSURANCE GUARANTEE ASSOCIATION 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, *(signed by President 01/31/82)* and

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.B. No. 46,** METROPOLITAN WATER DISTRICT ACT AMENDMENTS, 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, *(signed by President 01/31/82)* and

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, **S.B. No. 49,** TRUCKING CONTROL STATIONS, 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 House of Representatives has this day passed, under suspension of the rules, **S.B. No. 50,** INTERSTATE CORRECTIONS COMPACT AMENDMENTS, by Senator Jeffs, which has been signed by the Speaker, and the same is transmitted herewith for the signature of the President, *(signed by President 02/03/82)* and

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.B. No. 52,** CROSS-TRAINING RETIREMENT ENROLLMENT, 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, under suspension of the rules, **S.B. No. 55,** REVENUE BONDS FOR UTAH TECHNICAL COLLEGE AT PROVO, 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, *(signed by President 01/31/82)* and

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.B. No. 60,** CAPITAL PUNISHMENT SENTENCING PROCEDURES, 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, *(signed by President 01/31/82)* and

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.B. No. 75,** UTAH STATE UNIVERSITY LAND TRANSFER, by Senator Bullen, et al, which has been signed by the Speaker and the same is transmitted herewith for the signature of the President, *(signed by President 02/03/82)* and

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **SUBSTITUTE S.B. No. 65,** HOUSING FINANCE AGENCY CHANGES, 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, *(signed by President 01/31/82)* and

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.B. No. 85,** HIGHER EDUCATION RETIREMENT CONTRIBUTIONS, 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, under suspension of the rules, **S.B. No. 89,** 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, *(signed by President 01/31/82)* and

I am directed to inform the Senate that the Speaker has signed **S.B. No. 87,** SUPPLEMENTAL APPROPRIATIONS ACT, by Senator Pugh, and the same is transmitted herewith for the signature of the President *(signed by President 02/03/82).*

Allan M. Acomb, Chief Clerk

S.J.R. Nos. 3, 5 and 14, and **S.B. Nos. 37, 38, 40, 45, 46, 49, 50, 52, 55, 60, 65, 75, 85, 87and 89** were signed by the President of the Senate and referred to the Committee on Rules to be enrolled and the S.J.R.'s were transmitted to the Lieutenant Governor and the S.B.'s to the Governor.

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Mr. President: January 30, 1982

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. 37,** INTERIM STUDY ASSIGNMENTS 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 **SUB. H.B. No. 62,** JUDICIAL SELECTION, 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. 68,** UNEMPLOYMENT COMPENSATION AMENDMENTS, by Representative Haddow, 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. 86,** RETIREMENT BENEFITS FOR SCHOOL AND PUBLIC EMPLOYEES, 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 concurred in the Senate amendments and passed **H.B. No. 92,** TAX ON MINERAL PRODUCTION WITHHOLDING, by Representative McMullin, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

H.J.R. No. 37, H.B. Nos. 62, 68, 86 and 92 were signed by the President of the Senate and returned to the House for further action.

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Mr. President: January 30, 1982

I am directed to inform you that on January 29, 1982, Governor Matheson did sign into law the following resolution, which has been forwarded to the Lieutenant Governor's Office for filing.

H.C.R. No. 1 UTAH COUNCIL OF VOLUNTEERS RESOLUTION

Allan M. Acomb, Chief Clerk

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Mr. President: January 30, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 109, SICK LEAVE ABUSE INCENTIVES, by Representative Harmer, and the same is transmitted herewith for Senate considertion.**

Allan M. Acomb, Chief Clerk

H.B. No. 109 arrived in the Senate too late for official action to be taken. The bill was returned to the House where the enacting clause was stricken.

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Dear President Ferry: January 27, 1982

This is to inform you that on January 27, 1982, Governor Matheson did sign into law the following bills, which have been forwarded to the Lt. Governor's Office for filing.

S.C.R. No. 1 SCHOOL DISTRICT — SCHOOL BOARD COOPERATION
S.C.R. No. 3 ENFORCEMENT OF LAWS RESOLUTION

Sherry M. Basset
Governor's Administrative Aide

APPOINTMENTS
by The Honorable Scott M. Matheson, Governor, State of Utah

Senator Cornaby 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: January 20, 1982

In accordance with Section 65-1-2, Utah Code Annotated, 1953, I propose to make the following appointments:

Mayor Sue Marie Young, appointed as a member of the Safe Drinking Water Committee replacing James Grey Larkin for a term expiring May 8, 1985. Sec. 26-36-3, U.C.A., 1953, as amended by S.B. 1979 Senate Bill 149, General Session.

Mayor Keith Redd, appointed as a member of the Safe Drinking Water Committee replacing Harold Jacobs for a term expiring May 8, 1985. Section 26-36-3, U.C.A., 1953, as amended by Senate Bill 149, 1979 General Session.

Mayor Albert Fernelius, appointed as a member of the Safe Drinking Water Committee replacing Jay Bingham for a term expiring May 8, 1985. Section 26-36-3, U.C.A., 1953, as amended by Senate Bill 149, 1979 General Session.

Mayor Lawrence Yack, appointed as a member of the Air Conservation Committee replacing JoAnn Brown for a term expiring March 1, 1983. Section 26-24-4, U.C.A., 1953.

Gabe Vega, appointed as a member of the Advisory Council for Schools for the Deaf and Blind replacing Ned C. Wheeler for a term expiring March 1, 1983. Section 64-3-25, U.C.A., 1953.

Kathleen Page Flygare, appointed as a member of the Advisory Council for Schools for the Deaf and Blind replacing Holiday Aguirre for a term expiring March 1, 1987. Section 64-3-25, U.C.A., 1953.

Dorothy Dart, appointed as a member of the State Building Ownership Authority replacing Wes Hamilton for a term expiring January 15, 1983. Section 63-9a-4, U.C.A., 1953, as amended by Senate Bill 238, 1979 General Session.

Forrest Crawford, as a member of the State Textbook and Course of Study Committee replacing Steve Adams for a term expiring December 30, 1984. House Bill 106, 1981 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

The Senate voted unanimously to advise and consent in the affirmative to the above listed appointments. Senators Barton and Sowards were absent.

At 12:00 midnight, the official business of the Budget Session of the 44th Legislature concluded.

On motion of Senator Halverson, the Senate voted to strike the enacting clause of all Senate and House bills and resolution on Second Reading Calendar, Second Reading Table, Third Reading Calendar, Third Reading Table, and in Rules (Sifting) Committee.

At the direction of President Ferry, the Senate Journal is to reflect that 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 1982 Budget Session of the Forty-Fourth Legislature.

On motion of Senator Bangerter, the Senate extended appreciation to the minority officers, Senator Wilford R. Black and Senator Karl G. Swan, for their dedicated service.

Senator Bunnell extended appreciation to the majority leaders, Senator Karl N. Snow, Jr., and Senator Jack M. Bangerter, for their fairness and the competent way they carried out the work of the Senate, and for their dedicated service.

Senator Snow expressed appreciation and thanks to the interns who provided the Senators with excellent assistance, and to Senator Halverson, Rules Committee Chiarman, for his competent and excellent service.

Senator Asay, Chairman of the Employee and Patronage Committee, complimented members of the Senate Staff for their competence and for serving the Senate so ably and well. He also expressed thanks to all employees who serve the Legislature in the offices of Legislative Research, General Counsel, Fiscal Analyst and Auditor General.

President Ferry expressed deep appreciation and a special thanks to Senator Warren E. Pugh for the dedication and skill he provided as Appropriations Committee Chairman, and to Senator Wayne Sandberg for serving as Speaker of the Third House.

President Ferry appointed Senators Sandberg, Farley and Barton to act with a 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 Mecham, Haddow and Dmitrich notified the Senate that the House had concluded business and was ready to adjourn sine die.

President Ferry appointed Senators C. Peterson, Considine and Sowards to notify the House of Representatives that the Senate has concluded its business and is now ready to adjourn sine die.

Senator C. Peterson 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, had notified the Governor. The Governor requested that the committee convey to their respective houses that he had no further business to bring before the Legislature. He did state that he would like to speak before each House briefly before sine die.

REMARKS BY GOVERNOR MATHESON

Thank you very much Mr. President and members of the Senate. I am pleased to have the opportunity to spend a few brief minutes with you this evening after the adjournment of the Budget Session of the 44th Legislature of the State of Utah. Contrary to rumors that have been circulating, I do not intend to call a Special Session for 12:30 to give Chick Bullen one more chance for the Severance Tax.

With respect to the current business of this Budget Session, we came here for the purpose of putting together a State budget which would carry us through the next fiscal year prudently, with ample revenue to pay our bills and manage with those resources the needs of the State of Utah and its growth. In my opinion, the Budget Session this year was most commendable. We started out, I believe, with the finest budget that the executive branch has prepared since I have been Governor and worked closely with the Legislative Branch in the give and take process. Thank you very much for your courtesies. We spent a great deal of time with the chairman of the Appropriation Committees to iron out complex and difficult issues regarding the budget. We presented to you for the first time a capital budget, the first in the history of the State of Utah, and you addressed it professionally. As a matter of fact, I do believe that the budget we have to work with next year will have some

problems in it, both constitutional and legal, and we will have some difficulty in the administration of some portions of it. I believe, however, that the main purpose for our appearance in our twenty-day session, to put together a budget, has been well served. With respect to the future, a state growing as rapidly as ours is one in which policy makers have the responsibility to make long-range decisions for the benefit of the State. Growth management is difficult. Decisions to put it into operable conditions are difficult. Steps were taken during this Budget Session to help us cope with those long-range needs. Other steps, in my opinion, were also needed and were not taken. The issues associated with the steps not taken will be the subject of public debate in the days ahead and opportunities to examine them again will be available.

Your committee was kind to call upon me this evening to ask me if I had any further business to recommend to you this evening. I spent the last hour scratching my head trying to find something so that you would be pleased to remain another hour or two, but failing to come up with something worthy of your time, the business of the Budget Session is concluded. I thank you all for your service. You have worked diligently for the twenty days of this session and the efforts of your work will serve the state very well. We accept the policies which you have made for examination, we will review them carefully and carry out our responsibilities in the traditional manner of our state. I wish all of you well as you return this evening to your homes. I look forward to seeing you again soon, hopefully not in a Special Session where we have difficulties with our partner in the federal system. I hope that we have coped with that problem well. Barring that, we will see each other on other occasions. Thank you very much for your service, and Mr. President and members of the Senate thank you for inviting me to join you tonight.

REMARKS BY SENATOR WILFORD R. BLACK, JR.
Senate Minority Leader

Mr. President, its been quite a change from the previous three years. There has been a harmonious attitude most of the time. It's been a pleasure to work with the majority party this time as we have tried to get the business done both in the Appropriation Committees and on the floor. Things, over all, have run fairly smoothly. The amount of work we have had to accomplish, we have done what we have had to do up here and done it well. I am happy, though, that the twentieth day has finally arrived.

REMARKS BY SENATOR KARL N. SNOW, JR.
Senate Majority Leader

Mr. President, permit me to make an observation. In my ten years as a member of this body I don't recall an occasion where we have closed down the legislative

process as smoothly as we have done this night. For the most part our calendar has remained clean from the general miscellanea permitting us to act on those important measures that have come from the House or returned from conference committees. I would add further that we have, in my opinion and to the fullest extent possible within our funding restraints, met the needs of state government. We recognize that there are still needs to be met in our public school system and in our institutions of higher education. However, given these limitations, we have done a much better job in meeting educational needs than many of us believed was possible as we began this budget session.

I am personally pleased that the legislature has seen fit to place certain constitutional amendments on the ballot which I believe the people will respond to favorably. Of particular interest and concern to all of us is the adoption of the revision of the Tax Article which, if adopted, will permit further reduction in property taxes and residential property taxes. We all recognize that the re-evaluation of property in recent years has imposed an increasing tax burden on residential property. I am hopeful that the public will take note of our action, that we have made an effort to hold the line on property taxes, that we have met the budget needs of the state without increasing property taxes, or imposing any general tax increase. I am hopeful that they will support the Tax Article as it will appear on the ballot in November, that we may continue general tax reform.

REMARKS BY SENATOR MILES 'CAP' FERRY
President of the Utah State Senate

As those before me have said, this has been a fairly smooth session, We have, however, had problems with the press — they haven't had much to write about. They've had plenty of action in the House though. We have all worked well together — at at least we tried.

Some of us will not be back, Senator Farley by her own choice, others by their choice, and some of us by the choice of others. But I want you to know, as I said before, that I never worked with a group of Senators that have tried harder to represent their constituents. We haven't always agreed and our constituents have not always agreed, but as a group we've come up with what I feel is best for the State of Utah.

As your presiding officer I may have offended some of you although I have tried not to offend. I want you to know I did try to deal fairly and to rule by 'Robert' and not by myself.

I believe it is true that once a Senator one is always a Senator, and when I see Senator Thorpe Waddingham, or any of the others who have been with us, they are still Senators. All of you here will always be Senators. It has been my pleasure to serve as your President. Thank you.

Benediction — Senator A. Dean Jeffs

On motion of Senator Snow, and at 12:25 a.m. the Budget Session of the Forty-Fourth Legislature adjourned sine die.

I believe it is true that once a Senator one is always a Senator, and when I see Senator Thorpe Waddingham, or any of the others who have been with us, they are still Senators. All of you here will always be Senators. It has been my pleasure to serve as your President. Thank you.

Benediction — Senator A. Dean Jeffs

On motion of Senator Snow, and at 12:25 a.m. the Budget Session of the Forty-Fourth Legislature adjourned sine die.

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STATE OF UTAH

SENATE JOURNAL

BUDGET VETO OVERRIDE SESSION
OF THE
FORTY-FOURTH
LEGISLATURE

March 17, 1982

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CERTIFICATION

The undersigned as the duly appointed committee on revision of the Senate Journal for the Budget 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 Budget Veto Override Session convening on Wednesday, March 17, 1982 at 4:00 p.m. and adjourning sine die on the same day at 5:30 p.m.

Sophia C. Buckmiller
Secretary of the Senate

Joan B. Thomas
Senate Minute Clerk

STATE OF UTAH
SENATE JOURNAL
BUDGET VETO OVERRIDE SESSION
of the
FORTY-FOURTH LEGISLATURE
March 17, 1982

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 in the Budget Veto Override Session in the Senate Chamber at 4:00 p.m.

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

Prayer — Senator Dona M. Wayment

Sophia C. Buckmiller, Secretary of the Senate, read the certification and membership of the 1982 Budget 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 1982 Legislature, meeting in Budget Session, which were subsequently disapproved by Governor Scott M. Matheson after the adjournment sine die of said Legislative Session. Said Legislative Veto Override Session is to convene March 17, 1982 at 4:00 p.m.

I further certify that the membership of the Utah State Senate has not changed from that of the 1982 Budget 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 11th day of March, 1982

David S. Monson, Lieutenant Governor

Roll Call — All senators present.

Officers — Senator Snow moved that the President of the Senate and the Officers of the Senate for the 1982 Budget Veto Override Session be the same as for the 1982 Budget Session of the Forty-Fourth Legislature. The motion carried.

Senate Rules — Senator Halverson moved that the Senate Rules of the 1982 Budget Session of the Forty-Fourth Legislature be adopted as the Senate Rules for the 1982 Budget Veto Override Session. The motion carried.

Joint Rules — Senator Halverson moved that the Joint Rules of the 1982 Budget Session of the Forty-Fourth Legislature be adopted as the Joint Rules for the 1982 Budget Veto Override Session. The motion carried.

President Ferry appointed a committee comprised of Senators L. Peterson, Barton and Bennett to notify the House of Representatives that the Senate is duly organized and ready to do business and is convened in the 1982 Budget Veto Override Session.

A committee from the House of Representatives comprised of Representatives Mecham, Jorgensen and Smith appeared before the Senate and reported that the House is organized and ready to do business.

Committee to Read and Revise the Daily Journal — President Ferry appointed Senators Wayment, Considine and Asay as a committee to read and revise the Daily Journal for the 1982 Budget Veto Override Session.

COMMUNICATION FROM LIEUTENANT GOVERNOR

Dear President Ferry: March 12, 1982

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 4:00 p.m. on Wednesday, March 17, 1982 to consider overriding the disapproval by Governor Scott M. Matheson of certain bills or items of appropriation passed by the Legislature during its Budget Session of the 44th Legislature, which adjourned on February 27, 1982, which were disapproved

after the adjournment of the Legislature, we enclose herewith the following bill for consideration by the Legislative Veto Override Session:

S.B. No. 89 APPROPRIATIONS ACT

David S. Monson, Lieutenant Governor

The Senate recessed at 4:20 p.m. and reassembled at 5:05 p.m.

Senator Snow moved, under suspension of the rules, that the reading of **S.B. No. 89** and its accompanying veto message be suspended, and that **S.B. No. 89** be placed immediately at the top of the Third Reading Calendar for reconsideration. The motion further directed that the veto message be printed in the Senate Journal. The motion carried and the bill is placed on Third Reading Calendar.

VETO MESSAGE

S.B. No. 89, APPROPRIATIONS ACT

Dear Lt. Governor Monson: February 19, 1982

I am signing **S.B. No. 89,** APPROPRIATIONS ACT, for fiscal year 1982-83; however, I am disapproving one item of appropriation contained in the bill.

I am disapproving Item 2 which appropriates $230,000 to provide additional retirement benefits as a result of passage of **H.B. No. 86,** RETIREMENT BENEFITS OF SCHOOL AND PUBLIC EMPLOYEES. **H.B. No. 86,** which I have signed, contains an appropriation of $230,000 to implement provisions of the bill and therefore, the additional appropriation contained in **S.B. No. 89** is not necessary.

Scott M. Matheson,
Governor, State of Utah

COMMUNICATION FROM THE HOUSE

VETO OVERRIDE CONSIDERATION
H.B. No. 62, JUDICIAL CONDUCT COMMISSION

Mr. President: March 17, 1982

I am directed to inform the Senate that on the 19th day of February the Governor did veto **H.B. No. 62,** JUDICIAL CONDUCT COMMISSION, by Representative Selleneit, and the House of Representatives, by a vote of **54 yeas, 19 nays,** and 2

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. 62** at the top of Third Reading Calendar for reconsideration. Senator Jeffs explained the bill. Senators Black, Swan and Jones commented. The Senate voted to override the Governor's veto on the following roll call:

Yeas, 22; Nays, 7; Absent, 0.

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	Halverson	Pugh	Mr. President (Ferry)
Carling	Jeffs		

Voting in the negative were:

Bennett	Bunnell	Farley	Swan
Black	Considine	Money	

• • •

On motion of Senator Snow, the Senate voted to lift **S.B. No. 89** from Third Reading Calendar and return it to the Lieutenant Governor's Office for filing.

On motion of Senator Snow, the Senate voted to ask the President to appoint a committee to notify the House of Representatives that the Senate has concluded its business and is ready to adjourn sine die.

President Ferry appointed Senators Sowards, Money and C. Peterson to notify the House that the Senate has concluded its business and is ready to adjourn sine die.

A committee from the House comprised of Representatives Whitesides, Free and Reese notified the Senate that the House had concluded its business and is ready to adjourn sine die.

Senator Sowards 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 Snow and at 5:30 p.m., the 1982 Budget Veto Override Session of the Forty-Fourth Legislature of the State of Utah adjourned sine die.

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ALL SENATE AND HOUSE BILLS AND RESOLUTIONS

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Teachers' Certificate Fees *(Bishop)* ..... H.B. 36 (F)
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HEALTH AND MEDICINE

(See also HANDICAPPED; SOCIAL SERVICES)

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Hospital Cooperative Association Vehicles *(Doane)* ..... H.B. 101 (P)
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Occupation Tax on Coal *(Bullen)*..... S.B. 76 (F)
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COLUMNAR INDEX

SENATE BILLS AND RESOLUTIONS

FORTY-FOURTH LEGISLATURE

BUDGET SESSION AND

BUDGET VETO OVERRIDE SESSION

1982

(Check Reference Code on Page 196)

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	To and From House	Signed by President	Other Action
SER SB 1	*Third Judicial District Judgeships*	*246(R)*			*247(R)*	*247(R) V*	*248*	*313*	*Signed by President 1/13/82*
SB 1	**Third Judicial District Judgeships** Richard J. Carling	232(R) R	340 J	373	423(R) CR,V	431(R) V	431		607-HSEC 1/30/82
SER SB 2	*Criminal Court Costs Repeal*	*247(R)*			*247(R)*	*248(R) 262-T 584-R*			*606-SSEC 1/30/82*
SB 2	**Criminal Court Costs Repeal** Richard J. Carling, Jeffs	233(R) R							606-SSEC 1/30/82
SER SB 3	*Public Bonding Provisions*	*247(R)*			*247(R)*	*248(R) V*	*248*	*313*	*Signed by President 1/13/82*
SB 3	**Public Bonding Provisions** Richard J. Carling	233(R) R	340 S-LA	383	447 455(R) CR,V	481(R) A,A 487 A,A,V	487		607-HSEC 1/30/82
SER SB 4	*Associate in Science Degree*	*247(R)*			*247(R)*	*248(R) V*	*248*	*313*	*Signed by President 1/13/82*
SB 4 ★	**Associate in Science Degree** William T. Barton · Considine, Bennett, Asay, Christensen, Halverson, Sandberg, Pugh and Flamm	233(R) R	340 H.E.	351	434(R) C.R.(a) A	435(R) V	435	552	Signed by President 1/30/82 Signed by Governor 2/16/82 Effective 4/1/82
SER SB 5	*Mineral Lease Funds for Transportation*	*247(R)*			*247(R)*	*249(R) V*	*249 350*		*Rejected by House 1/14/82*
SB 5	**Mineral Lease Funds for Transportation** Warren E. Pugh	234(R) R							350 SSEC 1/19/82

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	To and From House	Signed by President	Other Action
SB 6 ★	**Cigarette Tax Increase (Liquor)** Karl N. Snow, Jr.	234(R) R	246 R-T	327	397(R) CR,V	406(R) V	407	515	Signed by President 1/29/82 Signed by Governor 2/10/82 Effective 7/1/82
SER SB 7	*Mineral Lease Allocations*	*247(R)*			*247(R)*	*249(R) V-failed*			*Rejected by Senate 1/11/82*
SB 7	**Mineral Lease Allocations** Ronald T. Halverson - L. Peterson	234(R) R							350 SSEC 1/19/82
SER SB 8	*Passenger Tramway Registrations*	*247(R)*			*247(R)*	*250(R) V*	*250*	*316*	*318 Signed by President 1/13/82*
SB 8 ★	**Passenger Tramway Registrations** Fred W. Finlinson - Black, Carling and Sowards	234(R) R	340 T-PS	351	441(R) CR	441(R) V	441	539	Signed by President 1/30/82 Signed by Governor 2/10/82 Effective 4/1/82
SB 9	**Automobile Inspections Repeal** William T. Barton - Bangerter, Sandberg, Halverson	235(R) R	246 T-PS	331	416(R) CR				Unfavorable committee report Failed 1/25/82
SER SB 10	*Titles of Boats and Vessels*	*246(R)*			*246(R)*	*251(R) V*	*251 316*		*Rejected by House 1/13/82*
SB 10	**Titles of Boats and Vessels** Glade M. Sowards	235(R) R							350 SSEC 1/19/82

	(Check Reference Code on Page 186) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	To and From House	Signed by President	Other Action
SB 11 ★	**Combining of Road Funds** Wilford R. Black - Bangerter, and Christensen	236(R) R	246 T-PS	331	416(R) CR, C of W, V	427 430(R) V	430	596	Signed by President 1/30/82 Signed by Governor 2/16/82 Effective 7/1/82
SB 12 ★	**Drivers' License Fees** Glade M. Sowards	236(R) R	246 T-PS	331	347(R) CR	347(R) V	347	427	Signed by President 1/26/82 Signed by Governor 2/16/82 Effective 4/1/82
SER SB 13	*Tax Exempt Agricultural Land*	*246(R)*			*246(R)*	*251(R) V*	*251*	*316*	*318 Signed by President 1/13/82*
SB 13 ★	**Tax Exempt Agricultural Land** Charles W. Bullen - C. Peterson and Bunnell	237(R) R	340 Ag	351	421(R) CR,V	429(R) A,V	430	515	Signed by President 1/29/82 Signed by Governor 2/19/82 Effective 4/1/82
SER SB 14	*Employment Security Act - Agricultural Labor*	*246(R)*			*246(R)*	*252(R) V*	*252*	*316*	*318 Signed by President 1/13/82*
SB 14 ★	**Employment Security Act - Agricultural Labor** Eldon A. Money - Matheson	237(R) R	340 Ag		351(R) CR CC	409(R) V	410	518	Signed by President 1/29/82 Signed by Governor 2/19/82 Effective 4/1/82

	(Check Reference Code on Page 198) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	To and From House	Signed by President	Other Action
SER SB 15	*Burglar Alarm Security Certification Act*	*246(R)*			*246(R)*	*252(R) V 255 V 280 V failed*			*Rejected by Senate 1 11 82*
SB 15	**Burglar Alarm Security Certification Act** Jack M. Bangerter - Black	237(R) R							350 SSEC 1 19 82
SB 16 ★	**Circuit Breaker Modifications** Haven J. Barlow	238(R) R	246 R-T	351	422(R) CR,V	430(R) V	431	552	Signed by President 1 30 82 Signed by Governor 2 16 82 Effective: The homeowner's credit shall be available with respect to property taxes due and payable for calendar year 1982 and each calendar year thereafter, and the renter's credit shall be available with respect to the one-year period for which a renter files a claim in 1982 and to each year thereafter.

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	To and From House	Signed by President	Other Action
SER SB 17	*Industrial Commission Procedures*	*246(R)*			*246(R)*	*253(R)*	*253*	*317*	*318 Signed by President 1/13/82*
SB 17 ★	**Industrial Commission Procedures** K.S. Cornaby	238(R) R	340 BL-ED	373	442(R)	442(R) CR,V	442	537	Signed by President 1/29/82 Signed by Governor 2/11/82 Effective 4/1/82
SER SB 18	*Number of Jurors*	*246(R)*			*246(R)*	*253(R) V 254 V*	*254*	*317*	*318 Signed by President 1/13/82*
SB 18 ★	**Number of Jurors** Richard J. Carling	238(R) R	340 J		374(R) CR CC	411(R) V	411	537	Signed by President 1/29/82 Signed by Governor 2/10/82 Effective 4/1/82
SER SB 19	*Jurisdiction Over Oil and Gas Wells*	*246(R)*			*246(R)*	*254(R) V*	*254*	*317*	*318 Signed by President 1/13/82*
SB 19 ★	**Jurisdiction Over Oil and Gas Wells** Fred W. Finlinson	238(R) R	340 E-NR		374(R) CR (sub) CC	411(R) V	411	518	Signed by President 1/29/82 Signed by Governor 2/19/82 Effective 4/1/82

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	To and From House	Signed by President	Other Action
SER SB 20	*County Recorders' Fee Changes*	*246(R)*			*246(R)*	*256(R) V failed 396 V*	*396*	*515*	*Signed by President 1/29/82*
SB 20	**County Recorders' Fee Changes** K.S. Cornaby	239(R) R	517		517(R)	524(R) V	524		607-HSEC 1/30/82
SER SB 21	*Cosmetology/Barber Licensing Changes*	*246(R)*			*246(R)*	*256(R) V 258 V*	*258*	*317*	*318 Signed by President 1/13/82*
SB 21 ★	**Cosmetology/Barber Licensing Changes** Wilford R. Black	239(R) R	340 BL-ED	380	454(R) CR	454(R) V	455	562	Signed by President 1/30/82 Signed by Governor 2/16/82 Effective 4/1/82
SER SB 22	*Agricultural Code Amendments*	*246(R)*			*246(R)*	*257(R) V*	*257*	*317*	*318 Signed by President 1/13/82*
SB 22 ★	**Agricultural Code Amendments** **Elden A. Money**	239(R) R	340 Ag		350(R) CR(a) CC	410(R) V	410	520	Signed by President 1/29/82 Signed by Governor 2/10/82 Effective 4/1/82

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	To and From House	Signed by President	Other Action
SER SB 23	*Recorded Instruments Return*	*246(R)*			*246(R)*	*257(R) V*	*257*	*317*	*318 Signed by President 1/13/82*
SB 23 ★	**Recorded Instruments Return** K.S. Cornaby	240(R) R	340 S-LA	351	436(R) CR	437(R) V	437	537	Signed by President 1/29/82 Signed by Governor 2/11/82 Effective 4/1/82
SER SB 24	*Leased Premises Maintenance*	*246(R)*			*246(R)*	*258(R) V*	*259 319*		*Rejected by House 1/13/82*
SB 24	**Leased Premises Maintenance** William T. Barton	240(R) R							350 SSEC 1/19/82
SB 25	**Occupation Tax Increase (Oil and Gas)** Charles W. Bullen - Sowards, Farley, L. Peterson, Christensen, Asay, Flamm, Black, Bennett, C. Peterson and Bunnell	240(R) R	246 R-T 327	327 383	432(R) CR(a) 443 sub A,V,A,V	453(R) A 455- 457 A,V	457 587		587 Rejected by House 1/30/82
SER SB 26	*Local Option Occupation Tax*	*246(R)*			*246(R)*	*258(R) V*	*259 330*		*Rejected by House 1/14/82*
SB 26	**Local Option Occupation Tax** Charles W. Bullen - Sowards, Farley, L. Peterson, Christensen, Asay, Flamm, Black, Bennett, C. Peterson and Bunnell	241(R) R							350 SSEC 1/19/82

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	To and From House	Signed by President	Other Action
SER SB 27	*County Clerks' Fees*	*265(R)*			*265(R)*	*266(R) V*	*266 330*		*Rejected by House 1/14/82*
SB 27	**County Clerks' Fees** K.S. Cornaby	241(R) R							350 SSEC 1/19/82
SB 28	**Sales and Use Taxes - Monetary Items Exemption** Richard J. Carling	241(R) R	265 R-T						606 SSEC 1/30/82
SER SB 29	*Solid Waste Management Act Amendments*	*265(R)*			*265(R)*	*266(R) V*	*266*	*329*	*330 Signed by President 1/15/82*
SB 29 ★	**Solid Waste Management Act Amendments** Jack M. Bangerter - Barlow	242(R) R	333 E-NR	342	418(R) CR(a) V	428(R) V	428	552	Signed by President 1/30/82 Signed by Governor 2/16/82 Effective 4/1/82
SER SB 30	*Motor Fuel Sales*	*341(R)*			*341(R)*	*356(R) R*			
SB 30	**Motor Fuel Sales** Jack M. Bangerter	242(R) R	373 T-PS	383	447 456(R) CR Sub	456(R) V	457 558 HA SRC		607 HSEC 1/30/82

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	To and From House	Signed by President	Other Action
SER SB 31	*Water and Sewer District Modifications*	*265(R)*			*265(R)*	*267(R) V*	*267*	*329*	*330 Signed by President 1/15/82*
SB 31	**Water and Sewer District Modifications** Fred W. Finlinson - Bunnell	242(R) R	333 E-NR	342	419(R) CR A,V	428(R) V	428		607 HSEC 1/30/82
SER SB 32	*Interlocal Co-Operation Act Modifications*	*265(R)*			*265(R)*	*268(R) V*	*268*	*330*	*330 Signed by President 1/15/82*
SB 32 ★	**Interlocal Co-Operation Act Modifications** Fred W. Finlinson - Bunnell	243(R) R	333 E-NR	342	420(R) CR A,V	429(R) V	429	518	Signed by President 1/29/82 Signed by Governor 2/10/82 Effective 4/1/82
SER SB 33	*Marital Deduction Formulas in Wills and Trusts*	*265(R)*			*265(R)*	*293(R) V*	*294*	*330*	*330 Signed by President 1/15/82*
SB 33 ★	**Marital Deduction Formulas in Wills and Trusts** Bryce C. Flamm	243(R) R	333 R-T	351	435(R) CR V	451(R) V	451	521	Signed by President 1/15/82 Signed by Governor 2/16/82 Effective 2/16/82

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	To and From House	Signed by President	Other Action
SER SB 34	*Division of Taxes Repeal*	*265(R)*			*265(R)*	*305(R) 315 V failed*			*Rejected by Senate 1/13/82*
SB 34	Division of Taxes Repeal Ivan M. Matheson	243(R) R							350 SSEC 1/19/82
SER SB 35	*Wildlife Damage Prevention Act Amendments*	*265(R)*			*265(R)*	*305(R) V*	*306*	*330*	*330 Signed by President 1/15/82*
SB 35 ★	Wildlife Damage Prevention Act Amendments Ivan M. Matheson	244(R) R	333 Ag	351	432(R) CR(a) V	450(R) A,V	451	521	Signed by President 1/29/82 Signed by Governor 2/10/82 Effective 4/1/82
SER SB 36	*Medically Indigent*	*307(R)*			*307(R)*	*310(R) V*	*310 390*		*Rejected by House 1/22/82*
SB 36	Medically Indigent Ivan M. Matheson - Flamm	244(R) R	491						491 SSEC 1/28/82
SER SB 37	*Public Support of Children*	*322(R)*			*322(R)*	*322(R) 327-334 336-354 V*	*354*	*402*	*Signed by President 1/25/82*
SB 37 ★	Public Support of Children Bryce C. Flamm	244(R) R	427		447 R 471-475 (R) A,V	483(R) V	483 588 HA-SC V	614	Signed by President 2/3/82 Became law without signature of Governor 2/10/82 Effective 4/1/82

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	To and From House	Signed by President	Other Action
SER SB 38	*Civil Liability for Support Amendment*	*334(R)*			*334(R)*	*355(R) V*	*355*	*402*	*Signed by President 1/25/82*
SB 38 ★	Civil Liability for Support Amendment Bryce C. Flamm	245(R) R	427		447 R 471-476 (R) A,V	483(R) V	484 587 HA-SC V	614	Signed by President 2/3/82 Signed by Governor 2/19/82 Effective 4/1/82
SER SB 39	*Look Alike Drugs*	*307(R)*			*307(R)*	*311(R) V*	*311*		*607 HSEC 1/30/82*
SB 39	Look Alike Drugs K.S. Cornaby	245(R) R							606 SSEC 1/30/82
SB 40 ★	Depreciation Deduction for Mining Charles W. Bullen - Jeffs, Bangerter, Sowards and Bennett	302(R) R	307 R-T	327	398(R) CR(a)	399(R) V	399 561	529 614	Signed by President 1/30/82 558,561,A,V Signed by President 2/03/82 Signed by Governor 2/18/82 Effective 4/1/82
SB 41 ★	Sales Tax Exemption on Vending Machine Sales Charles W. Bullen - Flamm, Halvorson and Black	302(R) R	307 R-T	327	399(R) CR,V	407(R) A,V	408	516	Signed by President 1/29/82 Signed by Governor 2/10/82 Effective 4/1/82

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	To and From House	Signed by President	Other Action
SER SB 42	*Agricultural Funds*	*307(R)*			*307(R)*	*311(R) V*	*312*	*378*	*Signed by President 1/21/82*
SB 42 ★	**Agricultural Funds** Ivan M. Matheson	303(R) R	391		447 458(R)	458(R) V	459	562	Signed by President 1/30/82 Signed by Governor 2/16/82 Effective 4/1/82
SER SB 43	*Justice of Peace Appointments*	*307(R)*			*307(R)*	*312(R) V failed 325-327 334-336 354 V failed*			Rejected by Senate 1/19/82
SB 43	**Justice of Peace Appointments** William T. Barton	303(R) R	491						491 SSEC 1/28/82
SER SB 44	*Assessed Valuation and Tax Notice*	*307(R)*			*307(R)*	*312(R) V*	*313*	*378*	*Signed by President 1/21/82*
SB 44 ★	**Assessed Valuation and Tax Notice** Charles W. Bullen	303(R) R	391		447 459(R) A,V	482(R) A,V	482	558	Signed by President 1/30/82 Signed by Governor 2/19/82 Effective 4/1/82 retro. to 1/1/82

	(Check Reference Code on Page 186) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	To and From House	Signed by President	Other Action
SER SB 45	*Insurance Guaranty Association Amendments*	*307(R)*			*307(R)*	*313(R) V*	*313*	*378*	*Signed by President 1 21 82*
SB 45 *	**Insurance Guaranty Association Amendments** K.S. Cornaby	304(R) R	391		447 465(R)	465(R) V	466	614	Signed by President 1 31 82 Signed by Governor 2 11 82 Effective 2 11 82
SER SB 46	*Metropolitan Water District Act Amendments*	*322(R)*			*322(R)*	*322(R) 324 V*	*324*	*378*	*Signed by President 1 21 82*
SB 46 *	**Metropolitan Water District Act Amendments** Fred W. Finlinson	320(R) R	391		447 R 471-472 (R)	472(R) V	473	614	Signed by President 1 31 82 Signed by Governor 2 16 82 Effective 4 1 82
SER SB 47	*Utah Renewable Energy Resources Survey*	*322(R)*			*322(R)*	*323(R) 327-334 V*	*335*	*390*	*Signed by President 1 22 82*
SB 47	**Utah Renewable Energy Resources Survey** Glade M. Sowards	320(R) R	404		447 R 471-474 (R)	474(R) A.A.V.	475		607 HSEC 1 30 82
SER SB 48	*Bond Issue Publicity*	*322(R)*			*322(R)*	*323(R) 325 V*	*325 376 389*	*516*	*Signed by President 1 29 82*
SB 48	**Bond Issue Publicity** Glade M. Sowards	321(R) R	517		517(R)	533(R) A	534		607 HSEC 1 30 82

	(Check Reference Code on Page 186) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	To and From House	Signed by President	Other Action
SER SB 49	*Trucking Control Stations*	*322(R)*			*322(R)*	*323(R) V*	*323*	*378*	*Signed by President 1/21/82*
SB 49 ★	**Trucking Control Stations** Jack M. Bangerter	321(R) R	391		447 R 471-473 (R)	473(R) V	473	614	Signed by 1/30/82 Signed by Governor 2/16/82 Effective 4/1/82
SER SB 50	*Interstate Corrections Compact Amendments*	*334(R)*			*334(R)*	*335(R) V*	*336*	*378*	*Signed by President 1/21/82*
SB 50 ★	**Interstate Corrections Compact Amendments** A. Dean Jeffs	331(R) R	391		416(R) CR CC	484(R) V	485	614	Signed by President 2/3/82 Signed by Governor 2/16/82 Effective 4/1/82
SER SB 51	*State Tax System Committee Repeal*	*334(R)*			*334(R)*	*336(R) V*	*336*	*402*	*Signed by President 1/25/82*
SB 51	**State Tax System Committee Repeal** E. Vert Asay	331(R) R	427		447 R 481-485 (R) V	507(R) V	507		607 HSEC 1/30/82

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	To and From House	Signed by President	Other Action
SER SB 52	*Cross-Training Retirement Enrollment*	*334(R)*			*334(R)*	*335(R) V*	*335*	*378*	*Signed by President 1/21/82*
SB 52 ★	**Cross-Training Retirement Enrollment** Fred W. Finlinson - Carling, Jeffs and Cornaby	332(R) R	391		447 R 471-473 (R)	473(R) V	473	586	Signed by President 1/30/82 Signed by Governor 2/16/82 Effective 4/1/82 Retroactive to 1/1/81
SB 53	**Oil Shale Bonus Receipts** Ivan M. Matheson	332(R) R	333 R-T	351	436(R) CR, T 584 R				606 SSEC 1/30/82
SER SB 54	*Reapportionment Guidelines*	*341(R)*			*341(R)*	*356(R) V-failed*			*Rejected by Senate 1/19/82*
SB 54	**Reapportionment Guidelines** Karl G. Swan	332(R) R	491						491 SSEC 1/28/82
SER SB 55	*Revenue Bonds for Utah Technical College at Provo*	*341(R)*			*341(R)*	*356(R) V*	*357*	*390*	*Signed by President 1/22/82*
SB 55 ★	**Revenue Bonds for Utah Technical College at Provo** Karl N. Snow, Jr. - Jeffs	341(R) R	404		447 R 471-478 (R) V	484(R) V	484	615	Signed by President 1/31/82 Signed by Governor 2/16/82 Effective 4/1/82

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	To and From House	Signed by President	Other Action
SER SB 56	*Funds for Water and Sewer Districts*	*366(R)*			*366(R)*	*368(R) V*	*369*	*402*	*Signed by President 1/25/82*
SB 56	**Funds for Water and Sewer Districts** Fred W. Finlinson	341(R) R	427		447 R 481-486 503-584 R				606 SSEC 1/30/82
SER SB 57	*County Planetarium Modifications*	*366(R)*			*366(R)*	*368(R)*	*369*	*402*	*Signed by President 1/25/82*
SB 57 ★	**County Planetarium Modifications** Fred W. Finlinson	342(R) R	427		447 R 481-486 (R)	486(R) V	486	586	Signed by President 1/30/82 Signed by Governor 2/16/82 Effective 4/1/82
SER SB 58	*Vocational Education Coordinating Commission*	*366(R)*			*366(R)*	*370 374 T 381 387(R) V-failed 388-394 400-406 V-failed*			*Rejected by Senate 1/25/82*
SB 58	**Vocational Education Coordinating Commission** Karl N. Snow, Jr. · Pugh and Money	351(R) R	491						491 SSEC 1/28/82
SB 59	**Supplemental Appropriations Act - Bear Lake Property** Charles W. Bullen · Finlinson and Halverson	352(R) R	365 E-NR	416	447 R 481-493 (R)	493(R) CR,V	493		607 HSEC 1/30/82

(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	To and From House	Signed by President	Other Action
SER SB 60 Capital Punishment Sentencing Procedures	*366(R)*			*366(R)*	*369(R) V*	*370*	*402*	*Signed by President 1/25/82*
SB 60 ★ **Capital Punishment Sentencing Procedures** A. Dean Jeffs - Halverson	352(R) R	427		447 R 481-487 (R)	487(R) V	488	615	Signed by President 1/31/82 Signed by Governor 2/16/82 Effective 2/16/82
SER SB 61 In-Lieu Payments to Local Subdivisions	*366(R)*			*366(R)*	*370(R) V*	*371 402 457*	*516*	*Signed by President 1/29/82*
SB 61 ★ **In-Lieu Payments to Local Subdivisions** Fred W. Finlinson - Matheson	352(R) R	491 517		517(R)	525(R) A,V	526	596	Signed by President 1/30/82 Signed by Governor 2/19/82 Effective 4/1/82
SER SB 62 Proof of Financial Responsibility	*366(R)*			*366(R)*	*371(R)*	*371*	*402*	*Signed by President 1/25/82*
SB 62 ★ **Proof of Financial Responsibility** Arnold Christensen	353(R) R	427		447 R 481-488 (R)	488(R) V	488	586	Signed by President 1/30/82 Signed by Governor 2/16/82 Effective 4/1/82

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	To and From House	Signed by President	Other Action
SER SB 63	*Higher Education Sick Leave Incentives*	*366(R)*			*366(R)*	*370-374 T 584 R*			*606 SSEC 1/30/82*
SB 63	**Higher Education Sick Leave Incentives** Richard J. Carling	353(R) R							606 SSEC 1/30/82
SER SB 64	*Anatomical Gifts*	*366(R)*			*366(R)*	*371(R) V*	*372*	*402*	*Signed by President 1/25/82*
SB 64 ★	**Anatomical Gifts** William T. Barton	353(R) R	427		447 R 481-488 (R)	488(R) A,V	489	594	Signed by President 1/30/82 Signed by Governor 2/16/82 Effective 4/1/82
SB 65 ★	**Housing Finance Agency Appropriation Changes** Charles W. Bullen · Asay, Bennett, Christensen, C. Peterson, Snow and Matheson	353(R) R	365 S-LA		383(R) CR,CC 412 CCO 442-446 447-454 (Sub.) 478 T 492	492(R) V	493	615	Signed by President 1/31/82 Signed by Governor 2/19/82 Effective 4/1/82
SER SB 66	*Higher Education Employee Dental Insurance Act*	*366(R)*			*366(R)*	*372(R) V*	*372 403*		*Rejected by House 1/22/82*
SB 66	**Higher Education Employee Dental Insurance Act** Ronald T. Halverson	353(R) R	491						491 SSEC 1/28/82

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	To and From House	Signed by President	Other Action
SER SB 67	*Ogden-Weber Area Vocational Center*	*366(R)*			*366(R)*	*372(R) V*	*373*		*607 HSEC 1/30/82*
SB 67	Ogden-Weber Area Vocational Center Ronald T. Halverson	354(R) R							606 SSEC 1/30/82
SB 68	Smoking on Buses Charles E. Bennett - Barton	378(R) R							606 SSEC 1/30/82
SER SB 69	*W.I.C.H.E. Students Residency*	*388(R)*			*388(R)*	*394(R) V*	*394*	*519*	*Signed by President 1/29/82*
SB 69	W.I.C.H.E. Students Residency Karl G. Swan	379(R) R			520(R)	520-535 (R) V	536		607 HSEC 1/30/82
SER SB 70	*Drunk Driving Amendments*	*388(R)*			*388(R)*	*394(R) V*	*395*	*516*	*Signed by President 1/29/82*
SB 70 ★	Drunk Driving Amendments Dona M. Wayment - Jeffs, Snow, Money, Christensen, Asay, Matheson and Cornaby	379(R) R	517		517(R)	522(R) A,V 526 A,V	527	587	Signed by President 1/30/82 Signed by Governor 2/19/82 Effective 2/19/82
SB 71	Employment Security Advisory Council Wayne L. Sandberg	379(R) R							606 SSEC 1/30/82
SB 72	Procurement Code Amendments Wayne L. Sandberg	380(R) R							606 SSEC 1/30/82
SB 73	County and Municipal Zoning Jurisdiction William T. Barton	380(R) R							606 SSEC 1/30/82

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	To and From House	Signed by President	Other Action
SER SB 74	*Oversight Act - Trust Business*	*388(R)*			*388(R)*	*395(R) V*	*395*	*516*	*Signed by President 1/29/82*
SB 74 ★	**Oversight Act - Trust Business** Bryce C. Flamm - Halverson	384(R) R	517		517(R)	519-521 (R) V	522	558	Signed by President 1/30/82 Signed by Governor 2/18/82 Effective 4/1/82 retroactive to 7/1/81
SB 75 ★	**Utah State University Land Transfer** Charles W. Bullen	392(R) R	440		447 R 471-472 (R)	472(R)	472	615	Signed by President 2/3/82 Signed by Governor 2/19/82 Effective 2/19/82
SB 76	**Occupation Tax on Coal** Charles W. Bullen - Sowards, Farley, Christensen, L. Peterson, Asay, Flamm, Black and Bennett	392(R) R	440		443-444 (R) V-failed 446 V 494 V	494(R) V	494		607 HSEC 1/30/82
SER SB 77	*Comparative Negligence Findings*	*517(R)*			*517(R)*	*519(R) V*	*590*		*607 HSEC 1/30/82*
SB 77	**Comparative Negligence Findings** Frances Farley	393(R) R							606 SSEC 1/30/82

	(Check Reference Code on Page 186) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	To and From House	Signed by President	Other Action
SB 78	**Division of Registration Committees** Ronald T. Halverson	393(R) R							606 SSEC 1/30/82
SB 79	**State Assessed Property** Jack M. Bangerter	393(R) R							606 SSEC 1/30/82
SB 80	**Sales Tax on Professional Services** Wilford R. Black, Jr.	393(R) R							606 SSEC 1/30/82
SB 81	**Increased Severance Occupation Tax on Metalliferous Minerals** Charles W. Bullen · Sowards, Farley, Christensen, L. Peterson, Asay, Flamm, Black, Bennett and Bunnell	403(R) R	440		443-445 (R) A V-failed				Rejected in Senate 1/26/82
SB 82	**State Employee Life Insurance** Karl G. Swan · Black and Bennett	404(R) R							606 SSEC 1/30/82
SB 83	**Permanent School Funds Investment** Charles E. Bennett · C. Peterson	404(R) R							606 SSEC 1/30/82
SB 84 ★	**Voter Information Pamphlet** Karl N. Snow, Jr. · Bangerter and Bunnell	433(R) R	440		447 R 471(R) V	482(R) V	483	562	Signed by President 1/30/82 Signed by Governor 2/16/82 Effective 4/1/82

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	To and From House	Signed by President	Other Action
SB 85 ★	**Higher Education Retirement Contribution** Karl N. Snow, Jr. - Pugh	542(R)			543(R)	544(R) V	545	615	Signed by President 1/30/82 Signed by Governor 2/16/82 Effective 4/1/82
SB 86 ★	**School Building Program Appropriation** Haven J. Barlow	564(R)			564(R)	564(R) V	565	586	Signed by President 1/30/82 Signed by Governor 2/19/82 Effective 7/1/82
SB 87 ★	**Supplemental Appropriation Act** Warren E. Pugh	565(R)			565(R)	565(R) V	566 597 HA-SC V	616	Signed by President 2/3/82 Signed by Governor 2/19/82 Effective 2/19/82
SB 88	**Occupation Tax Amendments** Charles W. Bullen	600(R)			600(R)	600(R) V	600		607 HSEC 1/30/82

	(Check Reference Code on Page 186) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	To and From House	Signed by President	Other Action
SB 89	Appropriations Act Warren E. Pugh	609(R)			609(R)	609(R) V	610	615	Signed by President 1/31/82 Signed by Governor (line item veto) 2/10/82 Line item veto message, 629, 630 Effective 7/1/82

	(Check Reference Code on Page 196) Title and Sponsors	Read (1)	Read (2)	Read (3)	To House	From House	Signed by President	Signed by Speaker	Other Action
SCR 1 ★	**School District - School Board Cooperation** Charles E. Bennett - Barton	232(R) R	247(R)	261(R) V	261	329	330	329	Signed by Governor 1/27/82
SCR 2	**School Discipline and Citizenship** William T. Barton - Bennett	232(R) R	265(R)	306(R) V	306				607 HSEC 1/30/82
SCR 3 ★	**Enforcement of Laws Resolution** Dona M. Wayment	232(R) R	265(R)	306(R) V	307	329	330	329	Signed by Governor 1/27/82
SCR 4	**Dr. Walter D. Talbot Resolution** Haven J. Barlow - Bunnell, Pugh, Barton and Asay	453(R) R	453(R)	453(R)	453				Arrived in Senate too late for official action but was signed by the President, enrolled and transmitted to the Governor.
SCR 5 ★	**Officer Ronald L. Heaps Resolution** All members of the Senate	331(R)	331(R)	331(R)	331	337	337 1/15/82	337	Signed by Governor 2/3/82

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sitting) Committee	Read (2)	Read (3)	To and From House	Signed by Speaker	Other Action
SJR 1 ★	**Cancer Research Resolution** Ivan M. Matheson · Flamm, Money and C. Peterson	229(R) R		247(R)	260(R) V	261	329	330 Signed by President 1/15/82
SJR 2 ★	**Drunk Driver Study** Dona M. Wayment · Money	229(R) R		247(R)	261(R) V	261	329	330 Signed by President 1/15/82
SER SJR 3	*Tax Article Revision*	*324(R)*		*343(R)*	*343(R) V*	*343*	*378*	*Signed by President 1/21/82*
SJR 3 ★	**Tax Article Revision** Glade M. Sowards · Snow	229(R) R	387	424(R) A,A,A,V	431 445(R) A,V	446 557 HA-SRC 587-ScHc 601 JCCR 603-SRC 611 JCCR(2) 613 SC,HC	613	Signed by President 2/3/82 Effective 1/1/83, if approved by the electors
SJR 4	**Concealed Weapons Resolution** Jack M. Bangerter	230(R) R	323	324(R)	325(R) 327-V	327	378	Signed by President 1/21/82
SER SJR 5	*Compensation and Expenses for Legislators*	*324(R)*		*343(R)*	*343(R)*	*343*	*378*	*Signed by President 1/21/82*
SJR 5 ★	**Compensation and Expenses for Legislators** Wilford R. Black · Snow, Bangerter and Barlow	230(R) R	387	447 458(R) A	458(R) V	458	613	Signed by President 1/31/82 Effective 1/1/83

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Read (2)	Read (3)	To and From House	Signed by Speaker	Other Action
SJR 6 ★	**Interim Study of Third Party Prescription Program** Jack M. Bangerter	231(R) R	323	324(R)	325(R) 326-V	327	378	Signed by President 1/21/82
SJR 7 ★	**Interim Study of the Lay Midwife Program** Jack M. Bangerter	231(R) R	323	324(R)	326(R) V 380 V	326	378	Signed by President 1/21/82
SER SJR 8	*Municipal Tax Exemption Changes*	*324(R)*		*344(R)*	*344(R)*	*344*	*377*	*Signed by President 1/21/82*
SJR 8	**Municipal Tax Exemption Changes** Ivan M. Matheson	231(R) R	387	431(R) A,V	450(R) V	450 585 HA-SRC		607 HSEC 1/30/82
SJR 9	**Government Investments Study** Fred W. Finlinson	339(R) R	340	340(R)	360(R) V	360	378	607 HSEC 1/30/82
SJR 10 ★	**Sewage and Wastewater Treatment Funding Study** Fred W. Finlinson	339(R) R	365	366(R)	368 374-T 381 382(R) V	382	538	Signed by President 1/29/82
SJR 11	**Congressional Commendation** Karl G. Swan	339(R) R	365	366(R)	368 374-T 381 384(R) A,V	385		607 HSEC 1/30/82
SJR 12 ★	**Auditing of Oil and Gas Payments** Fred W. Finlinson	339(R) R	365	366(R)	368 374-T 381 385(R) V	385	539	Signed by President 1/30/82

	(Check Reference Code on Page 196) Title and Sponsors	Read (1)	Rules (Sitting) Committee	Read (2)	Read (3)	To and From House	Signed by Speaker	Other Action
SER SJR 13	*Sessions of Legislature*	*366(R)*		*366(R)*	*373(R) 374-T 381-387 388-394 400 405-V failed 435-497 511-V failed*			*Rejected by Senate 1/29/82*
SJR 13	Sessions of Legislature Fred W. Finlinson	359(R) R	491	506				606 SSEC 1/30/82
SJR 14 ★	Vitro-Tailings Removal Resolution Fred W. Finlinson	359(R) R	365	366(R)	368 374-T 381 386(R)V	386	614	Signed by President 1/31/82
SJR 15 ★	Utah Conference on Small Business Wayne L. Sandberg	378(R) R	388	388(R)	395(R) V	396	594	Signed by President 1/30/82
SJR 16	Mobile Home Park Rules Leases Study Karl G. Swan	392(R) R						606 SSEC 1/30/82
SJR 17 ★	Diversion of Effluent Water Study Jack M. Bangerter · Matheson, Money, L. Peterson, C. Peterson, Christensen, Barton, Asay and Bullen	403(R) R	440	441(R)	452(R) V	452	538	Signed by President 1/29/82
SJR 18	Prison Site Study Lowell S. Peterson · Flamm	449(R) R	481	495(R) V-failed				Rejected by Senate 1/28/82
SJR 19	Industrial Training for Utahns Study James P. Considine	453(R) R						606 SSEC 1/30/82

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COLUMNAR INDEX

HOUSE BILLS AND RESOLUTIONS

FORTY-FOURTH LEGISLATURE

BUDGET SESSION AND

BUDGET VETO OVERRIDE SESSION

1982

(Check Reference Code on Page 196)

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Read (2)	Read (3)	To and From House	Signed by President	Other Action
HER HB 1	*Voted Leeway Review* Lee W. Farnsworth	*301(R)*		*301(R)*	*308(R) V*	*308*	*308 1/31/82*	*Passed*
HER HB 6	*Entrance Date for Kindergarten*	*301(R)*		*301(R)*	*309(R) V*	*309*	*309 1/13/82*	*Passed*
HB 6 ★	**Entrance Date for Kindergarten (September 1)** John B. Arrington	414(R) R	440	447-R 492-514 (R)	514(R) V	514	514 1/29/82	Signed by Governor 2/11/82 Effective 7/1/83
HER HB 7	*Audit of Public Transit Districts*	*264(R)*		*264(R)*	*269(R)V 305 V*	*305*	*305 1/13/82*	*Passed*
HB 7	**Audit of Public Transit Districts** Samuel S Taylor	519(R) R 567						608 SSEC 1/30/82
HER HB 8	*Distribution of Sales Tax Modifications* Dix Holt McMullin	*264(R)*		*264(R)*	*270(R) V-failed*			*Rejected by Senate 1/12/82*
HER HB 10	*Collection of Student Loans*	*338(R)*		*338(R)*	*362(R) V*	*363*	*363 1/20/82*	*Passed*
HB 10 ★	**Collection of Student Loans** Kim R. Burningham	480(R) R	492	513(R)	513(R) V	513	513 1/29/82	Signed by Governor Effective 2/16/82
HER HB 11	*State Agencies Space Acquisitions* Paul F. Mecham	*264(R)*		*264(R)*	*268(R) V-failed 316*			*Rejected by Senate 1/12/82*

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Read (2)	Read (3)	To and From House	Signed by President	Other Action
HER HB 12	*Retirement System Contributions*	*338(R)*		*338(R)*	*346(R) V*	*346*	*364 1/18/82*	*Passed*
HB 12 ★	**Retirement System Contributions** Willard Hale Gardner	480(R) R	492	511(R)	511(R) V	511	511 1/29/82	Signed by Governor 2/16/82 Effective 1/1/82
HER HB 14	*Uniform Unclaimed Property Act* Carl R. Saunders	*264(R)*		*264(R)*	*269(R) V*	*270*	*270 1/12/82*	*Passed*
HER HB 15	*Controlled Substances Act Forfeitures*	*264(R)*		*264(R)*	*271(R) V*	*272*	*272 1/12/82*	*Passed*
HB 15 ★	**Controlled Substances Act Forfeitures (Substitute)** Dorothea E. Masur	437(R) R	492	543(R)	543(R) V	543	543 1/30/82	Signed by Governor 2/19/82 Effective 4/1/82
HER HB 22	*Industrial Development Act*	*394(R) R*	*405*	*405(R)*	*412 417(R) V*	*418*	*418 1/25/82*	*Passed*
HB 22	**Industrial Development Act** R. Haze Hunter	521(R) R						608 HSEC 1/30/82

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Read (2)	Read (3)	To and From House	Signed by President	Other Action
HER HB 26	*School District Board Members' Terms*	*349(R)*		*349(R)*	*362(R) V*	*362*	*362 1/20/82*	*Passed*
HB 26	**School District Board Members' Terms (Substitute)** Lee W. Farnsworth	480(R) R	517	517(R)	540(R) V 558-584 R, 589, A V-failed	541 552 558		Rejected by Senate 1/30/82 On advice of Legislative Legal Counsel and at the direction of President Perry, the signature sheet was transmitted to the House, and the bill was declared passed by the Senate. Became law without signature of the Governor 2/19/82 Invalidated by Third District Court.
HB 27 ★	**School Immunization Act** Charles L. Doane	403(R) R	440	447-R 492-543 (R)	543(R) V	544	544 1/30/82	Signed by Governor 2/18/82
HER HB 28	*Professional Legislature Staff Amendments* Robert B. Sykes	*448(R) R*	*489*	*489(R)*	*506(R) V*	*506*	*506 1/29/82*	*Passed*

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Read (2)	Read (3)	To and From House	Signed by President	Other Action
HER HB 29	*Tie Vote Amendment* Lee W. Farnsworth	*264(R)*		*264(R)*	*272(R) V-failed*			*Rejected in Senate 1/12/82*
HER HB 31	*Public Employee Whistle Blower Protection* Robert B. Sykes	*264(R)*		*264(R)*	*271(R) V*	*271*	*271 1/12/82*	*Passed*
HER HB 32	*County Jail Incarceration as Condition of Probation*	*359(R)*		*359(R)*	*368(R) V*	*368*	*368 1/20/82*	*Passed*
HB 32 ★	**County Jail Incarceration as Condition of Probation** Olene S. Walker	598(R)		598(R)	599(R) V	599	599 1/30/82	Signed by Governor 2/19/82 Effective 7/1/83
HB 33 ★	**Vehicle Registration Fee Increase** Don R. Strong	439(R) R	471	495(R) V	508(R) A,V	485 508 551 SA-HRC Sc 562-Hc 577 JCCR 581-SC,V 596-HC	586 1/30/82	Signed by Governor 2/18/82 Effective 7/1/82
HER HB 34	*Public Employees Political Activities*	*319(R) R*	*333*	*333(R)*	*361(R) V*	*362*	*362 1/20/82*	*Passed*
HB 34 ★	**Public Employees Political Activities** Robert B. Sykes	490(R) R	492	547(R)	555(R) V	556	556 1/30/82	Signed by Governor 2/16/82 Effective 4/1/82

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Read (2)	Read (3)	To and From House	Signed by President	Other Action
HB 35 ★	**Transportation Permit Fee Increase** W. Robert Phelps	426(R) R	440	447-R 471-485 496(R) 503-512 A	512(R) V	513 553 SA-HC	553 1/30/82	Signed by Governor 2/16/82 Effective 7/1/82
HER HB 38	*Tax Deferral Requisites*	*301(R)*		*301(R)*	*309(R) V*	*310*	*310 1/13/82*	*Passed*
HB 38 ★	**Tax Deferral Requisites** Lorin N. Pace	375(R) R	517	517(R)	541(R) V	541	541 1/30/82	Signed by Governor 2/18/82 Effective 4/1/82
HER HB 39	*Property Tax Assessment Appeals* Lorin N. Pace	*320(R) R*	*333*	*333(R)*	*362(R) 374-T 381, 382 V-failed*			*Rejected by Senate 1/21/82*
HER HB 40	*Lobbyist's Controls* Lee W. Farnsworth	*359(R)*		*359(R)*	*368 374-T 381(R) V-failed*			*Rejected by Senate 1/21/82*
HER HB 41	*Housing Authorities Inclusion*	*329(R)*		*329(R)*	*360(R) V*	*361*	*361 1/20/82*	*Passed*
HB 41	**Housing Authorities Inclusion** Sherman D. Harmer	505(R) R	517	517(R)	524(R) V	524	524 1/29/82	Vetoed by Governor 2/19/82
HER HB 43	*Northwest Interstate Compact on Low Level Radioactive Waste*	*384(R) R*	*405*	*405(R)*	*412(R) V*	*412*	*412 1/25/82*	*Passed*
HB 43 ★	**Northwest Interstate Compact on Low Level Radioactive Waste** Jo Brandt	501(R) R	517	517(R)	532(R) V	533	533 1/29/82	Signed by Governor 2/16/82 Effective 2/16/82

	(Check Reference Code on Page 186) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Read (2)	Read (3)	To and From House	Signed by President	Other Action
HER HB 44	*Political Campaign Financial Reports*	*439(R) R*	*489*	*489(R)*	*500(R)*	*500*	*500 1/28/82*	*Passed*
HB 44 ★	**Political Campaign Financial Reports** Franklin W. Knowlton	603(R)		603(R)	605(R) V	605	606 1/30/82	Signed by Governor 2/18/82 Effective 4/1/82
HB 45 ★	**Drinking Driver Fee Account** Paul Rogers	481(R) R	492	547(R)	556(R) V	556	556 1/30/82	Signed by Governor 2/18/82 Effective 4/1/82
HER HB 46	*Additional Circuit Court Judgeship* Gayle F. McKeachnie	*439(R) R*						*606 SSEC 1/30/82*
HER HB 47	*Judicial District Boundaries and Judgeships*	*384(R) R*	*405*	*405(R)*	*412(R) V*	*413*	*413 1/25/82*	*Passed*
HB 47	**Judicial District Boundaries and Judgeships** Gayle F. McKeachnie	501(R) R	517	517(R)	533(R) V	533	533 1/29/82	Signed by Governor 2/16/82 Effective 7/1/82
HER HB 48	*Federal Assistance Amendments* P. Lloyd Sellenelt	*491(R) R*						*606 SSEC 1/30/82*
HER HB 51	*Utah Dairy Commission*	*318(R)*		*318(R)*	*321(R) V*	*322*	*322 1/14/82*	*Passed*
HB 51 ★	**Utah Dairy Commission** Evan L. Olsen	490(R) R	490	490(R) C.C.	541(R) V	542	542 1/30/82	Signed by Governor 2/16/82 Effective 4/1/82

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Read (2)	Read (3)	To and From House	Signed by President	Other Action
HB 53	**Local Optional Sales Tax Repeal** Lorin N. Pace	519(R) R						608 SSEC 1/30/82
HB 55	**Sales and Use Tax for Basic School Program** Lorin N. Pace	505(R) R						608 SSEC 1/30/82
HB 56	**Sales and Use Tax for Minimum School Finance Program** Lorin N. Pace	519(R) R						608 SSEC 1/30/82
HER HB 57	*School Districts - Risk Management Fund*	*459(R) R*	*489*	*489(R)*	*496(R) V*	*497*	*497 1/28/82*	*Passed*
HB 57 ★	**School Districts - Risk Management Fund** Lorin N. Pace	559(R)		559(R)	560(R) V	560	560 1/30/82	Signed by Governor 2/19/82 Effective 4/1/82
HER HB 58	*Imitation Controlled Substances Act*	*359(R)*		*359(R)*	*368 374-T 381(R) 385-V*	*386*	*386 1/21/82*	*Passed*
HB 58 ★	**Imitation Controlled Substances Act** Dorothea E. Masur	449(R) R	492	546(R)	546(R) A,V	547 563 SA-HC	563 1/30/82	Signed by Governor 2/19/82 Effective 2/19/82
HER HB 59	*Pyramid or Chain Letter Schemes* G. LaMont Richards	*415(R) R*						*608 SSEC 1/30/82*

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Read (2)	Read (3)	To and From House	Signed by President	Other Action
HER HB 60	*Representation by Attorney General*	*359(R)*		*359(R)*	*364(R)* V	*364*	*364 1/20/82*	*Passed*
HB 60 ★	**Representation by Attorney General** Lyle W. Hillyard	480(R) R	517	517(R)	537(R) V	537	537 1/29/82	Signed by Governor 2/19/82 Effective 4/1/82
HER HB 61	*Amendments to Utah Governmental Immunity Act* Gayle F. McKeachnie	*469(R)* R		*469(R)*	*469(R)* V	*470*	*470 1/27/82*	*Passed*
HER HB 62	*Judicial Conduct Commission*	*314(R)*		*314(R)*	*315(R)* V	*315*	*315 1/13/82*	*Passed*
HB 62	**Judicial Conduct Commission** P. Lloyd Sellenelt	516(R) R		554(R)	554(R) SUB. V 560,A,V	561	616 1/30/82	Vetoed by Governor 2/19/82 629, V Overriden 3/17/82
HER HB 63	*Cable Television Amendments* P. Lloyd Sellenelt	*415(R)* R	439	*441(R)*	*441 447-R 455-468 (R) V*	*468*	*468 1/27/82*	*Passed*

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Read (2)	Read (3)	To and From House	Signed by President	Other Action
HER HB 64	*State Money Management Act · Public Funds*	*415(R) R*	*489*	*489(R)*	*497(R) V*	*497*	*497 1/28/82*	*Passed*
HB 64 ★	**State Money Management Act · Public Funds** Sherman D. Harmer	595(R)		595(R)	595(R) V	595	595 1/30/82	Signed by Governor 2/18/82 Effective 4/1/82
HER HB 66	*Names on Election Ballots*	*359(R)*		*359(R)*	*364(R) V*	*365*	*365 1/20/82*	*Passed*
HB 66 ★	**Names on Election Ballots** Olene S. Walker	480(R) R	490	490(R) C.C.	542(R) V	542	542 1/30/82	Signed by Governor 2/16/82 Effective 4/1/82
HER HB 67	*License Plates · Former P.O.W.'s* Tom Christensen	*415(R) R*						*608 SSBC 1/30/82*
HER HB 68	*Unemployment Compensation Amendments*	*314(R)*		*314(R)*	*314(R) V*	*315*	*315 1/13/82*	*Passed*
HB 68 ★	**Unemployment Compensation Amendments** C. McClain Haddow	439(R) R	492	547(R)	547(R) C of W A,V,V	551	616 1/30/82	Signed by Governor 2/19/82 Effective 4/1/82
HER HB 69	*Fourth Amendment Enforcement Act · 1982*	*384(R) R*	*405*	*405(R)*	*413(R) V*	*413*	*413 1/25/82*	*Passed*
HB 69 ★	**Fourth Amendment Enforcement Act · 1982** Gayle F. McKeachnie	591(R)		591(R)	591-595 (R) V	596	596 1/30/82	Signed by Governor 2/19/82 Effective 4/1/82

	(Check Reference Code on Page 198) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Read (2)	Read (3)	To and From House	Signed by President	Other Action
HER HB 72	*Redeposit of Public Safety Contributions* Blaze D. Wharton	*449(R) R*						*608 SSEC 1/30/82*
HER HB 73	*Concealed Weapon Amendment*	*426(R) R*	*439*	*441(R)*	*441 447 R 455-467 (R) V*	*467*	*467 1/27/82*	*Passed*
HB 73 ★	**Concealed Weapon Amendment (Substitute)** P. Lloyd Selleneit	521(R) R		536(R)	536(R) A,V	537 542 545 V	546 1/30/82	Signed by Governor 2/19/82 Effective 2/19/82
HER HB 75	*Billing Irregularities by Dentists* Neal B. Evans	*359(R)*		*359(R)*	*367(R) V failed 381-389 396 V*	*367 396*	*396 1/22/82*	*Passed*
HER HB 77	*County Service Area Amendments*	*415(R) R*	*489*	*489(R)*	*508(R) V failed 504-507 V*	*508*	*508 1/29/82*	*Passed*
HB 77 ★	**County Service Area Amendments (Substitute)** Donna M. Dahl	589(R)		589(R)	591(R) V	592	592 1/30/82	Signed by Governor 2/18/82 Effective 4/1/82
HER HB 79	*Appeals in Capital Criminal Cases* Robert B. Sykes	*439(R) R*						*608 SSEC 1/30/82*
HER HB 80	*Dugway Proving Ground Jurisdiction Corrections*	*359(R)*		*359(R)*	*366(R) V*	*366*	*366 1/20/82*	*Passed*
HB 80 ★	**Dugway Proving Ground Jurisdiction Corrections** Beverly J. White	553(R)		553(R)	566(R) V	566	566 1/30/82	Signed by Governor 2/18/82 Effective 4/1/82

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Read (2)	Read (3)	To and From House	Signed by President	Other Action
HER HB 82	*Neighborhood Development Act Elections*	*359(R)*		*359(R)*	*367(R) V*	*367*	*367 1/20/82*	*Passed*
HB 82	**Neighborhood Development Act Elections** E. Ute Knowlton	481(R) R	566	566(R)	584-R 589-591 (R) 606-R			608 SSEC 1/30/82
HB 84	**Lost Creek Road Appropriation** Glen E. Brown	439(R) R		507(R)	507(R) 509-V	509	509 1/29/82	Passed Vetoed by Governor 2/19/82
HER HB 85	*Redeposit for Retirement Service Credit* Blaze D. Wharton	*449(R) R*						*608 SSEC 1/30/82*
HB 86 ★	**Retirement Benefits for School and Public Employees** Dix H. McMullin	505(R) R	517	517(R) 526-538 T	563(R) A,V 584-A,V	585	616 1/30/82	Signed by Governor 2/16/82 Effective 7/1/82
HER HB 88	*Tax Levy for County Zoos*	*449(R) R*		*469(R)*	*470(R) V*	*470*	*470 1/27/82*	*Passed*
HB 88 ★	**Tax Levy for County Zoos** Sherman D. Harmer	557(R)		557(R)	582(R) V	582	582 1/30/82	Signed by Governor 2/18/82 Effective 1/1/82
HER HB 92	*Tax on Mineral Production Withholding*	*449(R) R*		*469(R)*	*469(R) V*	*469*	*469 1/27/82*	*Passed*
HB 92 ★	**Tax on Mineral Production Withholding** Dix H. McMullin	563(R)		563(R)	583(R) A,V	584	616 1/30/82	Signed by Governor 2/19/82 Effective 7/1/82

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Read (2)	Read (3)	To and From House	Signed by President	Other Action
HER HB 95	*Facilities Construction Limitation* Orval C. Harrison	*491(R) R*						*608 SSEC 1/30/82*
HER HB 98	*Butyl Nitrate Control* Merrill W. Harward	*414(R) R*						*608 SSEC 1/30/82*
HER HB 100	*Repeal Income Tax Provision Repeal*	*439(R) R*	*489*	*489(R)*	*498(R) V*	*498*	*498 1/28/82*	*Passed*
HB 100	**Repeal Income Tax Provision Repeal** Franklin W. Knowlton	598(R)		598(R)	603 606-R			608 SSEC 1/30/82
HER HB 101	*Hospital Cooperative Association Vehicle* Charles L. Doane	*415(R) R*	*439*	*441(R)*	*441, 447 R 455-466 (R) V*	*466*	*466 1/27/82*	*Passed*
HER HB 102	*County Designation on License Plates* Lyle W. Hillyard	*464(R) R*						*608 SSEC 1/30/82*
HER HB 103	*Out of State Tuition Waiver*	*426(R) R*	*439*	*441(R)*	*441 447-R 455-467 (R) V*	*468*	*468 1/27/82*	*Passed*
HB 103 ★	**Out of State Tuition Waiver** Lyle W. Hillyard	591(R)		591(R)	594(R) V	594	594 1/30/82	Signed by Governor 2/19/82 Effective 4/1/82

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Read (2)	Read (3)	To and From House	Signed by President	Other Action
HER HB 105	*Student Loan Program*	*464(R) R*	*489*	*489(R)*	*498(R) V*	*498*	*498 1/28/82*	*Passed*
HB 105 ★	**Student Loan Program** G. LaMont Richards	603(R)		603(R)	605(R) V	605	605 1/30/82	Signed by Governor 2/18/82 Effective 4/1/82
HER HB 106	*Administrative Rule Making Amendments* Evan L. Olsen	*449(R) R*						*608 SSEC 1/30/82*
HER HB 109	*Sick Leave Abuse Incentives*	*464(R) R*	*489*	*489(R)*	*499(R) V*	*499*	*499 1/28/82*	*Passed*
HB 109	**Sick Leave Abuse Incentives** Sherman D. Harmer	617						Arrived in Senate too late for official action to be taken 617 HSEC 1/30/82
HER HB 110	*Administrative Rules Oversight Act* Ray D. Free	*465(R) R*	*489*	*489(R)*	*508(R) V.failed*	*509*		*Rejected by Senate 1/29/82*
HER HB 114	*Court Reporters' Fees* Lyle W. Hillyard	*439(R) R*						*608 SSEC 1/30/82*
HB 123 ★	**Legislative Exemptions - Procurement Code** Norman H. Bangerter	553(R)		554(R)	567(R) A 582,A,V	583	583 1/30/82	Became law without Governor's Signature Effective 4/1/82

	(Check Reference Code on Page 186) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Read (2)	Read (3)	To and From House	Signed by President	Other Action
HER HB 128	*Life Cycle Cost Analyses* Robert H. Garff	*491(R) R*						*608 SSEC 1/30/82*
HER HB 129	*Department of Business Regulations* Duayne T. Johnson	*491(R) R*						*608 SSEC 1/30/82*
HER HB 131	*Intoxicated Drivers' Amendment* C. Hardy Redd	*465(R) R*	*489*	*489(R)*	*502(R) V*	*503*	*503 1/28/82*	*Passed*
HER HB 132	*Reporting Sexual Abuse of Children*	*465(R) R*	*489*	*489(R)*	*501(R) V*	*501*	*501 1/28/82*	*Passed*
HB 132 ★	**Reporting Sexual Abuse of Children** John E. Smith	598(R)		598(R)	603(R) V	604	604 1/30/82	Signed by Governor 2/19/82 Effective 4/1/82
HER HB 134	*Utah Public Safety Retirement Act Modifications*	*500(R) R*		*503(R)*	*503(R) V*	*503*	*503 1/28/82*	*Passed*
HB 134 ★	**Utah Public Safety Retirement Act Modifications** Paul F. Mecham	593(R)		593(R)	593(R) V	593	593 1/30/82	Signed by Governor 2/18/82 Retroactive to 1/1/82
HB 135 ★	**Medical Assistance Program** Charles L. Doane	506(R) R	*517*	517(R)	526(R) V 531-A,V	532 545 SA-HC	545 1/30/82	Signed by Governor 2/16/82 Effective 4/1/82
HER HB 136	*Prepaid Dental Plans* Rob W. Bishop	*465(R) R*						*608 SSBC 1/30/82*

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Siting) Committee	Read (2)	Read (3)	To and From House	Signed by President	Other Action
HER HB 138	*Natural Resources Development Revolving Account Income*	*465(R) R*	*489*	*489(R)*	*499(R) V*	*500*	*500 1/28/82*	*Passed*
HB 138	**Natural Resources Development Revolving Account Income** Gary H. Brockbank	554(R)		554(R)	576(R) V	577	577 1/30/82	Signed by Governor 2/18/82 Effective 1/1/82
HER HB 142	*Residential Property Assessment*	*534(R)*		*534(R)*	*534(R) V*	*534*	*534 1/29/82*	*Passed*
HB 142 ★	**Residential Property Assessment** Franklin W. Knowlton	553(R)		564(R)	567-568 (R) V	569	569 1/30/82	Signed by Governor 2/19/82 Effective 1/1/83, if approved by electors
HER HB 144	*Impoundment of Vehicles*	*465(R) R*	*489*	*489(R)*	*501(R) V*	*502*	*502 1/28/82*	*Passed*
HB 144	**Impoundment of Vehicles** Duayne T. Johnson	553(R)		554(R)	567(R) V,V	568	568 1/30/82	Vetoed by Governor 2/19/82
HER HB 155	*Abortion Amendments*	*535(R)*		*535(R)*	*535(R) V*	*535*	*535 1/29/82*	*Passed*
HB 155 ★	**Abortion Amendments** Robert B. Sykes	603(R)		603(R)	604(R) V	604	604 1/30/82	Signed by Governor 2/19/82 Effective 4/1/82

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Read (2)	Read (3)	To and From House	Signed by President	Other Action
HB 157 ★	**School Lunch Tax (Liquor)** Gary H. Brockbank	559(R)		559(R)	559(R) V	559	559 1/30/82	Signed by Governor 2/19/82 Effective 7/1/82
HB 158 ★	**Appropriations Act - 1982 Budget Session** Gary H. Brockbank	608(R)		608(R)	608(R) V	608	608 1/30/82	Signed by Governor 2/19/82 Effective 7/1/82
HB 159 ★	**School Finance** Lorin N. Pace	610(R)		610(R)	610(R) V	610	610 1/30/82	Signed by Governor 2/19/82 Effective 4/1/82

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Read (2)	Read (3)	To House	Signed by President	Other Action
HER HJR 1	*Residency Requisite for Legislators*	*320(R) R*	*333*	*333(R)*	*345(R) V*	*345*	*345 1/18/82*	*Passed*
HJR 1 ★	**Residency Requisite for Legislators** Samuel S Taylor	480(R) R	492	547(R)	556(R) V	557	557 1/30/82	Passed
HJR 7 ★	**Mining Technology Resolution** Mike Dmitrich	426(R) R	440	441(R)	452(R) V	452	452 1/27/82	Passed
HER HJR 8	*Social Services Providing Study* Charles L. Doane	*302(R)*		*302(R)*	*361-363 (R) V*	*363*	*363 1/20/82*	*Passed*
HER HJR 9	*State Government Expenses* Lee W. Farnsworth	*302(R)*		*302(R)*	*345(R) 347-T 584-R*			*608 SSEC 1/30/82*
HER HJR 10	*Judicial Article Revision*	*328(R)*		*329(R)*	*344(R) V*	*345*	*345 1/18/82*	*Passed*
HJR 10	**Judicial Article Revision (Substitute)** G. LaMont Richards	464(R) R	492	514 538-T 547(R)	547-584 R			608 SSEC 1/30/82
HER HJR 12	*Severance Tax Trust Fund Allocation* C. Hardy Redd	*328(R)*		*329(R)*	*345(R) V-failed*	*346*		*Rejected by Senate 1/18/82*
HER HJR 13 ★	*Revision of Tax Article* Orval C. Harrison	*375(R) R*	*405*	*405(R)*	*408(R) V*	*408*	*408 1/25/82*	*Passed*
HER HJR 15	*Property Tax Exemption Changes* Franklin W. Knowlton	*380(R) R*	*405*	*405(R)*	*408(R) 409-V*	*409*	*409 1/25/82*	*Passed*
HJR 15	**Property Tax Exemption Changes** Franklin W. Knowlton	540(R) R						608 SSEC 1/30/82

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Read (2)	Read (3)	To House	Signed by President	Other Action
HER HJR 16	*Municipal and Other Tax Exemption Changes*	*375(R) R*	*405*	*405(R)*	*408(R) 409-V*	*409*	*409 1/25/82*	*Passed*
HJR 16	**Municipal and Other Tax Exemption Changes** Orval C. Harrison	597(R) R						608 SSEC 1/30/82
HER HJR 17	*School Support Limitation*	*375(R) R*	*405*	*405(R)*	*408(R) 409-V*	*409*	*409 1/25/82*	*Passed*
HJR 17	**School Support Limitation** Lorin N. Pace	540(R) R						608 SSEC 1/30/82
HER HJR 20	*Occupation Tax Revenues Usage* Orval C. Harrison	*439(R) R*	*491*	*491(R)*	*510(R) V-failed*	*510*		*Rejected by Senate* 1/29/82
HJR 23	**Legislative Employees' Salaries** Sherman D. Harmer	336(R)		337(R)	337(R) V	337	337 1/15/82	Passed
HJR 25	**Darlene Jerman Commendation** Norman H. Bangerter	439(R) R		439(R)	439(R) V	439	439 1/26/82	Passed
HJR 26	**Retirement Board Study** Paul F. Mecham	490(R) R						608 SSEC 1/30/82
HER HJR 27	*Corporate Officers' Amendment*	*464(R) R*	*491*	*491(R)*	*510(R) V*	*510*	*510 1/29/82*	*Passed*
HJR 27	**Corporate Officers' Amendment** Paul S. Rogers	598(R)		598(R)	598(R) V	599	599 1/30/82	Passed

	(Check Reference Code on Page 198) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Read (2)	Read (3)	To House	Signed by President	Other Action
HJR 28	**Work for Welfare Recipients Resolution** Olene S. Walker	500(R) R	566	566(R)	584-R 589-590 (R) V	591	591 1/30/82	Passed
HJR 29	**Roger Tew Resolution** Dale E. Stratford	479(R) R		479(R)	479(R) V	479	479 1/28/82	Passed
HJR 31	**John Henry Schmutz Resolution** All members of the House	391(R)		391(R)	391(R)	391	391 1/22/82	Passed
HJR 36	**Real Property Valuation Study** Beverly J. White	553(R)		553(R)	582-584 R			608 SSEC 1/30/82
HJR 37	**Interim Study Assignments** Lee W. Farnsworth	590(R)		590(R)	592(R) A,V	593	616 1/30/82	Passed

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Read (2)	Read (3)	To House	Signed by President	Other Action
HCR 1	**Utah Council of Volunteers' Resolution** G. LaMont Richards	463(R)		463(R)	463(R) V	463	463 1/27/82	Signed by Governor 1/29/82
HCR 2	**National Disabled Veterans' Week** John E. Smith	384(R) R		405(R)	414(R) V	414	414 1/25/82	Signed by Governor 2/11/82
HCR 3	**Nuclear Fallout Resolution** R. Haze Hunter	449(R) R	492	514(R)	514(R) V	514	514 1/29/82	Signed by Governor 2/10/82
HCR 4	**Utah War Veterans' Arlington Cemetary Memorial** Tom Christensen	464(R)		464(R)	464(R) V	464	464 1/27/82	Signed by Governor 2/11/82
HCR 5	**George S. Eccles Commendation** Robert H. Garff	391(R)		391(R)	391(R) V	391	391 1/22/82	Signed by Governor 2/10/82

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STATE OF UTAH

SENATE JOURNAL

SECOND SPECIAL SESSION
OF THE
FORTY-FOURTH
LEGISLATURE

June 17, 18 and 19, 1982

Pg 710

CERTIFICATION

The undersigned, as the duly appointed committee on revision of the Senate Journal for the Second Special 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 Second Special Session convening on Thursday, June 17 at 10:00 a.m. and adjourning sine die on Saturday, June 19 at 12:45 a.m.

Sophia C. Buckmiller

Sophia C. Buckmiller
Secretary of the Senate

Joan B. Thomas

Joan B. Thomas
Senate Minute Clerk

STATE OF UTAH
SENATE JOURNAL

SECOND SPECIAL SESSION

of the

FORTY-FOURTH LEGISLATURE

FIRST DAY

MORNING SESSION

Pursuant to a Proclamation by His Excellency, Governor Scott M. Matheson, the Senate of the Forty-Fourth Legislature of the State of Utah met in the Senate Chamber at the State Capitol in Second Special Session, Thursday, June 17, 1982 at 10:00 a.m.

The Senate was called to order by President Miles 'Cap' Ferry.
Prayer — Senator William N. Jones
Roll Call — All senators present except Senator Jeffs.

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

CERTIFICATION

I, David S. Monson, Lieutenant Governor of the State of Utah, do hereby certify that the attached copy of a proclamation issued under date of June 7, 1982, and signed by Governor Scott M. Matheson, is a true and correct copy of the original proclamation calling the 44th Legislature of the State of Utah into Special Session at the State Capitol in Salt Lake City, Utah, on the 17th day of June, 1982 at the hour of 10:00 a.m., for the purposes named in the proclamation.

I further certify that the membership of the Utah State Senate has not changed from that of the 1982 Budget 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 10th day of June, 1982.

David S. Monson
Lieutenant Governor

PROCLAMATION

WHEREAS, since the close of the Budget Session of the 44th 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 proclamation, convene the Legislature in Special 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 44th Legislature of the State of Utah into Special Session at the State Capitol at Salt Lake City, Utah on the 17th day of June, 1982 at 10:00 a.m. for the following purposes:

1. To consider legislation which provides for the creation of a permanent community impact fund and the allocation of mineral lease bonus funds received from lease tracts Ua Ub.

2. To consider legislation amending the Utah Housing Finance Agency Act to allow the Agency Board to set the capital reserve fund requirement by resolution either in the form of a sum certain or on formula for a mortgage revenue bond issue and authorizing "Loans to Lenders" mortgage revenue financings for multi-family rental housing.

3. To appropriate money to Dixie College for the purpose of funding the completion of repairs to the running track.

4. To consider legislation removing the 8% interest rate limitation from the Water and Sewer District Act.

6. For the Senate to advise and consent to appointments made by the Governor of the State of Utah to Boards, Commissions, and positions within the Executive Branch of Government of the State of Utah since the close of the Budget Session of the 44th Legislature of the State of Utah.

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

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol in Salt Lake City, Utah, this 7th day of June, 1982.

Scott M. Matheson
Governor, State of Utah

Officers - Senator Karl N. Snow moved that the President and Officers of the Budget Session of the 44th Legislature be the officers for the Second Special Session. The motion carried.

Senate Rules - Senator Ronald T. Halverson moved that the Senate Rules of the Budget Session of the 44th Legislature be adopted as the rules for the Second Special Session. Motion carried.

Joint Rules - Senator Ronald T. Halverson moved that the Joint Rules of the Budget Session of the 44th Legislature be adopted as the Joint Rules for the Second Special Session. Motion carried.

House Notified - On motion of Senator Snow, the President appointed a committee comprised of Senators Cary G. Peterson, Eldon A. Money and Dona Wayment to notify the House of Representatives that the Senate is duly organized and ready to do business.

Governor Notified - President Ferry appointed a committee comprised of Senators Arnold Christensen, Omar B. Bunnell and Wayne L. Sandberg, to notify the Governor that the Senate is gathered in Second Special Session in accordance with his proclamation and that the Senate is duly organized and ready to receive any messages from him.

Daily Journal - President Ferry appointed Senators E. Verl Asay, Charles E. Bennett and Dona Wayment to read and revise the Daily Journal for the Second Special Session.

A committee from the House of Representatives comprised of Representatives Brockbank, Free and B. White appeared before the Senate and reported that the House is organized and ready to do business.

Senator C. Peterson reported that his committee had notified the House that the Senate is organized and ready to conduct business.

READING OF BILLS AND RESOLUTIONS

Senator Halverson, Rules Committee Chairman, moved that as provided by the Utah Constitution, the reading of the full title of all bills and resolutions on the Senate calendar be suspended as they are read the first time and introduced and as bills and resolutions are considered on Second and Third Reading Calendars and on Consent Calendar. Further that this motion apply to all bills and resolutions introduced and read during this Legislative Session, except as any Senator may request the reading of the full title of any House or Senate bill or resolution. The motion carried.

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Senator Christensen reported that his committee had notified the Governor that the Senate is organized and ready to conduct business. Governor Matheson advised the committee that he would like to address members of the Legislature in Joint Convention in the House Chambers at 10:30 a.m.

On motion of Senator Snow, and at 10:25 a.m., the Senate recessed with the understanding that all senators meet in front of the House of Representatives immediately in order to enter the House Chambers as a body to hear the Governor's message in Joint Convention. In further compliance with the Snow motion, the Senate is to reassemble in the Senate Chamber immediately following the Joint Convention.

JOINT CONVENTION

The Utah State Senate and House of Representatives met in Joint Convention in the House Chamber at 10:30 a.m.

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

President Ferry declared a quorum of Senate and House members present.

President Ferry appointed a Joint Committee comprised of Senators Arnold Christensen, Omar B. Bunnell and Wayne Sandberg and Representatives Sherman Harmer, Paul Rogers and Terry Williams to notify Governor Scott M. Matheson that the members of the 44th Legislature are in Joint Convention and ready to hear his message.

The Joint Committee returned escorting His Excellency, Governor Scott M. Matheson, Governor of the State of Utah.

President Ferry introduced the Governor to the Joint Convention.

On motion of Senator Snow, the Governor's remarks were ordered spread upon the pages of the House Journal.

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

The Senate reassembled in the Senate Chamber at 11:05 a.m.

INTRODUCTION OF BILL

HOUSING FINANCE AGENCY ACT MODIFICATIONS

S.B. No. 1 *Charles W. Bullen, Wilford R. Black, Jr.*

AN ACT RELATING TO THE UTAH HOUSING FINANCE AGENCY ACT; ENLARGING THE PURPOSES FOR WHICH THE AGENCY CAN MAKE LOANS TO LENDING INSTITUTIONS; CHANGING THE DEFINITION OF THE CAPITAL RESERVE FUND REQUIREMENT FOR THE AGENCY; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AMENDS SECTION 63-44A-11, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 190, LAWS OF UTAH 1975, AND SECTION 63-44A-12, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 31, LAWS OF UTAH 1982.

On motion of Senator Snow, and under suspension of the rules, the bill was read the first and second times and placed on Third Reading Calendar.

On motion of Senator Snow, the Senate voted to recess at 11:15 a.m. and reconvene at 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:35 p.m.

COMMUNICATION FROM THE HOUSE

Mr. President: June 17, 1982

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**, SUPPLEMENTAL APPROPRIATIONS — DIXIE COLLEGE, by Representative Schmutz, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, and under suspension of the rules, the bill was read the first and second times and placed on Third Reading Calendar.

INTRODUCTION OF BILL

FEDERAL MINERAL LEASE PAYMENTS

S.B. No. 2 *Glade M. Sowards, Omar B. Bunnell, Fred W. Finlinson*

AN ACT RELATING TO FEDERAL MINERAL LEASE PAYMENTS TO THE STATE; PROVIDING THAT BONUS AND OTHER LEASE-RELATED PAYMENTS BE DIRECTED INTO SPECIFIC FUNDS OR ACCOUNTS; ESTABLISHING THE PERMANENT COMMUNITY IMPACT FUND; PROVIDING FOR THE USAGE AND ADMINISTRATION OF THE AMOUNTS IN THIS FUND AND CERTAIN OTHER ACCOUNTS; AND BY CERTAIN APPROPRIATIONS BY THE LEGISLATURE; CREATING THE PERMANENT COMMUNITY IMPACT FUND BOARD IN REPLACEMENT OF THE NATURAL RESOURCES COMMUNITY IMPACT BOARD AND PROVIDING ITS COMPOSITION, FUNCTIONS, POWERS AND DUTIES; MAKING VARIOUS CHANGES IN FORM; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AMENDS SECTION 11-13-3, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 10, LAWS OF UTAH 1980, SECTION 51-5-4, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 22, LAWS OF UTAH 1978, SECTION 63-52-3, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 195, LAWS OF UTAH 1977, SECTION 63-52-4, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 234, LAWS OF UTAH 1979, SECTION 63-52-3.5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 25, LAWS OF UTAH 1980, SECTION 63-53-2, UTAH CODE ANNOTATED 1953, AS REPEALED AND REENACTED BY CHAPTER 126, LAWS OF UTAH 1981, SECTION 65-1-64, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 231, LAWS OF UTAH 1977, AND SECTION 65-1-64.5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 231, LAWS OF UTAH 1977; ENACTS SECTIONS 63-5-1.3 AND 63-52-1.5, UTAH CODE ANNOTATED 1953; REPEALS AND REENACTS SECTION 63-52-1, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 195, LAWS OF UTAH 1977; AND SECTION 63-52-2, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 234, LAWS OF UTAH 1979; AND REPEALS SECTION 65-1-115, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 73, LAWS OF UTAH 1982.

On motion of Senator Snow, and under suspension of the rules, the bill was read the first and second times and placed on Third Reading Calendar.

THIRD READING CALENDAR

S.B. No. 1, HOUSING FINANCE AGENCY ACT MODIFICATIONS, was, under suspension of the rules, read the third time and explained by Senator Bullen.

Senators Barton, Swan, Pugh and Matheson commented. On motion of Senator Bullen, the bill was amended as follows:

Page 1, Line 13:
After "*AGENCY*" insert "*AND MAKING PROVISION FOR THE ESTABLISHMENT OF RESERVES AND CAPITAL RESERVE FUND REQUIREMENTS*"

Page 9, Line 13:
After "*after*'*said*'*date*'*of*'*computation*''/" insert "*. In establishing reserves and setting capital reserve fund requirements, the agency shall consider the following: (i) the qualifications for obtaining an investment grade rating from one or more nationally recognized bond rating agencies; (ii) the economic feasibility and marketability of the bonds being issued, taking into account all security for the bonds, including the capital reserve fund; and (iii) applicable requirements pertaining to reserve funds under federal and state income tax laws and regulations*"

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

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sandberg
Barton	Considine	Matheson	Snow
Bennett	Cornaby	Money	Sowards
Black	Farley	Peterson, C.	Swan
Bullen	Finlinson	Peterson, L.	Wayment
Bunnell	Flamm	Pugh	Mr. President (Ferry)
Carling	Halverson		

Absent or not voting were: Senators

Bangerter	Barlow	Jeffs

S.B. No. 1, as amended, was transmitted to the House.

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H.B. No. 1, SUPPLEMENTAL APPROPRIATION — DIXIE COLLEGE, was, under suspension of the rules, read the third time, explained by Senator Matheson, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Christensen	Jones	Sandberg
Barton	Considine	Matheson	Snow
Bennett	Cornaby	Money	Sowards
Black	Farley	Peterson, C.	Swan
Bullen	Finlinson	Peterson, L.	Wayment
Bunnell	Flamm	Pugh	Mr. President (Ferry)
Carling	Halverson		

Absent or not voting were: Senators

Bangerter	Barlow	Jeffs

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

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On motion of Senator Snow, and at 2:10 p.m. the Senate voted to meet in Executive Session.

The Senate reconvened in Second Special Session at 3:00 p.m.

INTRODUCTION OF BILL

SUPPLEMENTAL APPROPRIATIONS ACT

S.B. No. 3 *James F. Considine, K.S. Cornaby, William T. 'Bill' Barton, Wilford R. Black, Frances Farley*

AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 1983 FOR THE USE AND SUPPORT OF CERTAIN STATE DEPARTMENTS AND AGENCIES OF STATE GOVERNMENT AND FOR OTHER PURPOSES AS IN THIS ACT PROVIDED; AND PROVIDING AN EFFECTIVE DATE.

On motion of Senator Snow, and under suspension of the rules, the bill was read the first and second times and placed on Third Reading Calendar.

APPOINTMENTS
by Governor Scott M. Matheson

On motion of Senator Cornaby, and, under suspension of the rules, the Senate voted to advise and consent in the affirmative to the following appointments:

Dear President Ferry: June 17, 1982

In accordance with Section 65-1-2, Utah Code Annotated, 1953, I propose to make the following appointments:

Robert Hanson, reappointed as a member of the Board of Alcoholism and Drugs for a term expiring April 1, 1983. Section 63-35-4, U.C.A., 1953.

William Athas, reappointed as a member of the Board of Alcoholism and Drugs for a term expiring April 1, 1983. Section 63-35-4, U.C.A., 1953.

Jack P. Anderson, appointed as a member of the Occupational Safety and Health Review Commission replacing Frank Calegory for a term expiring March 1, 1985. Section 35-9-12, U.C.A., 1953.

F.A. Mathie, reappointed as a member of the Occupational Safety and Health Review Commission for a term expiring March 1, 1985. Section 35-9-12, U.C.A., 1953.

Elaine Weis, appointed as the Commissioner of the Department of Financial Institutions replacing Mirvin D. Morthick for a term expiring April 1, 1985 or at the pleasure of the Governor. Section 7-1-202, U.C.A., 1953.

J. Ralph Atkin, appointed as a member of the Board of Travel Development replacing James W. Carrico for a term expiring July 1, 1983. Section 63-16-2, U.C.A., 1953.

William A. Saari, reappointed as a member of the Board of Real Estate Examiners for a term expiring June 30, 1985. Section 61-2-6, U.C.A., 1953, as amended by Senate Bill 107, 1981 General Session.

Paul L. Gillette, reappointed as a member of the Retirement Board for a term expiring June 30, 1988. Section 49-9-3, U.C.A., 1953.

Dr. LeRoy G. Faerber, appointed as a member of the Retirement Board replacing Wendell Hansen for a term expiring June 30, 1983. Section 49-9-3, U.C.A., 1953.

Bruce Brandler, reappointed as a member of the Health Facilities Council for a term expiring July 1, 1986. Senate Bill 74, 1981 General Session.

Winslow Young, reappointed as a member of the Health Facilities Council for a term expiring July 1, 1986. Senate Bill 74, 1981 General Session.

Bart Anderson, reappointed as a member of the Health Systems Agency for a term expiring July 1, 1985. Section 26-1-7.5, U.C.A., 1953, as amended by Senate Bill 15, 1981 General Session.

David LeSueur, reappointed as a member of the Health Systems Agency for a term expiring July 1, 1985. Section 26-1-7.5, U.C.A., 1953, as amended by Senate Bill 15, 1981 General Session.

Robert Furlow, appointed as a member of the Health Systems Agency replacing John Harris for a term expiring July 1, 1984. Section 26-1-7.5, U.C.A., 1953, as amended by Senate Bill 15, 1981 General Session.

Philip Condie, reappointed as a member of the Health Systems Agency for a term expiring July 1, 1985. Section 26-1-7.5, U.C.A., 1953, as amended by Senate Bill 15, 1981 General Session.

Dr. Chase Peterson, reappointed as a member of the Health Systems Agency for a term expiring July 1, 1985. Section 26-1-7.5, U.C.A., 1953, as amended by Senate Bill 15, 1981 General Session.

Craig Smedley, appointed as a member of the Health Systems Agency replacing Jack Massimino for a term expiring July 1, 1984. Section 26-1-7.5, U.C.A., 1953, as amended by Senate Bill 15, 1981 General Session.

Commissioner Boyd Storey, reappointed as a member of the Health Systems Agency for a term expiring July 1, 1985. Section 26-1-7.5, U.C.A., 1953, as amended by Senate Bill 15, 1981 General Session.

Eddie P. Mayne, reappointed as a member of the Health Systems Agency for a term expiring July 1, 1985. Section 26-1-7.5, U.C.A., 1953, as amended by Senate Bill 15, 1981 General Session.

Laurie D. Holley, reappointed as a member of the Health Systems Agency for a term expiring July 1, 1985. Section 26-1-7.5, U.C.A., 1953, as amended by Senate Bill 15, 1981 General Session.

Wesley Maughan, reappointed as a member of the Health Systems Agency for a term expiring July 1, 1985. Section 26-1-7.5, U.C.A., 1953, as amended by Senate Bill 15, 1981 General Session.

Gary Farnes, reappointed as a member of the Health Systems Agency for a term expiring July 1, 1985. Section 26-1-7.5, U.C.A., 1953, as amended by Senate Bill 15, 1981 General Session.

Mayor William H. Levitt, reappointed as a member of the Health Systems Agency for a term expiring July 1, 1985. Section 26-1-7.5, U.C.A., 1953, as amended by Senate Bill 15, 1981 General Session.

Richard A. Van Winkle, reapointed as a member of the Health Advisory Council for a term expiring July 1, 1986. Senate Bill 74, 1981 General Session.

Alberta Henry, reappointed as a member of the Health Advisory Council for a term expiring July 1, 1986. Senate Bill 74, 1981 General Session.

James Davis, appointed as a member of the Emergency Medical Services Committee replacing David Henrie for a term expiring July 1, 1986. Section 26-8-3, U.C.A., 1953, as amended by Senate Bill 74, 1981 General Session.

Stewart Jones, reappointed as a member of the Emergency Medical Services Committee for a term expiring July 1, 1986. Section 26-8-3, U.C.A., 1953, as amended by Senate Bill 74, 1981 General Session.

Dale T. Browning, appointed as a member of the Liquor Control Commission replacing Marlin K. Jensen for a term expiring July 1, 1986. Sections 32-1-4.5 and 32-1-5, U.C.A., 1953.

S.C. (Chris) Johnson, reappointed as a member of the Liquor Control Commission for a term expiring July 1, 1986. Sections 32-1-4.5 and 32-1-5, U.C.A., 1953.

Charles Morton, reappointed as a member of the Passenger Tramway Safety Committee for a term expiring July 1, 1985. Section 63-11-39, U.C.A., 1953.

Art Carroll, reappointed as a member of the Passenger Tramway Safety Committee for a term expiring July 1, 1985. Section 63-11-39, U.C.A., 1953.

Gary Kennedy, appointed as a member of the Youth Corrections Board replacing Betty Gillespie for a term expiring April 1, 1985. House Bill 263, 1981 General Session.

Karl F. Keeler, appointed as a member of the Disaster Emergency Advisory Council replacing Kent White for a term expiring at the pleasure of the Governor. Senate Bill 70, 1981 General Session.

W. Lynn Cottrell, appointed as a member of the Safe Drinking Water Committee replacing G. William Petuskey for a term expiring May 8, 1983. Section 26-36-3, U.C.A., 1953, as amended by Senate Bill 149, 1979 General Session.

Lloyd G. Bliss, appointed as a member of the Committee on Water Pollution replacing G. William Petuskey for a term expiring March 1, 1983. Section 73-14-3, U.C.A., 1953.

Stephen T. Gillmore, appointed as Commissioner of Agriculture replacing Kenneth B. Creer for a term expiring at the pleasure of the Governor. Section 4-1-3, U.C.A., 1953, as amended.

D. Clive Winn, appointed as Director of the Division of Peace Officer Training replacing Joe M. Borich for a term expiring at the pleasure of the Governor. Section 67-15-2, U.C.A., 1953.

Homey Secakuku, appointed as a member of the Board of Indian Affairs replacing Ruby Black for a term expiring March 1, 1985. Section 63-36-2, U.C.A., 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

PRESENTATION OF RESOLUTION

MARK PAXTON RESOLUTION

S.C.R. No. 1 *Cary G. Peterson*

A CONCURRENT RESOLUTION OF THE SECOND SPECIAL SESSION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH, THE GOVERNOR CONCURRING THEREIN; EXPRESSING GRATITUDE FOR THE SERVICES OF MARK PAXTON AND EXPRESSING CONDOLENCES TO HIS FAMILY UPON HIS PASSING.

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

WHEREAS, Mark Paxton was first elected to the Utah Legislature in 1940 and served in both the 24th and 26th Legislatures as a member of the House of Representatives; and in the 29th and 30th Legislatures as a Senator and served as President of the Senate in the 30th Legislature;

WHEREAS, with his death on March 14, 1982 at the age of 75, Mark Paxton leaves a legacy of a lifetime of service to his community;

WHEREAS, Mark Paxton was a successful farmer and businessman and was active in promoting the economic well-being of his community;

WHEREAS, Mark Paxton recently served two years as mayor of Fillmore;

WHEREAS, Mark Paxton served on the Advisory Council to the Utah National Guard and helped to establish the first National Guard unit in the city of Fillmore;

WHEREAS, Mark Paxton served as a member and officer of many political, civic and charitable organizations in his community, unselfishly contributing his time, service and resources;

WHEREAS, Mark Paxton also served in many statewide organizations including Pro Utah, the State Health Board, the Finance Department Advisory Council, the Civil Defense Council and the IPP Board;

WHEREAS, Mark Paxton represented Utah in multistate organizations such as the Council of State Governments; and

WHEREAS, he is survived by his wife Nelda Paxton, three daughters, nine grandchildren, one brother and one sister.

NOW, THEREFORE, BE IT RESOLVED, that the Second Special Session of the 44th Legislature of the State of Utah, the Governor concurring therein, hereby express its gratitude and recognition for the outstanding contribution that Mark Paxton made during his lifetime towards the betterment of his community, state and nation and does hereby express its deep sense of loss to his family.

BE IT FURTHER RESOLVED, that the Lieutenant Governor is directed to forward a copy of this Resolution to the wife and family of Mark Paxton as an expression of the condolences of the Legislature and the Governor at the death of this community-minded man.

On motion of Senator Snow, and under suspension of the rules, the resolution was read the first, second and third times and passed unanimously by all senators present. Senators Asay, Bangerter, Bullen, Finlinson, Flamm, Halverson, Jeffs, Sandberg and Sowards were absent. **S.C.R. No. 1** was transmitted to the house.

APPOINTMENT
by Governor Scott M. Matheson

Senator K.S. Cornaby, Chairman of the Committee on Appointments, asked that, under suspension of the rules, the following appointment by the Governor be considered.

> **Glen Taggart,** appointed as a member of the Board of Regents replacing Jay Dee Harris for a term expiring June 30, 1985. Section 53-48-5, U.C.A., 1953.

The Senate voted to advise and consent in the affirmative to Glen Taggart's appointment to the Board of Regents.

Senators Matheson, Barton and Asay voted against the appointment with each expressing respect and admiration for Dr. Taggart, and stating that their concern is with the Board of Regents.

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On motion of Senator Snow, **S.B. No. 2** is circled.

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S.B. No. 3, SUPPLEMENTAL APPROPRIATIONS ACT, was, under suspension of the rules, read the third time. Senators Considine, Snow, Jones and Wayment commented.

On motion of Senator Snow, **S.B. No. 8** is circled.

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The Senate recessed for Republican Party Caucus at 3:40 p.m. The Senate reassembled at 4:40 p.m.

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On motion of Senator Snow, the circle was removed from **S.B. No. 2, FEDERAL MINERAL LEASE PAYMENT** and, under suspension of the rules, the bill was read the third time and, on motion of Senator Finlinson amended as follows:

Page 24, Line 15:
Insert *"Section 13. For fiscal year 1983 there is appropriated $25 million for the purposes of this act which amount is in addition to those funds appropriated as item 76 in House Bill 158 of the 1982 Budget Session."*

Page 24, Line 15:
Following *"Section"* delete *"13"* and insert *"14"*

Page 24, Line 17:
Following *"Section"* delete *"14"* and insert *"15"*

Senator Cornaby proposed the following amendments:

1. Page 9, Line 28:
   Delete *"and"*

2. Page 9, Line 30:
   Delete "." and insert in its place "; *and* "

3. Page 9, Between Lines 30 and 31:
   Insert: *"(h) The chairman of the board of family services, or his designee."*

4. Page 10, Line 3:
   After *"designee"* insert *", who may vote only in case of a tie vote among the other members of the impact board voting on any matter."*

Senators Bunnell and Finlinson commented. Senator Swan proposed an amendment to the Cornaby amendments that failed.

Senator Finlinson's motion to amend Senator Cornaby's amendment by deleting the following carried:

4. Page 10, Line 3:
After *"designee"* insert *", who may vote only in case of a tie vote among the other members of the impact board voting on any matter."*

The Senate voted to incorporate Senator Cornaby's amendments Nos. 1, 2 and 3 in the bill.

Senators Sowards and Bangerter commented. Senator Bangerter proposed amendments. Senator Finlinson and Bunnell commented. The Bangerter amendments failed. Senators Sowards, Jones, Bunnell, Matheson, C. Peterson and Swan commented.

Senator Barton proposed a 4% minimum interest rate on the loans. Senator Jones, Pugh and Sowards commented. On motion of Senator Bangerter the bill and amendments will remain as unfinished business.

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On motion of Senator Finlinson, the circle was removed from **S.B. No. 3.**

COMMUNICATION FROM THE HOUSE

Mr. President: June 17, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate, under suspension of the rules, **S.B. No. 1,** HOUSING FINANCE AGENCY ACT MODIFICATIONS, by Senator Charles W. 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. 1 was signed by the President of the Senate and transmitted to the Committee on Rules to be enrolled and transmitted to the Governor.

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On motion of Senator Snow and at 5:45 p.m., the Senate adjourned until 9:00 a.m., Friday, June 18, 1982.

SECOND DAY

MORNING SESSION

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

Prayer — Senator Ivan M. Matheson

Roll Call — All senators present except Senators Jeffs, Sandberg and Halverson.

COMMUNICATION FROM THE GOVERNOR

Members of the 44th Legislature: June 17, 1982

In addition to the matters listed on the proclamation dated June 7, 1982, calling the 44th Legislature of the State of Utah into the Second Special Session on June 17, 1982, I hereby authorize and request you to consider and enact an addendum to the call that would allow:

1. The creation of the Utah State Supplemental Unemployment Benefit Program to add state benefits up to 13 weeks for persons who have exhausted the existing regular and extended unemployment benefits.

2. Legislation authorizing the seizure and impoundment of motor vehicles when the officer has charged a person for oprating a motor vehicle under the influence of drugs and alcohol.

3. The appropriation of funds to enable the Department of Social Services to pass on to public assistance recipients a 4% cost of living increase.

4. Legislation which amends the Utah State Code to provide the inclusion of "medium income" persons within the purview of the purposes of the housing authorities.

5. A concurrent resolution memorializing former Mayor and State Senator Mark Paxton.

6. A concurrent resolution memorializing University of Utah Professor Jerry R. Anderson.

7. A concurrent resolution memorializing the Utah Congressional Delegation to oppose the federal regulation of state and local pension plans.

8. Legislation requiring selection by lot, to determine the precinct and at-large member, for those reapportioned school board precincts in which two or more current members whose terms extend beyond November, 1982 reside; and requiring that a vacancy in a reapportioned precinct be filled in the next general election.

Scott M. Matheson
Governor, State of Utah

COMMUNICATIONS FROM THE HOUSE

Mr. President: June 17, 1982

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. 3,** WATER AND SEWER DISTRICT MODIFICATIONS, by Representative Gayle F. 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, under suspension of the rules, as amended, **H.J.R. No. 1,** NATIONAL STRATEGY OF PEACE THROUGH STRENGTH, by Representative P. Lloyd 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, under suspension of the rules, **H.J.R. No. 2,** MELVIN E. LESLIE, by Representative LeRay McAllister, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Bangerter, and under suspension of the rules, **H.B. No. 3** and **H.J.R. No. 1** and **2** were read the first and second times and placed on Third Reading Calendar.

PRESENTATION OF RESOLUTION

FEDERAL REGULATION OF STATE AND LOCAL PENSION PLANS

S.C.R. No. 2 *Karl N. Snow, Jr.*

A CONCURRENT RESOLUTION OF THE 44TH LEGISLATURE OF THE STATE OF UTAH IN SECOND SPECIAL SESSION MEMORIALIZING THE UTAH CONGRESSIONAL DELEGATION TO OPPOSE THE MOVE IN CONGRESS TO FEDERALLY REGULATE STATE AND LOCAL PENSION PLANS.

On motion of Senator Snow, and under suspension of the rules, the resolution was read the first and second times and placed on Third Reading Calendar.

INTRODUCTION OF BILLS

WATER AND SEWER DISTRICT AMENDMENTS

S.B. No. 4 *Fred W. Finlinson, Omar B. Bunnell*

AN ACT RELATING TO WATER AND SEWER DISTRICTS; CLARIFYING AND ENLARGING THE POWERS OF THESE DISTRICTS PARTICULARLY AS RELATING TO THE INTERLOCAL CO-OPERATION ACT; INCLUDING TAX EQUIVALENT PROPERTY IN COMPUTING DEBT LIMITS OF DISTRICTS; ELIMINATING CERTAIN INTEREST RESTRICTIONS ON BONDS BEING ISSUED AND RELATING THEM TO THE MUNICIPAL BOND ACT; UPDATING AND ALTERING THE FORM OF CERTAIN LANGUAGE; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AMENDS SECTIONS 17-6-3.3 AND 17-6-3.5, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 7, LAWS OF UTAH 1970, SECTION 17-6-3.2, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 29, LAWS OF UTAH 1953, SECTION 17-6-3.6, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 24, LAWS OF UTAH 1963, AND SECTION 17-6-3.8, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 75, LAWS OF UTAH 1977.

On motion of Senator Bangerter, and under suspension of the rules, the bill was read the first and second times and placed on Third Reading Calendar.

UTAH STATE SUPPLEMENTAL EXTENDED BENEFITS ACT

S.B. No. 5 *Wilford R. Black, Jr.*

AN ACT RELATING TO UNEMPLOYMENT COMPENSATION; PROVIDING FOR 13 WEEKS OF SUPPLEMENTAL BENEFITS FOR PERSONS WHO HAVE EXHAUSTED REGULAR AND EXTENDED BENEFITS; PROVIDING ELIGIBILITY CRITERIA; PROVIDING FOR TERMINATION OF SUPPLEMENTAL BENEFITS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT ENACTS SECTION 35-4-3.6, UTAH CODE ANNOTATED 1953.

On motion of Senator Black, and under suspension of the rules, the bill was read the first and second times and placed on Third Reading Calendar.

THIRD READING CALENDAR

H.J.R. No. 2, MELVIN E. LESLIE RESOLUTION was, under suspension of the rules, 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	Flamm	Pugh
Bangerter	Carling	Jones	Snow
Barlow	Christensen	Matheson	Sowards
Barton	Considine	Money	Swan
Bennett	Cornaby	Peterson, C.	Wayment
Black	Farley	Peterson, L.	Mr. President (Ferry)
Bullen	Finlinson		

Absent or not voting were: Senators

Halverson	Jeffs	Sandberg

H.J.R. No. 2 was signed by the President of the Senate and returned to the House for further action.

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On motion of Senator Snow, **H.J.R. No. 1** is circled.

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S.C.R. No. 2, FEDERAL REGULATION OF STATE AND LOCAL PENSION PLANS, was, under suspension of the rules, read the third time. On motion of Senator Snow, the resolution was amended as follows:

Page 1, Line 25:
After *"is"* insert *"possibly"*

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

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Bunnell	Flamm	Pugh
Bangerter	Carling	Jones	Snow
Barlow	Christensen	Matheson	Sowards
Barton	Considine	Money	Swan
Bennett	Cornaby	Peterson, C.	Wayment
Black	Farley	Peterson, L.	Mr. President (Ferry)
Bullen	Finlinson		

Absent or not voting were: Senators

Halverson	Jeffs	Sandberg

S.C.R. No. 2 is transmitted to the House.

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H.B. No. 3, WATER AND SEWER DISTRICT MODIFICATIONS, was, under suspension of the rules, read the third time. Senator Finlinson explained the bill. Senators Bullen, Matheson, Christensen, Farley, Bunnell and Pugh commented. Senator Finlinson proposed an amendment that failed. The bill passed on the following roll call:

Yeas, 22; Nays, 6; Absent, 1

Voting in the affirmative were: Senators

Bangerter	Carling (expl.)	Jones	Snow
Barlow	Considine	Peterson, C.	Sowards
Barton	Farley	Peterson, L.	Swan
Black	Finlinson (expl.)	Pugh	Wayment
Bullen (expl.)	Flamm	Sandberg	Mr. President (Ferry)
Bunnell	Halverson (expl.)		

Voting in the negative were: Senators

Asay	Christensen	Matheson (expl.)	Money
Bennett	Cornaby		

Absent or not voting were: Senator
Jeffs

H.B. No. 3 was signed by the President of the Senate and returned to the House for further action.

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On motion of Senator Snow, **S.B. Nos. 2** and **3** were circled.

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On motion of Senator Finlinson, **S.B. No. 4** is tabled on Third Reading Calendar.

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On motion of Senator Snow, the circle is removed from **S.B. No. 2,** FEDERAL MINERAL LEASE PAYMENTS, and, under suspension of the rules, Senator Pugh's proposed substitute amendments to the pending Barton amendments and on motion of Senator Pugh the bill was amended as follows:

Page 10, Line 27:
After *"subdivision."* insert *"The average annual return to the impact fund on all bonus monies shall not be less than one-half of the average interest rate paid by the state on general obligation bonds issued during the most recent fiscal year in which bonds were sold."*

On motion of Senator Barlow, the bill was amended as follows:

Page 12, Line 30:
After *"indebtedness;"* insert *"except that the impact board shall not fund any education project which could otherwise have reasonably been funded by a school district through a program of annual budgeting, capital budgeting, bonded indebtedness or special assessments."*

Senator Farley proposed an amendment that failed. Senators Sowards, Pugh, Swan, Bunnell, C. Peterson, Jones, Barlow, Farley, Matheson, Bangerter, Finlinson and Halverson commented.

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

Yeas, 23; Nays, 5; Absent, 1

Voting in the affirmative were: Senators

Barlow	Carling	Halverson (expl.)	Snow
Barton	Christensen	Jones	Sowards
Bennett	Considine	Money	Swan
Black	Farley	Peterson, C.	Wayment
Bullen	Finlinson	Peterson, L.	Mr. President (Ferry)
Bunnell	Flamm	Pugh	

Voting in the negative were: Senators

Asay	Cornaby	Matheson (expl.)	Sandberg
Bangerter			

Absent or not voting were: Senators
Jeffs

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

INTRODUCTION OF BILL

DRUNK DRIVING AMENDMENT

S.B. No. 6 *Dona M. Wayment, Karl N. Snow, Jr.*

AN ACT RELATING TO MOTOR VEHICLES; PROVIDING THAT CONVICTION OF ANY PERSON WITH A BLOOD ALCOHOL CONTENT OF .10% OR GREATER DRIVING OR BEING IN ACTUAL PHYSICAL CONTROL OF ANY VEHICLE IS PUNISHABLE AS PRESENTLY PROVIDED IN SECTION 41-6-44.

THIS ACT AMENDS SECTION 41-6-44.2, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 80, LAWS OF UTAH 1973.

On motion of Senator Snow, and under suspension of the rules, the bill was read the first, second and third times and before the Senate. Senators Snow, Wayment and Black commented. On motion of Senator Halverson, the bill is circled.

The Senate sauntered at 11:30 a.m. and reassembled at 11:35 p.m.

On motion of Senator Wayment, the circle is removed and **S.B. No. 6** passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2

Voting in the affirmative were: Senators

Asay	Carling	Jones	Sandberg
Bangerter	Christensen	Matheson	Snow
Barlow	Considine	Money	Sowards
Barton	Farley	Peterson, C.	Swan (expl.)
Bennett	Finlinson	Peterson, L.	Wayment
Bullen	Flamm	Pugh	Mr. President (Ferry)
Bunnell	Halverson		

Voting in the negative were: Senators
Black

Absent or not voting were: Senators
Cornaby Jeffs

S.B. No. 6 is transmitted to the House.

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On motion of Senator Snow, the Senate voted to recess until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:45 p.m. with President Miles 'Cap' Ferry presiding.

COMMUNICATION FROM THE GOVERNOR

Members of the 44th Legislature: June 18, 1982

In addition to the matters listed on the proclamation dated June 7, 1982, calling the 44th Legislature of the State of Utah into the Second Special Session on June 17, 1982, I hereby authorize and request you to consider and enact an addendum to the call:

1. To make the Lien and Judgement Executive Fund established in the 1982 Legislative Session (SB 87, Item 5) a non-lapsing, revolving fund.

2. To allow $273,800 in general funds appropriated to the Division of Liquor and Narcotics Enforcement to be non-lapsing at the end of fiscal year 1981-82.

3. To permit the unallocated mineral lease funds at the close of the 1981-82 fiscal year to lapse to the general fund.

Scott M. Matheson
Governor, State of Utah

COMMUNICATIONS FROM THE HOUSE

Mr. President: June 18, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 4**, HOUSING AUTHORITIES AMENDMENTS, by Representative Harmer, 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. 5**, SCHOOL BOARD TERMS, by Representative Farnsworth, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow and, under suspension of the rules, **H.B. Nos. 4** and **5** were read the first and second times and placed on Third Reading Calendar.

THIRD READING CALENDAR

S.B. No. 5, UTAH STATE SUPPLEMENTAL EXTENDED BENEFITS ACT, was, under suspension of the rules, read the third time and explained by Senator Black. Senators Pugh and Considine commented.

Senator Snow's motion to circle the bill passed on the following roll call:

Yeas, 18; Nays, 10; Absent, 1

Voting in the affirmative were: Senators

Asay	Christensen	Peterson, C.	Snow
Bangerter	Cornaby	Peterson, L.	Sowards
Barlow	Finlinson	Pugh	Wayment
Bullen	Jones	Sandberg	Mr. President (Ferry)
Carling	Matheson		

Voting in the negative were: Senators

Barton	Bunnell	Flamm	Money
Bennett	Considine	Halverson	Swan
Black	Farley (expl.)		

Absent or not voting were: Senator
Jeffs

S.B. No. 5 is circled. Senators Black and C. Peterson commented.

COMMUNICATION FROM THE HOUSE

Mr. President: June 18, 1982

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,** IMPOUNDMENT OF VEHICLES, by Representative Johnson, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Snow, and under suspension of the rules, the bill was read the first and second times and placed on Third Reading Calendar.

• • •

H.B. No. 4, HOUSING AUTHORITIES AMENDMENTS, was, 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	Flamm	Pugh
Bangerter	Carling	Halverson	Sandberg
Barlow	Christensen	Jones	Snow
Barton	Considine	Matheson	Sowards
Bennett	Cornaby	Money	Swan
Black	Farley	Peterson, C.	Wayment
Bullen	Finlinson	Peterson, L.	Mr. President (Ferry)

Absent or not voting were: Senators
Jeffs

H.B. No. 4 was signed by the President of the Senate and returned to the House for further action.

• • •

H.B. No. 5, SCHOOL BOARD TERMS, was, under suspension of the rules, read the third time, and explained by Senator Pugh. Senators Swan, Barton and Bennett commented and the bill passed on the following roll call:

Yeas, 24; Nays, 3; Absent, 2

Voting in the affirmative were: Senators

Asay	Bullen	Farley	Sandberg
Bangerter	Bunnell	Finlinson (expl.)	Snow
Barlow	Carling	Flamm	Sowards
Barton	Christensen	Jones	Swan
Bennett	Considine	Peterson, C.	Wayment
Black	Cornaby	Pugh	Mr. President (Ferry)

Voting in the negative were: Senators

Halverson	Matheson	Money

Absent or not voting were: Senators

Jeffs	Peterson, L.

H.B. No. 5 was signed by the Presidetn of the Senate and returned to the House for further action.

• • •

H.B. No. 6, IMPOUNDMENT OF VEHICLES, was, under suspension of the rules, read the third time and on motion of Senator Finlinson, the bill was circled.

PRESENTATION OF RESOLUTION

JERRY D. ANDERSON

S.C.R. No. 3 *Fred W. Finlinson, Omar B. Bunnell*

A CONCURRENT RESOLUTION OF THE SECOND SPECIAL SESSION OF THE LEGISLATURE OF THE STATE OF UTAH, THE GOVERNOR CONCURRING THEREIN, EXPRESSING CONDOLENCES TO THE FAMILY OF JERRY R. ANDERSON, AND RECOGNIZING HIS SIGNIFICANT CONTRIBUTION TO EDUCATION IN UTAH.

On motion of Senator Finlinson, and under suspension of the rules, the resolution was read the first, second and third times and passed on a unanimous vote

of all senators present. Senator Barton, Jeffs, Jones, L. Peterson and Sowards were absent. **S.C.R. No. 3** was transmitted to the House.

* * *

The House sauntered at 3:35 p.m. and reassembled at 3:45 p.m.

On motion of Senator Snow, the circle was removed from **H.B. No. 6,** IMPOUNDMENT OF VEHICLES, and the bill was before the Senate. Senators Black, Finlinson, and Swan commented. Senator Black proposed amendments that failed.

On motion of Senator Finlinson, and under suspension of the rules, **H.B. No. 6** was amended as follows:

Page 3, Line 16:
After line 16 add the following new Section 2.

"Section 2. Section 41-6-44.2, Utah Code Annotated 1953, as enacted by Chapter 80, Laws of Utah 1973, is amended to read:

41-6-44.2. (a) It is unlawful and punishable as provided in subsection (b) of this section for any person with a blood alcohol content of .10% or greater, by weight, to drive or be in actual physical control of any vehicle within this state.

(b) Every person who is convicted of a violation of this section shall be punished [~~by imprisonment for not less than thirty days nor more than six months, by a fine of not less than $100 nor more than $299, or by both~~] as provided in section 41-6-44.

Page 1, Line 15:
After *"RELEASED"* delete the period and insert *"; PROVIDING THAT CONVICTION OF ANY PERSON WITH A BLOOD ALCOHOL CONTENT OF .10% OR GREATER DRIVING OR BEING IN ACTUAL PHYSICAL CONTROL OF ANY VEHICLE IS PUNISHABLE AS PRESENTLY PROVIDED IN SECTION 41-6-44."*

Page 1, Line 16:
After *"1953"* delete the period and insert *"; AMENDS SECTION 41-6-44.2, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 80, LAWS OF UTAH 1973.*

On motion of Senator Finlinson, the rules were suspended and the bill passed on the following roll call:

Yeas, 23; Nays, 3; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Halverson	Sandberg
Bangerter	Christensen	Jones	Snow
Barlow	Cornaby	Matheson	Sowards
Barton	Farley	Peterson, C.	Wayment
Bennett	Finlinson	Peterson, L.	Mr. President (Ferry)
Bullen	Flamm	Pugh	

Voting in the negative were: Senators

Black (expl.)	Considine (expl.)	Swan (expl.)

Absent or not voting were: Senators

Bunnell	Jeffs	Money

H.B. No. 6, as amended, was returned to the House.

• • •

On motion of Senator Cornaby, **H.J.R. No. 1** was tabled on Third Reading Calendar.

The Senate sauntered at 4:20 p.m. and reassembled at 4:40 p.m.

INTRODUCTION OF BILL

SUPPLEMENTAL APPROPRIATIONS ACT

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

AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEARS ENDING JUNE 30, 1982 AND JUNE 30, 1983 FOR THE USE AND SUPPORT OF CERTAIN STATE DEPARTMENTS AND AGENCIES OF STATE GOVERNMENT AND FOR OTHER PURPOSES AS IN THIS ACT PROVIDED, AND PROVIDING AN EFFECTIVE DATE.

On motion of Senator Cornaby, and under suspension of the rules, the bill was read the first, second and third times and passed on the following roll call:

Yeas, 22; Nays, 2; Absent, 5

Voting in the affirmative were: Senators

Asay	Bullen	Jones	Sandberg
Bangerter	Bunnell	Matheson	Snow
Barlow	Considine	Peterson, C.	Sowards
Barton	Cornaby	Peterson, L.	Swan
Bennett	Farley	Pugh	Wayment
Black	Finlinson		

Voting in the negative were: Senators

Flamm	Mr. President (Ferry)		

Absent or not voting were: Senators

Carling	Halverson	Jeffs	Money
Christensen			

S.B. No. 7 was transmitted to the House.

• • •

Senator Black's motion to uncircle **S.B. No. 5**, UTAH STATE SUPPLEMENTAL EXTENDED BENEFITS ACT, failed on the following roll call:

Yeas, 7; Nays, 18; Absent, 4

Voting in the affirmative were: Senators

Barton	Black	Considine	Swan
Bennett	Bunnell	Farley (expl.)	

Voting in the negative were: Senators

Asay	Cornaby	Peterson, C.	Snow
Bangerter	Finlinson	Peterson, L.	Sowards
Barlow	Flamm	Pugh	Wayment
Bullen	Jones	Sandberg	Mr. President (Ferry)
Carling	Matheson		

Absent or not voting were: Senators

Christensen	Halverson	Jeffs	Money

• • •

The Senate sauntered at 4:45 p.m. and reassembled at 6:30 p.m.

COMMUNICATION FROM THE HOUSE

Mr. President: June 18, 1982

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**, JERRY R. ANDERSON, 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, under suspension of the rules, **S.C.R. No. 2**, FEDERAL REGULATION OF STATE AND LOCAL PENSION PLANS, by Senator Snow, 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. 2 and **3** were signed by the President of the Senate, and referred to the Committee on Rules to be enrolled and transmitted to the Governor.

• • •

Mr. President: June 18, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, under suspension of the rules, **S.B. No. 2**, FEDERAL MINERAL LEASE PAYMENTS, by Senator Sowards, et al, and the same is transmitted herewith for 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, 22; Nays, 2; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Matheson	Snow
Barlow	Considine	Peterson, C.	Sowards
Barton	Farley	Peterson, L.	Swan
Bennett	Finlinson	Pugh	Wayment
Bullen	Flamm	Sandberg	Mr. President (Ferry)
Bunnell	Halverson		

Voting in the negative were: Senators
Bangerter Cornaby

Absent or not voting were: Senators
Black Jeffs Jones Money
Christensen

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

• • •

Mr. President: June 18, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, as amended, **S.B. No. 7,** SUPPLEMENTAL APPROPRIATIONS ACT, by Senator Cornaby, and the same is transmitted herewith for Senate 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. **S.B. No. 7** was transmitted to the House.

• • •

The Senate sauntered at 6:45 p.m., and reassembled at 7:00 p.m.

• • •

Mr. President: June 18, 1982

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,** IMPOUNDMENT OF VEHICLES, by Representative Johnson 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 of the Senate and returned to the House for further action.

• • •

On motion of Senator Snow, the circle is removed from **S.B. No. 8,** SUPPLEMENTAL APPROPRIATION ACT.

The Senate recessed for Republican Party caucus at 7:05 p.m., and reassembled at 7:25 p.m.

On motion of Senator Snow, **Substitute S.B. No. 3** replaced the original bill. On motion of Senator Bullen, the bill was amended as follows:

Page 2, Line 6:
Delete the period and add *"to be located in Utah County."*

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

Yeas, 21; Nays, 2; Absent, 6

Voting in the affirmative were: Senators

Bangerter (expl.)	Bunnell	Flamm	Snow
Barlow	Carling	Halverson	Sowards
Barton (expl.)	Considine	Matheson (expl.)	Swan
Bennett	Farley	Peterson, C.	Wayment
Black (expl.)	Finlinson (expl.)	Pugh	Mr. President (Ferry)
Bullen			

Voting in the negative were: Senators

Cornaby	Sandberg (expl.)

Absent or not voting were: Senators

Asay	Jeffs	Money	Peterson, L.
Christensen	Jones		

Substitute S.B. No. 3, as amended, was transmitted to the House.

INTRODUCTION OF BILL

CORRECTIONAL FACILITIES AMENDMENTS

S.B. No. 8 *Karl N. Snow*

AN ACT RELATING TO CORRECTIONAL FACILITIES; EXEMPTING CORRECTIONAL FACILITIES FROM THE GENERAL RULE-MAKING AUTHORITY AND REGULATIONS OF THE STATE FIRE PREVENTION BOARD AND THE STATE FIRE MARSHAL; DIRECTING THE FIRE MARSHAL TO RECOMMEND LIFE SAFETY PROVISIONS TO THE STATE BOARD OF CORRECTIONS AND THE DIVISION OF FACILITIES CONSTRUCTION AND MANAGEMENT WITH REGARD TO STATE CORRECTIONS FACILITIES; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AMENDS SECTION 63-29-7, UTAH CODE ANNOTATED 1953, AS LAST AMENDED BY CHAPTER 251, LAWS OF UTAH 1981.

On motion of Senator Snow, and under suspension of the rules, the bill was read the first, second and third times, explained by Senator Snow and passed on the following roll call:

Yeas, 20; Nays, 3; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Bullen	Farley	Pugh
Barlow	Bunnell	Finlinson	Snow
Barton	Carling	Flamm	Sowards
Bennett	Considine	Matheson	Wayment
Black	Cornaby	Peterson, C.	Mr. President (Ferry)

Voting in the negative were: Senators

Halverson	Sandberg	Swan

Absent or not voting were: Senators

Asay	Jeffs	Money	Peterson, L.
Christensen	Jones		

S.B. No. 8 was transmitted to the House.

• • •

The Senate sauntered at 7:45 p.m. and reassembled at 8:30 p.m.

COMMUNICATION FROM THE HOUSE

Mr. President: June 18, 1982

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. 7**, SUPPLEMENTAL APPROPRIATIONS ACT, by Senator K. S. Cornaby, and has appointed a Conference Committee consisting of Representatives Rogers, Fox and Maxwell, 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, Bunnell and Flamm.

COMMUNICATION FROM THE GOVERNOR

Members of the 44th Legislature: June 18, 1982

In addition to the matters listed on the proclamation dated June 7, 1982, calling the 44th Legislature of the State of Utah into the Second Special Session on June 17, 1982, I hereby authorize and request you to consider and enact an addendum to the call:

1. Legislation amending section 41-1-127, Utah Code Annotated 1953 to change the increase in registration fees for vehicles over 9,001 pounds from $10 and 10% to $10.

Scott M. Matheson,
Governor, State of Utah

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The Senate sauntered at 8:35 p.m. and reassembled at 9:15 p.m.

COMMUNICATION FROM THE HOUSE

Mr. President: June 18, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 8,** VEHICLE REGISTRATION FEE CORRECTIONS, by Representative Johnson, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Bangerter, and under suspension of the rules, **H.B. No. 8** was read the first, second and third times. Senator Sowards explained the bill and it passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Bunnell	Halverson	Snow
Barlow	Carling	Matheson	Sowards
Barton	Cornaby	Peterson, C.	Swan
Bennett	Farley	Pugh	Wayment
Black	Finlinson	Sandberg	Mr. President (Ferry)
Bullen	Flamm		

Absent or not voting were: Senators

Asay	Considine	Jones	Peterson, L.
Christensen	Jeffs	Money	

H.B. No. 8 was signed by the President of the Senate and returned to the House for further action.

• • •

Mr. President: June 18, 1982

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 2,** FEDERAL MINERAL LEASE PAYMENTS, by Senator Sowards, et al, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. No. 2 was signed by the President of the Senate and referred to the Committee on Rules to be enrolled and transmitted to the Governor.

• • •

Mr. President: June 18, 1982

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,** MARK PAXTON RESOLUTION, 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.

Allan M. Acomb, Chief Clerk

S.C.R. No. 1 was signed by the President of the Senate and referred to the Committee on Rules to be enrolled and transmitted to the Governor.

• • •

The Senate sauntered at 9:30 p.m. and reassembled at 10:15 p.m.

• • •

Mr. President: June 18, 1982

I am directed to inform the Senate that the House of Representatives has this day adopted the Joint Conference Committee Report as of June 18, 1982, and passed **S.B. No. 7,** SUPPLEMENTAL APPROPRIATIONS ACT, by Senator Cornaby, and the same is transmitted for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

JOINT CONFERENCE COMMITTEE REPORT
(S.B. No. 7, SUPPLEMENTAL APPROPRIATIONS ACT)

Mr. President and Mr. Speaker: June 18, 1982

The Joint Conference Committee, comprised of Senators Cornaby, Flamm and Bunnell and Representatives Rogers, Maxfield and Fox, to which was referred **S.B. No. 7**, SUPPLEMENTAL APPROPRIATIONS ACT, by Senator K.S. Cornaby, reports the bill back as follows:

Concur in the House amendments

K.S. Cornaby, Senate Chairman
Paul Rogers, House Chairman

On motion of Senator Cornaby, the Senate voted to accept the Joint Conference Committee Report, and the bill passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Carling	Halverson	Snow
Barlow	Considine	Matheson	Sowards
Barton	Cornaby	Peterson, C.	Swan
Black	Farley	Pugh	Wayment
Bullen	Finlinson	Sandberg	Mr. President (Ferry)
Bunnell	Flamm		

Voting in the negative were: Senator
Bennett

Absent or not voting were: Senators

Asay	Jeffs	Money	Peterson, L.
Christensen	Jones		

S.B. No. 7 was transmitted to the House.

• • •

Mr. President: June 18, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, under suspension of the rules, **SUB. S.B. No. 3,** SUPPLEMENTAL APPROPRIATIONS ACT, by Senator Considine, and the same is transmitted herewith for further consideration.

Allan M. Acomb, Chief Clerk

Senator Snow commented. Senator Black moved to not concur in the House amendments. Senators Flamm, Barton, Bullen and Considine commented. The Senate voted to not concur in the House amendments and to ask the House to recede from its amendments.

* * *

Mr. President: June 18, 1982

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, as amended, **S.B. No. 8,** CORRECTIONAL FACILITIES AMENDMENTS, 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 Hosue amendments and the bill passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Carling	Flamm	Sandberg
Barlow	Considine	Halverson	Snow
Barton	Cornaby	Matheson	Sowards
Bennett	Farley	Peterson, C.	Wayment
Black	Finlinson	Pugh	Mr. President (Ferry)
Bullen			

Voting in the negative were: Senator
Swan

Absent or not voting were: Senators

Asay	Christensen	Jones	Peterson, L.
Bunnell	Jeffs	Money	

S.B. No. 8 was returned to the House.

• • •

The Senate sauntered at 10:45 p.m. and reassembled at 11:20 p.m.

• • •

Mr. President: June 18, 1982

I am directed to inform the Senate that the House of Representatives has this day refused to recede from its amendments to **SUB. S.B. No. 3**, SUPPLEMENTAL APPROPRIATIONS ACT, by Senator Considine, and has appointed a Conference Committee consisting of Representatives Karras, Rees and White, to act with a like committee from the Senate on the this bill.

Allan M. Acomb, Chief Clerk

President Ferry appointed a Conference Committee comprised of Senators Snow, Considine and Bullen.

• • •

Mr. President: June 18, 1982

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 7**, SUPPLEMENTAL APPROPRIATIONS ACT, 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. 8**, CORRECTIONAL FACILITIES AMENDMENTS, by Senator Snow, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. Nos. 7 and **8** were signed by the President of the Senate, and referred to the Committee on Rules to be enrolled and transmitted to the Governor.

• • •

On motion of Senator Halverson, the circle was removed from **S.B. No. 5** and **S.B. No. 4** and **H.J.R. No. 1** was lifted from Third Reading Table to the top of Third Reading Calendar.

On motion of Senator Halverson, the enacting clause was stricken on **S.B. Nos. 5** and **4** and the bills were filed, and the enacting clause was stricken on **H.J.R. No. 1** and the resolution was returned to the House for filing.

• • •

The Senate sauntered at 11:30 p.m. and reassembled at 11:50 p.m.

COMMUNICATION FROM THE HOUSE

Mr. President: June 18, 1982

I have been directed to inform the Senate that the House of Representatives has this day struck the enacting clause on **S.B. No. 6,** DRUNK DRIVING AMENDMENT, by Senator Wayment and it is returned herewith for filing.

Allan M. Acomb, Chief Clerk

S.B. No. 6 is filed.

FIRST JOINT CONFERENCE COMMITTEE REPORT
SUBSTITUTE S.B. No. 3, SUPPLEMENTAL APPROPRIATIONS ACT

Mr. President and Mr. Speaker: June 18, 1982

The Joint Conference Committee, comprised of Senators Snow, Considine and Bullen and Representatives Karras, Rees and White, to which was referred **SUB. S.B. No. 3,** SUPPLEMENTAL APPROPRIATIONS ACT, by Senator James F. Considine, reports the bill back as follows:

Page 2, Line 6:
After *"beds"* insert ":" and delete *TO BE LOCATED"*

Page 2, Line 7:
Delete *"at the current prison site."*

Karl N. Snow, Jr., Senate Chairman
Nolan E. Karras, House Chairman
Beverly J. White, House Vice Chairman

Mr. President: June 18, 1982

I am directed to inform the Senate that the House of Representatives has this day rejected the Joint Conference Committee Report as of June 18, 1982 on **SUB. S.B. No. 3,** SUPPLEMENTAL APPROPRIATIONS ACT, by Senator Considine, and has this day appointed a Conference Committee consisting of Representatives Karras, Rees and White to act with a like committee from the Senate on this bill.

Allan M. Acomb, Chief Clerk

President Ferry again appointed a Conference Committee comprised of Senators Snow, Considine and Bullen.

• • •

The Senate sauntered at 11:53 p.m. and reassembled at 12:30 p.m.

• • •

Mr. President: June 19, 1982

I am directed to inform the Senate that the House of Representatives has this day adopted the Second Joint Conference Committee Report as of June 19, 1982, and passed **SUB. S.B No. 3,** SUPPLEMENTAL APPROPRIATIONS ACT, by Senator Considine and the same is transmitted herewith for the Senate's further consideration.

Allan M. Acomb, Chief Clerk

SECOND JOINT CONFERENCE COMMITTEE REPORT
SUBSTITUTE S.B. No. 3, SUPPLEMENTAL APPROPRIATIONS ACT

Mr. President and Mr. Speaker: June 18, 1982

The Second Joint Conference Committee, comprised of Senators Snow, Considine and Bullen and Representatives Karras, Reese and White, to which was referred **SUB. S.B. No. 3,** SUPPLEMENTAL APPROPRIATIONS ACT, by Senator James F. Considine, reports the bill back as follows:

Page 2, Line 6:
After *"beds"* insert a "." and delete *"TO BE LOCATED"*

Page 2, Line 7:
Delete *"at the current prison site."* and insert the following: *"The facility shall be constructed at the current prison site unless an alternative preferred site is obtained within 60 days after the effective date of this act."*

Karl N. Snow, Jr., Senate Chairman
Nolan E. Karras, House Chairman

On motion of Senator Snow, the Senate voted to adopt the Second Joint Conference Committee Report, and the bill passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Considine	Halverson	Snow
Barlow	Cornaby	Matheson	Sowards
Barton	Farley	Peterson, C.	Swan (expl.)
Black	Finlinson	Pugh	Wayment
Bullen	Flamm	Sandberg	Mr. President (Ferry)
Carling			

Voting in the negative were: Senator
Bennett

Absent or not voting were: Senators

Asay	Christensen	Jones	Peterson, L.
Burnell	Jeffs	Money	

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

COMMUNICATION FROM THE HOUSE

Mr. President: June 19, 1982

I am directed to inform the Senate that the Speaker has signed in open session, **SUB. S.B. No. 3,** SUPPLEMENTAL APPROPRIATIONS ACT, by Senator Considine, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

SUB. S.B. No. 3 was signed by the President of the Senate and referred to the Committee on Rules to be enrolled and transmitted to the Governor.

MISCELLANEOUS BUSINESS

On motion of Senator Snow, the Senate voted to pay the staff an additional day's (8 hours) pay.

President Ferry appointed Senators Sowards, Farley and Cornaby 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 F. Knowlton, Sykes and Wharton notified the Senate that the House had concluded business and was ready to adjourn sine die.

President Ferry appointed Senators Bullen, Considine and Barlow to notify the House of Representatives that the Senate has concluded its business and is now ready to adjourn sine die.

Senator Bullen 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 Sowards reported that his committee, with a like committee from the House, 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.

At the direction of President Ferry, the Journal is to reflect that 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 1982 Second Special Session of the Forty-Fourth Legislature.

Benediction by Senator Halverson.

On motion of Senator Snow and at 12:45 a.m. on June 19, 1982, the Second Special Session of the Forty-Fourth Legislature adjourned sine die.

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SENATE BILLS AND RESOLUTIONS

FORTY-FOURTH LEGISLATURE

SECOND SPECIAL SESSION

1982

(Check Reference Code on Page 196)

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sitting) Committee	Secretary of Senate Report	Read (2)	Read (3)	To and From House	Signed by President	Other Action
SB 1	**Housing Finance Agency Act Modifications** Charles W. Bullen, Black	715(R)			715(R)	716(R) A V	717	726 6/17/82	Signed by Governor 6/21/82
SB 2	**Federal Mineral Lease Payments** Glade M. Sowards, Bunnell, Finlinson	716(R)			716(R)	725(R) A, 733 A,A,V	734 742 HA-SC V	747 6/18/82	Signed by Governor 7/9/82
SB 3	**Supplemental Appropriation Act** James F. Considine, Cornaby, Barton, Black and Farley	718(R)			718(R)	724(R) 726 733 743 SUB., A, V	744 HA,SRC 750, Sc, Hc 751 JCCR (1) HR,Sc, Hc, 752 JCCR (2), HC, SC, V	753 6/18/82	Became law without signature of Governor 7/9/82
SB 4	**Water and Sewer District Amendments** Fred W. Finlinson, Bunnell	730(R)			730(R)	733 T			SSEC 6/18/82
SB 5	**Utah State Supplemental Extended Benefits Act** Wilford R. Black, Jr.	730(R)			730(R)	736(R) V 741 750			SSEC 6/18/82
SB 6	**Drunk Driving Amendments** Dona M. Wayment, Snow	734(R)			734(R)	734(R) V	735 751		HSEC 6/18/82

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Secretary of Senate Report	Read (2)	Read (3)	To and From House	Signed by President	Other Action
SB 7	**Supplemental Appropriation Act** K.S. Cornaby	740(R)			740(R)	740(R) V	741 743 HA,SRC 745, Sc,Hc 748 JCCR HC,SC V	750 6/18/82	Signed by Governor 6/28/82
SB 8	**Correctional Facilities Amendments** Karl N. Snow, Jr.	744(R)			744(R)	744(R) V	745 749 HA,SC V	750 6/18/82	Vetoed by Governor 7/9/82

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sitting) Committee	Secretary of Senate Report	Read (2)	Read (3)	To and From House	Signed by President	Other Action
SCR 1	**Mark Paxton Resolution** Cary Peterson	723(R) Printed			724(R)	724(R)	724	747 6/18/82	Signed by Governor 6/28/82
SCR 2	**Federal Regulation of State and Local Pension Plans** Karl N. Snow, Jr.	730(R)			730(R)	731(R) A, V	732	742 6/18/82	Signed by Governor 6/28/82
SCR 3	**Jerry R. Anderson** Fred W. Finlinson, Bunnell	738(R)			738(R)	738(R) V	739	742 6/18/82	Signed by Governor 6/28/82

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HOUSE BILLS AND RESOLUTIONS

FORTY-FOURTH LEGISLATURE

SECOND SPECIAL SESSION

1982

(Check Reference Code on Page 196)

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Read (2)	Read (3)	To and From House	Signed by President	Other Action
HB 1	**Supplemental Appropriations - Dixie College** Ray S. Schmutz	715(R)		715(R)	717(R) V	718	718 6/17/82	Signed by Governor 6/28/82
HB 3	**Water and Sewer District Modifications** Gayle F. McKeachnie	729(R)		729(R)	732(R) V	732	732 6/18/82	Signed by Governor 6/28/82
HB 4	**Housing Authorities Amendments** Sherman D. Harmer	736(R)		736(R)	737(R) V	737	737 6/18/82	Signed by Governor 6/28/82
HB 5	**School Board Terms** Lee Farnsworth	736(R)		736(R)	738(R) V	738	738 6/18/82	Signed by Governor 6/28/82
HB 6	**Impoundment of Vehicles** Duayne T. Johnson	737(R)		737(R)	739(R) 739 A, V	740 743 SA, HC	743 6/18/82	Signed by Governor 7/9/82
HB 8	**Vehicle Registration Fee Correction**	746(R)		746(R)	746(R) V	747	747 6/18/82	Signed by Governor 6/28/82

	(Check Reference Code on Page 196) Title and Sponsor	Read (1)	Rules (Sifting) Committee	Read (2)	Read (3)	To and From House	Signed by President	Other Action
HJR 1	**National Strategy of Peace Through Strength** P. Lloyd Sellenelt	729(R)		729(R)	731 740, T 750			SSEC 6/18/82
HJR 2	**Melvin E. Leslie Resolution**	729(R)		729(R)	731(R) V	731	731 6/18/82	Transmitted to Lieutenant Governor 6/18/82

STATISTICAL INFORMATION
BUDGET SESSION - 1982

	Senate	House	Total
Number of Bills Introduced	89	159	248
Number of Bills Passed by Legislature	44	44[1]	88
Number of Bills Signed by Governor	43	39	82
Number of Bills that Became Law Without Governor's Signature	1	2	3
Number of Bills Vetoed by Governor	0[2]	4	4
Number of Bills Vetoed by Governor and Overriden	0	1	1
Number of Bills Enacted into Law	44	42	86
Number of Joint Resolutions Introduced	19	37	56
Number of Concurrent Resolutions Introduced	5	5	10
Total Resolutions Introduced	24	42	66
Number of Joint Resolutions Passed by Legislature	7	9	16
Number of Concurrent Resolutions Passed by Legislature	4	5	9
Total Resolutions Passed	11	14	25

[1] *Figure does not include House Bill 26 which was ruled invalid by the Third District Court.*

[2] *Figure does not include line item veto in Senate Bill 89.*

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