STATE OF UTAH

SENATE JOURNAL

THIRD SPECIAL SESSION
OF THE
FORTY-FIFTH
LEGISLATURE

Convened
Wednesday, September 5, 1984

Adjourned Sine Die
Thursday, September 6, 1984

STATE OF UTAH

SENATE JOURNAL

THIRD SPECIAL SESSION

of the

FORTY-FIFTH LEGISLATURE

FIRST DAY

MORNING SESSION

Pursuant to a Proclamation by His Excellency, Governor Scott M. Matheson, the Senate of the Forty-Fifth Legislature of the State of Utah met in the Senate Chamber at the State Capitol in Third Special Session, Wednesday, September 5, 1984 at 10:00 a.m.

The Senate was called to order at 10:15 a.m. by President Miles 'Cap' Ferry.
Prayer — Senator Bryce C. Flamm
Roll Call — All Senators present except Senators Bullen and Snow, excused.

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 August 21, 1984 and signed by Governor Scott M. Matheson, is a true and correct copy of the original Proclamation calling the House and Senate of the 45th Legislature into a Third Special Session at the State Capitol at Salt Lake City, Utah, on the 5th day of September, 1984 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 1984 Budget Session of the Utah State Legislature.

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

State Capitol in Salt Lake City this 4th day of September, 1984.

David S. Monson, Lieutenant Governor

PROCLAMATION

WHEREAS, since the close of the Budget Session of the 45th Legislature of the State of Utah, certain matters have arisen which require immediate legislative action; 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 the laws of the State of Utah, do by this Proclamation call the House and Senate of the 45th Legislature into Third Special Session at the State Capitol at Salt Lake City, Utah, on the 5th day of September, 1984 at 10:00 a.m., for the following purposes:

1. To consider appropriations and legislation for flood related damages and future flood mitigation activities.

   a. 1984 flood damages and future flood mitigation projects.

   b. An environmental assessment and engineering study for pumping water from the Great Salt Lake.

   c. An appropriation from the Disaster Relief Board for Jordan River flood control.

2. To consider an appropriation for a dislocated workers training program.

3. To consider an appropriation and a transfer of funds for additional day care services.

4. To consider an appropriation to match federal and county monies to pave the Boulder to Bullfrog Scenic Highway.

5. To consider the acquisition of approximately 10,500 acres of land known as the Wolf Creek Resort.

6. To consider an appropriation for the restoration of the northern broadband microwave system.

7. To consider an appropriation authorizing a feasibility study of the Clear Creek archeological site.

8. To authorize transferring funds from House Bill 5 passed during the Second Special Session of the 45th Legislature to pay for legal fees and litigation costs, including expert witnesses, challenging the abandonment of the Marysvale line by the Denver and Rio Grande Railroad with any excess to be used for other legal fees approved by the Attorney General.

9. To consider an appropriation to cover Gubernatorial transition expenses.

10. 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 Legislature of the State of Utah.

11. 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 used to be affixed the Great Seal of the State of Utah. Done at the State Capitol in Salt Lake City, Utah, this 21st day of August, 1984.

Scott M. Matheson,
Governor, State of Utah

David S. Monson, Lieutenant Governor

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Senator K.S. Cornaby moved that the President and Officers of the Second Special Session of the 45th Legislature be the officers for the Third Special Session. The motion carried.

Senator Glade M. Sowards moved that the Senate Rules of the Second Special Session of the 45th Legislature be adopted as the rules for the Third Special Session. The motion carried.

Senator Glade M. Sowards moved that the Joint Rules of the Second Special Session of the 45th Legislature be adopted as the Joint Rules for the Third Special Session. The motion carried.

President Ferry appointed a committee comprised of Senators C. Peterson, Flamm and Money to notify the House of Representatives that the Senate is organized and ready to do business.

President Ferry appointed a committee comprised of Senators Sowards, Wayment and Williams to notify the Governor that the Senate is convened in Third Special Session in accordance with his proclamation and that the Senate is organized and ready to receive any messages from him.

President Ferry appointed Senators Overson, McMullin and Money to read and revise the Daily Journal for the Third Special Session of the 45th Legislature.

A committee from the House of Representatives comprised of Representatives Donna Dahl, Boyd H. Jeppson and D. Leon Reese 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.

Senator Cornaby, Majority Leader, moved that as provided by the Utah Constitution and Joint Rules, 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. Further, that this motion apply to all bills and resolutions introduced and read during this Third Special 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 Sowards 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 Cornaby, the Senate recessed at 10:35 a.m., with the understanding that the Senators meet in front of the House of Representatives in order to enter the Chamber together to hear Governor Matheson's message in Joint Convention. In further compliance with the Cornaby motion, the Senate will reassemble in the Senate Chamber immediately following the Joint Convention.

JOINT CONVENTION

President Miles 'Cap' Ferry called the Joint Convention to order at 10:45 a.m. in the Chamber of the Utah House of Representatives.

Roll Call — The Secretary of the Senate and Chief Clerk of the House advised the President of the Senate that a quorum of the Senate and House members were present.

President Ferry appointed a Joint Committee comprised of Senators Sowards, Wayment and Williams and Representatives Harrison, Redd and Jensen to notify the Governor that the Legislature is in Joint Convention and ready to hear his message.

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

Governor Scott M. Matheson

Speaker Bangerter, President Ferry, ladies and gentlemen of the 45th Utah Legislature. It was only five and one-half months ago that we met in these chambers to take care of some urgent public business. You agreed to consider some very tough issues, and you did an outstanding job with them. That session was one of the most productive — in the sense of moving quickly and decisively to act in the public interest — that I have ever seen in my years as governor. I appreciated your willingness to address those issues, and I sincerely thank you for gathering today to consider the new agenda I have offered, and I promise you that unless there is some dire emergency that requires our attention, I will not ask you to perform in special session again.

I am aware that some of you feel none of the items on the call is pressing enough to warrant a special session. I also understand that some feel the agenda should be limited to the flooding issues. It is my opinion that catastrophic and life-threatening emergencies should not be the only reason for calling the legislature into special session. As a matter of fact, if you will examine the work product of the several special sessions we have held, you will see that along with traditional emergencies we have always used our time here to address other worthwile issues in the public interest.

I believe that when quick and decisive action on issues will save the taxpayers of this state significant amounts of money, it is in the best public interest to act.

I believe that when opportunities arise for us to enrich the quality of life of our citizens — and when those opportunities may disappear if we hesitate — it is in the best public interest to act.

I believe that when it is time to pay the state's bills for the natural disasters that befall us — it is in the best public interest to act.

And, I believe that all of you — and myself — are expected by the citizens who elected us to the public offices we hold, to serve their best interests with every governmental device available to us, and I consider a special session of the legislature just such a tool. We were all sent here to serve the public's interest, and teamwork is the only way to do it. That kind of teamwork was very much in evidence during the last special session, and I hope it prevails in this one as well.

The work of this legislature and this governor is not yet done. We inherited many problems, and we should resolve as many of them as possible before we leave office.

The issues I am asking you to consider are familiar to all of us. We have been discussing them for several months. Never again will this same experienced group of legislators meet to conduct the public's business.

In January, there will be newcomers again who are not as familiar with these issues as we. I realize that many of you will still be here, but there will be many new, inexperienced faces, and it will take time for them to reach the level of expertise present here this morning. It would be a public loss to waste the experience and expertise in this chamber by failing to address the serious issues that are before us today. I believe it is necessary for this body to put the finishing touches on these issues now, in the same spirit of public service that was so evident in the last special session.

I can't over-emphasize the fact that there are no political motives involved in my decision to call this session. And let me again point out something I have said many, many times in the last few weeks: I am **opposed** to spending a substantial amount of our budget surplus now. The surplus has now grown to a surprising $78 million. That's not an absolute, final figure but is is very close.

And, after so many years of having to cut budgets, this is welcome news to us all. But these are uneasy economic times, and it has always been my view that when windfalls occur, it is the best public policy to save a substantial amount of the unexpected wealth for the future. I'm sure you agree, but equally important is our obligation to meet current urgent matters now, while we have the opportunity to

focus on those issues clearly . . . while we have the extra resources to solve the problems . . . and when we can relieve some of the pressure of the upcoming general session.

I will not take the time this morning to go into a detailed discussion of each of the items I am asking you to consider in this session. I believe that most of you are already acquainted with the issues. I will comment very briefly on just a few of them.

Flooding

I understand that most of you agree with me that we must pay our flooding bills now, and I am asking you to appropriate funds to cover 1984 public damages, and mitigation costs for future flooding . . . for Jordan River dredging projects . . . and for environmental and engineering studies to assess the feasibility of Great Salt Lake pumping.

Now that our Federal Flood Declaration has been approved, it is imperative that you allocate the state's share of the costs involved in the federal/state agreement. It is important for you to know that we have very carefully analyzed the projects involved, and that we are requesting funding for only those that need to be addressed now. Anything that could be deferred to the January General Session has been deferred.

Regarding the Jordan River flood control project, our present work schedule provides for completion of design and construction bids on or before the end of this December. You have provided some funding for this project, but it covers only the completion of the first phase. If we wait until January to resolve the funding questions relating to both the final design and construction, we could not begin any actual work until the fall of next year.

That means we would not obtain any benefits from the work in next spring's runoff period. This is a very important long-range flood control measure, and though its benefits will be realized for many years to come, we need to move along with the project immediately so that it can help us next spring.

Another project I'm asking you to consider in connection with our handling of projected high precipitation and runoff is the environmental assessment and engineering study for pumping water from the Great Salt Lake. As you all know, we have been searching actively for ways to control the level of the Great Salt Lake. The damage tab here is already high, and if we do not move now, the risk of greater damages will only continue to escalate.

Pumping water from the lake has been discussed for a long time now, and many feel that it is the only way to significantly increase our level of control over the lake during the next few years. We have already achieved short-range benefits from breaching the Southern Pacific causeway, and we are still studying the possibilities for water storage projects on the major rivers and streams flowing into the lake. But pumping may well be our only mid-range alternative, and we must move now to see if it is a truly viable alternative. Delaying an appropriation for the environmental assessment will only postpone the possible benefits further and, once again, we are probably going to have to face high water problems in the lake for several years to come.

Dislocated Workers

I am also asking you to consider an appropriation to assist the federal Job Training Partnership Act program for dislocated workers. According to Job Service, there are 12,531 Utah citizens who are long-term unemployed. Of these, thousands are classified as dislocated workers, who have permanently lost their jobs because of technological change, foreign competition, or other structural changes in the economy. These are people with a long work history — eight years on the average. These are men and women laid off from U.S. Steel, Emery Mining, Atlas Minerals, IML, Max Factor, National Rubber Products, Kennecott, and Soldier Creek Coal Company, to name just a few.

We have enough federal money to retrain 630 people, at an average training cost of $1,500 per person. An additional $3.7 million will help 2,620 more workers find a new place in the job market. We can expect a quick return on the proposed investment. If each dislocated worker is placed on a full-time job at $7 per hour and 12.7 percent of each worker's personal income goes for state and local taxes, then the state will get its $1,500 investment back **in one year** — in state and local taxes alone.

Many have asked why this can't wait until January. If we act today, many of these workers can begin training programs this fall. If we wait until January, many will not begin training until next spring at the earliest. The longer we delay, the longer the dislocated worker will draw benefits from the unemployment trust fund. But most importantly, delay may make it financially impossible for some to begin training at all.

Day Care Services

I am also asking that you consider an appropriation and a transfer of funds for additional state subsidized day care services to continue our commitment to self-sufficiency. These services are especially crucial to women who are single heads of

households, and if we turn our backs on them, their already severe problems will get worse immediately. We estimate that some 1,200 low income persons — nearly all of them women — will have to go without day care services for the rest of this year if we do not supplement the funds **now.**

In my opinion, both the dislocated worker training program and the day care services issue constitute real and present emergencies. The people involved want to work. They must work to survive. And if they work, they will return to the public treasury more than what we will invest for these programs. If we do not attend to these two problems now, we will, in effect, be hindering their opportunities to become self-sufficient.

Other Programs

I am asking you to consider a number of other items that, in my opinion need attention now in order to save money and to take advantage of opportunities that may disappear soon. The matters include appropriating funds for paving the Burr Trail and for restoring service on our northern broadband microwave system. These are both items on which we can save significant amounts of taxpayers' money if we act now.

I am also asking for appropriations to purchase some excellent wildlife habitat land in Weber County and to fund a feasibility study of the fabulous Clear Creek archeological site. Both of these issues involve pressing time factors. If we do not act on them now, we may not have a chance in the future.

I am also asking that you transfer funds from House Bill 5 to pay legal fees and litigation costs we'll incur in our efforts to get the Denver and Rio Grande Railroad to restore badly needed rail service to central Utah on the Marysvale Line. This is a matter of pressing economic importance to many Utah citizens, and I feel that it deserves your attention now.

Finally, we have just added for your consideration the Department of Energy's proposed Superconducting Supercollider — better know as "Desertron". The $3 billion basic research facility will take nearly 10 years to build, and will have a staff of more than 2,500. It appears that our proposed site in the western desert is competitive with those located in Arizona, Texas, and Illinois. More site studies must be conducted, and I believe it is certainly in the public interest for us to support this project.

Once again, ladies and gentlemen, I feel that we have some excellent opportunities in this special session to act in the public interest. Please give these items your serious consideration. Thank you.

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The Joint Committee, at the request of President Ferry, accompanied the Governor as he left the House Chambers.

On motion of Senator Cornaby and with a second by Representative Dmitrich, the Joint Convention voted to have the text of the Governor's Message printed in the Senate Journal.

On motion of Representative Garff and with a second by Representative Dmitrich the Joint Convention was dissolved.

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The Senate reassembled in the Senate Chamber at 11:15 a.m. President Ferry was presiding.

On motion of Senator Cornaby and at 11:16 a.m., the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate was called to order at 2:35 p.m. with President Miles 'Cap' Ferry presiding.

INTRODUCTION OF BILLS

FLOODING COSTS

S.B. No. 1 *Fred W. Finlinson*

AN ACT RELATING TO FLOODING; REMOVING THE YEAR RESTRICTION ON THE DISASTER RELIEF BOARD; APPROPRIATING FUNDS FOR FLOODING COSTS; APPROPRIATING FUNDS TO COMPLETE STUDIES ON THE GREAT SALT LAKE; AUTHORIZING THE DRB TO FUND ENGINEERING STUDIES ON THE JORDAN RIVER; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECITONS OF THE UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 63-52a-2, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1983 THIS ACT ENACTS NEW MATERIAL, was read the first time and under suspension of the rules, placed on Second Reading Calendar.

BOULDER TO BULLFROG SCENIC ROAD APPROPRIATION

S.B. No. 2 *Fred W. Finlinson, Ivan M. Matheson*

AN ACT RELATING TO COMMUNITY DEVELOPMENT; APPROPRIATING FUNDS TO THE PERMANENT COMMUNITY IMPACT FUND TO PAVE A ROAD FROM BOULDER TO BULLFROG; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT ENACTS NEW MATERIAL, was read the first time and under suspension of the rules, placed on Second Reading Calendar.

WOLF CREEK LAND ACQUISITION

S.B. No. 3 *Lowell S. Peterson, Fred W. Finlinson*

AN ACT RELATING TO WILDLIFE RESOURCES; APPROPRIATING FUNDS FOR LAND ACQUISITION; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT ENACTS NEW MATERIAL, was read the first time and under suspension of the rules, placed on Second Reading Calendar.

MARYSVALE LINE OF D AND RG RAILROAD LEGAL FEES APPROPRIATION

S.B. No. 4 *Cary C. Peterson*

AN ACT RELATING TO REVOKING AN UNUSED APPROPRIATION FOR THE DENVER AND RIO GRANDE RAILROAD'S RESTORATION OF THE MARYSVALE BRANCH LINE; MAKING AN APPROPRIATION FOR LEGAL FEES TO COMPEL THE CONSTRUCTION OF THIS BRANCH LINE; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT ENACTS NEW MATERIAL, was read the first time and under suspension of the rules, placed on Second Reading Calendar.

SECOND READING CALENDAR

On motion of Senator Finlinson, the rules were suspended and **S.B. No. 1**, FLOODING COSTS was read the second and third times and before the Senate.

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

Page 2, Line 22 through 28:
Delete entirely.

Page 2, Line 29:
Delete "2" and insert in lieu thereof "1"

Page 3, Line 3:
Delete "312,500" and insert in lieu thereof "670,000"

Page 3, Line 4:
Delete entirely.

Page 3, Lines 5, 6 and 7:
After "Great Salt Lake State Park" add "(509,000)" and after "Buenaventura" add "(150,000)" and after "state parks" add "(11,000)"

Page 3, Line 9:
Delete "3" and insert in lieu thereof "2"

Page 3, Line 11:
Delete "609,200" and insert in lieu thereof "99,400"

Page 3, between Lines 13 and 14
Insert "The state funds are to be used to obtain federal matching funds for comprehensive emergency management."

Page 3, Lines 14 and 15
Delete entirely.

Senator Finlinson moved amendments.

Senator McAllister moved a substitute amendment to delete Lines 16 through 21. Senators Swan, McMullin, Bangerter, Sowards, Bunnell, Matheson, Pugh and McAllister commented.

On motion of Senator Finlinson, the bill was circled.

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On motion of Senator Finlinson the rules were suspended and **S.B. No. 2**, BOULDER TO BULLFROG SCENIC ROAD APPROPRIATION was read the second time and circled.

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On motion of Senator L. Peterson, the rules were suspended and **S.B. No. 3**, WOLF CREEK LAND ACQUISITION was read the second time and circled.

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On motion of Senator C. Peterson the rules were suspended and **S.B. No. 4,** MARYSVALE LINE OF D AND RG RAILROAD LEGAL FEES APPROPRIATION was read the second and third times and before the Senate. Senators Pugh, Sandberg, Black and Cornaby commented.

On motion of Senator Bunnell, **S.B. No. 4** was amended as follows:

> Page 1, Line 25
> After "legal" change "action" to "actions" and insert ", including petitions to the ICC,"

Senators Bangerter, C. Peterson and Money commented.

The bill passed on the following roll call:

Yeas, 18; Nays, 7; Absent, 4

Voting in the affirmative were: Senators

Barlow	Christensen	Overson	Rogers
Barton	Finlinson	Peterson, C.	Stratford
Black	Flamm	Peterson, L.	Swan
Bunnell	Matheson	Pugh	Mr. President (Ferry)
Carling	McMullin		

Voting in the negative were: Senators

Asay	Cornaby	Money	Wayment
Bangerter(exp)	McAllister	Sandberg	

Absent or not voting were: Senators

Bullen	Snow	Sowards	Williams

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

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On motion of Senator Finlinson, the circle was removed from **S.B. No. 1,** FLOODING COSTS, Senators McAllister substitute motion to delete lines 16 through 21 on Page 3 was before the Senate. Senators Finlinson and Bunnell commented. The substitute motion failed.

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

Page 3, Line 16:
Change "4" to "3"

Page 3, Line 22:
Change "5" to "4"

Page 3, Lines 28 and 29:
Delete entirely

Page 4, Lines 1 through 9:
Delete entirely

Page 4, Line 10:
Change "8" to "5"

Senators Swan and Matheson commented.

Senators Bangerter, Ferry, Matheson and Swan commented. Senator Bangerter moved the following amendment.

Page 4, Lines 16 through 19:
Delete
"Section 4. There is appropriated $1,000,000 from the General Fund to the Division of State Lands and Forestry to complete an environmental assessment and engineering study on pumping water from the Great Salt Lake to the west desert."

The amendment failed on the following roll call:

Yeas, 9; Nays, 18; Absent, 2

Voting in the affirmative were: Senators

Asay	Cornaby	McAllister	Overson
Bangerter	Matheson	Money	Sandberg
Carling			

Voting in the negative were: Senators

Barlow	Finlinson	Pugh	Swan
Barton	Flamm	Rogers	Wayment
Black	McMullin	Sowards	Williams
Bunnell	Peterson, C.	Stratford	Mr. President (Ferry)
Christensen	Peterson, L.		

Absent or not voting were: Senators
Bullen Snow

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

Yeas, 22; Nays, 5; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Christensen	Peterson, C.	Stratford
Barlow	Finlinson	Peterson, L.	Swan
Barton	Flamm	Pugh	Wayment
Black	McAllister	Rogers	Williams
Bunnell	McMullin	Sowards	Mr. President (Ferry)
Carling	Money		

Voting in the negative were: Senators

Asay	Matheson	Overson	Sandberg
Cornaby			

Absent or not voting were: Senators
Bullen Snow

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

COMMUNICATION FROM THE HOUSE

Mr. President: September 5, 1984

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 1**, ALLAN M. ACOMB, by All Members of the House, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.J.R. No. 1 was read the first time. On motion of Senator Cornaby the rules were suspended and 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	McMullin	Sandberg
Bangerter	Cornaby	Money	Stratford
Barlow	Finlinson	Overson	Swan

Barton	Flamm	Peterson, L.	Wayment
Black	Matheson	Pugh	Williams
Bunnell	McAllister	Rogers	Mr. President (Ferry)
Carling			

Absent or not voting were: Senators

Bullen	Peterson, C.	Snow	Sowards

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

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On motion of Senator Cornaby, the circles were removed from **S.B. No. 2** and **S.B. No. 3.**

On motion of Senator Cornaby, and at 4:25 p.m., the Senate adjourned until 10:00 a.m., Thursday, September 6, 1984.

SECOND DAY

MORNING SESSION

The Senate was called to order at 10:10 a.m. with President Miles 'Cap' Ferry presiding.

Prayer — Senator Ivan M. Matheson

Roll Call — All Senators present except Senators Snow and Bullen, excused.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 6

DAILY SENATE JOURNAL

Mr. President: September 6, 1984

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.

Brent C. Overson, Committee Member

Committee report read and adopted.

COMMUNICATION FROM THE HOUSE

Mr. President: September 5, 1984

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**, CLEAR CREEK ARCHEOLOGICAL SITE STUDY FUNDING, by Representative Tom Christensen, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 4 was read the first time and under suspension of the rules, placed on Second Reading Calendar.

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The Senate recessed for Republican party caucus at 10:20 a.m. The Senate reassembled at 11:10 a.m.

COMMUNICATION FROM THE GOVERNOR

Members of the 45th Legislature September 5, 1984

In addition to the matters listed on the proclamation dated August 21, 1984,

calling the 45th Legislature of the state of Utah into the Third Special Session on September 5, 1984, I hereby authorize and request you to consider and enact an addendum to the call to:

1. Consider an appropriation for the purchase of Cisco Beach property.

2. Consider an appropriation for a geotechnical study and associated expenditures for the Superconducting Super Collider.

3. Consider giving the Department of Agriculture the authority to assess and collect fees for predator control.

4. Consider resolutions which express the intent of the legislature or relate to the internal operations of the legislature.

Scott M. Matheson
Governor, State of Utah

Communication filed.

INTRODUCTION OF BILL

APPROPRIATION FOR A DESERTRON

S.B. No. 5 *Karl G. Swan,*
Haven J. Barlow, Warren E. Pugh

AN ACT RELATING TO THE STATE ADVISORY COUNCIL ON SCIENCE AND TECHNOLOGY; APPROPRIATING $200,000 TO ASSIST IN THE DEVELOPMENT OF A SUPERCONDUCTING, SUPER COLLIDER (DESERTRON); AND PROVIDING AN EFFECTIVE DATE.

THIS ACT ENACTS NEW MATERIAL, was read the first time, and under suspension of the rules, placed on Second Reading.

SECOND READING CALENDAR

S.B. No. 2, BOULDER TO BULLFROG SCENIC ROAD APPROPRIATION, was before the Senate. Senators Finlinson, Matheson and McAllister commented.

Senator Stratford moved an amendment that failed.

Senator Finlinson, with the aid of five senators, requested a Call of the Senate. On motion of Senator Finlinson, the Call of the Senate was lifted.

On motion of Senator Finlinson, the rules were suspended and the bill was read the third time and passed on the following roll call:

Yeas, 15; Nays, 11; Absent, 3

Voting in the affirmative were: Senators

Asay	Christensen	Overson	Swan
Bangerter	Finlinson	Peterson, C.	Williams
Black	Flamm	Sowards	Mr. President (Ferry)
Bunnell	Matheson	Stratford(exp)	

Voting in the negative were: Senators

Barlow	Cornaby	Money	Sandberg
Barton	McAllister	Pugh	Wayment
Carling	McMullin	Rogers	

Absent or not voting were: Senators

Bullen	Peterson, L.	Snow

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

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S.B. No. 3, WOLF CREEK LAND ACQUISITION, was before the Senate. Senator L. Peterson, explained the bill.

Senator Overson moved the following amendments:

> Page 1, Line 15:
> After "for the" insert "first installment of the"
>
> Page 1, Line 16:
> After "acquisition." insert "This land may only be purchased if the state sells land of equal acreage to that being acquired. It is the intent of the legislature that the state not increase the amount of land in public ownership by the Wolf Creek land acquisition."

Senators Overson, Black and Rogers proposed changes to the proposed amendments. Senators Finlinson, Christensen, Sowards, Asay, Sandberg, Pugh and Stratford commented. Senator McMullin proposed changes to the proposed amendments. Senator's Pugh, Flamm, L. Peterson and Swan commented. The Overson amendments passed on a standing vote of 14 yea, 10 nay.

On motion of Senator Finlinson the rules were suspended and the bill was read the third time and passed on the following roll call:

Yeas, 15; Nays, 10; Absent, 4

Voting in the affirmative were: Senators

Black	Flamm	Peterson, C.	Swan
Bunnell	McMullin	Peterson, L.	Wayment
Christensen	Money	Sowards	Williams
Finlinson	Overson	Stratford	

Voting in the negative were: Senators

Asay	Cornaby	Pugh(exp)	Sandberg
Bangerter	Matheson	Rogers	Mr. President (Ferry)
Barton	McAllister		

Absent or not voting were: Senators

Barlow	Bullen	Carling	Snow

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

Senator Barlow asked that the following be recorded in the Senate Journal. The Senate voted its intent that:

"The purchase price shall not be more than $4,754,000 or the average of the estimated market value as determined by three court qualified and recognized fee appraisers, whichever is less."

COMMUNICATION FROM THE GOVERNOR

Members of the 45th Legislature: September 6, 1984

In addition to the matters listed on the proclamation dated August 21, 1984, calling the 45th Legislature of the state of Utah into the Third Special Session on September 5, 1984, I hereby authorize and request you to consider and enact an addenum to the call to:

1. Consider legislation authorizing the Utah Housing Finance Agency to allocate all of the qualified mortgage bonds authorized for Utah under the Tax Reform Act of 1984.

2. Consider legislation authorizing local housing authorities to utilize a variable interest rate financing method for multi-family rental housing projects.

Scott M. Matheson
Governor, State of Utah

Communication filed.

On motion of Senator Cornaby and at 12:35 p.m. the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reassembled at 2:35 p.m. with President Miles 'Cap' Ferry presiding.

PRESENTATION OF RESOLUTION

PUBLIC SERVICE COMMISSION RESOLUTION

S.R. No. 1 *William T. Barton, Brent C. Overson Jack M. Bangerter, Haven J. Barlow*

A RESOLUTION OF THE SENATE REQUESTING THE PUBLIC UTILITIES INTERIM COMMITTEE TO MONITOR THE INVESTIGATION OF THE TESTIMONY OF MR. FRANK SIMONELLI BEFORE THE PUBLIC SERVICE COMMISSION AND REPORT ITS FINDINGS TO THE LEGISLATURE; ALSO COMMENDING THE PUBLIC SERVICE COMMISSION AND THE ATTORNEY GENERAL'S OFFICE FOR THEIR DILIGENT SERVICE AND PARTICIPATION IN THESE HEARINGS, was read the first time and under suspension of the rules, placed at the top of Second Reading Calendar, and circled.

INTRODUCTION OF BILLS

HOUSING AUTHORITIES AMENDMENTS

S.B. No. 6 *Glade M. Sowards*

AN ACT RELATING TO HOUSING AUTHORITIES; PROVIDING FOR A VARIABLE RATE OF INTEREST ON HOUSING AUTHORITIES BONDS; PROVIDING FOR THE USE OF CREDIT ENHANCEMENT AGREEMENTS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF THE UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 55-18-18, AS LAST AMENDED BY CHAPTER 223, LAWS OF UTAH, 1981, was read the first time and under suspension of the rules, placed on Second Reading Calendar.

UTAH HOUSING FINANCE AGENCY AMENDMENTS

S.B. No. 7 *Glade M. Sowards*

AN ACT RELATING TO THE UTAH HOUSING FINANCE AGENCY; ALLOCATING BEYOND 1983 THE ENTIRE CEILING AMOUNT OF QUALIFIED MORTGAGE BONDS FOR UTAH TO THE UTAH HOUSING FINANCE AGENCY; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF THE UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 63-44a-21, AS ENACTED BY CHAPTER 319, LAWS OF UTAH 1983, was read the first time and under suspension of the rules, placed on Second Reading Calendar.

SECOND READING CALENDAR

H.B. No. 4, CLEAR CREEK ARCHEOLOGICAL SITE STUDY FUNDING, was read the second time, and explained by Senator C. Peterson. Professor Asa Nielson, Manager of the BYU Cultural Resources Management Services, discussed the bill in Committee of the Whole.

On motion of Senator C. Peterson, the rules were suspended and the bill was read the third time and passed on the following roll call:

Yeas, 22; Nays, 4; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Money	Sandberg
Bangerter	Christensen	Overson	Sowards
Barlow	Finlinson	Peterson, C.	Swan
Barton	Flamm	Pugh	Wayment
Black(exp)	Matheson	Rogers	Mr. President (Ferry)
Bunnell	McMullin		

Voting in the negative were: Senators

Cornaby	McAllister	Stratford(exp)	Williams

Absent or not voting were: Senators

Bullen	Peterson, L.	Snow

H.B. No. 4 was signed by the President of the Senate in open session of the Senate and returned to the House for further action.

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On motion of Senator Swan the rules were suspended and **S.B. No. 5**, APPROPRIATION FOR A DESERTRON, 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	Carling	McMullin	Sowards
Bangerter	Christensen	Money	Stratford
Barlow	Finlinson	Overson	Swan
Barton	Flamm	Peterson, C.	Wayment
Black	Matheson	Pugh	Mr. President (Ferry)
Bunnell	McAllister		

Voting in the negative were: Senators

Cornaby	Sandberg

Absent or not voting were: Senators

Bullen	Rogers	Snow	Williams
Peterson, L.			

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

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S.B. No. 6, HOUSING AUTHORITIES AMENDMENTS, was under suspension of the rules, read the second and third times. Senator Sowards explained the bill. Kent Richie, Vice President, Presidential Bache Securities, discussed the bill, and **S.B. No. 7**, in Committee of the Whole. Senators Bunnell, Matheson, Stratford, McAllister and Bangerter commented. The bill passed on the following roll call:

Yeas, 19; Nays, 4; Absent, 6

Voting in the affirmative were: Senators

Asay	Carling	Overson	Sowards
Barlow	Cornaby	Peterson, C.	Stratford
Barton	Finlinson	Peterson, L.	Wayment
Black	McMullin	Pugh	Mr. President (Ferry)
Bunnell	Money	Rogers	

Voting in the negative were: Senators

Bangerter	Flamm	McAllister	Sandberg

Absent or not voting were: Senators

Bullen	Matheson	Swan	Williams
Christensen	Snow		

S.B. No. 6 was transmitted to the House.

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On motion of Senator Sowards the rules were suspended and **S.B. No. 7,** UTAH HOUSING FINANCE AGENCY AMENDMENTS, 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

Asay	Carling	Overson	Sowards
Bangerter	Christensen	Peterson, C.	Stratford
Barlow	Cornaby	Peterson, L.	Wayment
Barton	Finlinson	Pugh	Williams
Black	McMullin	Rogers	Mr. President (Ferry)
Bunnell	Money		

Voting in the negative were: Senators

Flamm	McAllister	Sandberg

Absent or not voting were: Senators

Bullen	Matheson	Snow	Swan

S.B. No. 7 was transmitted to the House.

COMMUNICATION FROM THE HOUSE

Mr. President: September 6, 1984

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. 1,** FLOODING COSTS, by Senator Finlinson, and the same is transmitted herewith for further consideration.

Allan M. Acomb, Chief Clerk

On motion of Senator Finlinson, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 22; Nays, 4; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Christensen	Peterson, C.	Stratford
Barlow	Finlinson	Peterson, L.	Swan
Barton	McAllister	Pugh	Wayment
Black	McMullin	Rogers	Williams
Bunnell	Money	Sowards	Mr. President (Ferry)
Carling	Overson		

Voting in the negative were: Senators

Asay	Cornaby	Flamm	Sandberg

Absent or not voting were: Senators

Bullen	Matheson	Snow

COMMUNICATION FROM THE HOUSE

Mr. President: September 6, 1984

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 1, DEE SMITH 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. Senators Cornaby, Pugh, Ferry and Bangerter spoke in appreciation and tribute regarding Mr. Smith and his family. On motion of Senator Cornaby the rules were suspended and 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	Carling	Money	Sowards
Bangerter	Christensen	Peterson, C.	Stratford
Barlow	Cornaby	Peterson, L.	Swan
Barton	Finlinson	Pugh	Wayment
Black	Flamm	Rogers	Mr. President (Ferry)
Bunnell	McMullin	Sandberg	

Absent or not voting were: Senators

Bullen	McAllister	Snow	Williams
Matheson	Overson		

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

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Senator Barton's motion to uncircle **S.R. No. 1**, PUBLIC SERVICE COMMISSION RESOLUTION, failed.

PRESENTATION OF RESOLUTIONS

BURR TRAIL RESOLUTION

S.J.R. No. 1 *Fred W. Finlinson*

A JOINT RESOLUTION OF THE LEGISLATURE EXPRESSING ITS SUPPORT FOR THE PAVING OF THE BURR TRAIL; AFFIRMING ITS INTENTION TO CONSIDER FUNDING THE PROJECT IN THE 1985 GENERAL SESSION; AND URGING THE UNITED STATES HOUSE OF REPRESENTATIVES TO APPROVE FEDERAL FUNDING FOR THE BURR TRAIL, was read the first time and under suspension of the rules placed on Second Reading Calendar.

TRIAD CENTER RESOLUTION

S.J.R. No. 2 *Warren E. Pugh, LeRay McAllister, Haven J. Barlow*

A JOINT RESOLUTION OF THE LEGISLATURE EXPRESSING ITS CONCERN OVER THE CONDITIONS OF STATE AGENCY MOVES TO THE TRIAD CENTER, was read the first time and under suspension of the rules placed on Second Reading Calendar.

ALGIE EGGERTSEN BALLIF RESOLUTION

S.C.R. No. 1 *Eldon A. Money*

A CONCURRENT RESOLUTION OF THE LEGISLATURE EXPRESSING ITS APPRECIATION FOR THE GOOD LIFE AND EXTENSIVE COMMUNITY SERVICE OF ALGIE EGGERTSEN BALLIF; AND EXPRESSING ITS CONDOLENCES TO HER FAMILY AND FRIENDS UPON THE OCCASION OF HER DEATH.

On motion of Senator Money, the rules were suspended and the resolution was read the first, second and third times.

Senators Money, Pugh and Cornaby expressed appreciation and tribute to Algie Ballif and her family.

The resolution passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Christensen	McMullin	Sandberg
Bangerter	Cornaby	Money	Stratford
Barlow	Finlinson	Overson	Swan
Barton	Flamm	Peterson, C.	Wayment
Black	Matheson	Peterson, L.	Mr. President (Ferry)
Bunnell	McAllister	Pugh	

Absent or not voting were: Senators

Bullen	Rogers	Sowards	Williams
Carling	Snow		

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

COMMUNICATION FROM THE HOUSE

Mr. President: September 5, 1984

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 4**, MARYSVALE LINE OF D AND RG RAILROAD LEGAL FEES APPROPRIATIONS, by Senator Cary C. 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.B. No. 4 was signed by the President of the Senate in open session and referred to the Committee on Rules to be enrolled and transmitted to the Governor.

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At the request of Senator Flamm, the Senate voted to allow him to change his vote from nay to aye on **S.B. No. 1**, FLOODING COSTS. The final vote being 23, yea; 3, nay; 3, absent.

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

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On motion of Senator Finlinson, S.J.R. No. 1, BURR TRAIL RESOLUTION, was read the second time, and circled.

• • •

On motion of Senator Pugh the rules were suspended and S.J.R. No. 2, TRIAD CENTER 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	Cornaby	Money	Stratford
Bangerter	Finlinson	Overson	Swan
Barlow	Flamm	Peterson, C.	Wayment
Barton	Matheson	Peterson, L.	Williams
Bunnell	McAllister	Pugh	Mr. President (Ferry)
Christensen	McMullin	Sandberg	

Absent or not voting were: Senators

Black	Carling	Snow	Sowards
Bullen	Rogers		

S.J.R. No. 2 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President: September 6, 1984

I am directed to inform the Senate that the House of Representatives has this day passed H.B. No. 6, AGRICULTURE FEE ASSESSMENT AMENDMENTS, by Representative Glen E. 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 H.J.R. No. 2, CISCO BEACH RESOLUTION, by Representative Glen E. Brown, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 6 and **H.J.R. No. 2** were read the first time. On motion of Senator Cornaby, the rules were suspended and **H.B. No. 6** and **H.J.R. No. 2** were placed on Second Reading Calendar.

APPOINTMENTS
by Governor Scott M. Matheson

The following communication from Governor Matheson was distributed to the members of the Senate.

Dear President Ferry:

In accordance with Section 67-1-1 and 2, Utah Code Annotated, 1953. I propose and transmit the following appointments:

Business Regulations

Dr. Jerry S. Hawley, appointed as a member of the Real Estate Commission replacing Bryon McLeese for a term expiring June 30, 1989. Section 61-2-5.5, Utah Code Annotated, 1953, as amended.

W. Patrick Wyman, reappointed as a member of the Real Estate Commission for a term expiring June 30, 1989. Section 61-2-5.5, Utah Code Annotated, 1953, as amended.

Richard Bertoch, reappointed to the State Electrical Board for a term expiring July 1, 1989. Section 58A-1-9, Utah Code Annotated, 1953, as amended by Senate Bill 28, 1981 General Session.

John Dudley, reappointed to the Plumbers' Examining Committee for a term expiring July 1, 1989. Section 58A-1-7, Utah Code Annotated, 1953, as amended by Senate Bill 28, 1981.

Jerry Boone, appointed to the Contractors' Advisory Board replacing Marvin L. Hendrickson for a term expiring July 1, 1989. Section 58A-1-9, Utah Code Annotated, 1953, as amended by Senate Bill 28, 1981.

Education

Marvin J. Ashton, appointed as a member of the Board of Regents to fill the unexpired term of Neal Maxwell for a term expiring June 30, 1987. Section 53-48-5, Utah Code Annotated, 1953.

G. Bradly Howell, appointed as a member of the Board of Regents for a term expiring June 30, 1985. Section 53-48-5, Utah Code Annotated, 1953.

Dr. Kenneth C. Farrer, appointed as a member of the State Textbook and Course of Study Committee for a term expiring December 31, 1987. Senate Bill 106, 1981 General Session.

Sue Marie Young, appointed as a member of the State Board of Regents replacing Ralph Blackham for a term expiring June 30, 1985. Section 53-48-5, Utah Code Annotated, 1953, as amended.

Health

Madaline Anderson, reappointed as a member of the Emergency Medical Services Committee for a term expiring June 30, 1987. Sections 26-1-7 and 26-8-3, Utah Code Annotated, 1953, as amended.

Dr. Gary Lower, reappointed as a member of the Emergency Medical Services Committee for a term expiring June 30, 1987. Sections 26-1-7 and 26-8-3, Utah Code Annotated, 1953, as amended.

Albert Orton, reappointed as a member of the Emergency Medical Services Committee for a term expiring June 30, 1987. Sections 26-1-7 and 26-8-3, Utah Code Annotated, 1953, as amended.

K.B. Semnani, appointed as a member of the Solid and Hazardous Wastes Committee to fill the unexpired term of Mr. Ron Luri for a term expiring May 8, 1985. Section 26-14b-4, Utah Code Annotated, 1953.

Dr. James H. Reynolds, appointed as a member of the Solid and Hazardous Wastes Committee to fill the unexpired term of Mr. Lew A. Wangsgard for a term expiring May 8, 1987. Section 26-14b-4, Utah Code Annotated, 1953.

Sister Margo Cain, appointed as a member of the Health Facilities Council replacing Theron J. Godfrey for a term expiring July 1, 1988. Sections 26-1-7 and 26-21-3, Utah Code Annotated, 1953.

Josephine Kasteler, appointed as a member of the Health Facilities Council replacing Afton Forsgren for a term expiring July 1, 1988. Sections 26-1-7 and 26-21-3, Utah Code Annotated, 1953.

Robert A. Hunter, appointed as a member of the Health Systems Agency to fill the unexpired term of Boyd K. Storey for a term expiring July 1, 1985. Section 26-33-5, Utah Code Annotated, 1953.

Kent Alland, appointed as a member of the Health Systems Agency to fill the unexpired term of Bart Anderson for a term expiring July 1, 1985. Section 26-33-5, Utah Code Annotated, 1953.

Norma Thomas, reappointed as a member of the Health Systems Agency for a term expiring July 1, 1987. Section 26-33-5, Utah Code Annotated, 1953.

Craig Smedley, reappointed as a member of the Health Systems Agency for a term expiring July 1, 1987. Section 26-33-5, Utah Code Annotated, 1953.

Edna Seidner, reappointed as a member of the Health Systems Agency for a term expiring July 1, 1987. Section 26-33-5, Utah Code Annotated, 1953.

Jean Osbourne, reappointed as a member of the Utah Health Systems Agency for a term expiring July 1, 1987. Section 26-33-5, Utah Code Annotated, 1953.

Pat Johnson, reappointed as a member of the Utah Health Systems Agency for a term expiring July 1, 1987. Section 26-33-5, Utah Code Annotated, 1953.

Robert Furlow, reappointed as a member of the Utah Health Systems Agency for a term expiring July 1, 1987. Section 26-33-5, Utah Code Annotated, 1953.

Lloyd Drury, reappointed as a member of the Utah Health Systems Agency for a term expiring July 1, 1987. Section 26-33-5, Utah Code Annotated, 1953.

Don Chase, reappointed as a member of the Utah Health Systems Agency for a term expiring July 1, 1987. Section 26-33-5, Utah Code Annotated, 1953.

Dr. Jeffery Poore, appointed as a member of the Utah Health Systems Agency to fill the unexpired term of David LeSueur for a term expiring July 1, 1985. Section 26-33-5, Utah Code Annotated, 1953.

Mayor James Ferguson, reappointed as a member of the Utah Health Systems Agency for a term expiring July 1, 1987. Section 26-33-5, Utah Code Annotated, 1953.

Betty Naylor, appointed as a member of the Safe Drinking Water Committee to fill the unexpired term of Mayor Albert Fernelius for a term expiring May 8, 1985. Section 26-12-4, Utah Code Annotated, 1953.

Utah Liquor Control Commission

J. Bonner Ritchie, reappointed as a member of the Utah Liquor Control Commission for a term expiring July 1, 1988. Sections 32-1-4.5 and 32-1-5, Utah Code Annotated, 1953.

Department of Natural Resources

David Rasmussen, reappointed as a member of the Central Utah Water Conservancy District Board for a term expiring January 15, 1987. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

George Holmes, appointed as a member of the Central Utah Water Conservancy District Board replacing Clyde Richie for a term expiring January 15, 1987. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

Charles Wilson reappointed as a member of the Central Utah Water Conservancy District Board for a term expiring January 15, 1987. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

Gerald R. Maloney, appointed as a member of the Central Utah Water Conservancy District Board replacing Genevieve Atwood for a term expiring January 15, 1987. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

Sterling D. Jones, appointed as a member of the Central Utah Water Conservancy District Board replacing David McMullin for a term expiring January 15, 1987. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

Lamont W. Moon, appointed as a member of the Central Utah Water Conservancy District Board replacing Melvin B. White for a term expiring January 15, 1987. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

Mayor Glen Cannon, appointed as a member of the Salt Lake County Water Conservancy District Board of Directors for a term expiring July 1, 1987. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

Noal Bateman, appointed as a member of the Salt Lake County Water Conservancy District Board of Directors for a term expiring July 1, 1987. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

E. Verne Breeze, appointed as a member of the Salt Lake county Water Conservancy District Board of Directors for a term expiring July 1, 1987. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

Wayne Gibson, appointed as a member of the Weber Basin Water Conservancy District Board of Directors replacing Bruce McFarland for a term expiring June 30, 1986. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

Commissioner W. Robert White, reappointed as a member of the Weber Basin Water Conservancy District Board of Directors for a term expiring July 1, 1987. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

Blaine D. Fisher, reappointed as a member of the Weber Basin Water Conservancy District Board of Directors for a term expiring July 1, 1987. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

Dr. Lamar Stewart, appointed as a member of the Board of Water Resources replacing Sue Marie Young for a term expiring March 1, 1987. Sections 63-34-3 and 73-10-2, Utah Code Annotated, 1953.

Department of Social Services

Alene Bentley, appointed as a member of the Board of Youth Corrections replacing Gary Kennedy for a term expiring April 1, 1985. Section 55-11b-2, Utah Code Annotated.

Department of Transportation

Thomas M. Jense, appointed as a member of the Aeronautical Committee replacing Myron W. Jense for a term expiring March 15, 1987. Section 2-1-2, Utah Code Annotated, 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

The Senate voted to consent to the Governor's appointments on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Christensen	Money	Stratford
Bangerter	Cornaby	Overson	Swan
Barlow(exp)	Flamm	Peterson, C.	Wayment
Barton	Matheson	Peterson, L.	Williams
Black	McAllister	Pugh	Mr. President (Ferry)
Bunnell	McMullin	Sandberg	

Absent or not voting were: Senators

Bullen	Finlinson	Snow	Sowards
Carling	Rogers		

SECOND READING CALENDAR

On motion of Senator C. Peterson the rules were suspended and **H.B. No. 6,** AGRICULTURE FEE ASSESSMENT AMENDMENTS, 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

Bangerter	Cornaby	Overson	Stratford
Barlow	Flamm	Peterson, C.	Swan
Barton	Matheson	Peterson, L.	Wayment
Black	McMullin	Pugh	Williams
Bunnell	Money	Sandberg	Mr. President (Ferry)
Christensen			

Absent or not voting were: Senators

Asay	Carling	McAllister	Snow
Bullen	Finlinson	Rogers	Sowards

H.B. No. 6 was signed by the President of the Senate in open session of the Senate and returned to the House for futher action.

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On motion of Senator Cornaby, the rules were suspended and **H.J.R. No. 2,** CISCO BEACH RESOLUTION, was read the second and third times. Senators

Sowards, Swan and McAllister commented. The resolution passed on the following roll call:

Yeas, 23; Nays, 2; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	McMullin	Sandberg
Bangerter	Christensen	Money	Sowards
Barlow	Cornaby	Overson	Swan
Barton	Flamm	Peterson, C.	Wayment
Black	Matheson	Peterson, L.	Mr. President (Ferry)
Bunnell	McAllister	Pugh	

Voting in the negative were: Senators

Stratford	Williams

Absent or not voting were: Senators

Bullen	Finlinson	Rogers	Snow

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

COMMUNICATION FROM THE HOUSE

Mr. President: September 6, 1984

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, **H.B. No. 2,** DAY CARE SERVICES APPROPRIATION, by Representative Frandsen, et al, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.B. No. 2 was read the first time.

On motion of Senator Flamm, the rules were suspended and the bill was read the second and third times.

Senator Flamm explained the bill. Senators McAllister, Sowards, Williams, Bunnell and Matheson, commented. The bill passed on the following roll call:

Yeas, 24; Nays, 3; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Carling	Overson	Sowards
Barlow	Christensen	Peterson, C.	Stratford
Barton	Cornaby	Peterson, L.	Swan(exp)
Black	Finlinson	Pugh	Wayment
Bullen	Flamm	Rogers	Williams
Bunnell	McMullin	Sandberg	Mr. President (Ferry)
	Money		

Voting in the negative were: Senators

Asay	Matheson	McAllister

Absent or not voting were: Senators

Bullen	Snow

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

INTRODUCTION OF BILL

APPROPRIATION FOR DISLOCATED WORKERS TRAINING PROGRAM

S.B. No. 8 *Wilford R. Black*

AN ACT RELATING TO JOB TRAINING; APPROPRIATING $1,800,000 TO ASSIST IN THE TRAINING OF DISLOCATED WORKERS AS DEFINED AND PROVIDED FOR IN THE JOB TRAINING PARTNERSHIP ACT; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT ENACTS NEW MATERIAL, was read the first time.

On motion of Senator Black, the rules were suspended and the bill was read the second and third times. Senators Sandberg, Matheson, Barton, Pugh, Bunnell and Black commented. The bill passed on the following roll call:

Yeas, 23; Nays, 4; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Christensen	Overson	Stratford
Barlow	Cornaby	Peterson, C.	Swan
Barton	Finlinson	Peterson, L.	Wayment
Black	Flamm	Pugh	Williams
Bunnell	McMullin	Sandberg	Mr. President (Ferry)
Carling	Money	Sowards	

Voting in the negative were: Senators

Asay	Matheson	McAllister	Rogers

Absent or not voting were: Senators

Bullen	Snow

S.B. No. 8 was transmitted to the House.

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The Senate sauntered at 5:15 p.m., and reassembled at 6:30 p.m.

COMMUNICATIONS FROM THE HOUSE

Mr. President: September 6, 1984

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 5,** APPROPRIATION FOR A DESERTRON, by Senator Karl G. Swan, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 7,** UTAH HOUSING FINANCE AGENCY AMENDMENTS, by Senator Sowards, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Speaker has signed in open session, **S.B. No. 1,** FLOODING COSTS, by Senator Finlinson, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.C.R. No. 1,** ALGIE EGGERTSEN BALLIF RESOLUTION, by Senator Eldon A. Money, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 6,** HOUSING AUTHORITY AMENDMENTS, by Senator Glade M. Sowards, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Allan M. Acomb, Chief Clerk

S.B. Nos. 5, 7, 1 and 6 and S.C.R. No. 1 were signed by the President of the Senate in open session, and referred to the Committee on Rules to be enrolled and transmitted to the Governor.

• • •

Mr. President: September 6, 1984

I am directed to inform the Senate that the House of Representatives has this day rejected **S.B. No. 3**, WOLF CREEK LAND ACQUISITION, by Senator Peterson, et al, and the same is returned herewith, and

I am directed to inform the Senate that the House of Representatives has this day rejected **S.B. No. 2**, BOULDER TO BULLFROG SCENIC ROAD APPROPRIATION, by Senator Finlinson, et al, and the same is returned herewith.

Allan M. Acomb, Chief Clerk

S.B. Nos. 3 and **2** were filed.

• • •

Mr. President: September 6, 1984

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 3**, BURR TRAIL RESOLUTION, by Representative Yardley, and the same is transmitted herewith for Senate consideration.

Allan M. Acomb, Chief Clerk

H.J.R. No. 3 was read the first time.

On motion of Senator Finlinson, the rules were suspended and the resolution was read the second and third times and passed on the following roll call:

Yeas, 19; Nays, 1; Absent, 9

Voting in the affirmative were: Senators

Asay	Christensen	McAllister	Sowards
Bangerter	Cornaby	McMullin	Swan
Barlow	Finlinson	Money	Wayment
Barton	Flamm	Pugh	Mr. President (Ferry)
Carling	Matheson	Sandberg	

Voting in the negative were: Senator
Peterson, L.

Absent or not voting were: Senators

Black	Overson	Rogers	Stratford
Bullen	Peterson, C.	Snow	Williams
Bunnell			

H.J.R. No. 3 was signed by the President of the Senate in open session of the Senate and returned to the House for further action.

• • •

On motion of Senator Sowards, the circles were removed from **S.R. No. 1**, PUBLIC SERVICE COMMISSION RESOLUTION, and **S.J.R. No. 1**, BURR TRAIL RESOLUTION, and the enacting clause of each was stricken.

• • •

Mr. President: September 6, 1984

I am directed to inform the Senate that the House of Representatives has this day struck the enacting clause on **S.J.R. No. 2**, TRIAD CENTER RESOLUTION, by Senator Pugh, et al, and the same is returned herewith.

Allan M. Acomb, Chief Clerk

S.J.R. No. 2 was filed.

• • •

Mr. President: September 6, 1984

I am directed to inform the Senate that the House of Representatives has this day rejected **S.B. No. 8**, APPROPRIATION FOR DISLOCATED WORKERS TRAINING PROGRAM, by Senator Black, et al, and the same is returned herewith.

Allan M. Acomb, Chief Clerk

S.B. No. 8 was filed.

• • •

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 Third Special Session of the Forty-Fifth Legislature.

President Ferry appointed Senators Barton, Matheson and Swan to act with a like committee from the House to wait upon the Governor and to ask whether he has any further business to bring before the Legislature.

President Ferry appointed Senators Flamm, Overson and Money to notify the House of Representatives that the Senate has concluded its business and is ready to adjourn sine die.

A committee from the House of Representatives comprised of Representatives Tomlinson, F. Johnson and Florez notified the Senate that the House had concluded business and was ready to adjourn sine die.

Senator Matheson 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 Barton 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 Dona M. Wayment

On motion of Senator Cornaby, and at 6:45 p.m., the Third Special Session of the Forty-Fifth Legislature adjourned sine die.

PAGE
INDEX

SENATE BILLS AND RESOLUTIONS

FORTY-FIFTH LEGISLATURE

THIRD SPECIAL SESSION

September 5 and 6, 1984

(Check Reference Code on Page 44)

REFERENCE CODE FOR PAGE INDEXES

A ..... Amended on Floor
(a) ..... Amended in Committee
Ag-H ..... Agriculture and Health Committee
BL-ED .... Business, Labor and Economic Development Committee
CC ..... Consent Calendar
C of W .... Committee of the Whole
CR ..... Committee Report
CR(a) .... Committee Report as amended
E ..... Education
E-NR,A ... Energy, Natural Resources and Agriculture Committee
HA ..... House Amends
H ..... Health
Hc ..... House Committee
HC ..... House Concurs
HE ..... 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
PE ..... 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
SS ..... Social Services Committee
SSEC ..... Senate Struck Enacting Clause
Sub ..... Substitute Bill or Resolution
T ..... Tabled
T-PS ..... Transportation and Public Safety Committee
V ..... Vote

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SB 1	**Flooding Costs** Finlinson	12 (R)		13 (R)	13 (R) A 15,A,V V	17 30	26 HA SC,V 29,V	9/6/84	Signed by Gov. 9/27/84 Effective 9/27/84
SB 2	**Boulder to Bullfrog Scenic Road Appropriation** Finlinson, Matheson	13 (R)		14 (R) 18,20 C of W	21 (R) V	21	40		Failed in House 9/6/84
SB 3	**Wolf Creek Land Acquisition** L. Peterson, Finlinson	13 (R)		14 (R) 18,20 A	22 (R) V	22	40		Failed in House 9/6/84
SB 4	**Marysvale Line of D and RG Railroad Legal Fees Appropriation** C. Peterson	13 (R)		15 (R)	15 (R) A,V	15	29	9/6/84 no 2/3	Signed by Gov. 9/27/84 Effective 11/6/84
SB 5	**Appropriation for a Desertren** Swan, Barlow, Pugh	20 (R)		25 (R)	25 (R) V	25		9/6/84	Signed by Gov. 9/27/84 Effective 9/27/84
SB 6	**Housing Authorities Amendments** Sowards	23 (R)		25 (R)	25 (R) C of W V	26		9/6/84 no 2/3	Signed by Gov. 11/6/84 Effective 9/27/84
SB 7	**Utah Housing Finance Agency Amendments** Sowards	24 (R)		26 (R)	26 (R) V	26		9/6/84	Signed by Gov. 9/21/84 Effective 9/21/84
SB 8	**Appropriation for Dislocated Workers Training Program** Black	38 (R)		38 (R)	38 (R) V	39	41		Failed in House 9/6/84

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SR 1	**Public Service Commission Resolution** Barton, Overson, Baugerter, Barlow	23 (R)		28					SSEC 9/6/84
SCR 1	**Algie Eggertsen Bailiff Resolution** Money	28 (R)		29 (R)	29 (R) V	29		9/6/84	Signed by Gov. 9/21/84
SJR 1	**Burr Trail Resolution** Finlinson	28 (R)							SSEC 9/6/84
SJR 2	**Triad Center Resolution** Pugh, McAllister, Barlow	28 (R)		30 (R)	30 (R) V	30	41		HSEC 9/6/84

HOUSE BILLS

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
HB 2	Day Care Services Appropriation Frandsen, Lewis	37 (R)		37 (R)	37 (R) V	38		9/6/84	Signed by Gov. 9 27/84 Effective 11 6/84
HB 4	Clear Creek Archeological Site Study Christensen	19 (R)		24 (R) C of W	24 (R) V	24		9/6 84	Signed by Gov. 9 27/84 Effective 11 6/84
HB 6	Agriculture Fee Assessment Amendments Brown	30 (R)		36 (R)	36 (R) V	36		9 6 84	Signed by Gov. 9 27/84 Effective 9 27/84

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
HCR 1	**Dee Smith Resolution** Richards, Jeppson, Bishop	27 (R)		27 (R)	27 (R) V			9/6/84	Signed by Gov. 9/27/84
HJR 1	**Allan M. Acomb** All members of the House	17 (R)		17 (R)	17 (R) V	17		9/5/84	Passed 9/5/84
HJR 2	**Cisco Beach Resolution** Brown, Myrin	30 (R)		36 (R)	36 (R) V	37		9/6/84	Passed 9/6/84
HJR 3	**Burr Trail Resolution** Yardley	40 (R)		40 (R)	40 (R) V	40		9/6/84	Passed 9/6/84

By. 49

STATE OF UTAH

SENATE JOURNAL

EXTRAORDINARY SESSION
OF THE
FORTY-FIFTH
LEGISLATURE

Convened
Wednesday, December 5, 1984

Adjourned Sine Die
Wednesday, December 5, 1984

pg 50

CERTIFICATION

The undersigned, as the duly committee on revision of the Senate Journal for the Extraordinary Session of the Forty-Fifth 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 Wednesday, December 5, 1984 at 1:00 p.m. and adjourning sine die on Wednesday, December 5, 1984 at 2:00 p.m.

Sophia C. Buckmiller
Secretary of Senate

Joan B. Thomas
Administrative Assistant and Minute Clerk

STATE OF UTAH

SENATE JOURNAL

EXTRAORDINARY SESSION

of the

FORTY-FIFTH LEGISLATURE

AFTERNOON SESSION

Pursuant to the proclamation by His Excellency Governor Scott M. Matheson, the Senate of the Forty-Fifth Legislature of the State of Utah met in the Senate Chamber at the State Capitol in Extraordinary Session at 1:00 p.m. on December 5, 1984.

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

Prayer—Senator Brent C. Overson

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

PROCLAMATION

WHEREAS, Article VII, Section 10 of the Constitution of the state of Utah provides that the Governor shall nominate and with the consent of the Senate, appoint all state and district officers where offices are established by the Constitution or by statute; and

WHEREAS, since the close of the Third Special Session of the Legislature, certain appointments have been made that require the advise and consent of the Utah State Senate;

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 of the 45th Utah State Legislature into session at the State Capitol at Salt Lake City, Utah on the 5th day of December, 1984, at 1:00 p.m. 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.

IN TESTIMONY WHEREOF, I have hereunto set my hand and used to be affixed the Great Seal of the State of Utah. Done at the State Capitol in Salt Lake City, Utah, this 28th day of November, 1984.

Scott M. Matheson
Governor, State of Utah

David S. Monson
Lieutenant Governor, State of Utah

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 November 28, 1984 and signed by Governor Scott M. Matheson, is a true and correct copy of the original Proclamation calling the Senate of the 45th Legislature into session at the State Capitol at Salt Lake City, Utah, on the 5th day of December, 1984 at 1:00 p.m. 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.

I FURTHER CERTIFY THAT the membership of the Utah State Senate has not changed from that of the 1984 Budget Session of the Utah State Legislature.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol in Salt Lake City, Utah this 30th day of November, 1984.

David S. Monson
Lieutenant Governor, State of Utah

Roll Call—All senators present except Senators Bunnell, Carling and Matheson, excused.

On motion of Senator Glade M. Sowards, the Senate voted to adopt the Senate Rules of the Third Special Session of the Forty-Fifth Legislature as the rules for the Extraordinary Session.

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

COMMUNICATIONS FROM THE GOVERNOR

The following communications from Governor Matheson were distributed to members of the Senate.

Dear President Ferry: November 28, 1984

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

Education

James C. Taylor, appointed as a member of the Utah Technical College at Salt Lake City Institutional Council replacing Harry Blundell for a term expiring June 30, 1985. Section 63-16-14, Utah Code Annotated, 1953.

Natural Resources

Glen Brown, appointed as a member of the Central Utah Water Conservancy District Board replacing G. Marion Hinckley for a term expiring January 15, 1985. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

R. Roscoe Garrett, reappointed as a member of the Central Utah Water Conservancy District Board for a term expiring January 15, 1985. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

L.Y. Siddoway, reappointed as a member of the Central Utah Water Conservancy District Board for a term expiring January 15, 1985. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

Melvin B. White, appointed as a member of the Central Utah Water Conservancy District Board replacing Lyn Winterton for a term expiring January 15, 1985. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

Frank W. Bohman, reappointed as a member of the Weber Basin Water Conservancy District Board for a term expiring June 28, 1985. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

Charles D. Carver, reappointed as a member of the Weber Basin Water Conservancy District Board for a term expiring June 28, 1985. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

Evan A. Whitesides, reappointed as a member of the Weber Basin Water Conservancy District Board for a term expiring June 28, 1985. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

Tax Commission

Clyde R. Nichols, Jr. appointed as Executive Director of the Utah State Tax Commission to serve at the pleasure of the Utah State Tax Commission House Bill 315, 1983 General Session of the Utah State Legislature.

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: December 3, 1984

In accordance with sections 67-1-1 and 67-1-2, Utah Code Annotated, 1953, I propose and transmit the following appointment:

Natural Resources

C. Grant Hurst, reappointed as a member of the Salt Lake County Water Conservancy District Board for a term expiring May 20, 1985. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

I respectfully request that the Senate take immediate action on the above appointment so that this individual will have the constitutional and legal authority to assume his duties should the Senate advise and consent in the affirmative.

Scott M. Matheson
Governor, State of Utah

• • •

Dear President Ferry: December 5, 1984

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

Natural Resources

Richard Norris, appointed as a member of the Salt Lake County Water Conservancy District Board replacing Sheldon Holmes for a term expiring May 20, 1985. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

Dennis Morrill, appointed as a member of the Salt Lake County Water Conservancy District Board replacing Hugh Bringhurst for a term expiring May 20, 1985. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

Joe Novack, reappointed as a member of the Central Utah Water Conservancy District Board for a term expiring January 15, 1985. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

Jim Lee, reappointed as a member of the Central Utah Water Conservancy District Board for a term expiring January 15, 1985. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

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 L. Peterson, the Senate voted to advise and consent in the affirmative to all appointments on the communications dated November 28, December 3, and December 5, 1984.

Senators Asay, Sowards, Black and Cornaby commented.

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 Flamm advised that the committee had notified the Governor that the Senate had concluded its business.

Governor Matheson returned with the committee and briefly spoke before the Senate.

On motion of Senator Cornaby, and at 2:00 p.m. the Extraordinary Session of the Forty-Fifth Legislature adjourned sine die.

PJ 57

STATE OF UTAH

SENATE JOURNAL

1985
GENERAL SESSION
OF THE
FORTY-SIXTH
LEGISLATURE

Convened
Monday, January 14, 1985

Adjourned Sine Die
Wednesday, February 27, 1985

pg. 58

CERTIFICATION

The undersigned, as the duly appointed committee on revision of the Senate Journal for the General Session of the Forty-Sixth Legislature of the State of Utah, do hereby certify that herein contained is a full, true and accurate record of the proceedings of the General Session convening on Monday, January 14, 1985 at 10:00 a.m. and adjourning sine die on Wednesday February 27, 1985 at 12:30 p.m.

Sophia C. Buckmiller
Secretary of the Senate

Joan B. Thomas
Administrative Assistant and Minute Clerk

PJ 59

PRESIDENT OF THE SENATE

1985 General Session

Forty-Sixth Legislature

Prior to this session the Legislature met in General Session for 60 days in odd numbered years, and in a Budget Session for 20 days in even numbered years. Not only was this my first session as Senate President, but it was the first annual General Session of the Legislature. The Legislature will now be in session the second Monday of each January and continuing for 45 consecutive days.

Senators C.E. "Chuck" Peterson and Lyle Hillyard, having served previously in the House, were elected to the Senate. Senator Darrell Renstrom returned to the Senate and a new member of the Legislature was Senator John Holmgren, who was appointed to fill the unexpired term of "Cap" Ferry. President Ferry, having been appointed to serve as Commissioner of Agriculture, was missed in this body. It was a great honor to serve as President of the Senate and to serve with such exceptional men as those just mentioned and the senators who are returning to the Senate. And, of course, to serve with Utah's lady Senator Dona Wayment.

The session began with a one time surplus in the state coffers and it was conservatively apportioned to meet the many needs of people in the state. The Insurance Law was recodified, education, flooding, economic development, and numerous other needs of the people were addressed.

Arnold Christensen
President, Utah State Senate

SENATE LEADERSHIP

MAJORITY LEADERSHIP (Republican)

Cary G. Peterson
Majority Leader

Dix H. McMullin
Majority Whip

MINORITY LEADERSHIP (Democrat)

Wilford R.
Black, Jr.
Minority Leader

Eldon A. Money
Minority Whip

SENATE STAFF

Sophia C.
Buckmiller
Secretary of the Senate

Joan B.
Thomas
Administrative Assistant and Minute Clerk

Mary C. Fransen
Docket Clerk

pg. 61

SENATE LEADERSHIP

President of the Senate (R) ..... Arnold Christensen
Majority Leader (R) ..... Cary G. Peterson
Majority Whip (R) ..... Dix Holt McMullin
Minority Leader (D) ..... Wilford Rex Black, Jr.
Minority Whip (D) ..... Eldon A. Money
Appropriations Chairman ..... Warren E. Pugh
Secretary of the Senate ..... Sophia C. Buckmiller

HOUSE LEADERSHIP

Speaker of the House (Republican) ..... Robert H. Garff
Majority Leader (R) ..... Glen E. Brown
Majority Whip (R) ..... Gayle F. McKeachnie
Assistant Majority Whip (R) ..... Olene S. Walker
Minority Leader (D) ..... Mike Dmitrich
Minority Whip (D) ..... Blaze D. Wharton
Assistant Minority Whip (D) ..... Ted D. Lewis
Appropriations Chairman ..... Nolan E. Karras
Chief Clerk of the House ..... Carole E. Peterson

STATE OFFICIALS

Governor ..... Norman H. Bangerter
Lieutenant Governor ..... W. Val Oveson
Attorney General ..... David L. Wilkinson
Autitor ..... Tom L. Allen
Treasurer ..... Edward T. Alter

CONGRESSIONAL DELEGATION

Senator ..... E.J. "Jake" Garn
Senator ..... Orrin G. Hatch
Congressman ..... James V. Hansen
Congressman ..... David S. Monson
Congressman ..... Howard C. Nielson

UTAH SUPREME COURT

Chief Justice ..... Christine M. Durham
Justice ..... Gordon R. Hall
Justice ..... I. Daniel Stewart
Justice ..... Richard C. Howe
Justice ..... Michael D. Zimmerman

MEMBERS OF THE SENATE

MEMBERS OF THE SENATE

Forty-Sixth Legislature

Senator	District	County(ies)	Party	Address & Telephone No.
Terry Williams	1	Salt Lake	D	824 Blair Street Salt Lake City, Utah 84111 H-359-5405
Wilford R. Black, Jr.	2	Salt Lake	D	826 North 13th West Salt Lake City, Utah 84116 H-359-7456
Richard J. Carling	3	Salt Lake	R	1075 Alton Way Salt Lake City, Utah 84108 H-582-1231 O-359-7771
Wayne L. Sandberg	4	Salt Lake	R	1650 Lone Peak Drive Holladay, Utah 84117 H-277-5723 O-521-3222
Dix H. McMullin	5	Salt Lake	R	10516 South 1540 West South Jordan, Utah 84065 H-254-4850 O-566-1263
Brent C. Overson	6	Salt Lake	R	2294 Barley Circle West Jordan, Utah 84084 H-561-3392
K.S. Cornaby	7	Salt Lake	R	3794 Hermes Drive Salt Lake City, Utah 84124 H-277-6932 O-532-1600
Fred W. Finlinson	8	Salt Lake	R	720 Shiloh Way Murray, Utah 84107 H-268-9248 O-363-8823
Warren E. Pugh	9	Salt Lake	R	5124 Cottonwood Lane Salt Lake City, Utah 84117 H-277-2182 O-355-6500
Arnold Christensen	10	Salt Lake	R	891 East 8600 South Sandy, Utah 84070 H-255-2196 O-255-8035 or O-566-0461

MEMBERS OF THE SENATE

Forty-Sixth Legislature

Senator	District	County(ies)	Party	Address & Telephone No.
E. Verl Asay	11	Salt Lake	R	4857 South 1950 West Taylorsville, Utah 84118 H-968-3247
William T. Barton	12	Salt Lake	R	3940 West 4100 South West Valley City, Utah 84120 H-968-6964 O-969-5102 or O-968-2121
Karl G. Swan	13	Salt Lake, Utah, Tooele	D	347 Upland Drive Tooele, Utah 84074 H-882-3740 O-882-0300
Paul Rogers	14	Utah	R	964 East 930 North Orem, Utah 84057 H-224-2397
LeRay McAllister	15	Utah	R	296 East 1864 South Orem, Utah 84058 H-225-5455 O-378-3333
C.E. 'Chuck' Peterson	16	Utah	R	2737 Edgewood Provo, Utah 84604 H-373-3975
Eldon A. Money	17	Utah	D	RFD #2, Box 30 Spanish Fork, Utah 84660 H-798-3668
Dale E. Stratford	18	Weber, Morgan	R	4776 Panorama Drive Ogden, Utah 84403 H-479-3663 O-393-7085
Darrell G. Renstrom	19	Weber	D	1145 East 1675 North North Ogden, Utah 84404 H-782-5611
Lowell S. Peterson	20	Weber	R	4538 South 1725 West Roy, Utah 84067 H-731-2170 O-731-2169

MEMBERS OF THE SENATE

Forty-Sixth Legislature

Senator	District	County(ies)	Party	Address & Telephone No.
Dona M. Wayment	21	Davis	R	2634 West 1800 North Clinton, Utah 84015 H-825-2895
Haven J. Barlow	22	Davis	R	552 Elm Street Layton, Utah 84041 H-544-4109 O-544-2121 or O-544-4238
Jack M. Bangerter	23	Davis	R	1177 East 5th North Bountiful, Utah 84010 H-292-5771 O-546-6600
John P. Holmgren	24	Box Elder,	R	4570 West 5400 North Bear River City, Utah 84301 H-279-8679 O-723-5229
Lyle W. Hillyard	25	Cache, Rich,	R	175 East First North Logan, Utah 84321 H-753-0043 O-752-2610
Glade M. Sowards	26	Carbon, Wasatch, Duchesne, Summit, Daggett, Uintah	R	380 West 100 South Vernal, Utah 84078 H-789-0149 O-355-6040 SLC-532-1668
Omar B. Bunnell	27	Carbon, Grand, San Juan, Emery	D	640 North 300 East Price, Utah 84501 H-637-1465 O-637-0284
Cary G. Peterson	28	Juab, Sanpete, Sevier, Millard, Piute, Wayne, Beaver	R	406 East 500 North Nephi, Utah 84648 H-623-1816
Ivan M. Matheson	29	Washington, Garfield, Iron, Kane	R	265 E. Midvalley Road Cedar City, Utah 84720 H-586-9239

UTAH STATE CONSTITUTION
LEGISLATIVE DEPARTMENT
ARTICLE VI

Copies of the Utah State constitution, with amendments, are available in t office of Legislative Research and General Counsel and in the Lieutenant Governo office.

SENATE RULES

See "Directory and Rules" of the 46th Legislature, 1985.

SENATE CONSTITUTIONAL PROVISIONS: IMPEACHMENT PROVISION: JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES: VETO SESSIONS, and INTERIM STUDY COMMITTEE RULES.
See "Directory and Rules" of the 46th Legislature, 1985.

STATE OF UTAH

SENATE JOURNAL

1985 GENERAL SESSION

of the

FORTY-SIXTH LEGISLATURE

FIRST DAY

MORNING SESSION

Pursuant to the provision of the Constitution of the State of Utah the senators-elect of the Forty-Sixth Legislature of the State of Utah convened in General Session in the Senate Chamber on Monday, January 14, 1985 at ten o'clock a.m.

The Honorable W. Val Oveson, Lieutenant Governor, called the Senate to order.

Prayer — Elder Dallin H. Oaks, member of the Council of Twelve of the Church of Jesus Christ of Latter-day Saints.

Our Father in Heaven, on this day of the opening of the Utah Legislature and in this opening of the Utah State Senate, we come before thee with thankful hearts for the privilege of self-government, for the freedoms that we enjoy, for the beauties of this state and of this land in which we live. We pray Father that thou wilt bless the efforts of these people, the leadership and the membership of this important body of state government. As the people of the state, we thank thee for their willingness to serve, we thank thee for their goodness, we thank thee for the privilege we have had of electing them, investing in them the important responsibility of making laws for the people of this state. We pray that thou wilt bless them during this session and that thou wilt bless their families and their employment and their businesses and their flocks and their herds and their every concern, that thou wilt watch over and protect them as they go about the business of the people of this state. Wilt thou bless them with wisdom and understanding in making the decisions that must be made to make the laws, to amend, revise, improve, and repeal as necessary the laws of this state. Wilt thou grant them wisdom to resolve the conflicting points of view that will be put before them. Wilt thou help them to hear the voices of all of the people of this state, of every creed and persuasion, the old and the young, those who have access to the seat of power, and those, through minority or disadvantage status who do not have immediate access. Wilt thou help them to hear every point of view to make wise and

appropriate decisions and to do the business of the people of this state in a way that will be pleasing to those people, and pleasing unto thee. We pray for this and for thy blessing upon us in the the name of Jesus Christ, Amen.

POSTING OF THE COLORS
and
PLEDGE OF ALLEGIANCE

Hillcrest High School Drill Team

Robyn Kirk sang "The National Anthem" and
Kennedy Corbett sang "America the Beautiful"
Accompanist, Julie Cawley

Sophia C. Buckmiller, Secretary of the Senate, read the certification and membership of the 1985 General Session of the Utah State Senate.

CERTIFICATE OF MEMBERSHIP OF THE 1985
GENERAL SESSION
OF THE UTAH STATE SENATE

I, W. VAL OVESON, Lieutenant Governor of the State of Utah, do hereby certify that at a General Election held within and for the State of Utah on Tuesday, November 6, 1984, 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, 1985, to-wit:

SECOND DISTRICT: County of Salt Lake
Wilford R. Black
FIFTH DISTRICT: County of Salt Lake
Dix H. McMullin
SIXTH DISTRICT: County of Salt Lake
Brent C. Overson
EIGHTH DISTRICT: County of Salt Lake
Fred W. Finlinson
FOURTEENTH DISTRICT: County of Utah
Paul Rogers
SIXTEENTH DISTRICT: County of Utah
C.E. 'Chuck' Peterson
SEVENTEENTH DISTRICT: County of Utah
Eldon A. Money

NINETEENTH DISTRICT: County of Weber
Darrell G. Renstrom
TWENTIETH DISTRICT: County of Weber
Lowell S. Peterson
TWENTY-THIRD DISTRICT: County of Davis
Jack M. Bangerter
TWENTY-FIFTH DISTRICT: Counties of Cache, Rich, Summit
Lyle W. Hillyard
TWENTY-SEVENTH DISTRICT: Counties of Carbon, Grand, San Juan, Emery
Omar B. Bunnell
TWENTY-EIGHTH DISTRICT: Counties of Juab, Sanpete, Sevier, Millard, Piute, Wayne, Beaver
Cary G. Peterson
TWENTY-NINTH DISTRICT: Counties of Washington, Garfield, Iron, Kane
Ivan M. Matheson

I FURTHER CERTIFY that by virtue of district realignments due to a reapportionment plan adopted by the 1981 Legislature, the following named persons were chosen by the electors at a General Election held within and for the State of Utah on Tuesday, November 2, 1982, 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, 1983, to-wit:

FIRST DISTRICT: County of Salt Lake
Terry Lee Williams
THIRD DISTRICT: County of Salt Lake
Richard J. Carling
FOURTH DISTRICT: County of Salt Lake
Wayne L. Sandberg
SEVENTH DISTRICT: County of Salt Lake
K.S. Cornaby
NINTH DISTRICT: County of Salt Lake
Warren E. Pugh
TENTH DISTRICT: County of Salt Lake
Arnold Christensen
ELEVENTH DISTRICT: County of Salt Lake
E. Vern Asay
TWELFTH DISTRICT: County of Salt Lake
William T. Barton
THIRTEENTH DISTRICT: Counties of Salt Lake, Utah, Tooele
Karl G. Swan

FIFTEENTH DISTRICT: County of Utah
LeRay McAllister
EIGHTEENTH DISTRICT: Counties of Weber, Morgan
Dale E. Stratford
TWENTY-FIRST DISTRICT: County of Davis
Dona M. Wayment
TWENTY-SECOND DISTRICT: County of Davis
Haven J. Barlow
TWENTY-FOURTH DISTRICT: Counties of Box Elder, Cache
Miles 'Cap' Ferry
TWENTY-SIXTH DISTRICT: Counties of Carbon, Wasatch, Duchesne, Summit, Daggett, Uintah,
Glade M. Sowards

I FURTHER CERTIFY THAT, by virtue of the appointment of the Governor, occasioned by the resignation of Miles 'Cap' Ferry of District Twenty-four, the following is entitled to serve for the unexpired term of Senator Ferry, beginning January 10, 1985:

TWENTY-FOURTH DISTRICT: Counties of Box Elder, Cache
John P. Holmgren

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 Tenth Day of January, 1985.

W. Val Oveson, Lieutenant Governor

APPOINTMENT TO SENATE
John P. Holmgren

Dear President Christensen: January 10, 1985

Attached hereto is a copy of the official Appointment by the Governor of Utah appointing John P. Holmgren of Bear River City, Utah to fill the unexpired term of Miles 'Cap' Ferry of Senate District 24, occasioned by the latter's resignation. This appointment is made in accordance with Section 20-1-5, Utah Code Annotated and is effective beginning January 10, 1985.

Norman H. Bangerter
Governor, State of Utah

APPOINTMENT BY THE GOVERNOR OF UTAH

WHEREAS, a vacancy has occurred in Senate District Twenty-Four, occasioned by the resignation of Miles 'Cap' Ferry; and

WHEREAS, in accordance with Section 20-1-5, Utah Code Annotated, 1953, the Governor is directed to make appointments to this vacancy;

NOW, THEREFORE, I, Norman H. Bangerter, Governor of the State of Utah, reposing special confidence in the ability and integrity of

JOHN P. HOLMGREN
4570 W. 5400 North
Bear River City, Utah 84337

do hereby appoint the same John P. Holmgren as a Senator of Senate District 24 to fill the unexpired term of Miles 'Cap' Ferry, to-wit: January 1, 1987.

IN TESTIMONY WHEREOF, I have 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 10th day of January, 1985.

Norman H. Bangerter
Governor, State of Utah

The Honorable Richard C. Howe, Supreme Court Justice administered the Oath of Office to the newly-elected senators and to the appointed Senator John P. Holmgren.

Roll Call — All senators present.

President of the Senate (Nomination and election) — On motion of Senator Cary G. Peterson, the Senate voted to proceed with its organization and nominate and elect its president. The motion carried.

The Honorable W. Val Oveson declared nominations for the office of President were in order.

On motion of Senator Haven J. Barlow, and seconded by Senator Wilford R. Black, Senator Arnold Christensen was nominated for President of the Utah State

Senate. The nominations were closed and Senator Christensen was elected President of the Senate by acclamation. Senators Warren E. Pugh, Haven J. Barlow and Eldon A. Money escorted Senator Arnold Christensen to the podium.

Justice Howe administered the oath of office to President of the Senate, Arnold Christensen.

PRESIDENT ARNOLD CHRISTENSEN

"To Justice Howe and to Lt. Governor Oveson, to members of the Utah State Senate, to the staff and to the public that are here, it is a privilege for me and an honor to accept the election of President of the State Senate. I realize that it's a tremendous responsibility and that it will take much effort, but with the cooperation of all of us here I'm sure that we can discharge the duties of the Senate properly and we will benefit the people of the State of Utah. I'd like to welcome the new senators to our body that have come in this day. There has not been a whole lot of turnover, but to Senator Chuck Peterson and to Senator Hillyard, Senator Holmgren, and to Senator Renstrom, we extend a welcome to you from membership of the Senate and it's a pleasure to have you serve with us. I suppose Senator Holmgren is the only one that's not had previous experience. I served with Senator Renstrom two years prior to this and it's a pleasure to have all four of you with us.

I'd like to thank the Hillcrest Colorguard for reminding us that we do live in the great United States and that the flag signifies that we do have responsibilities as citizens of the United States. Also we'd like to give thanks to those that did sing the national anthem and to Kennedy Corbett for singing America the Beautiful. Elder Oaks had to leave to go to a funeral, but we'd like to thank him also.

To Justice Howe and Lt. Governor Oveson, it's a pleasure to have you join us today to take part in our opening ceremonies. Now as I reflect upon the scope of responsibilities of the Senate, I see a great mandate ahead of us — many challenges. The forty-five day session will be the first in the history of the State of Utah, which will be a challenge in some ways and in other ways it's a good thing that we only have forty-five days to do our job rather than sixty days. I would ask the senators to remind themselves that they do represent the people. The people are the ones who bear the burden of the taxes and that as we represent them, we must guard the people and as we pass laws we take freedom from some, but hopefully the laws are meant to give freedom to people and that we will remember that opportunity as we meditate, debate, and deliberate on every law that is passed though this body. I'd like to ask a special cooperation among the members of the Senate that we honor the personal integrity of every senator, we do not attack anyone personally, that we remember that debate is necessary and healthy, also that we would not accomplish anything if we didn't have an opportunity to voice our opinion and that truly we have twenty nine different personalities among all of us with a different opinion on every measure. So

we just ask that you be congenial and that you cooperate as much as possible with each and every member of the senate.

We would acknowledge the minority party. Senator Black is the Minority Leader and Senator Money is the Minority Whip and acknowledge that they might come from a different perspective than the rest of us but that's one of the blessings of living in America to have the two party system. We welcome their input and would say to them that the door to the President's office is always open, that we would be happy to entertain any of their thoughts, discussion or whatever they feel is needed as we conduct the business of the state senate.

We would make a note about the families of the senators here. Families are always welcome and we'd invite them to join with us whenever they can and be a part of the senate. The families are welcome on the floor at the invitation of the senator and should feel free to come and see what happens here and be a part of it. Each senator will have an opportunity to introduce their family as the opportunity avails itself.

We'd also like to take special note of the staff that we have with us. Sophia Buckmiller has just been a super helper as we've tried to put the session into perspective and prepare all the things that need to be done. She's worked powerfully already and knowing her from the past, the future will be just as fine and dependable as she's always been, together with Joan. Mary Frandson is joining us on the circle this year. It is a pleasure to have her with us. There is no way that any of us could function without the thought and help of the staff. There are also many other staff members that are here with us and we look forward to working with them and hopefully we can do that congenially and not have any problems or feelings between the members of the staff and the members of the senate. They are here to help us and surely we understand that and would call upon them only as we need them.

We also have a special guest with us that I've asked to sit on the side today at my invitation. As I review the last six years of the senate with President Ferry as the presiding officer in this body, it scares me to realize how fine a job he's done and that I am to try and replace that office. I realize that I will not fill his shoes and that we are each individuals and different and he has administered in his way and I will administer in my way, but I do acknowledge a great learning experience from him, serving as his majority whip the last two years and now as President of the Senate I will take lessons from him. There are a couple of other former presidents in the body, Senator Pugh and Senator Barlow whom I will look to for much help that I might be able to accomplish the duties that have been put on my shoulders this day.

As I look at the challenges of the session we're coming in to, there's some growth in our state and we need to face the related problems of that growth. There's growth in education — tremendous amount of demand for governmental services by the public, by the new growth and the ones that are still here. We've asked our fiscal analyst to put together a budget that will reflect the growth and also an inflation factor. As we review that budget and the analyst makes recommendations in our

committee hearings, you need to know that those factors are already in the figures that he will be giving to you. We've got tremendous problems with our flooding that we need to address. We've spent, with the leadership of Senator Finlinson, much time with the flooding committee and previous study and I know their committee is prepared to make many recommendations. We need to take each one of those one by one to make sure that what is possible and right is done. We also have a governor who has made a campaign promise of economic development which I think is a great thing for us to endeavor to do. We'd like to pay some particular attention this session to our growth and our economic development that we might provide jobs for those young people who are out in our society that they might stay in state rather than have to be exported out of the state to find jobs. It would be our purpose to help retain the great citizens and their children that we have in the state today. Another serious problem that we're going to have to address is the surplus. It's the first time that I've been in the senate and had a surplus on our hands. It's always been a real challenge to hold the line without raising taxes and still meet our obligations. As we look at those surpluses I'd like to ask each of you to be very, very candid about the use of that money. Realizing that most of the surplus is a one time accounting into the coffers of the state government, and if we were to fund on-going programs with that one time money, then next year it would force us into a tax raise or to do away with the program that we've funded. I think we need to keep that in mind. We also need to plan for the future needs of our state — not only in flooding, but all of the things that we entertain on the floor in the senate. We have another great load that I'd like to call your attention to. The new governor, a republican for the first time in twenty years has been elected, and his opportunity to appoint to various capacities in this state will be great in numbers and in people. We will have the opportunity to review those appointments and then voice our opinions and we need to very carefully look at the appointments and be sure that we have the finest people available to serve in the leadership capacities of this state.

In conclusion, I'd like to say that I consider this a great challenge to be the President of the Utah State Senate and I also consider it a great opportunity. I look forward to it. Senators Peterson, McMullin and myself were in attendance at the training conference in Denver last week sponsored by the National Conference of State Legislature. One of the remarks made there was that when we find ourselves not anxious to attend a session or a little hesitant to take part in a session that maybe it's time for us not to be a part of the session. If we find ouselves anxiously involved and looking forward to being in the session then we really ought to be a part of it. I'm happy to say that I've found myself in that position last week and I'm very anxiously looking forward to the opportunity to serve in the legislature and be a part of the leadership. I consider us like a fine tuned engine-each one tuned to do our specific part. We've assigned the committee chairmanships and we'd remind the committee chairmen to prioritize bills as soon as possible. Those that can come out of committee hearings without too much debate and get on to the floor of the senate

will relieve pressure as our forty-five day session proceeds. I think this would expedite our business, and we would also ask the committee chairmen to prioritize bills that would require significant public hearing and that we schedule those as early as possible and with as much notice as possible so that the public can have opportunity to testify and to give us the information that we need to make our decisions. All in all as the engine works, if one of us falls down then, of course, the engine is not nearly as effective. So, I just ask each and every one of you to endeavor to do you part with a pledge to you that I will do my part and together we'll be effective and get the job done. Thank you."

President Christensen introduced members of his family.

LEADERSHIP

President Christensen directed that as a result of Democrat and Republican caucus, the following names are to be recorded in the Senate Journal as leaders for the 46th Legislature:

Majority Leader — Cary G. Peterson
Majority Whip — Dix H. McMullin
Minority Leader — Wilford R. Black, Jr.
Minority Whip — Eldon A. Money

On motion of Senator Christensen, the Senate voted to approve the Senate Leadership.

President Christensen invited Senate Majority Leader Cary G. Peterson, to briefly address the Senate.

Senator Cary G. Peterson
Majority Leader

"It is with great appreciation that I approach this path as one of your leaders this session. I have a desire first of all to serve you, to carry out the paths that this office was created for and to be of help to you. That is my first objective as we approach the forty-sixth session of the legislature and I thank you for the confidence and trust in me that you have shown. I congratulate President Christensen and certainly express my willingness, and I am sure the willingness of each member of our body, to make your job complete and easier for you. It is a responsible task and we revere that position and you, President Christensen, and wish you success in the chairmanship duty that you have.

We are faced with some changes. These were dictated by the people. Rather than sixty days, which we have had in the past, we have forty-five to transact an equal amount of business. As I have observed legislative bodies around the country, I think the ones that have the greatest problems with their constituency are the ones that do not take good care of their budget and financial measures. I think the first priority we have, and I am sure after talking to my constituents, they expect us to be guardians of the public treasury. It is their money we are dealing with. That surplus is not a surplus of state government, it is extra public money that we have not yet budgeted. I think we need to bear this in mind. The quorum of our body is extremely important if we are to accomplish our objectives in a manner that we will all find acceptable and do so in a harmonious way. If we transact our personal business with consideration for what is going on on the floor first things will run smooth and we will be much more effective. I urge your concern for decorum, respect, and dignity as we go about our jobs. I think the German philosopher gave some words of wisdom that are appropriate today, "Let every generation earn anew the trust that is lent to them." This great form of government, the constitutional trust and the responsibility granted to us by our constituents, will only be ours and our offices will only be respected if we earn the public trust and show ourselves equal to this task. The challenges are great! President Christensen mentioned that we attended a training conference. We had a very fine consultant. A gentleman who earned his living by considering future problems for United Airlines, General Electric, and some of the major corporations of America. One bit of advice that he gave us was of the mega problems facing the world, including America, with a growing public debt. If we don't find a solution to this and get control over the economic problems of the world, the over indulgence of governments and businesses will lead us to a worldwide depression of disastrous proportions. Economic soundness, not only for us but our urging to the national congress and international banks needs to be a part of our concern. Kennecott Copper and its employees are faced with some very serious problems today because of the over indulgence of competing nations in the copper business. The cutrate selling of copper from other countries has a disastrous effect on our own production here. I wish you success in this session. I stand ready to serve you to the best of my ability. This I pledge to you and President Christensen and members of the Senate."

Senator Dix H. McMullin
Majority Whip

"Thank you Mr. President. I too express my appreciation to my fellow senators for giving me the opportunity to serve in leadership during the coming sessions. I greatly appreciate the opportunity that I have had in serving the people of this great state and look forward to the opportunity of continuing to be excited about the work. I'll try to be the type of individual that they can look up to as we prepare the budget for this economy we live in. One of the greatest challenges we have as state senators

is to make certain that we use money wisely with all of the requests that we have. As we work together, I pledge my support to do everything I can to make the business of this session more efficient and more effective. Thank you Mr. President."

Senator Wilford Rex Black
Minority Leader

"Mr. President, it is great to have a new experience working with new leaders. We have worked well in the past when they haven't been in leadership and I think that you will see quite a lot of cooperation from our side in trying to get the work of the state accomplished in what is going to be an annual forty-five day session. I am sure that as we work through this session, we will probably have to realign our work load somewhat to accomplish what we need to do in the forty-five instead of the sixty days that we have been used to. I am sure, however, that we will be able to do this. I have appreciated the chance to know and work with each one of you. I think that when we have differences, they will be honest differences and they will probably be few because we all want to meet the needs of the people. To those of you that are new in the senate I will tell you this, I am glad that you are here and hope that if you have any questions on procedures or anything, that you will consult with leadership and we'll be glad to give all the guidance possible. It is going to be hard work this session, I think we all recognize that. I hope that when we have lengthy discussions or we get a little tired, we will not let our emotions and tempers get the best of us. We need to consider the feelings and the wishes of others and work together to make compromises that we might be able to work out differences. I hope everything runs smoothly, and we'll try as best we can to make this a good session."

On motion of Senator Cary G. Peterson, the Senate expressed appreciation to the Honorable W. Val Oveson, Lieutenant Governor and Richard C. Howe, Supreme Court Justice for taking time from their busy schedule to participate in the opening of the Utah State Senate.

On motion of Senator Dix H. McMullin, the Senate expressed appreciation to Elder Dallin H. Oaks for delivering the beautiful and inspiring prayer at the opening of the 46th Legislature.

Senate Rules — President Arnold Christensen appointed a committee comprised of Senators Glade M. Sowards, Jack M. Bangerter, Omar B. Bunnell, Dix H. McMullin, Eldon A. Money, Cary G. Peterson, Paul Rogers and Dona M. Wayment to formulate the Senate rules.

Joint Rules — President Arnold Christensen appointed a committee comprised of Senators Glade M. Sowards, Jack M. Bangerter, Omar B. Bunnell, Dix H. McMullin,

Eldon A. Money, Cary G. Peterson, Paul Rogers and Dona M. Wayment to formulate the Joint Rules.

Patronage and Employees — President Arnold Christensen appointed Senator Dale E. Stratford as a committee to serve patronage and employees.

Committee to read and revise the Daily Senate Journal — President Arnold Christensen appointed Senators C.E. 'Chuck' Peterson, William T. Barton and Darrell G. Renstrom as a committee to read and revise the Daily Senate Journal.

Notify House of Representatives — President Christensen appointed Senators Dona M. Wayment, LeRay McAllister and Terry Williams to notify the House of Representatives that the Senate is organized and ready to do business.

Notify Governor — President Christensen appointed a committee comprised of Senators Paul Rogers, Fred W. Finlinson and Omar B. Bunnell, to notify Governor Norman H. Bangerter that the 1985 General Session of the Forty-Sixth Legislature is organized and ready to do business, and to ascertain the time the Governor will deliver his message.

Senator Sowards moved that the Senate Rules of the 45th Legislature be adopted temporarily until other rules are adopted. The motion carried.

Several senators introduced family members and friends.

On motion of Senator Cary Peterson, the Senate sauntered at 9:45 a.m. The Senate reassembled at 9:50 a.m.

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

Representatives Jack Demann, H. Craig Moody, Afton B. Bradshaw and Samuel S Taylor notified the Senate that the House is organized and ready to do business.

Senator Paul Rogers, chairman of the committee to notify the Governor, reported that His Excellency, Governor Norman H. Bangerter, would be ready to deliver his message at a Joint Convention in the House of Representatives chamber at 11:00 a.m.

On motion of Senator Cary G. Peterson, 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

nessage in Joint Convention. In further compliance with the motion, the Senate is to reassemble at 2:00 p.m. in the Senate Chamber.

JOINT CONVENTION

President Arnold Christensen called the Joint Convention to order at 11:00 a.m. n the Chamber of the House of Representatives.

Senate Roll Call — All senators present.

House Roll Call — A quorum of House members was present.

Governor notified — President Christensen appointed a Joint Committee comprised of Senators Paul Rogers, Fred W. Finlinson and Omar B. Bunnell and Representatives Nolan E. Karras, David L. Tomlinson, Bryson Garbett, Daniel H. Tuttle and Ray Nielsen to notify the Governor the 46th Legislature is in Joint Convention and ready to hear his message.

Guests — President Christensen acknowledged the presence of Colleen Bangerter, Necia Ann Christensen and Kathy Garff. The following special guests and elected officials were also introduced:

Miles 'Cap' Ferry, Commissioner of Agriculture, W. Val Oveson, Lieutenant Governor, David L. Wilkinson, Attorney General, Tom L. Allen, State Auditor and Edward T. Alter, State Treasurer. Gordon R. Hall, Chief Justice of the Utah Supreme Court and Justice Richard C. Howe and Justice Michael Zimmerman were introduced.

The Joint Committee returned escorting His Excellency Governor Norman H. Bangerter, who was presented to the Joint Convention by President Arnold Christensen.

STATE OF THE STATE ADDRESS BY GOVERNOR NORMAN H. BANGERTER

"Speaker Garff, President Christensen, Distinguished Legislators, Members of the Supreme Court, Elected Officials and Special Guests.

As I welcome you this morning, it is with an increased appreciation for each of you and your loyal dedicated service to the State of Utah. We meet here today as a group of elected citizens for the purpose of representing all Utahns in this greatest of

all political systems. I am sure all of you will join me in approaching this session with the spirit of cooperation and dedication as we face the challenges of 1985 and beyond.

I know that a great group of men and women dedicated to serving the people of this state work here. While you may differ with one another and with me in the philosophy or solutions to certain problems, I have learned to respect you because of your unquestioned dedication to the principles of service and freedom on which this nation was established.

One of the strengths of this body is that you are a citizen legislature who truly represent a cross-section of Utahns. I congratulate you on your desire and willingness to serve. We have all been given a vote of confidence by our constituents, and I believe that we will succeed if we remember why we are here and whom we represent.

Each of us bears a political label under whose standard we sought our respective offices. While we can all be a proud of the party to which we belong, we must remember that our greater duty and loyalty belong to the nation, the state and its citizens. This makes it incumbent on all of us to address the important issues of the state, based on merit-not politics. If we do what is right for the people, it will be right.

State resources as well as business and community resources must be used to meet the challenges of the 80's. Dollars alone will not solve people's problems. In reality, people have an obligation to help people. Without this ingredient, government programs will always fail. Woodrow Wilson rightly stated, "The highest and best form of efficiency is the spontaneous co-operation of a free people."

I believe it is possible for us to accomplish the common goals of our people. I can say this confidently because I know your abilities, and I believe in the people we all serve. We are a state with limitless potential because of our resources, the greatest of which is our people.

As you embark upon the significant tasks ahead, I urge you to remember that government cannot do everything, nor should it. Our policies, as reflected by our laws and budget allocations, should encourage entrepreneurship in everything from business development, to community programs and education innovation. The role of state government is to provide opportunity and order, not to give handouts or to place hobbles on individual initiative. Government must assist those in need, and we in the executive branch resolve to do this.

In the last few years we've talked a lot in these chambers about the "three R's." We'll still be discussing them, but I've broadened the focus to include the "three E's."-economic development, education and efficiency in government.

Our current and projected demographic profiles reflect why these three areas are most crucial. Utah's population will grow at a rate of 2% per year for the next 25 years. This rate is more than double the national average. Let me put this figure in perspective. Utah did not reach a population of one million until 1966, 119 years after settlement. It is estimated that we will reach two million by 1992, only seven years

rom now. This growth will mean that Utahns must have increasing job opportunities. The challenges of economic development will only multiply in the future.

The rate of our growth creates certain problems; the nature of our growth causes ther. Between 1970 and 1980, the largest growth occurred in Utah's energy rich ounties.

More recently the decline in the price of oil and the lack of market interest in oal, uranium and tar sands graphically remind us how vulnerable Utah's economy an be to circumstances beyond our control. Federal and foreign policies can literally lter our lifestyles here at home in a matter of weeks.

We must remember our interdependence on national and foreign markets as we eek to vary our economy. Our state and local resources will increasingly be hallenged by the simultaneous problems of congestion in some parts of the state nd stagnation in others.

Our population growth creates another body of concerns. The most significant rowth over the next 25 years will be in the school age population. Over the last everal years we have been required to educate approximately 10,000-12,000 dditional students annually. This is the equivalent of adding a school district the ize of the Cache School District each year. This student explosion puts continued ressure on all our educational systems. This growth will also cause a continued, vide gap between the median age of Utahns and the rest of the nation. In the year 010 the median age of Utahns will be 26.8 compared to 37.5 for the rest of country. In ddition, Utahns are projected to live longer than the national average, which is omforting to some of us. We will have many young people, at the same time we xpand our elderly population.

The projected shifts in the work force will alter our labor picture. Currently vomen ages 16-65 constitute 41.2% of the full-time work force. This statistic lemonstrates the need for child care and other support services.

Displaced and dislocated workers could easily create a whole new thrust in nany of our social service program. Nationally, as well as in Utah, structural changes re occurring in the economy. We will see less heavy manufacturing and more high echnology development. Government, agriculture and mining are projected to ignificantly decrease as a percentage of our economy while the service and trade ndustries increase.

These shifts mean that workers must be retrained for jobs in new industries. Educationally and economically this retraining will dramatically affect us.

As this new administration begins, we inherit many excellent programs nstituted by previous administrative and legislative actions. We value this work and ully intend to review programs in depth before instituting new policies. Change is good when it is productive and purposeful. We want to keep the programs which work vell, and we will make changes when we believe they are necessary.

Some have questioned the relationship between the executive and legislative ranches of government. Having worked with you for the last four years as speaker, I

know only too well the independence which each of you exercises. That is the way it should be. I fully believe in our system of government with a strong check and balance between each branch of government.

In order for our system to work, it is important that you carefully and critically evaluate the policies and programs which I will recommend. Our system requires a full, open and honest debate on proposals before they are adopted. Like you, I will exercise independence in carefully and critically evaluating the legislation you pass and send to me.

In exercising our independence we, the representatives of both legislative and executive branches, should remember that we are two separate segments of one government. That one government is here to serve the best interest of all Utahns.

Many significant issues await our deliberation this session. Education, the first of the "three E's," is one of the most pressing and important.

The quality of our educational facilities and faculties will influence the caliber of our graduates. As I stated in the Inaugural Address, my goal is to make excellence our Utah standard in education. In order to do this, we must look at all of our options. While decisive action is needed, we must not succumb to reliance upon a band wagon approach to educational solutions. I intend to review alternatives and then proceed as rapidly as we reasonably can.

I support the Career Ladder Amendment and legislation for Class-Size Maintenance or Reduction. I intend to review other proposals and determine which will be best suited to our needs.

I believe year-round schools and 11-month contracts provide valuable potential solutions to our most urgent educational concerns. I will seriously look at plans for both, keeping in mind that local districts have different needs. Year-round schools could be invaluable in some areas of the state, but they are not necessarily right for all areas. I would encourage local districts to innovate in ways which address their unique needs. A notable example of successful local attempts to solve problems has taken place in the Provo School District. Dr. John Bennion has led his district in a highly productive year-round school program. We commend this effort and hope to see similar successful innovations in districts throughout the state.

In a joint effort, the Public Education Subcommittee and Higher Education Subcommittees have reviewed the statutory provisions in Title 53 of the Utah Code. I support the subcommittee's efforts to repeal archaic or obsolete sections of the code. I would further encourage additional research at our universities and colleges. I believe research projects at our institutions of higher learning will play a major role in our economic development. We encourage continuation of existing projects and funding of future ones.

The Utah Vocational Education Master Plan is another proposal of importance. This much-needed plan is the result of joint work by the State Board of Regents and the State Board of Education. It outlines the shift from a narrow "training-only" perspective to a broader "educational" perspective in our vocational education.

Traditional vocational education offerings should be more flexible and more esponsive to the long-term career preparation needs of students as well as to rapid hanges in the economy and in the labor market.

When these job-specific training options are built on a solid foundation of eneral education, students will be well prepared not only for job entrance, but for urther education and training to enrich their lives and advance their careers hroughout a lifetime.

Economic development, the second "E," requires special attention.

The State of Utah's economy is good. 1984 was a banner year with record growth n the number of new jobs created. According to Job Service, 27,000 new jobs were reated in Utah in 1984, and our unemployment rate dropped from 7.5 to 6.1 percent. ecause of this growth, there are 25,000 fewer Utahns unemployed now than there ere 18 months ago.

Although the number of unemployed has dropped significantly during the past ear, there are still 46,000 Utahns out of work. . . far too many. Several rural counties re still experiencing double-digit unemployment.

This fact emphasizes the importance of gearing our economic development fforts to improve the prospects for employment statewide.

Implementing programs which create significant, constant, economic growth is paramount concern. In addition to providing jobs for those who are unemployed, we ust remember the number of people entering the job market each year. We need pproximately 25,000 new jobs annually for young people who are joining the job arket.

We cannot allow Utah's youth to become our major export. Economic evelopment is not merely a goal or ambition, it is a necessity that will require our est cooperative efforts.

In seeking to increase the number of job opportunities, the state has an nportant role to play. This role must be kept in proper perspective. The jobs will be reated not by government directly, but by the private sector. Government must be a artner with, not an adversary of the business community, in order to foster a vorable climate where economic growth and job creation will occur.

Sometimes businesses have viewed government as a roadblock to economic ccess and prosperity. Although there are instances when government regulation is ecessary and proper, and ligitimate regulation must continue, we must be willing to odify or repeal regulations which are counterproductive or unnecessary. Similarly, e must be sensitive to the impact of tax policy on business growth, job creation and e overall health of the economy. Beyond that, we must cultivate an attitude within overnment that is favorable toward the growth and prosperity of legitimate usiness.

I intend to comment more specifically in the Budget message about plans for onomic development.

The third "E" is efficiency in government. We will soon announce the formation of a Little Grace Commission to improve efficiency in state government.

As we seek to ensure efficiency, we will not forget our responsibility for the welfare of our citizens who, through no fault of their own, are unable to provide for themselves. I encourage private assistance to those in need, but I will also support appropriate, compassionate, public assistance.

The State of Utah has been a pioneer in providing innovative systems which provide those in need with a "hand-up," rather than a "hand-out," I support a continuation of our efforts to provide "work-fare," through the Emergency Work Program, and through the Self-Sufficiency Program for single women with children.

Our goal in the Social Services area is to offer compassionate assistance — and nothing is more compassionate than helping people to achieve economic independence. Economic independence is not only beneficial to the state's taxpayers, but it enhances the self-esteem of those who are currently receiving public assistance. I support providing job-training and child care which will enable more of our citizens to achieve economic independence.

Utah has also been a pioneer in the area of child support enforcement. During the past year Congress has enacted federal legislation which was heavily influenced by Utah's successful efforts. I will support continued efforts in this area.

During the past few years society has increasingly focused on the tragedy of child abuse. The State of Utah has put greater emphasis on this difficult problem. I will support any additional legislation which would enhance enforcement or help us more effectively address this problem.

The handicapped also are most deserving of our help. For these citizens too, I will seek to promote programs which are compassionate, which respond to the needs of individuals, and which promote economic independence.

Finally, I will not forget that the family is the most important institution in our society. I will seek to enhance and strengthen the family as the foundation of our society. Strong families will prevent many of our social ills.

During the past year representatives of many organizations have been cooperating in making real progress on correction issues. Legislation is proposed which will establish a Department of Corrections and recodify present legislation. Additional legislation to establish a Division of Industries provides the potential of reducing idleness in prison, of repaying victims, of decreasing costs of incarcerration and of instilling the work ethic. This proposal demonstrates the value of collaborative efforts by private enterprise, labor and government.

The inmate population is at an all-time high of 1,489. It has also changed in composition from years past. In the early 70's, 11% of inmates had prior escape histories. Today 34% have escaped from prison. In 1975, 290 violent offenders were in prison. Today that figure has risen to almost 700.

A task force chaired by Senator Wayment has recommended conversion of the Draper prison to a medium/maximum security facility, and I support that

recommendation. The proposal suggests a phasing program which would avoid unnecessary maintenance costs or loss of use of any beds during remodeling.

This proposal will require three years of funding to complete; therefore, we must address our prison needs now.

Agricultural development should be a priority. Additional markets for our products must be sought. The State of Utah recently increased efforts to promote international trade and open doors for export of Utah goods. These efforts are meritorious and deserve our continued support. I will explore the possibility of opening trade offices to enhance our international markets, and I am committed to making major efforts to expand our abilities to trade Utah products.

In various areas of the state, grasshoppers, cereal leaf beetles and apple maggots pose a serious threat to our agricultural industry. We are continuing our research regarding the best and most economical means of controlling these pests.

The rising cost of health care continues to warrant our attention. Significant progress has been made in unifying the efforts of state government, business, insurance, hospitals, physicians and other health professionals to find solutions to the problem. These groups have worked together to accomplish dramatic changes in the health care delivery system in Utah to economize without adversely affecting quality. In addition, these groups are recommending that significant attention be focused on encouraging healthy lifestyles and containing costs through prevention of disease and accidents. I endorse these efforts to emphasize prevention and well care.

The cost of health care is also adversely affected by the rising incidence and severity of medical malpractice claims. I was chairman of a legislative committee which studied the medical malpractice problem in 1975. This effort resulted in the passage of legislation which has been a significant factor in keeping medical liability coverage available in Utah and in reducing cost pressures.

Nevertheless, the problem is back with us, and we see increases in medical liability insurance rates. Legislation has been introduced which addresses this problem. I encourage both the medical and legal communities to work together with the legislature this session in addressing this issue.

In 1981, a study was begun to recodify our insurance laws. The study has involved a substantial amount of effort and resources on the part of the state, insurance industry and private citizens. The Insurance Commission has modified regulatory standards so insurers and the public enjoy greater flexibility and opportunities for competitive choice. At the same time, the state will continue to assure the reliability of insurance products and the financial integrity of companies selling insurance to the public.

The Insurance Recodification Commission has worked to guarantee that provisions of the code are practical from both consumer and industry perspectives and that the public interest has been protected.

This recodification has been through a number of drafts already, and I believe it must be adopted by the legislature. Ongoing legislative review will be necessary to

assure that the public and the industry are well served.

Public utility issues also demand close consideration. The rapidly escalating cost of utility service places burdens on all Utahns' budgets. We must assure that our citizens are well represented and that the Public Service Commission's decisions are in the public's best interests.

This administration will actively work with the legislative interim committee and the Executive Reorganization Committee during the coming year to evaluate the composition and mission of the Public Service Commission.

I fully support recommendations of the Executive Reorganization Committee that satellite offices be established in various parts of the state so business and professional people have easy access to services of the Department of Business Regulation. I also believe businesses would benefit from a one-stop location where they could take care of all registration needs expeditiously. These changes in operation would make our business regulation offices more responsive to public needs.

I have studied the report submitted by the Governor's Securities Task Force regarding the fraud problems in Utah. I concur with their suggestions related to distribution of more and better educational materials on the subject of wise investment choices.

We don't want to stifle legitimate security business people, but we do want to strongly monitor the securities industry. My goal is to keep our business community strong and to enforce the law.

I will continue to review other recommendations from the task force, and I pledge to make Utah an excellent business environment for securities and other industries.

I support the proposed recodification of our Liquor Control Act. The new legislation preserves the philosophy of our present law, but it will be much easier to administer. In the past, the Liquor Control Commission has had to issue many regulations in order to counter deficiences of the current law. The new law will solve these problems.

In the November election, Utah voters adopted Proposition 3 which constitutionally allows us to address a number of judicial concerns. This year I will ask you to join in a task force of legislators, judges, representatives of the governor's office and members of the Utah State Bar to study the workload of our judiciary and determine how Proposition 3 should be implemented. Based on the recommendations of that committee, I will propose legislation to accomplish the purposes of Proposition 3.

The State Land Law Review Commission has thoroughly and comprehensively reviewed laws administered by the Division of State Lands and Forestry. The resulting bill resolves some difficult issues and updates current antiquated sections. I support this bill and believe it will provide benefits in many areas.

A great deal of work has gone into the development of a State Water Plan. We thank those who have worked so hard. We encourage development of this plan and wish to analyze the financial issues related to our water needs.

During recent years we've learned how to combat flooding in a desert, we've seen how successfully organized volunteer efforts can be used, and we believe there is a continued need for preparedness in the event of furture need.

We will support legislation to fund dredging of the Jordan River.

Benjamin Franklin once said, "When the well's dry, we know the worth of water." Our unprecedented water years have drained our financial well. In 1983 alone, flood damage costs amounted to over $478 million dollars.

The rising level of the Great Salt Lake continues to be our most serious flooding problem. The solutions to this problem are costly, but the main concern must be the protection of public health and safety. I am not prepared at this time to recommend a course of action to you, but we are carefully evaluating the options and will make a determination in the next few weeks of the proposals that we think will best address the problems. I am committed to addressing the issue during this legislative session.

Last year the Governor with legislative support created a Tax Recodification Committee, to study and simplify our tax code. The first task is recodification, and then in the future develop tax policy recommendations. I support this committee's mission, and will look forward to receiving their suggestions.

As this administration addresses the many challenges facing us, we will seek to retain a taxpayer's perspective of government. It is relatively easy to think of worthwhile projects on which government can spend money, but we must remember the burden that additional spending places on our citizens.

Over the past several years the Utah Legislature has earned a reputation as the taxpayer's friend. I hope to share that distinction with you, as I share your reluctance to increase taxes.

The Legislature did find it necessary to boost some taxes last year. With the improved economy this increase has led to a significant budget surplus. This surplus has given many of us a desire to share it with the taxpayers through rebates or other forms of tax relief.

I believe that the important challenges facing the state, many of which I have discussed today, will prevent us from providing tax relief if we are to live up to our responsibilities to meet serious existing needs. I am committed, however, to holding the line on taxes this year and for the foreseeable future.

Last year as Speaker of the House, in my opening remarks I said:

We represent the greatest State and people found anywhere in the world. This state was established in times of great economic and personal difficulties for the benefit of a free people. Our present challenges are certainly no greater if as great as theirs. We are their children and have reaped the rewards of their sacrifice. It is only appropriate that we likewise sacrifice for our posterity. In the 127th Chapter of the Book of Psalms it says, 'Children are a heritage of the Lord. Happy are they that have

their quiver full.' Our quivers, our homes and our schools are full as well as our reservoirs, our rivers and our lakes. We can view this as the greatest problem of our day, or we can view it as our chance to provide leadership, training and opportunity for our next generation.'

As we approach these challenges together, we will provide the leadership necessary for success. Our heritage dictates it, our posterity requires it.

We are strong. We are stable. We will succeed."

At the conclusion of the Governor's message, President Christensen invited the Joint Committee to escort the governor back to his office.

On motion of Senator Cary G. Peterson and with a Second by Representative Glen Brown, the Joint Convention voted to have the complete text of the Governor's State of State address printed in the Senate Journal.

President Arnold Christensen then announced the Joint Convention dissolved.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Arnold Christensen presiding.

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

At the direction of President Christensen, the following information is to be recorded in the Senate Journal.

STANDING COMMITTEES

Social Services — John P. Holmgren, Chairman. LeRay McAllister, Brent C. Overson, Darrell G. Renstrom, Dale E. Stratford, Committee Members.

Business/Labor — Lowell S. Peterson, Chairman. E. Vert Asay, Omar B Bunnell, Richard J. Carling, Arnold Christensen, Committee Members.

Energy, Natural Resources & Agriculture — Fred W. Finlinson, Chairman. Ivan M. Matheson, LeRay McAllister, Eldon A. Money, Cary G. Peterson, C.E. 'Chuck' Peterson, Karl G. Swan, Committee Members.

Rules — Glade M. Sowards Chairman. Jack M. Bangerter, Omar B. Bunnell, Dix H. McMullin, Eldon A. Money, Cary G. Peterson, Paul Rogers, Dona M. Wayment, Committee Members.

Revenue and Taxation — Lyle W. Hillyard, Chairman. William T. Barton, Omar B. Bunnell, Cary G. Peterson, Lowell S. Peterson, Warren E. Pugh, Jack M. Bangerter, Committee Members.

Education — William T. Barton, Chairman. Brent C. Overson, C.E. 'Chuck' Peterson, Wayne L. Sandberg, Glade M. Sowards, Karl G. Swan, Dix H. McMullin, Dona M. Wayment, Committee Members.

Transportation and Public Safety — Jack M. Bangerter, Chairman. Willford R. Black, Richard J. Carling, Warren E. Pugh, Glade M. Sowards, Committee Members.

State and Local — K.S. Cornaby, Chairman. Haven J. Barlow, Wilford R. Black, Fred W. Finlinson, Paul Rogers, Wayne L. Sandberg, Terry L. Williams, Committee Members.

Health — Ivan M. Matheson, Chairman. John P. Holmgren, Arnold Christensen, Paul Rogers, Eldon A. Money, Committee Members.

Judiciary — E. Verl Asay, Chairman. Haven J. Barlow, K.S. Cornaby, Lyle W. Hillyard, Darrell G. Renstrom, Dale E. Stratford, Dona M. Wayment, Terry L. Williams, Committee Members.

Executive Appropriations Committee — Senator Warren E. Pugh and Representative Nolan E. Karras, Chairmen. Arnold Christensen, Cary G. Peterson, Dix H. McMullin, Lowell S. Peterson, Wilford R. Black, Jr., Eldon A. Money, Omar B. Bunnell, Senate Members.

APPROPRIATION SUBCOMMITTEES

Executive Offices, Courts and Correction — Dona M. Wayment, Chairman. K.S. Cornaby, Committee Member.

Business, Labor and Agriculture — Dale E. Stratford, Chairman. Arnold Christensen, Eldon A. Money, Committee Members.

Community and Economic Development — Paul Rogers, Chairman. Jack Bangerter, Committee Member.

General Government and Capital Facilities — Wayne L. Sandberg, Chairma Cary G. Peterson, Committee Member.

Natural Resources and Energy — William T. Barton, Chairman. Karl G. Sws Committee Member.

Higher Education — Richard J. Carling, Chairman. Fred W. Finlinson, Ivan Matheson, Lowell S. Peterson, Darrell G. Renstrom, Lyle W. Hillyard C.E. 'Chuc Peterson, Committee Members.

Public Education — Haven J. Barlow, Chairman. Warren E. Pugh, Brent Overson, E. Verl Asay, Omar B. Bunnell, Committee Members.

Social Services and Health — LeRay McAllister, Chairman. John P. Holmgr Terry L. Williams, Committee Members.

Transportation and Public Safety — Glade M. Sowards, Chairman. Wilford Black, Dix H. McMullin, Committee Members.

INTRODUCTION OF BILLS

SUNSET REVIEW — HEALTH FACILITY ADMINISTRATORS

S.B. No. 1 *Richard J. Carli*

AN ACT RELATING TO THE DIVISION OF OCCUPATIONAL LICENSIN PROVIDING FOR THE LICENSURE OF HEALTH FACILITY ADMINISTRATOI DEFINING CERTAIN TERMS; ESTABLISHING A BOARD AND AUTHORIZING I ACTION; PROVIDING LICENSURE REQUIREMENTS; SPECIFYING THE GROUN FOR DENIAL, REVOCATION, OR SUSPENSION OF A LICENSE; PROHIBITI CERTAIN PRACTICES; EXEMPTING PARTICULAR FACILITIES; AND PROVIDI AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 FOLLOWS:

AMENDS: 64-7-28, AS LAST AMENDED BY CHAPTER 97, LAWS OF UTAH 19

ENACTS: 58-15-10, UTAH CODE ANNOTATED 1953; 58-15-11, UTAH CO ANNOTATED 1953; 58-15-12, UTAH CODE ANNOTATED 1953.

REPEALS AND REENACTS: 58-15-1, AS LAST AMENDED BY CHAPTER 1 LAWS OF UTAH 1953; 58-15-2, AS LAST AMENDED BY CHAPTER 197, LAWS OF UT 1969; 58-15-3, UTAH CODE ANNOTATED 1953; 58-15-4, AS LAST AMENDED

CHAPTER 15, LAWS OF UTAH 1984, was read the first time and referred to Rules Committee.

SUNSET REVIEW — OCCUPATIONAL THERAPY

S.B. No. 2 *Richard J. Carling*

AN ACT RELATING TO THE DIVISION OF OCCUPATIONAL LICENSING; PROVIDING FOR THE LICENSURE OF OCCUPATIONAL THERAPISTS; SPECIFYING EDUCATIONAL REQUIREMENTS FOR LICENSURE; SUPPLEMENTING CERTAIN DEFINITIONS; CHANGING THE BOARD MEMBERSHIP; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF THE UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 58-42-1, AS ENACTED BY CHAPTER 20, LAWS OF UTAH 1977; 58-42-4, AS ENACTED BY CHAPTER 20, LAWS OF UTAH 1977; 58-42-5, AS ENACTED BY CHAPTER 20, LAWS OF UTAH 1977; 58-42-6, AS ENACTED BY CHAPTER 20, LAWS OF UTAH 1977; 58-42-10, AS ENACTED BY CHAPTER 20, LAWS OF UTAH 1977; 58-42-11, AS ENACTED BY CHAPTER 20, LAWS OF UTAH 1977; 58-42-13, AS LAST AMENDED BY CHAPTER 6, LAWS OF UTAH 1980; 58-42-14, AS ENACTED BY CHAPTER 20, LAWS OF UTAH 1977; 58-42-16, AS ENACTED BY CHAPTER 20, LAWS OF UTAH 1977.

REPEALS AND REENACTS: 58-42-3, AS ENACTED BY CHAPTER 20, LAWS OF UTAH 1977.

REPEALS: 58-42-2, AS ENACTED BY CHAPTER 20, LAWS OF UTAH 1977; 58-42-7, AS ENACTED BY CHAPTER 20, LAWS OF UTAH 1977; 58-42-9, AS ENACTED BY CHAPTER 20, LAWS OF UTAH 1977; 58-42-15, AS ENACTED BY CHAPTER 20, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

SUNSET REVIEW — DENTISTS AND DENTAL HYGIENISTS ACT

S.B. No. 3 *Richard J. Carling*

AN ACT RELATING TO OCCUPATIONAL LICENSING; RESTRUCTURING THE LICENSURE OF DENTISTS AND DENTAL HYGIENISTS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 58-7-1, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1979; 58-7-1.5, AS ENACTED BY CHAPTER 34, LAWS OF UTAH 1981; 58-7-2, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1979; 58-7-4, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1979; 58-7-5, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1979; 58-7-6, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1979; 58-7-7, AS LAST AMENDED BY

CHAPTER 6, LAWS OF UTAH 1980; 58-7-10, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1979; 58-7-15, AS ENACTED BY CHAPTER 20, LAWS OF UTAH 1981; 58-7-17, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1979.

ENACTS: 58-7-1.1, UTAH CODE ANNOTATED 1953.

REPEALS: 58-7-3, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1979; 58-7-8, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1979; 58-7-9, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1979; 58-7-11, AS LAST AMENDED BY CHAPTER 20, LAWS OF UTAH 1981; 58-7-12, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1979; 58-7-13, AS LAST AMENDED BY CHAPTER 6, LAWS OF UTAH 1980; 58-7-14, AS LAST AMENDED BY CHAPTER 6, LAWS OF UTAH 1980; 58-7-15.5, AS ENACTED BY CHAPTER 20, LAWS OF UTAH 1981; 58-7-16, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

SUNSET REVIEW — PHYSICAL THERAPY PRACTICE ACT

S.B. No. 4 *Richard J. Carling*

AN ACT RELATING TO OCCUPATIONAL LICENSING; RESTRUCTURING THE LICENSURE OF PHYSICAL THERAPISTS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF THE UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 58-24-1, AS ENACTED BY CHAPTER 101, LAWS OF UTAH 1959; 58-24-3, AS ENACTED BY CHAPTER 101, LAWS OF UTAH 1959; 58-24-4, AS ENACTED BY CHAPTER 101, LAWS OF UTAH 1959; 58-24-6, AS LAST AMENDED BY CHAPTER 6, LAWS OF UTAH 1980; 58-24-7, AS ENACTED BY CHAPTER 101, LAWS OF UTAH 1959; 58-24-8, AS ENACTED BY CHAPTER 101, LAWS OF UTAH 1959; 58-24-10, AS ENACTED BY CHAPTER 101, LAWS OF UTAH 1959; 58-24-11, AS ENACTED BY CHAPTER 101, LAWS OF UTAH 1959; 58-24-12, AS ENACTED BY CHAPTER 101, LAWS OF UTAH 1959; 58-24-13, AS ENACTED BY CHAPTER 101, LAWS OF UTAH 1959; 58-24-14, AS ENACTED BY CHAPTER 101, LAWS OF UTAH 1959; 58-24-16, AS ENACTED BY CHAPTER 101, LAWS OF UTAH 1959.

REPEALS AND REENACTS: 58-24-15, AS ENACTED BY CHAPTER 101, LAWS OF UTAH 1959.

REPEALS: 58-24-2, AS ENACTED BY CHAPTER 101, LAWS OF UTAH 1959; 58-24-5, AS ENACTED BY CHAPTER 101, LAWS OF UTAH 1959; 58-24-9, AS ENACTED BY CHAPTER 101, LAWS OF UTAH 1959, was read the first time and referred to Rules Committee.

SUNSET ACT AMENDMENTS

S.B. No. 5 *Richard J. Carling*

AN ACT RELATING TO SUNSET; REAUTHORIZING THE EXISTENCE OF VARIOUS STATE AGENCIES; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 63-55-1, AS ENACTED BY CHAPTER 240, LAWS OF UTAH 1977; 63-55-2, AS LAST AMENDED BY CHAPTER 335, LAWS OF UTAH 1983; 63-55-3, AS LAST AMENDED BY CHAPTER 335, LAWS OF UTAH 1983; 63-55-4, AS ENACTED BY CHAPTER 240, LAWS OF UTAH 1977; 63-55-5, AS ENACTED BY CHAPTER 240, LAWS OF UTAH 1977; 63-55-6, AS ENACTED BY CHAPTER 240, LAWS OF UTAH 1977; 63-55-7, AS LAST AMENDED BY CHAPTER 73, LAWS OF UTAH 1984.

REPEALS: 54-10-8, AS ENACTED BY CHAPTER 216, LAWS OF UTAH 1981; UNCODIFIED SECTION 3, CHAPTER 16, LAWS OF UTAH 1983; UNCODIFIED SECTION 8, CHAPTER 54, LAW OF UTAH 1977; UNCODIFIED SECTION 14, CHAPTER 12, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee

NURSE PRACTITIONER'S PRESCRIPTIVE PRACTICE ACT — SUNSET REAUTHORIZATION

S.B. No. 6 *Richard J. Carling*

AN ACT RELATING TO THE DIVISION OF OCCUPATIONAL LICENSING; PROVIDING FOR THE REAUTHORIZATION OF THE NURSE PRACTITIONERS PRESCRIPTIVE PRACTICE ACT; DEFINING CERTAIN TERMS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF THE UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 58-31a-1, AS ENACTED BY CHAPTER 16, LAWS OF UTAH 1983; 58-31a-3, AS ENACTED BY CHAPTER 16, LAWS OF UTAH 1983; 58-31a-6, AS ENACTED BY CHAPTER 16, LAWS OF UTAH 1983.

REPEALS AND REENACTS: 58-31a-2, AS ENACTED BY CHAPTER 16, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

SUNSET REVIEW — RECREATIONAL THERAPY

S.B. No. 7 *Richard J. Carling*

AN ACT RELATING TO THE DIVISION OF OCCUPATIONAL LICENSING; PROVIDING FOR THE LICENSURE OF RECREATIONAL THERAPISTS; ELIMINATING THE SPECIALTY OF THERAPEUTIC RECREATION WORKER; CHANGING THE REQUIREMENTS FOR THERAPEUTIC RECREATION SPECIALIST; REVISING THE REPRESENTATIVE BOARD'S MEMBERSHIP; GIVING ALTERNATIVE EXAMINATION OPTIONS; REVISING THE PREREQUISITES FOR EXAMINATION; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 58-40-1, AS ENACTED BY CHAPTER 16, LAWS OF UTAH 1975; 58-40-3, AS LAST AMENDED BY CHAPTER 34, LAWS OF UTAH 1981; 58-40-4, AS ENACTED BY CHAPTER 16, LAWS OF UTAH 1975; 58-40-4.5, AS ENACTED BY CHAPTER 34, LAWS OF UTAH 1981; 58-40-5, AS LAST AMENDED BY CHAPTER 6, LAWS OF UTAH 1980; 58-40-6, AS ENACTED BY CHAPTER 16, LAWS OF UTAH 1975; 58-40-7, AS LAST AMENDED BY CHAPTER 6, LAWS OF UTAH 1980; 58-40-8, AS ENACTED BY CHAPTER 16, LAWS OF UTAH 1975; 58-40-9, AS ENACTED BY CHAPTER 16, LAWS OF UTAH 1975; 58-40-10, AS ENACTED BY CHAPTER 16, LAWS OF UTAH 1975; 58-40-11, AS ENACTED BY CHAPTER 16, LAWS OF UTAH 1975; 58-40-12, AS ENACTED BY CHAPTER 16, LAWS OF UTAH 1975.

REPEALS: 58-40-2, AS ENACTED BY CHAPTER 16, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

NURSE PRACTICE ACT — SUNSET REAUTHORIZATION

S.B. No. 8 *Richard J. Carling*

AN ACT RELATING TO THE DIVISION OF OCCUPATIONAL LICENSING; PROVIDING FOR THE REAUTHORIZATION OF THE NURSE PRACTICE ACT; REVISING THE COMPOSITION OF THE NURSING BOARD; SPECIFYING WHEN BOARD APPOINTMENTS WILL BE MADE; REFINING DEFINITIONS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF THE UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 58-31-1, AS ENACTED BY CHAPTER 121, LAWS OF UTAH 1963; 58-31-3, AS LAST AMENDED BY CHAPTER 18, LAWS OF UTAH 1979; 58-31-5, AS LAST AMENDED BY CHAPTER 320, LAWS OF UTAH 1983; 58-31-6, AS LAST AMENDED BY CHAPTER 18, LAWS OF UTAH 1979; 58-31-7, AS LAST AMENDED BY CHAPTER 18, LAWS OF UTAH 1979; 58-31-8, AS LAST AMENDED BY CHAPTER 18, LAWS OF UTAH 1979; 58-31-9, AS LAST AMENDED BY CHAPTER 18, LAWS OF UTAH 1979; 58-31-9.1, AS ENACTED BY CHAPTER 18, LAWS OF UTAH 1979; 58-31-10, AS LAST AMENDED BY CHAPTER 18, LAWS OF UTAH 1979; 58-31-11, AS LAST AMENDED BY CHAPTER 18, LAWS OF UTAH 1979; 58-31-12, AS LAST AMENDED BY CHAPTER 18, LAWS OF UTAH 1979; 58-31-13, AS LAST AMENDED BY CHAPTER 18, LAWS OF UTAH 1979; 58-31-14, AS LAST AMENDED BY CHAPTER 18, LAWS OF UTAH 1979; 58-31-15, AS LAST AMENDED BY CHAPTER 18, LAWS OF UTAH 1979; 58-31-16, AS LAST AMENDED BY CHAPTER 18, LAWS OF UTAH 1979.

REPEALS AND REENACTS: 58-31-4, AS LAST AMENDED BY CHAPTER 18, LAWS OF UTAH 1979.

REPEALS: 58-31-2, AS LAST AMENDED BY CHAPTER 19, LAWS OF UTAH 1975 was read the first time and referred to Rules Committee.

SUNSET REVIEW — VETERINARY PRACTICE ACT

S.B. No. 9 *Lowell S. Peterson*

AN ACT RELATING TO OCCUPATIONAL LICENSING; RESTRUCTURING THE LICENSURE OF VETERINARIANS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF THE UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 58-28-10, AS ENACTED BY CHAPTER 141, LAWS OF UTAH 1961.

REPEALS AND REENACTS: 58-28-1, AS LAST AMENDED BY CHAPTER 6, LAWS OF UTAH 1980; 58-28-2, AS ENACTED BY CHAPTER 141, LAWS OF UTAH 1961; 58-28-3, AS ENACTED BY CHAPTER 141, LAWS OF UTAH 1961; 58-28-4, AS ENACTED BY CHAPTER 141, LAWS OF UTAH 1961; 58-28-5, AS ENACTED BY CHAPTER 141, LAWS OF UTAH 1961; 58-28-6, AS LAST AMENDED BY CHAPTER 132, LAWS OF UTAH 1973; 58-28-7, AS ENACTED BY CHAPTER 141, LAWS OF UTAH 1961; 58-28-8, AS ENACTED BY CHAPTER 141, LAWS OF UTAH 1961; 58-28-9, AS ENACTED BY CHAPTER 141, LAWS OF UTAH 1961.

REPEALS: 58-28-11, AS ENACTED BY CHAPTER 141, LAWS OF UTAH 1961; 58-28-12, AS ENACTED BY CHAPTER 141, LAWS OF UTAH 1961; 58-28-13, AS ENACTED BY CHAPTER 141, LAWS OF UTAH 1961; 58-28-14, AS ENACTED BY CHAPTER 141, LAWS OF UTAH 1961; 58-28-16, AS ENACTED BY CHAPTER 141, LAWS OF UTAH 1961; 58-28-18, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

SUNSET REVIEW — ATHLETIC COMMISSION

S.B. No. 10 *Wilford R. Black*
K.S. Cornaby, Richard J. Carling

AN ACT RELATING TO OCCUPATIONAL REGISTRATION; PLACING THE ATHLETIC COMMISSION WITHIN THE DIVISION OF REGISTRATION; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: CHAPTER 48, TITLE 58, UTAH CODE ANNOTATED 1953.

REPEALS: CHAPTER 24, TITLE 63, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

SUNSET REVIEW — PODIATRISTS

S.B. No. 11 *Wilford R. Black, Richard J. Carling*

AN ACT RELATING TO REGISTRATION; PROVIDING CHANGES IN THE REGULATION OF PODIATRISTS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 58-5-3, AS LAST AMENDED BY CHAPTER 30, LAWS OF UTAH 1977 58-5-4, UTAH CODE ANNOTATED 1953; 58-5-5, UTAH CODE ANNOTATED 1953 58-5-10, AS LAST AMENDED BY CHAPTER 30, LAWS OF UTAH 1977; 58-5-11, UTAH CODE ANNOTATED 1953; 58-5-12, AS LAST AMENDED BY CHAPTER 30, LAWS OF UTAH 1977; 58-5-13, AS LAST AMENDED BY CHAPTER 30, LAWS OF UTAH 1977 58-5-14, UTAH CODE ANNOTATED 1953; 58-5-15, AS ENACTED BY CHAPTER 30 LAWS OF UTAH 1977.

REPEALS AND REENACTS: 58-5-1, AS LAST AMENDED BY CHAPTER 30, LAWS OF UTAH 1977; 58-5-2, AS LAST AMENDED BY CHAPTER 6, LAWS OF UTAH 1977 58-5-6, AS LAST AMENDED BY CHAPTER 30, LAWS OF UTAH 1977; 58-5-7, UTAH CODE ANNOTATED 1953; 58-5-8, AS LAST AMENDED BY CHAPTER 6, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

PAWNBROKER REDEMPTION CHARGE REPEAL

S.B. No. 12 *Richard J. Carling*

AN ACT RELATING TO PAWNBROKERS; REPEALING THE CHARGES AND RATES PAWNBROKERS MAY CHARGE FOR REDEMPTION OF PLEDGED PROPERTY.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

REPEALS: 11-6-4, AS ENACTED BY CHAPTER 18, LAWS OF UTAH 1967, was read the first time and referred to Rules Committee.

CREDIT SERVICES ORGANIZATIONS

S.B. No. 13 *Richard J. Carling*

AN ACT RELATING TO COMMERCE AND TRADE; PROVIDING REGULATION OF CREDIT SERVICES ORGANIZATIONS; AND PROVIDING REMEDIES AND PENALTIES

THIS ACT AFFECTS SECTIONS OF THE UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: CHAPTER 21, TITLE 13, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

CAREER LADDER AMENDMENTS

S.B. No. 14 *Warren E. Pugh*
Haven J. Barlow

AN ACT RELATING TO PUBLIC EDUCATION; EXPANDING THE DEFINITION OF "TEACHER" IN THE CAREER LADDER PROGRAM TO INCLUDE ALL CERTIFIED PERSONNEL WHO ARE PAID ON THE TEACHER'S SALARY SCHEDULE.

THIS ACT AFFECTS SECTIONS OF THE UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 53-54-2, AS ENACTED BY CHAPTER 47, LAWS OF UTAH 1984, was read the first time and referred to Rules Committee.

CONTRACTOR'S BOND LAW AMENDMENTS

S.B. No. 15 *Richard J. Carling*
K.S. Cornaby, Fred W. Finlinson

AN ACT RELATING TO CONTRACTOR'S BONDS; ENLARGING THE SCOPE OF THE BOND TO INCLUDE RENTED SUPPLIES AND EQUIPMENT OF MECHANICS AND MATERIALMEN.

THIS ACT AFFECTS SECTIONS OF THE UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 14-2-1, AS LAST AMENDED BY CHAPTER 56, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

SPECIAL IMPROVEMENT DISTRICT PROTESTS

S.B. No. 16 *Richard J. Carling*

AN ACT RELATING TO CITIES AND TOWNS; REQUIRING THE GOVERNING BODY OF A CITY OR TOWN TO INCLUDE IN ITS NOTICE OF INTENTION TO CREATE A SPECIAL IMPROVEMENT DISTRICT THE NECESSARY NUMBER OF PROTESTS REQUIRED TO BE FILED.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 10-16-5, AS LAST AMENDED BY CHAPTER 39, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

BOARD OF EDUCATION POWERS

S.B. No. 17 *William T. Barton, Haven J. Barlow*

AN ACT RELATING TO PUBLIC EDUCATION; REQUIRING LOCAL BOARDS OF EDUCATION TO ENTER INTO COOPERATIVE AND COLLABORATIVE PROGRAMS WITH OTHER ENTITIES FOR MAXIMUM EFFICIENCY IN PROVIDING EDUCATIONAL SERVICES.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 A FOLLOWS:

AMENDS: 53-6-20, AS LAST AMENDED BY CHAPTER 233, LAWS OF UTAH 19 was read the first time and referred to Rules Committee.

AGRICULTURAL ADVISORY BOARD

S.B. No. 18 *Ivan M. Mathes*

AN ACT RELATING TO AGRICULTURE; PROVIDING FOR A CHANGE I MEMBERSHIP OF THE AGRICULTURAL ADVISORY BOARD.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 A FOLLOWS:

AMENDS: 4-2-7, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979, was re the first time and referred to Rules Committee.

LIVESTOCK INSPECTION AND QUARANTINE AMENDMENTS

S.B. No. 19 *Ivan M. Mathes*

AN ACT RELATING TO LIVESTOCK INSPECTION AND QUARANTIN ELIMINATING IMPOSITION OF STATE PROPERTY TAX ON DAIRY CATTLE A SOURCE OF FUNDING FOR "TUBERCULOSIS AND BANGS DISEASE CONTR ACCOUNT"; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 A FOLLOWS:

AMENDS: 4-31-8, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979, was re the first time and referred to Rules Committee.

WATER RESOURCES AMENDMENTS

S.B. No. 20 *Dale E. Stratfo*

AN ACT RELATING TO WATER RESOURCES; PROVIDING THAT LOANS MAY I MADE BY THE BOARD OF WATER RESOURCES TO WATER CONSERVAN DISTRICTS AND SPECIAL IMPROVEMENT DISTRICTS; ALLOWING THE BOARD T PURCHASE SPECIAL ASSESSMENT OR OTHER LEGALLY ISSUED BONDS; AN PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 A FOLLOWS:

AMENDS: 73-10-21. AS LAST AMENDED BY CHAPTER 281, LAWS OF UTAH 197 73-10-23, AS LAST AMENDED BY CHAPTER 281, LAWS OF UTAH 1977; 73-10-26, A

LAST AMENDED BY CHAPTER 284, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

JUDICIAL CONDUCT COMMISSION AMENDMENTS

S.B. No. 21 *K.S. Cornaby*

AN ACT RELATING TO THE JUDICIAL CODE, CLARIFYING THE DUTIES AND RESPONSIBILITIES OF THE JUDICIAL CONDUCT COMMISSION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 78-7-28, AS LAST AMENDED BY CHAPTER 157, LAWS OF UTAH 1983; 78-7-30, AS LAST AMENDED BY CHAPTER 157, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

SHERIFF CANDIDATE CERTIFICATION

S.B. No. 22 *Lyle W. Hillyard*

AN ACT RELATING TO SHERIFFS; REQUIRING THAT A PERSON HOLDING THE OFFICE OF SHERIFF BE A CERTIFIED PEACE OFFICER.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 17-22-1.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

PROSTHESIS AND HEARING AID SALES TAX EXEMPTION

S.B. No. 23 *Eldon A. Money*

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING A SALES TAX EXEMPTION ON SALES OF HEARING AIDS AND PROSTHETIC DEVICES; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 59-15-6, AS LAST AMENDED BY CHAPTER 60, LAWS OF UTAH 1984, was read the first time and referred to Rules Committee.

BOULDER TO BULLFROG SCENIC ROAD APPROPRIATION

S.B. No. 24 *Ivan M. Matheson*

AN ACT RELATING TO COMMUNITY DEVELOPMENT; APPROPRIATING FUNDS TO THE PERMANENT COMMUNITY IMPACT FUND TO PAVE A ROAD FROM BOULDER TO BULLFROG; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT ENACTS NEW MATERIAL, was read the first time and referred t Rules Committee.

MUNICIPAL GOVERNMENT CHANGES AMENDMENT

S.B. No. 25 *Brent C. Overs*

AN ACT RELATING TO CITIES AND TOWNS; PROVIDING FOR A PERIOD O FOUR YEARS BEFORE AN ALTERNATIVE FORM OF GOVERNMENT MAY B ADOPTED BY THE VOTERS OF A MUNICIPALITY ONCE THE VOTERS HAV ELECTED TO ADOPT ONE OPTIONAL FORM OF GOVERNMENT.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 A FOLLOWS:

AMENDS: 10-3-1206, AS ENACTED BY CHAPTER 48, LAWS OF UTAH 1977, wa read the first time and referred to Rules Committee.

PRODUCE DEALERS' ACT AMENDMENTS

S.B. No. 26 *Eldon A. Mone*

AN ACT RELATING TO AGRICULTURE; CHANGING THE TITLE OF TH "PRODUCE DEALERS' ACT" TO THE "AGRICULTURAL PRODUCTS DEALERS' ACT TO MORE ACCURATELY REFLECT THE SCOPE OF THE CHAPTER; PROVIDING FO SUSPENSION OR REVOCATION OF AN AGENT'S, BROKER'S, OR PRODUC DEALER'S LICENSE WITHOUT A HEARING UNLESS ONE IS REQUESTED BY PERSON WHOSE PRIVILEGE IS THREATENED; AND PROVIDING AN EFFECTIV DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 A FOLLOWS:

AMENDS: 4-7-1, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979; 4-7-3, A ENACTED BY CHAPTER 2, LAWS OF UTAH 1979; 4-7-6, AS ENACTED BY CHAPTER : LAWS OF UTAH 1979; 4-7-7, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979; 4-7-: AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979; 4-7-13, AS ENACTED B CHAPTER 2, LAWS OF UTAH 1979, was read the first time and referred to Rule Committee.

UTILITY FRANCHISE TAX DEDUCTION

S.B. No. 27 *William T. Barto*

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING FOR A STAT PERSONAL INCOME TAX DEDUCTION FOR UTILITY FRANCHISE TAXES OR FEE AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 59-14A-13, AS LAST AMENDED BY CHAPTER 245, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

UTAH NOXIOUS WEED ACT AMENDMENT

S.B. No. 28 *Eldon A. Money*

AN ACT RELATING TO AGRICULTURE; PROVIDING FOR CONTROL AND CONTAINMENT OF NOXIOUS WEEDS; ESTABLISHING PROCEDURES; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 4-17-2, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979; 4-17-3, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979; 4-17-4, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979; 4-17-5, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979; 4-17-7, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979; 4-17-8, WAS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979.

ENACTS: 4-17-4.5, UTAH CODE ANNOTATED 1953; 4-17-8.5, UTAH CODE ANNOTATED 1953.

REPEALS AND REENACTS: 4-17-10, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979.

REPEALS: 4-17-9, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

NEW AUTOMOBILE WARRANTIES

S.B. No. 29 *Lowell S. Peterson*

AN ACT RELATING TO COMMERCE AND TRADE; PROVIDING REMEDIES FOR CONSUMERS OF NEW AUTOMOBILES CLASSIFIED AS "LEMONS."

THIS ACT ENACTS CHAPTER 21, TITLE 13, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

PUBLIC EMPLOYEE RETIREMENT CREDIT PURCHASE

S.B. No. 30 *Karl G. Swan*

AN ACT RELATING TO PENSIONS; REMOVING THE FOUR-YEAR CREDIT PURCHASE LIMITATION IN THE UTAH STATE RETIREMENT SYSTEM.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 49-10-25.5, AS LAST AMENDED BY CHAPTER 222, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

TITLE 53 REPEALERS

S.B. No. 31 *Lyle W. Hillyard*

AN ACT RELATING TO PUBLIC EDUCATION; REPEALING ARCHAIC OBSOLETE, DUPLICATIVE STATUTES IN TITLE 53.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

REPEALS: 53-2-16, UTAH CODE ANNOTATED 1953; 53-2-34, AN ENACTED BY CHAPTER 262, LAWS OF UTAH 1969; 53-3-8, UTAH CODE ANNOTATED 1953; 53-3-9 AS LAST AMENDED BY CHAPTER 320, LAWS OF UTAH 1983; 53-6-13, AS LAST MENDED BY CHAPTER 90, LAWS OF UTAH 1955; 53-8-4, UTAH CODE ANNOTATED 1953; 53-9-5, UTAH CODE ANNOTATED 1953; 53-26-1, UTAH CODE ANNOTATED 1953 53-26-2, UTAH CODE ANNOTATED 1953; 53-26-3, UTAH CODE ANNOTATED 1953 53-26-4, UTAH CODE ANNOTATED 1953; 53-26-5, UTAH CODE ANNOTATED 1953 53-26-6, UTAH CODE ANNOTATED 1953; 53-26-7, UTAH CODE ANNOTATED 1953 53-41-1, AS ENACTED BY CHAPTER 80, LAWS OF UTAH 1959; 53-41-2, AS ENACTED BY CHAPTER 80, LAWS OF UTAH 1959; 53-41-3, AS ENACTED BY CHAPTER 80, LAWS OF UTAH 1959, was read the first time and referred to Rules Committee.

TITLE 53 REVISION - VOCATIONAL EDUCATION

S.B. No. 32 *Lyle W. Hillyard*

AN ACT RELATING TO PUBLIC EDUCATION; STRUCTURALLY REORGANIZING VOCATIONAL EDUCATION LEGISLATION; DELETING ARCHAIC, OBSOLETE LANGUAGE IN VOCATIONAL EDUCATION STATUTES; REFLECTING CURRENT PRACTICES IN NEW LANGUAGE RELATING TO AWARDING CERTIFICATES OF COMPLETION AND CERTIFYING LEVELS OF COMPENTENCE IN VOCATIONAL EDUCATION; CONSOLIDATING RELATED STATUTORY PROVISIONS; AND REPEALING REDUNDANT, OBSOLETE VOCATIONAL EDUCATION STATUTES.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 53-16-2, UTAH CODE ANNOTATED 1953; 53-16-5.1, AS ENACTED BY CHAPTER 120, LAWS OF UTAH 1971; 53-17-12, AS ENACTED BY CHAPTER 98, LAWS OF UTAH 1957; 53-17-15, AS ENACTED BY CHAPTER 98, LAWS OF UTAH 1957

ENACTS: 53-17-7.3, UTAH CODE ANNOTATED 1953; 53-17-7.5, UTAH CODE ANNOTATED 1953; 53-17-7.8, UTAH CODE ANNOTATED 1953; 53-17-16.5, UTAH CODE ANNOTATED 1953

REPEALS AND REENACTS: 53-16-5, AS LAST AMENDED BY CHAPTER 320, LAWS OF UTAH 1983; 53-16-13, UTAH CODE ANNOTATED 1953; 53-17-8, AS ENACTED BY CHAPTER 98, LAWS OF UTAH 1957; 53-17-11, AN ENACTED BY CHAPTER 98, LAWS OF UTAH 1957; 53-17-16, AN ENACTED BY CHAPTER 98, LAWS OF UTAH 1957; 53-17-17, AS ENACTED BY CHAPTER 98, LAWS OF UTAH 1957; 53-17-18, AS ENACTED BY CHAPTER 98, LAWS OF UTAH 1957; 53-17-19, AS ENACTED BY CHAPTER 98, LAWS OF UTAH 1957

REPEALS: 53-15-1, UTAH CODE ANNOTATED 1953; 53-16-7, UTAH CODE ANNOTATED 1953; 53-16-26, UTAH CODE ANNOTATED 1953; 53-17-9, AS ENACTED BY CHAPTER 98, LAWS OF UTAH 1957; 53-17-10, AS ENACTED BY CHAPTER 98, LAWS OF UTAH 1957; 53-17-13, AS ENACTED BY CHAPTER 98, LAWS OF UTAH 1957; 53-17-14, AS ENACTED BY CHAPTER 98, LAWS OF UTAH 1957; 53-17-20, AS ENACTED BY CHAPTER 98, LAWS OF UTAH 1957; 53-17-21, AS ENACTED BY CHAPTER 98, LAWS OF UTAH 1957; 53-17-22, AS ENACTED BY CHAPTER 98, LAWS OF UTAH 1957; 53-24-5, UTAH CODE ANNOTATED 1953; 53-24-6, UTAH CODE ANNOTATED 1953; 53-24-7, UTAH CODE ANNOTATED 1953; 53-24-8, UTAH CODE ANNOTATED 1953; 53-24-9, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

TITLE 53 REVISION - SCHOOL BUILDINGS AND CONSTRUCTION

S.B. No. 33 *Lyle W. Hillyard*

AN ACT RELATING TO PUBLIC EDUCATION; MODIFYING AND REORGANIZING STATUTORY PROVISIONS IN TITLE 53 THAT RELATE TO PUBLIC SCHOOL BUILDINGS AND CONSTRUCTION; STREAMLINING STATUTES BY DELETING AND REPEALING ARCHAIC, NON-ESSENTIAL, REDUNDANT LANGUAGE; AND INCLUDING NEW LANGUAGE TO REFLECT CURRENT PRACTICES.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 53-7-8.1, AS LAST AMENDED BY CHAPTER 201, LAWS OF UTAH 1977; 53-10-20, UTAH CODE ANNOTATED 1953; 53-11-31.1, AS LAST AMENDED BY CHAPTER 10, LAWS OF UTAH 1984, SECOND SPECIAL SESSION

REPEALS AND REENACTS: 53-7-12, UTAH CODE ANNOTATED 1953; 53-7-23, AS LAST AMENDED BY CHAPTER 51, LAWS OF UTAH 1980; 53-11-1, AS LAST AMENDED BY CHAPTER 229, LAWS OF UTAH 1983; 53-11-2, AS LAST AMENDED BY CHAPTER 90, LAWS OF UTAH 1963, was read the first time and referred to Rules Committee.

TITLE 53 REVISION — PROFESSIONAL PRACTICES

S.B. No. 34 *Lyle W. Hillyard*

AN ACT RELATING TO PUBLIC EDUCATION; RESTRUCTURING AND STREAM LINING STATUTORY PROVISIONS DEALING WITH PROFESSIONAL PRACTICES I PUBLIC EDUCATION; AND REPEALING ARCHAIC AND DUPLICATIVE PROVISION

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 A FOLLOWS:

AMENDS: 53-2-19, UTAH CODE ANNOTATED 1953; 53-2-24, UTAH COD ANNOTATED 1953; 53-50-1, AS ENACTED BY CHAPTER 104, LAWS OF UTAH 197 53-50-4, AS ENACTED BY CHAPTER 104, LAWS OF UTAH 1973; 53-50-5, AS ENACTE BY CHAPTER 104, LAWS OF UTAH 1973; 53-50-6, AS ENACTED BY CHAPTER 10 LAWS OF UTAH 1973; 53-50-8, AS ENACTED BY CHAPTER 104, LAWS OF UTAH 197 53-50-10, AS ENACTED BY CHAPTER 104, LAWS OF UTAH 1973; 53-50-11, A ENACTED BY CHAPTER 104, LAWS OF UTAH 1973; 53-50-12, AS ENACTED B CHAPTER 104, LAWS OF UTAH 1973.

ENACTS: 53-50-12.5, UTAH CODE ANNOTATED 1953; 53-50-15, UTAH COD ANNOTATED 1953.

REPEALS AND REENACTS: 53-2-15, AS LAST AMENDED BY CHAPTER 10 LAWS OF UTAH 1973; 53-2-17, AS LAST AMENDED BY CHAPTER 182, LAWS OF UTA 1979; 53-2-18, UTAH CODE ANNOTATED 1953; 53-2-25, UTAH CODE ANNOTATE 1953; 53-4-14, AS ENACTED BY CHAPTER 29, LAWS OF UTAH 1953, FIRST SPECIA SESSION: 53-14-1, AS LAST AMENDED BY CHAPTER 203, LAWS OF UTAH 198 53-14-4, UTAH CODE ANNOTATED 1953; 53-50-2, AS ENACTED BY CHAPTER 10 LAWS OF UTAH 1973; 53-50-3, AS ENACTED BY CHAPTER 104, LAWS OF UTAH 197 53-50-7, AS ENACTED BY CHAPTER 104, LAWS OF UTAH 1973; 53-50-14, AS LAS AMENDED BY CHAPTER 232, LAWS OF UTAH 1983.

REPEALS: 53-1-4, UTAH CODE ANNOTATED 1953; 53-2-21, UTAH COD ANNOTATED 1953; 53-2-22, UTAH CODE ANNOTATED 1953; 53-2-23, AS LAS AMENDED BY CHAPTER 320, LAWS OF UTAH 1983; 53-2-26, AS LAST AMENDED B CHAPTER 89, LAWS OF UTAH 1955; 53-14-2, AS LAST AMENDED BY CHAPTER 1 LAWS OF UTAH 1953, FIRST SPECIAL SESSION; 53-14-5, UTAH CODE ANNOTATE 1953; 53-14-6, AS LAST AMENDED BY CHAPTER 144, LAWS OF UTAH 1963; 53-14-7 UTAH CODE ANNOTATED 1953; 53-14-7.5, AS ENACTED BY CHAPTER 163, LAWS O UTAH 1975; 53-14-8, UTAH CODE ANNOTATED 1953; 53-14-10, UTAH COD ANNOTATED 1953; 53-14-11, UTAH CODE ANNOTATED 1953; 53-50-9, AS ENACTE BY CHAPTER 104, LAWS OF UTAH 1973; 53-50-13, AS ENACTED BY CHAPTER 104 LAWS OF UTAH 1973, was read the first time and referred to Rules Committee.

TITLE IN TRUSTS AND JOINT VENTURES

S.B. No. 35 *Lyle W. Hillyar*

AN ACT RELATING TO TRUSTS AND JOINT VENTURES; SPECIFYING THI PROPERTY AND TRANSFER RIGHTS OF EACH.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 48-1-3.1, UTAH CODE ANNOTATED 1953; 75-7-409, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

MAXIMUM UNEMPLOYMENT CONTRIBUTION RATE REDUCTION

S.B. No. 36 *Jack M. Bangerter*

AN ACT RELATING TO UNEMPLOYMENT COMPENSATION; REDUCING THE MAXIMUM EMPLOYER CONTRIBUTION FOR UNEMPLOYMENT COMPENSATION FROM 8% TO 5.4% OF WAGES; MAKING CERTAIN TECHNICAL CHANGES; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 35-4-7, AS LAST AMENDED BY CHAPTER 20, LAWS OF UTAH 1983, FIRST SPECIAL SESSION, was read the first time and referred to Rules Committee.

CHILD ABUSE REPORTING ACT AMENDMENT

S.B. No. 37 *Brent C. Overson*

AN ACT RELATING TO CHILD ABUSE; PROVIDING FOR REPORTING TO SOCIAL SERVICES OF ANY CHILD BORN TO A MOTHER WHO IS DEPENDENT ON DRUGS OR ALCOHOL.

THIS ACT AFFECTS SECTIONS OF THE UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 78-3b-7, AS ENACTED BY CHAPTER 18, LAWS OF UTAH 1978; 78-3b-8, AS LAST AMENDED BY CHAPTER 115, LAWS OF UTAH 1983; 78-3b-10, AS ENACTED BY CHAPTER 18, LAWS OF UTAH 1978.

ENACTS: 78-3b-3.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

CHILD ABUSE — CRIMINAL HOMICIDE

S.B. No. 38 *Brent C. Overson*
E. Verl Asay, Terry Williams

AN ACT RELATING TO CHILD ABUSE; INCLUDING CHILD ABUSE WHICH CAUSES SERIOUS PHYSICAL INJURY AMONG THE ELEMENTS FOR FIRST DEGREE CRIMINAL HOMICIDE.

THIS ACT AFFECTS SECTIONS OF THE UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 76-5-202, AS LAST AMENDED BY CHAPTER 18, LAWS OF UTAH 1984, was read the first time and referred to Rules Committee.

CHILD ABUSE CRIMINAL PENALTIES

S.B. No. 39 *Brent C. Overson*

AN ACT RELATING TO CHILD ABUSE; INCREASING THE SEVERITY OF PENALTIES FOR OFFENSES CAUSING INJURY TO A CHILD.

THIS ACT AFFECTS SECTIONS OF THE UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 76-5-109, AS ENACTED BY CHAPTER 64, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

EXECUTIVE RESIDENCE COMMISSION

S.B. No. 40 *Haven J. Barlow*

AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES; ESTABLISHING THE EXECUTIVE RESIDENCE COMMISSION; PROVIDING FOR CHANGES IN COMMISSION MEMBERSHIP; AND ESTABLISHING TERMS OF OFFICE FOR COMMISSION MEMBERS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 67-1-8.1, AS ENACTED BY CHAPTER 252, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

NONCONFORMING PROPERTY USES

S.B. No. 41 *Brent C. Overson*

AN ACT RELATING TO CITIES AND TOWNS; ALLOWING MUNICIPAL GOVERNING BODIES TO PHASE OUT USES VALUED AT LESS THAN $1,000,00 WHICH DO NOT MEET ZONING ORDINANCE REQUIREMENTS; AND MAKING TECHNICAL CORRECTIONS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 10-9-7, AS LAST AMENDED BY CHAPTER 33, LAWS OF UTAH 1983

REPEALS AND REENACTS: 10-9-6, AS LAST AMENDED BY CHAPTER 33, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

BOARD OF EXPOSITIONS AMENDMENT

S.B. No. 42 *Richard J. Carling*

AN ACT RELATING TO THE BOARD OF EXPOSITIONS; ELIMINATING THE PROHIBITION AGAINST BOARD MEMBERS SERVING MORE THAN TWO CONSECUTIVE TERMS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS 64-4-2, AS LAST AMENDED BY CHAPTER 234, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

BUSINESS INFORMATION OFFICE AND CONSUMER PROTECTION ADVISORY COUNCIL

S.B. No. 43 *Richard J. Carling*

AN ACT RELATING TO COMMERCE AND TRADE; ESTABLISHING A BUSINESS AND CONSUMER INFORMATION OFFICE WITHIN THE DEPARTMENT OF BUSINESS REGULATION AND AN ADVISORY COUNCIL TO THE DIVISION OF CONSUMER PROTECTION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 13-1-13, UTAH CODE ANNOTATED 1953; 13-2-6.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

COMPUTER CRIMES ACT

S.B. No. 44 *Richard J. Carling*

AN ACT RELATING TO OFFENSES AGAINST PROPERTY; PROVIDING CRIMINAL PENALTIES FOR UNAUTHORIZED USE OF AN ACCESS TO COMPUTERS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 76-6-701, AS ENACTED BY CHAPTER 75, LAWS OF UTAH 1979; 76-6-702, AS ENACTED BY CHAPTER 75, LAWS OF UTAH 1979; 76-6-704, AS ENACTED BY CHAPTER 75, LAWS OF UTAH 1979.

REPEALS AND REENACTS: 76-6-703, AS ENACTED BY CHAPTER 75, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

CONSTABLE RESIDENCY REQUIREMENT

S.B. No. 45 *Richard J. Carling*

AN ACT RELATING TO CONSTABLES; REQUIRING THAT CONSTABLES AND THEIR DEPUTIES BE RESIDENTS OF THE PRECINCT OR COUNTY THEY SERVE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 17-16-6, UTAH CODE ANNOTATED 1953; 17-16-7, AS LAST AMENDED BY CHAPTER 77, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

PUBLIC SAFETY RETIREMENT CREDIT PURCHASE

S.B. No. 46 *Karl G. Swan*

AN ACT RELATING TO THE UTAH PUBLIC SAFETY RETIREMENT ACT ALLOWING PUBLIC SAFETY EMPLOYEES IN DISINCORPORATED AREAS TO PURCHASE PUBLIC SAFETY SERVICE CREDIT UNDER CERTAIN PRESCRIBED CIRCUMSTANCES; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 49-11-19, AS ENACTED BY CHAPTER 127, LAWS OF UTAH 1969, was read the first time and referred to Rules Committee.

POLITICAL CONVENTION EXPENSES

S.B. No. 47 *Paul Rogers*

AN ACT RELATING TO ELECTIONS; REQUIRING APPROPRIATE STATE AND COUNTY OFFICIALS TO PAY ONLY FOR BALLOTS, BLANKS, AND NOTICES USED AT PRIMARY CONVENTIONS; AND REQUIRING POLITICAL PARTIES TO PAY FOR ALL OTHER EXPENSES.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 20-4-12, AS LAST AMENDED BY CHAPTER 68, LAWS OF UTAH 1984 was read the first time and referred to Rules Committee.

UTAH VETERANS MEMORIAL PARK

S.B. No. 48 *Paul Rogers*

AN ACT RELATING TO VETERANS; PROVIDING FOR A STATE VETERANS MEMORIAL PARK; CREATING A MEMORIAL PARK ADVISORY BOARD; APPROPRIATING $257,175 FROM THE GENERAL FUND TO THE UTAH NATIONAL GUARD FOR THE ESTABLISHMENT OF THE MEMORIAL PARK; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 71-7-4, UTAH CODE ANNOTATED 1953.

REPEALS AND REENACTS: 71-7-3, AS ENACTED BY CHAPTER 283, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

JURY FEE AMENDMENT

S.B. No. 49 *Lyle W. Hillyard*

AN ACT RELATING TO COURT COSTS AND FEES; ALLOWING THE COURT TO ASSESS JURORS' FEES AGAINST A PARTY WHO WITHDRAWS A REQUEST FOR A JURY, OR POSTPONES THE TRIAL, SHORTLY BEFORE THE TRIAL IS TO BEGIN.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 21-5-18, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

FRANCHISE TAX EXEMPTION FOR HOMEOWNERS AND CONDOMINIUM ASSOCIATIONS

S.B. No. 50 *Haven J. Barlow*

AN ACT RELATING TO REVENUE AND TAXATION; EXEMPTING NONPROFIT HOMEOWNERS AND CONDOMINIUM ASSOCIATIONS FROM THE FRANCHISE AND PRIVILEGE TAX.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 59-13-4, AS LAST AMENDED BY CHAPTER 147, LAWS OF UTAH 1973, was read the first time and referred to Rules Committee.

INTERLOCAL COOPERATION ACT AMENDMENT

S.B. No. 51 *William T. Barton*

AN ACT RELATING TO LOCAL GOVERNMENTAL UNITS; PROMOTING COOPERATIVE AGREEMENTS BETWEEN PUBLIC AGENCIES AIMED AT THE ELIMINATION OR CURTAILMENT OF UNNECESSARY DUPLICATIVE SERVICES.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 11-13-2, AS LAST AMENDED BY CHAPTER 47, LAWS OF UTAH 1977; 11-13-5, AS LAST AMENDED BY CHAPTER 47, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

HANDICAPPED PARKING FINE

S.B. No. 52 *Brent C. Overson, E. Verl Asay William T. Barton, Fred W. Finlinson, Ivan M. Matheson Dix H. McMullin, Eldon A. Money, Karl G. Swan Darrell G. Renstrom, Jack M. Bangerter, Cary G. Peterson Dona M. Wayment, Warren E. Pugh, Glade M. Sowards*

AN ACT RELATING TO MOTOR VEHICLES; PROVIDING FOR ENFORCEMENT OF HANDICAPPED PARKING REGULATIONS ON PRIVATE PROPERTY.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 41-1-49.9, AS LAST AMENDED BY CHAPTER 160, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

MUNICIPAL FISCAL PROCEDURES AMENDMENT

S.B. No. 53 *Brent C. Overson*

AN ACT RELATING TO CITIES AND TOWNS; ALLOWING CITIES TO ACCUMULATE A FUND BALANCE IN THEIR GENERAL FUND IN AN AMOUNT UP TO 50% OF ESTIMATED REVENUE FROM PROPERTY TAX AND 25% OF ESTIMATED REVENUE FROM SALES TAX.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 10-6-116, AS LAST AMENDED BY CHAPTER 52, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

ACQUISITION OF PROPERTY BY MUNICIPALITY

S.B. No. 54 *William T. Barton*

AN ACT RELATING TO CITIES AND TOWNS; AUTHORIZING MUNICIPALITIES TO ACQUIRE COUNTY LIBRARIES AND OTHER COUNTY SERVICE AREAS LOCATED WITHIN THE MUNICIPALITY.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 10-2-114, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1980.

ENACTS: 10-2-115, UTAH CODE ANNOTATED 1953; 10-2-116, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

TEMPORARY SALES TAX REMOVAL

S.B. No. 55 *William T. Barton*

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING FOR A REDUCTION OF ¼% IN THE STATE SALES AND USE TAX; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 59-15-4, AS LAST AMENDED BY CHAPTER 56, LAWS OF UTAH 1984; 59-16-3, AS LAST AMENDED BY CHAPTER 56, LAWS OF UTAH 1984, was read the first time and referred to Rules Committee.

TRAPPER'S LOOP ROAD AMENDMENT AND APPROPRIATION

S.B. No. 56 *Dale E. Stratford, Lowell S. Peterson, Darrell G. Renstrom Glade M. Sowards, Haven J. Barlow, Dona M. Wayment, Jack M. Bangerter*

AN ACT RELATING TO STATE HIGHWAYS; PLACING THE TRAPPERS LOOP ROAD IN THE STATE HIGHWAY SYSTEM; AND MAKING AN APPROPRIATION OF $5,000,000 TO FUND IMPLEMENTATION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 27-12-47.1, AS LAST AMENDED BY CHAPTER 142, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

FIRE CHIEF RETIREMENT EXEMPTION

S.B. No. 57 *Haven J. Barlow*

AN ACT RELATING TO PENSIONS; AMENDING THE FIREMEN'S RETIREMENT ACT TO PERMIT CHIEFS OF FIRE DEPARTMENTS TO ELECT NOT TO PARTICIPATE IN THE SYSTEM; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 49-6a-8.1, AS ENACTED BY CHAPTER 224, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

GOVERNMENTAL IMMUNITY

S.B. No. 58 *Haven J. Barlow*

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; AMENDING THE GOVERNMENTAL IMMUNITY ACT TO EXTEND IMMUNITY TO FIRE FIGHTERS ENGAGED IN PROVIDING EMERGENCY MEDICAL SERVICES AND REMOVING HAZARDOUS MATERIALS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 63-30-10, AS LAST AMENDED BY CHAPTER 10, LAWS OF UTAH 1982

was read the first time and referred to Rules Committee.

RESIDENTIAL PROPERTY TAX ASSESSMENT

S.B. No. 59 *Richard J. Carling*

AN ACT RELATING TO TAXATION; PROVIDING FOR THE 15% ASSESSMENT LEVEL TO APPLY TO ALL RESIDENTIAL PROPERTY EXCEPT PROPERTY USED FOR TRANSIENT RESIDENTIAL USE AND CONDOMINIUMS USED IN RENTAL POOLS AND PROVIDING FOR RETROSPECTIVE OPERATION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 59-5-1, AS LAST AMENDED BY CHAPTER 265, LAWS OF UTAH 1983

was read the first time and referred to Rules Committee.

DELAYED DISTRIBUTION OF ESTATE TO MINORS

S.B. No. 60 *Lyle W. Hillyard*

AN ACT RELATING TO PROTECTIVE SERVICES; INCREASING THE MAXIMUM AGE OF PERSONS FOR WHOM A CONSERVATOR MAY BE APPOINTED, OR A PROTECTIVE ORDER MAY BE ISSUED, FROM 18 TO 21 YEARS OF AGE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 75-5-401, AS ENACTED BY CHAPTER 150, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

JUVENILE AND DISTRICT COURT JURISDICTION — DOMESTIC MATTERS

S.B. No. 61 *Lyle W. Hillyard*

AN ACT RELATING TO DISTRICT AND JUVENILE COURTS; CLARIFYING PROCEDURE FOR TRANSFER OF JURISDICTION BETWEEN THE TWO COURTS IN DOMESTIC MATTERS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 78-3a-17, AS LAST AMENDED BY CHAPTER 120, LAWS OF UTAH 1973, was read the first time and referred to Rules Committee.

UTAH ARBITRATION ACT

S.B. No. 62 *Dale E. Stratford, Terry Williams*

AN ACT RELATING TO THE JUDICIAL CODE; PROVIDING A REVISED PROCEDURE FOR THE ENFORCEMENT OF WRITTEN ARBITRATION AGREEMENTS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: CHAPTER 31a, TITLE 78, UTAH CODE ANNOTATED 1953.

REPEALS: CHAPTER 31, TITLE 78, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

STATE ROAD DESIGNATIONS

S.B. No. 63 *Wilford R. Black, Dix H. McMullin*

AN ACT RELATING TO STATE HIGHWAYS; PROVIDING CHANGES IN STATE ROUTES.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 27-12-40.1, AS ENACTED BY CHAPTER 142, LAWS OF UTAH 1983; 27-12-44.1, AS LAST AMENDED BY CHAPTER 108, LAWS OF UTAH 1979; 27-12-45.1, AS LAST AMENDED BY CHAPTER 108, LAWS OF UTAH 1979; 27-12-47.1, AS LAST AMENDED BY CHAPTER 142, LAWS OF UTAH 1983; 27-12-49.1, AS LAST AMENDED BY CHAPTER 108, LAWS OF UTAH 1979; 27-12-52.1, AS LAST AMENDED BY CHAPTER 108, LAWS OF UTAH 1979; 27-12-55.1, AS LAST AMENDED BY CHAPTER 108, LAWS OF UTAH 1979; 27-12-59.1, AS LAST AMENDED BY CHAPTER 108, LAWS OF UTAH 1979; 27-12-61.1, AS LAST AMENDED BY CHAPTER 108, LAWS OF UTAH 1979; 27-12-62.1, AS LAST AMENDED BY CHAPTER 142, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

ACCESSIBILITY FOR THE HANDICAPPED ON PRIVATE PROPERTY

S.B. No. 64 *Brent C. Overson*

AN ACT RELATING TO DISABLED PERSONS; PROVIDING FOR ELIMINATIO OF ARCHITECTURAL BARRIERS ON PRIVATE PROPERTY WHICH IS USED BY TH PUBLIC; PROVIDING FOR THE INVOLVEMENT OF APPROPRIATE POLITICA ENTITIES IN THE ADOPTION OF PLANNING AND DESIGN CRITERIA; AN PROVIDING MEANS OF ENFORCEMENT.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 A FOLLOWS:

AMENDS: 26-29-1, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-29- AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-29-4, AS ENACTED B CHAPTER 126, LAWS OF UTAH 1981, was read the first time and referred to Rule Committee.

COUNTY DESIGNATION ON VEHICLE LICENSE PLATES

S.B. No. 65 *Lyle W. Hillyar*

AN ACT RELATING TO MOTOR VEHICLES; PROVIDING FOR COUNT DESIGNATIONS ON VEHICLE LICENSE PLATES; DIRECTING THE STATE TA COMMISSION TO ADMINISTER THE PROGRAM; AND PROVIDING AN EFFECTIV DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 A FOLLOWS:

AMENDS: 41-1-44, AS ENACTED BY CHAPTER 164, LAWS OF UTAH 1977.

ENACTS: 41-1-44.3, UTAH CODE ANNOTATED 1953, was read the first time an referred to Rules Committee.

TRUST DEED AMENDMENTS

S.B. No. 66 *Ivan M. Matheso*

AN ACT RELATING TO REAL ESTATE; PROVIDING AN ASSOCIATION O CORPORATION REGULATED BY THE FARM CREDIT ADMINISTRATION MAY SERV AS A TRUSTEE ON A TRUST DEED.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 A FOLLOWS:

AMENDS: 57-1-21, AS LAST AMENDED BY CHAPTER 162, LAWS OF UTAH 196 was read the first time and referred to Rules Committee.

DUI RESTITUTION CLAIM PROCEDURES

S.B. No. 67 *William T. Barto*

AN ACT RELATING TO RESTITUTION; PROVIDING AMENDMENTS TO FACILITATE CLAIMS BY DUI VICTIMS FOR RESTITUTION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 41-25-2, AS ENACTED BY CHAPTER 100, LAWS OF UTAH 1983; 41-25-3. AS ENACTED BY CHAPTER 100, LAWS OF UTAH 1983.

ENACTS: 41-24-10, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

LIQUOR LAW ENFORCEMENT AMENDMENTS

S.B. No. 68 *Fred W. Finlinson*

AN ACT RELATING TO INTOXICATING LIQUORS; PROVIDING PROCEDURES FOR CITIES, TOWNS, AND COUNTIES TO QUALIFY FOR LIQUOR PROFIT FUNDS FOR ALCOHOL ABUSE PREVENTION; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 32-1-24, AS LAST AMENDED BY CHAPTER 152, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

DRIVER EDUCATION AMENDMENTS

S.B. No. 69 *Fred W. Finlinson*

AN ACT RELATING TO PUBLIC SCHOOLS; PERMITTING SCHOOL DISTRICTS TO HOLD DRIVER EDUCATION PROGRAMS FOR 10TH THRU 12TH GRADE STUDENTS; PROVIDING FOR REIMBURSEMENT OF DRIVER EDUCATION COSTS; ALLOWING STUDENTS FROM PRIVATE SCHOOLS TO PARTICIPATE IN THE DRIVER EDUCATION PROGRAM; REQUIRING ADMINISTRATIVE REPORTING TO THE STATE BOARD OF EDUCATION; DESIGNATING THE PURPOSES FOR WHICH THE DRIVER EDUCATION TAX ACCOUNT MAY BE USED; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 53-14-15, AS LAST AMENDED BY CHAPTER 135, LAWS OF UTAH 1969; 53-14-17, AS LAST AMENDED BY CHAPTER 80, LAWS OF UTAH 1967.

REPEALS AND REENACTS: 53-14-12, AS LAST AMENDED BY CHAPTER 113, LAWS OF UTAH 1967; 53-14-13, AS LAST AMENDED BY CHAPTER 183, LAWS OF UTAH 1979; 53-14-13.5, AS ENACTED BY CHAPTER 93, LAWS OF UTAH 1963; 53-14-14, AS LAST AMENDED BY CHAPTER 113, LAWS OF UTAH 1967; 53-14-16, AS LAST AMENDED BY CHAPTER 135, LAWS OF UTAH 1969, was read the first time and referred to Rules Committee.

INSURANCE ANTI-DISCRIMINATION CLAUSE REPEAL

S.B. No. 70 *Ivan M. Matheson*

AN ACT RELATING TO INSURANCE; ELIMINATING THE ANTI-DISCRIMINATION PROVISIONS OF THE INSURANCE CODE AS IT PERTAINS TO HEALTH INSURERS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

REPEALS: 31-27-24, AS LAST AMENDED BY CHAPTER 125, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

LOCAL BOARD POWERS

S.B. No. 71 *Dale E. Stratford*

AN ACT RELATING TO PUBLIC SCHOOLS; GRANTING LOCAL BOARDS THE SPECIFIC AUTHORITY TO FINANCE THE COMPILATION OF THE DISTRICTS HISTORY FROM LOCAL DISTRICT FUNDS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 53-6-20, AS LAST AMENDED BY CHAPTER 233, LAWS OF UTAH 1983 was read the first time and referred to Rules Committee.

AMENDMENTS — SEXUAL EXPLOITATION OF MINORS

S.B. No. 72 *Dona M. Wayment, Lowell S. Peterson, E. Verl Asay*

AN ACT RELATING TO CRIMINAL LAW; EXPANDING THE AGE OF CHILDREN UNDER THE SEXUAL EXPLOITATION ACT TO INCLUDE ALL MINORS; AND RELOCATING THE ACT WITHIN THE CRIMINAL CODE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 76-10-1801, UTAH CODE ANNOTATED 1953; 76-10-1802, UTAH CODE ANNOTATED 1953; 76-10-1803, UTAH CODE ANNOTATED 1953; 76-10-1804, UTAH CODE ANNOTATED 1953.

REPEALS: CHAPTER 5a, TITLE 76, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

UTAH PERCENT-FOR-ART ACT

S.B. No. 73 *Dona M. Wayment, K.S. Cornaby, Jack M. Bangerter*

AN ACT RELATING TO FINE ARTS; PROVIDING FOR THE CREATION AND ADMINISTRATION OF A PERCENT-FOR-ART PROGRAM BY THE STATE; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 63-1-38.1, AS LAST AMENDED BY CHAPTER 306, LAWS OF UTAH 1983; 63-1-38.4, AS LAST AMENDED BY CHAPTER 297, LAWS OF UTAH 1983; 63-1-38.6, AS ENACTED BY CHAPTER 257, LAWS OF UTAH 1981; 63-1-40, AS ENACTED BY CHAPTER 257, LAWS OF UTAH 1981; 63-56-3, AS ENACTED BY CHAPTER 75, LAWS OF UTAH 1980.

ENACTS: CHAPTER 2a, TITLE 63, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

OPTOMETRY AMENDMENTS

S.B. No. 74 *Haven J. Barlow*

AN ACT RELATING TO THE DIVISION OF REGISTRATION; PROVIDING FOR CHANGES IN THE DEFINED PRACTICE OF OPTOMETRY.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 58-16-11, AS LAST AMENDED BY CHAPTER 10, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

DIVISION OF CONTRACTORS

S.B. No. 75 *K.S. Cornaby*

AN ACT RELATING TO THE DIVISION OF CONTRACTORS; PROVIDING A RESTRUCTURING OF THE DIVISION OF CONTRACTORS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: CHAPTER 1a, TITLE 58A, UTAH CODE ANNOTATED 1953.

REPEALS AND REENACTS: CHAPTER 1, TITLE 58A, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

FUNDING OF MUNICIPAL SERVICES

S.B. No. 76 *Dix H. McMullin*

AN ACT RELATING TO COUNTIES; ALLOWING COUNTIES OF THE FIRST AND SECOND CLASS TO PROVIDE ADDITIONAL SERVICES OR FUNCTIONS TO

UNINCORPORATED AREAS OF THE COUNTY WITHOUT PROVIDING THE SAMI SERVICES TO INCORPORATED CITIES OR TOWNS; AND PROHIBITING REVENUE: FROM FEES, TAXES, OR OTHER SOURCES WHICH ARE BASED ON COUNT' ASSESSMENTS OR SERVICES FROM BEING PLACED IN EITHER A MUNICIPAI SERVICES FUND OR A MUNICIPAL CAPITAL PROJECTS FUND; AND PROVIDING AI EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 A: FOLLOWS:

AMENDS: 17-34-2, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1971, FIRS' SPECIAL SESSION; 17-34-3, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1971 FIRST SPECIAL SESSION: 17-36-9, AS LAST AMENDED BY CHAPTER 71, LAWS O UTAH 1983, was read the first time and referred to Rules Committee.

COUNTY FIRE DEPARTMENT APPOINTMENT

S.B. No. 77 *William T. Barto*

AN ACT RELATING TO COUNTIES; MANDATING THAT THE DEPUTY CHIEF O A COUNTY FIRE DEPARTMENT BE APPOINTED FROM THE CLASSIFIED COUNT' FIREMEN'S CIVIL SERVICE LIST PREPARED BY THE COUNTY FIREMEN'S CIVI SERVICE COMMISSION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 A: FOLLOWS:

AMENDS: 17-28-5, UTAH CODE ANNOTATED 1953, was read the first time an referred to Rules Committee.

MOSQUITO ABATEMENT DISTRICTS

S.B. No. 78 *Wilford R. Black, Darrell G. Renstro*
Terry Williams, Richard J. Carlin,
K.S. Cornaby, William T. Barton, Fred W. Finlinso

AN ACT RELATING TO THE HEALTH CODE; PROVIDING PROCEDURES AN PROTEST PROVISIONS FOR ANNEXING ANY TERRITORY TO A MOSQUIT ABATEMENT DISTRICT; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 A: FOLLOWS:

REPEALS AND REENACTS: 26-27-12, AS ENACTED BY CHAPTER 126, LAWS O UTAH 1981, was read the first time and referred to Rules Committee.

CONSUMER UTILITY BOARD

S.B. No. 79 *Brent C. Overso*

AN ACT RELATING TO PUBLIC UTILITIES; PROVIDING FOR THE CREATION AND ELECTION OF A CONSUMERS' UTILITY BOARD; PROVIDING FOR ITS FUNCTIONS, DUTIES, AND RESPONSIBILITIES; PROVIDING AN APPROPRIATION OF $100,000; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: CHAPTER 10a, TITLE 54, UTAH CODE ANNOTATED 1953.

REPEALS: CHAPTER 4a, TITLE 54, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

MUNICIPAL INITIATIVE AND REFERENDUM PROVISIONS

S.B. No. 80 *Wilford R. Black, Darrell G. Renstrom, Terry Williams K.S. Cornaby, Richard J. Carling, Fred W. Finlinson*

AN ACT RELATING TO MUNICIPAL ELECTIONS; PROVIDING FOR PROCEDURES FOR MUNICIPAL INITIATIVE AND REFERENDUMS SEPARATE FROM THOSE PROVIDED FOR COUNTIES; AND ESTABLISHING THOSE PROCEDURES.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 20-11-21, AS LAST AMENDED BY CHAPTER 102, LAWS OF UTAH 1981; 20-11-22, AS LAST AMENDED BY CHAPTER 102, LAWS OF UTAH 1981; 20-11-23, AS LAST AMENDED BY CHAPTER 102, LAWS OF UTAH 1981; 20-11-24, AS LAST AMENDED BY CHAPTER 102, LAWS OF UTAH 1981; 20-11-25, AS LAST AMENDED BY CHAPTER 102, LAWS OF UTAH 1981.

ENACTS: 20-11-23.5, UTAH CODE ANNOTATED 1953; 20-11-26, UTAH CODE ANNOTATED 1953; 20-11-27, UTAH CODE ANNOTATED 1953; 20-11-28, UTAH CODE ANNOTATED 1953; 20-11-29, UTAH CODE ANNOTATED 1953; 20-11-30, UTAH CODE ANNOTATED 1953; 20-11-31, UTAH CODE ANNOTATED 1953; 20-11-32, UTAH CODE ANNOTATED 1953; 20-11-32, UTAH CODE ANNOTATED 1953; 20-11-33, UTAH CODE ANNOTATED 1953; 20-11-34, UTAH CODE ANNOTATED 1953; 20-11-35, UTAH CODE ANNOTATED 1953; 20-11-36, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

INDIGENT MEDICAL ASSISTANCE PROGRAM

S.B. No. 81 *Ivan M. Matheson*

AN ACT RELATING TO THE MEDICAL BENEFITS RECOVERY ACT; PROVIDING SECURITY INTEREST FOR ASSISTANCE PROVIDED; PROVIDING THAT PERSONS IN CUSTODY OF PRISONS, JAILS, AND HALFWAY HOUSES ARE ELIGIBLE FOR MEDICAL ASSISTANCE; ELIMINATING THE ¼ MILL CONTRIBUTION FROM

COUNTIES THAT PARTICIPATE IN THE MEDICAL ASSISTANCE PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 26-18-10, AS ENACTED BY CHAPTER 26, LAWS OF UTAH 1982, was read the first time and referred to Rules Committee.

STATE WATER AUTHORITY

S.B. No. 82 *Fred W. Finlinson, Glade M. Sowards*

AN ACT RELATING TO INTERCOUNTY WATERWAYS; PROVIDING FOR JURISDICTION OVER THOSE WATERWAYS BY THE STATE ENGINEER; REQUIRING STATE ENGINEER APPROVAL FOR DRB FUNDED FLOOD MITIGATION PROJECTS; ALLOWING THE DRB TO COMPENSATE INDIVIDUALS FOR DAMAGE CAUSED BY THE STATE ENGINEER'S ACTIONS; AND ESTABLISHING A RESTRICTED ACCOUNT FOR THE STATE ENGINEER'S USE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 63-52a-10, AS LAST AMENDED BY CHAPTER 33, LAWS OF UTAH 1984.

ENACTS: 63-52a-11.5, UTAH CODE ANNOTATED 1953; 73-2-23, UTAH CODE ANNOTATED 1953; 73-2-24, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

BIG GAME HUNTING TAGS

S.B. No. 83 *William T. Barton*

AN ACT RELATING TO WILDLIFE RESOURCES; PROVIDING FOR THE SALE OF TAGS FOR HUNTING BIG GAME ON PRIVATELY OWNED LAND.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 23-19-41, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

INCREASED PENALTY FOR DEALING IN HARMFUL MATTER

S.B. No. 84 *E. Verl Asay*

AN ACT RELATING TO CRIMINAL LAW; AMENDING THE PROVISION PROHIBITING DISTRIBUTION OF HARMFUL MATERIAL TO MINORS; INCREASING PENALTIES; AND DELETING AN EXCEPTION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 76-10-1206, AS LAST AMENDED BY CHAPTER 49, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

RETENTION ELECTIONS AND NOMINATING COMMISSION FOR PUBLIC SERVICE COMMISSIONERS

S.B. No. 85 *Dale E. Stratford*

AN ACT RELATING TO PUBLIC UTILITIES; PROVIDING RETENTION ELECTIONS OF PUBLIC SERVICE COMMISSIONERS; PROVIDING A NOMINATING COMMISSION TO NOMINATE NAMES FOR APPOINTMENT TO THE PUBLIC SERVICE COMMISSION; CLARIFYING MEMBER QUALIFICATIONS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 54-1-1.5, AS LAST AMENDED BY CHAPTERS 246 AND 320, LAWS OF UTAH 1983; 54-1-11, AS ENACTED BY CHAPTER 246, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

COURT AUTHORITY FOR CUSTODIAL PARENT'S TRAVEL

S.B. No. 86 *Dale E. Stratford*

AN ACT RELATING TO DIVORCE; REQUIRING CUSTODIAL PARENT TO NOTIFY A PARENT WITH VISITATION RIGHTS OF AN INTENT TO MOVE OR TRAVEL FOR MORE THAN 30 DAYS OUT OF STATE; AND TO OBTAIN COURT PERMISSION IF HIS INTENT TO MOVE OR TRAVEL IS CHALLENGED BY THE CUSTODIAL PARENT.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 30-3-5, AS LAST AMENDED BY CHAPTER 13, LAWS OF UTAH 1984, was read the first time and referred to Rules Committee.

SUPERVISED PROBATION AMENDMENTS

S.B. No. 87 *Dale E. Stratford*

AN ACT RELATING TO CRIMINAL PROCEDURE; OMITTING SUPERVISED PROBATION FOR CLASS C MISDEMEANORS; SPECIFYING PROBATION PROCEDURES; AND PLACING RESTITUTION OBLIGATIONS OUTSTANDING AT THE END OF PROBATION UNDER THE COURTS' JURISDICTION FOR COLLECTION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 77-18-1, AS LAST AMENDED BY CHAPTER 20, LAWS OF UTAH 1984, was read the first time and referred to Rules Committee.

YOUTH OFFENDERS PROGRAM CERTIFICATION

S.B. No. 88 *Dale E. Stratford, Terry Williams*

AN ACT RELATING TO THE DIVISION OF YOUTH CORRECTIONS; AUTHORIZING THE DIVISION OF YOUTH CORRECTIONS TO SET MINIMUM STANDARDS AND CERTIFY PRIVATE JUVENILE REHABILITATION FACILITIES WHICH SERVE JUVENILES WHO ARE COMMITTED TO THE FACILITY BY THE JUVENILE COURT.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 55-11b-5, AS LAST AMENDED BY CHAPTER 289, LAWS OF UTAH 1983; 55-11b-20, AS ENACTED BY CHAPTER 247, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

JUVENILE DETENTION

S.B. No. 89 *Dale E. Stratford*

AN ACT RELATING TO PUBLIC WELFARE; PLACING RESPONSIBILITY FOR JUVENILE DETENTION FACILITIES UNDER THE DIVISION OF YOUTH CORRECTIONS, AND TAKING THAT RESPONSIBILITY AWAY FROM THE COUNTIES; AND PROVIDING FOR THE DETENTION OF JUVENILES IN LAW ENFORCEMENT FACILITIES FOR LIMITED TIME.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 55-11a-1, AS LAST AMENDED BY CHAPTER 168, LAWS OF UTAH 1983; 55-11a-2, AS ENACTED BY CHAPTER 127, LAWS OF UTAH 1961; 55-11a-6, AS LAST AMENDED BY CHAPTER 55, LAWS OF UTAH 1980; 55-11b-5, AS LAST AMENDED BY CHAPTER 289, LAWS OF UTAH 1983.

REPEALS: 55-11a-3, AS ENACTED BY CHAPTER 127, LAWS OF UTAH 1961; 55-11a-4, AS ENACTED BY CHAPTER 127, LAWS OF UTAH 1961; 55-11a-5, AS LAST AMENDED BY CHAPTER 55, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

SALES TAX ON SCHOOL SALES

S.B. No. 90 *Ivan M. Matheson*

AN ACT RELATING TO PUBLIC EDUCATION; ALLOWING A SALES TAX EXEMPTION ON THE FIRST $1,000 FROM SALES OF TICKETS, REFRESHMENTS, AND OTHER ITEMS IN CONNECTION WITH AN ENTERTAINMENT EVENT THAT FEATURES STUDENT PERFORMERS AND IS SPONSORED BY A PUBLIC ELEMENTARY OR SECONDARY SCHOOL.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 59-15-6, AS LAST AMENDED BY CHAPTER 60, LAWS OF UTAH 1984, was read the first time and referred to Rules Committee.

POWER OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

S.B. No. 91 *Paul Rogers*

AN ACT RELATING TO PUBLIC EDUCATION; PROVIDING FOR WRITTEN OPINIONS BY THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION ON MATTERS OF PUBLIC EDUCATION, POLICY, AND PROCEDURES; AND PROVIDING THAT QUESTIONS ON THE INTERPRETATION OF SCHOOL LAW BE REFERRED TO THE ATTORNEY GENERAL FOR REVIEW.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 53-3-4, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

UNIFORM DETERMINATION OF DEATH ACT

S.B. No. 92 *Richard J. Carling*

AN ACT RELATING TO DEATH; ADOPTING THE UNIFORM DETERMINATION OF DEATH ACT; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: CHAPTER 28a, TITLE 26, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

PHYSICIAN ASSISTANT AMENDMENTS

S.B. No. 93 *Richard J. Carling*

AN ACT RELATING TO PHYSICIAN ASSISTANTS; PROVIDING FOR THE REGISTRATION OF PHYSICIAN ASSISTANTS BY THE DIVISION OF REGISTRATION; GIVING AUTHORITY TO THE DIVISION OF REGISTRATION TO ADOPT RULES

RELATING TO PHYSICIAN ASSISTANTS; AND PROVIDING FOR A REGISTRATION FEE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 58-12-40, AS ENACTED BY CHAPTER 140, LAWS OF UTAH 1971; 58-17-14, AS ENACTED BY CHAPTER 17, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

SALARY ADJUSTMENT AMENDMENTS

S.B. No. 94 *Warren E. Pugh*

AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES; CHANGING THE FACTORS FOR DETERMINING THE AVERAGE WAGE FOR NONAGRICULTURE EMPLOYMENT IN THE UTAH LABOR MARKET; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 67-19-12, AS LAST AMENDED BY CHAPTER 332, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

MUNICIPAL-OWNED UTILITY TAXATION

S.B. No. 95 *Omar B. Bunnell*

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING FOR THE AD VALOREM PROPERTY TAXATION OF ELECTRICAL GENERATING AND TRANSMISSION FACILITIES OWNED BY POLITICAL SUBDIVISIONS OF THE STATE WHICH ARE LOCATED OUTSIDE THE GEOGRAPHICAL BOUNDARIES OF THE POLITICAL SUBDIVISIONS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 59-5-1, AS LAST AMENDED BY CHAPTER 265, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

DRINKING WATER AND WASTEWATER LOAN PROGRAM

S.B. No. 96 *Fred W. Finkinson, LeRay McAllister*

AN ACT RELATING TO THE WATER DEVELOPMENT COORDINATING COUNCIL; AUTHORIZING THE COUNCIL TO MAKE LOANS TO POLITICAL SUBDIVISIONS FOR DRINKING AND WASTEWATER PROJECTS; AND RESTRICTING THE AMOUNT OF FUNDS THAT MAY BE USED FOR ADMINISTRATIVE COSTS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 73-10c-3, AS ENACTED BY CHAPTER 354, LAWS OF UTAH 1983; 73-10c-4, AS ENACTED BY CHAPTER 354, LAWS OF UTAH 1983; 73-10c-5, AS ENACTED BY CHAPTER 354, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

WATER DEVELOPMENT AND FLOOD MITIGATION G.O. BONDS

S.B. No. 97 *Fred W. Finlinson, Karl G. Swan*

AN ACT RELATING TO WATER AND IRRIGATION; AUTHORIZING THE ISSUANCE OF $220,000,000 OF GENERAL OBLIGATION BONDS TO PROVIDE GRANTS AND LOANS FOR VARIOUS WATER DEVELOPMENT AND FLOOD MITIGATION PROJECTS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: CHAPTER 10e, TITLE 73, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

WILDLIFE LICENSE AMENDMENTS

S.B. No. 98 *Fred W. Finlinson, Karl G. Swan*

AN ACT RELATING TO WILDLIFE RESOURCES; PROVIDING FOR LICENSE FEES FOR BIG GAME DAMAGE; PROVIDING FOR REPEAL OF RESIDENT SHORT TERM FISHING LIENSES; AND PROVIDING FOR INCREASE OF CERTAIN LICENSE FEES.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 23-19-17, AS LAST AMENDED BY CHAPTER 122, LAWS OF UTAH 1983; 23-19-18, AS LAST AMENDED BY CHAPTER 126, LAWS OF UTAH 1983; 23-19-19, AS LAST AMENDED BY CHAPTER 126, LAWS OF UTAH 1983; 23-19-22, AS LAST AMENDED BY CHAPTER 122, LAWS OF UTAH 1983; 23-19-23, AS LAST AMENDED BY CHAPTER 122, LAWS OF UTAH 1983; 23-19-40, AS LAST AMENDED BY CHAPTER 30, LAWS OF UTAH 1984, was read the first time and referred to Rules Committee.

COMMITTEE ON CONSUMER SERVICES CONTINUATION

S.B. No. 99 *Karl G. Swan*

AN ACT RELATING TO SUNSET; REAUTHORIZING THE COMMITTEE OF CONSUMER SERVICES UNTIL JULY 1, 1985; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 63-55-7, AS LAST AMENDED BY CHAPTER 73, LAWS OF UTAH 1984

REPEALS: 54-10-8, AS ENACTED BY CHAPTER 216, LAWS OF UTAH 1981

UNCODIFIED SECTION 8, CHAPTER 54, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

ELECTION LAW AMENDMENTS

S.B. No. 100 *Fred W. Finlinson*

AN ACT RELATING TO ELECTIONS; UNIFYING FILING DATE REQUIREMENTS FOR ALL CANDIDATES; ESTABLISHING ELIGIBILITY REQUIREMENTS; ESTABLISHING POLLBOOK AND OFFICIAL REGISTER REQUIREMENTS; THE PLACE OF FILING FOR CONGRESSIONAL CANDIDATES; CLARIFYING VOTER ASSISTANCE PROCEDURES AND ABSENTEE VOTING PROCEDURES; PROVIDING FOR THE REJECTION OF BALLOTS FOR INCORRECT MARKING UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR THE DESTRUCTION OF COUNTED BALLOTS BY ELECTION JUDGES; CLARIFYING AND ESTABLISHING UNLAWFUL ELECTION PRACTICES; ELIMINATING PRIMARY BALLOT PRINTING UNDER PRESCRIBED CIRCUMSTANCES; CLARIFYING ELECTION PROCEDURES FOR NONPARTISAN SCHOOL BOARD CANDIDATES; AND MAKING TECHNICAL CORRECTIONS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 11-23-24, AS LAST AMENDED BY CHAPTER 45, LAWS OF UTAH 1983; 17-9-12, AS LAST AMENDED BY CHAPTER 71, LAWS OF UTAH 1977; 20-1-7.7, AS LAST AMENDED BY CHAPTER 68, LAWS OF UTAH 1984; 20-2-5, AS LAST AMENDED BY CHAPTER 109, LAWS OF UTAH 1981; 20-3-12, AS LAST AMENDED BY CHAPTER 77, LAWS OF UTAH 1977; 20-3-20, AS LAST AMENDED BY CHAPTER 110, LAWS OF UTAH 1983; 20-4-9, AS LAST AMENDED BY CHAPTER 28, LAWS OF UTAH 1984; 20-5-34, AS ENACTED BY CHAPTER 101, LAWS OF UTAH 1981; 20-5-36, AS ENACTED BY CHAPTER 101, LAWS OF UTAH 1981; 20-5-40, AS ENACTED BY CHAPTER 101, LAWS OF UTAH 1981; 20-5-44, AS ENACTED BY CHAPTER 101, LAWS OF UTAH 1981; 20-5-46, AS ENACTED BY CHAPTER 101, LAWS OF UTAH 1981; 20-5-48, AS ENACTED BY CHAPTER 101, LAWS OF UTAH 1981; 20-5-57, AS ENACTED BY CHAPTER 101, LAWS OF UTAH 1981; 20-6-3, AS LAST AMENDED BY CHAPTER 25, LAWS OF UTAH 1984; 20-6-4, AS LAST AMENDED BY CHAPTER 2, LAWS OF UTAH 1971, FIRST SPECIAL SESSION; 20-7-5, AS LAST AMENDED BY CHAPTER 110, LAWS OF UTAH 1983; 20-7-17, AS LAST AMENDED BY CHAPTER 109, LAWS OF UTAH 1981; 20-7-18, AS LAST AMENDED BY CHAPTER 109, LAWS OF UTAH 1983; 20-7-21, UTAH CODE ANNOTATED 1953; 20-7-24, AS ENACTED BY CHAPTER 109, LAWS OF UTAH 1983; 20-7-29, UTAH CODE ANNOTATED 1953; 20-7-30, UTAH CODE ANNOTATED 1953; 20-7-32, AS LAST

AMENDED BY CHAPTER 58, LAWS OF UTAH 1975; 20-7-35, AS LAST AMENDED BY CHAPTER 58, LAWS OF UTAH 1975; 20-18-14, AS ENACTED BY CHAPTER 7, LAWS OF UTAH 1953, FIRST SPECIAL SESSION; 20-19-3, AS LAST AMENDED BY CHAPTER 25, LAWS OF UTAH 1984; 20-20-6, AS ENACTED BY CHAPTER 40, LAWS OF UTAH 1971; 53-2-3, AS LAST AMENDED BY CHAPTER 68, LAWS OF UTAH 1984; 53-5-4.5, AS ENACTED BY CHAPTER 9, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 53-5-7, AS LAST AMENDED BY CHAPTER 9, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 78-5-38, AS LAST AMENDED BY CHAPTER 109, LAWS OF UTAH 1983.

ENACTS: 20-1-20, UTAH CODE ANNOTATED 1953; 20-20-7.5, UTAH CODE ANNOTATED 1953

REPEALS AND REENACTS: 20-5-35, AS ENACTED BY CHAPTER 101, LAWS OF UTAH 1981; 20-5-38, AS ENACTED BY CHAPTER 101, LAWS OF UTAH 1981; 20-13-17, UTAH CODE ANNOTATED 1953.

REPEALS: 20-2-7.1, AS LAST AMENDED BY CHAPTER 110, LAWS OF UTAH 1981; 20-7-28, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

PRESENTATION OF RESOLUTIONS

MISS AMERICA SHARLENE WELLS COMMENDATION

S.C.R. No. 1 *K.S. Cornaby*

A CONCURRENT RESOLUTION OF THE LEGISLATURE CONGRATULATING MISS SHARLENE WELLS ON HER SELECTION AS MISS AMERICA; RECOGNIZING THE PUBLICITY THAT SHE HAS BROUGHT THE STATE; AND EXPRESSING GRATITUDE TO THE PAGEANT DIRECTORS AND OTHERS WHO MADE HER TRIUMPH POSSIBLE, was read the first time and on motion of Senator Cary Peterson, and under suspension of the rules, placed on Second Reading Calendar and circled.

JOINT RULES RESOLUTION

S.J.R. No. 1 *Glade M. Sowards*

A JOINT RESOLUTION OF THE LEGISLATURE RELATING TO LEGISLATIVE RULES; ADOPTING RULES FOR THE 46TH LEGISLATURE OF THE STATE OF UTAH, was read the first time and on motion of Senator Sowards, and under suspension of the rules, placed on Second Reading Calendar and circled.

SENATE RULES RESOLUTION

S.R. No. 1 *Glade M. Sowards*

A RESOLUTION OF THE SENATE RELATING TO SENATE RULES; ADOPTING RULES FOR THE SENATE OF THE STATE OF UTAH, was read the first time under suspension of the rules, placed on Second Reading Calendar and circled.

PATRONAGE AND EMPLOYEE COMMITTEES

Senator Dale E. Stratford, Chairman of the Patronage and Employee Committee, moved that the following report be adopted.

Mr. President and Members of the Senate: January 14, 1985

As chairman of your committee on Patronage and Employees, I report that I have carefully considered the names of all applicants for session employment positions in the Senate and have selected the following persons to serve the Senate during the 1985 General Session of the Forty-Sixth Legislature:

Sophia C. Buckmiller	Secretary of the Senate
Joan B. Thomas	Administrative Assistant and Minute Clerk
Ralph D. Benson	Sergeant at Arms
Kandall Timothy	Assistant Sergeant at Arms
Mary C. Frandsen	Docket Clerk
Helen O. Madsen	Leadership Secretary
Lynne L. Turner	Minority Secretary
Joy L. Miller	Secretarial Supervisor
Denise Wiser	Page Supervisor
Sharon S. Johnson	Bill Status and Calendar Clerk
Karen B. Hardie	Committee Secretary
Jean L. Coleman	Committee Secretary
Sylvia Finlayson	Committee Secretary
Margaret Langman	Committee Secretary
Denise Gibbons	Committee Secretary
Marjean B. Simpson	Committee Secretary
Lawana H. Dallinga	Committee Secretary
Jeanne A. Martin	Rules Committee/3rd House Secretary
Lila Charles	Mailroom Supervisor
Mildred Carter	Receptionist and Legislative Aide
Patrick Houston	Legislative Aide
Charlene Peterson	Legislative Tour Guide
Colette S. Caras	Page
Sarah D. Snow	Page
Jeanmarie Snow	Page
Camille Caras	Page
Marianne Thomas	Page

Michelle Vincent	Page
Samuel L. Sowards	Page
Beverly G. Heslop	Page
Ronde T. Struve	Page
Lisa Holbrook	Page
Douglas Peterson	Page
Paul Wiser	Public Address Operator and Legislative Aide
Haines D. Stratford	Security
Alfred Rex Hill	Security
Monty Ray Fenwick	Security
Drake Barborka	Security
W. Vee Call	Security
Renn D. Madsen	Security
Ivan J. Heslop	Security
Charlotte Packard	Telephone Operator
Charliene T. Reed	Telephone Operator
Don Anderson	Custodian
Joyce R. Allison	Hostess and Aide to Third House
Robert S. Welch	Mailroom Aide

Dale E. Stratford,
Senate Patronage Committee

Committee report read and adopted. The employees were introduced and President Christensen administered the oath of office to the Senate employees.

RULES COMMITTEE REPORT

Mr. President: January 14, 1985

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 1	SUNSET REVIEW - HEALTH FACILITY ADMINISTRATORS
S.B. No. 3	SUNSET REVIEW - DENTISTS AND DENTAL HYGIENISTS ACT
S.B. No. 4	SUNSET REVIEW - PHYSICAL THERAPY PRACTICE ACT
S.B. No. 5	SUNSET ACT AMENDMENTS
S.B. No. 6	NURSE PRACTITIONER'S PRESCRIPTIVE PRACTICE ACT -SUNSET REAUTHORIZATION
S.B. No. 8	NURSE PRACTICE ACT - SUNSET REAUTHORIZATION
S.B. No. 9	SUNSET REVIEW - VETERNINARY PRACTICE ACT
S.B. No. 10	SUNSET REVIEW - ATHLETIC COMMISSION
S.B. No. 11	SUNSET REVIEW - PODIATRISTS
S.B. No. 14	CAREER LADDER AMENDMENTS

S.B. No. 17	BOARD OF EDUCATION POWERS
S.B. No. 18	AGRICULTURAL ADVISORY BOARD
S.B. No. 19	LIVESTOCK INSPECTION AND QUARANTINE AMENDMENTS

reports the same back and asks that they be printed and under suspension of the rules placed on the Second Reading Calendar.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. The bills were placed on Second Reading Calendar.

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Mr. President: January 14, 1985

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 2	SUNSET REVIEW - OCCUPATIONAL THERAPY (Business, Labor and Economic Development)
S.B. No. 7	SUNSET REVIEW - RECREATIONAL THERAPY (Business, Labor and Economic Development)
S.B. No. 12	PAWNBROKER REDEMPTION CHARGE REPEAL (Business, Labor and Economic Development)
S.B. No. 15	CONTRACTOR'S BOND LAW AMENDMENTS (Business, Labor and Economic Development)
S.B. No. 16	SPECIAL IMPROVEMENT DISTRICT PROTESTS (State and Local Affairs)

reports the same back and asks that they be printed and each assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bills to the committee indicated.

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Mr. President: January 14, 1985

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 25	MUNICPAL GOVERNMENT CHANGES AMENDMENT (State and Local Affairs)
S.B. No. 40	EXECUTIVE RESIDENCE COMMISSION (State and Local Affairs)
S.B. No. 51	INTERLOCAL COOPERATION ACT AMENDMENT (State and Local Affairs)
S.B. No. 54	ACQUISITION OF PROPERTY BY MUNICIPALITY (State and Local Affairs
S.B. No. 58	GOVERNMENTAL IMMUNITY (State and Local Affairs)
S.B. No. 38	CHILD ABUSE - CRIMINAL HOMICIDE (Social Services)
S.B. No. 39	CHILD ABUSE CRIMINAL PENALTIES (Social Services)

reports the same back and asks that they be printed and each assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bills to the committees indicated.

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On motion of Senator Sowards, the Senate voted to return **S.B. No. 54** ACQUISITION OF PROPERTY BY MUNICIPALITY to Rules Committee.

SECOND READING CALENDAR

On motion of Senator Cornaby and under suspension of the rules, **S.C.R. 1**, MISS AMERICA SHARLENE WELLS COMMENDATION, was uncircled, 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	Finlinson	Money	Sowards
Barlow	Hillyard	Peterson, C.	Stratford
Barton	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Pugh	Wayment
Bunnell	McAllister	Renstrom	Williams
Cornaby	McMullin	Rogers	Pres. Christensen

Absent or not voting were: Senators

Bangerter	Overson	Peterson, L.	Sandberg
Carling			

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

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On motion of Senator Cary Peterson, the circles were removed from S.J.R. No. 1 and S.R. No. 1.

S.J.R. No. 1, JOINT RULES RESOLUTION, was read the second time and before the Senate. Several senators commented. On motion of Senator Pugh, the resolution was circled.

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S.R. No. 1, SENATE RULES RESOLUTION, was read the second time. Senator Soward's distributed copies of proposed Joint and Senate rules to the senators.

On motion of Senator Pugh, the distributed proposed Senate rules were amended as follows:

> Page 19, Senate 27.03, delete the second sentence and conform the heading.

On motion of Senator Cary Peterson, the resolution was circled.

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On motion of Senator Cornaby, the Senate resolved into Committee of the Whole. Appearing before the Committee was, "Miss America," Sharlene Wells.

On motion of Senator Cornaby, the Committee was dissolved.

COMMUNICATION FROM THE HOUSE

Mr. President: January 14, 1985

I am directed to inform the Senate that the House of Representatives has this day passed S.C.R. No. 1, MISS AMERICA SHARLENE WELLS COMMENDATION, by Senator K.S. Cornaby, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.C.R. No. 1, was signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

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On motion of Senator Cary Peterson, **S.R. No. 1**, SENATE RULES RESOLUTION, was uncircled and before the Senate.

On motion of Senator Pugh, the distributed proposed Senate rules, were amended as follows:

> Page 15, second paragraph, change to read as follows:
> "If the Rules Committee calendars the bill without standing committee review, the sponsor or any three Senators may, within two working days, request that the bill be reviewed by a standing committee prior to a bill's consideration on the floor. The President shall then assign the bill to the appropriate committee."

Senators Asay's motion to circle the resolution failed.

The resolution passed second reading on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Overson	Sowards
Bangerter	Hillyard	Peterson, C.	Stratford
Barlow	Holmgren	Peterson, Chuck	Swan
Barton	McAllister	Peterson, L.	Wayment
Black	McMullin	Pugh	Pres. Christensen
Bunnell	Money	Rogers	

Voting in the negative was: Senator
Matheson

Absent or not voting were: Senators

Cornaby	Renstrom	Sandberg	Williams
Finlinson			

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On motion of Senator Cary Peterson, the Senate sauntered at 4:10 p.m. The Senate reassembled at 4:30 p.m.

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On motion of Senator L. Peterson, and under suspension of the rules, **S.B. No. 9**, SUNSET REVIEW - VETERINARY PRACTICE ACT, was lifted to the top of the calendar, read the second time, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Assay	Cornaby	Money	Sandberg
Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	Matheson	Peterson, L.	Swan
Black	McAllister	Pugh	Wayment
Bunnell	McMullin	Rogers	Pres. Christensen
Carling			

Absent or not voting were: Senators

Finlinson	Overson	Renstrom	Williams

• • •

On motion of Senator Pugh, and under suspension of the rules, **S.B. No. 14**, CAREER LADDER AMENDMENTS, was lifted to the top of the calendar and read the second time. Senators Pugh, Swan, Matheson, Bunnell and C.E. Peterson commented.

> Senators Overson's motion to delete on Page two, Lines three and four the words "or a combination of instructional and counseling," failed.

The bill failed to receive a constitutional majority and failed on the following roll call:

Yeas, 13; Nays, 11; Absent, 5

Voting in the affirmative were: Senators

Barlow	Carling	Peterson, C.	Sowards
Barton	Holmgren	Peterson, Chuck	Swan
Black	McMullin	Pugh	Pres. Christensen
Bunnell			

Voting in the negative were: Senators

Assay	Matheson	Overson(exp)	Stratford
Bangerter	McAllister	Rogers	Wayment
Cornaby	Money	Sandberg(exp)	

Absent or not voting were: Senators

Finlinson	Peterson, L.	Renstrom	Williams
Hillyard			

Senator Stratford, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action on the next legislative day.

* * *

S.J.R. No. 1, JOINT RULES RESOLUTION, being circled as the Senate adjourned, was placed on Second Reading Table.

On motion of Senator Cary Peterson, and at 5:10 p.m. the Senate adjourned until 10:00 a.m. Tuesday, January 15, 1985.

SECOND DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Arnold Christensen presiding.

Roll Call — All senators present.

Prayer — Senator E. Verl Asay

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

INTRODUCTION OF BILLS

UNEMPLOYMENT COMPENSATION MODIFICATIONS

S.B. No. 101 *Lowell S. Peterson*

AN ACT RELATING TO UNEMPLOYMENT COMPENSATION; REQUIRING A REQUALIFYING OF WAGES FOR A SECOND BENEFIT YEAR; DENYING RETROACTIVE PAYMENT OF UNEMPLOYMENT BENEFITS TO PROFESSIONAL EMPLOYEES OF EDUCATIONAL INSTITUTIONS NOT REHIRED AFTER A BREAK IN SCHOOL YEARS OR TERMS; PROVIDING RELIEF OF CHARGES TO EMPLOYERS FOR QUITS NOT ATTRIBUTABLE TO THE EMPLOYERS, FOR BENEFIT COSTS ATTRIBUTABLE TO PART-TIME CONCURRENT EMPLOYMENT OR DURING A PERIOD OF COMMISSION APPROVED TRAINING, AND FOR BENEFIT COSTS RESULTING FROM OVERLAPPING BASE PERIODS; PERMITTING THE COMMISSION TO WRITE OFF CERTAIN UNCOLLECTABLE OVERPAYMENTS; DISIGNATING THE APPLICABILITY OF THE STATUTE OF LIMITATIONS FOR COLLECTION OF SUMS DUE UNDER THE ACT; EXEMPTING STUDENT EMPLOYMENT UNDER A WORK-STUDY PROGRAM WITHOUT REGARD TO AGE; ALLOWING EMPLOYERS CREDIT FOR TAXABLE WAGES PAID TO AN EMPLOYEE IN ANOTHER STATE FOR THE PURPOSE OF DETERMINING THE MAXIMUM TAXABLE WAGE BASE FOR UTAH; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 35-4-4, AS LAST AMENDED BY CHAPTER 20, LAWS OF UTAH 1983, FIRST SPECIAL SESSION; 35-4-5, AS LAST AMENDED BY CHAPTER 18, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 35-4-7, AS LAST AMENDED BY CHAPTER 20, LAWS OF UTAH 1983, FIRST SPECIAL SESSION; 35-4-17, AS LAST AMENDED BY CHAPTER 20, LAWS OF UTAH 1983, FIRST SPECIAL SESSION; 35-4-22, AS LAST AMENDED BY CHAPTER 20, LAWS OF UTAH 1983, FIRST SPECIAL SESSION, was read the first time and referred to Rules Committee.

PSC JURISDICTION OVER TELECOMMUNICATIONS CORPORATIONS

S.B. No. 102 *Lyle W. Hillyard*
Glade M. Sowards, Omar B. Bunnell

AN ACT RELATING TO THE PUBLIC SERVICE COMMISSION; CLARIFYING THE AUTHORITY OF THE PSC TO REGULATE INTRASTATE PUBLIC TELECOMMUNICATIONS SERVICES; AND PROVIDING A METHOD OF EXEMPTING CERTAIN SERVICES FROM REGULATION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: CHAPTER 8b, TITLE 54, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

PERSONAL CHOICE AND LIVING WILL ACT

S.B. No. 103 *Jack M. Bangerter*
Lyle W. Hillyard, Omar B. Bunnell

AN ACT RELATING TO HEALTH SERVICES; PROVIDING FOR "LIVING WILLS" AND TREATMENT DIRECTIVES; INCLUDING PROCEDURES FOR IMPLEMENTING THE WILLS IN VARIOUS CIRCUMSTANCES; AND CLARIFYING THE LEGAL LIMITS AND EFFECTS OF THE WILLS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: CHAPTER 2, TITLE 75, PART 11, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

PEACE OFFICER DISIGNATION

S.B. No. 104 *Jack M. Bangerter, Darrell G. Renstrom*

AN ACT RELATING TO CRIMINAL PROCEDURE; PROVIDING A CLASSIFICATION OF PEACE OFFICERS BY JOB DESCRIPTION; AND PROVIDING TRAINING REQUIREMENTS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 77-1-3, AS LAST AMENDED BY CHAPTER 212, LAWS OF UTAH 1985.

ENACTS: CHAPTER 1a, TITLE 77, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

ALCOHOL MOTOR FUEL AMENDMENT

S.B. No. 105 *Dix H. McMullin, Wilford R. Black*

AN ACT RELATING TO MOTOR FUELS; PROVIDING FOR THE REPEAL OF PROVISIONS IN THE MOTOR FUEL CHAPTER FOR METHANOL AND ETHANOL DISTRIBUTION LABELLING.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 41-11-6, AS LAST AMENDED BY CHAPTER 8, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, was read the first time and referred to Rules Committee.

SALES TAX EXEMPTION ON RECEIVABLES

S.B. No. 106 *Wayne L. Sandberg*

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING THAT SALES TAX NEED NOT BE REMITTED ON CREDIT OR CHARGE SALES UNTIL THE TAX IS ACTUALLY PAID; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 59-15-5, AS LAST AMENDED BY CHAPTER 64, LAWS OF UTAH 1984, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

S.R. No. 1, SENATE RULES RESOLUTION, was read the third time.

On Motion of Senator Overson, the distributed copy of the proposed Senate Rules was amended as follows:

Page 9, No. 3 (e) to read as follows:
"e. that during the last week of the legislative session the legislation be read the second time and placed on the third reading calendar."

Page 19, Senate 27.04, No. 7
delete "7. to limit debate;"

Page 19, Senate 27.04, add a new No. 7 to read as follows:
"7. to circle."

On motion of Senator Swan, the copy was amended as follows:

Page 19, Senate 27.04
after "3. to recess" add the words "with the senator having the floor retaining the floor when the senate reassembles."

On motion of Senator Renstrom, the copy was amended as follows:

Page 19, Senate 27.04
delete "10. to strike the enacting clause;" and re-number the section.

S.R. No. 1 passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0

Voting in the affirmative were: Senators

Asay	Finlinson	Overson	Sandberg
Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	Matheson	Peterson, L.	Swan
Black	McAllister	Pugh	Wayment
Bunnell	McMullin	Renstrom	Williams
Carling	Money	Rogers	Pres. Christensen
Cornaby			

S.R. No. 1 was signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and filed.

PRESENTATION OF RESOLUTION

MARTIN LUTHER KING RESOLUTION

S.C.R. No. 2 *Terry Williams*

A CONCURRENT RESOLUTION OF THE LEGISLATURE RECOGNIZING THE IMPORTANCE OF MARTIN LUTHER KING'S CONTRIBUTIONS TO THE AMERICAN CIVIL RIGHTS MOVEMENT; AND HONORING HIM ON THE 56TH ANNIVERSARY OF HIS BIRTH.

On motion of Senator Williams, and under suspension of the rules, **S.C.R. No. 2** was read the first, second and third times, and passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0

Voting in the affirmative were: Senators

Asay	Finlinson	Overson	Sandberg
Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	Matheson	Peterson, L.	Swan
Black	McAllister	Pugh	Wayment
Bunnell	McMullin	Renstrom	Williams
Carling	Money	Rogers	Pres. Christensen
Cornaby			

S.C.R. No. 2 was transmitted to the House

RULES COMMITTEE REPORT

Mr. President: January 15, 1985

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 64	ACCESSIBILITY FOR THE HANDICAPPED ON PRIVATE PROPERTY (Health)
S.B. No. 70	INSURANCE ANTI-DISCRIMINATION CLAUSE REPEAL (Health)
S.B. No. 81	TITLE 53 REPEALERS (Education)
S.B. No. 82	TITLE 53 REVISION - VOCATIONAL EDUCATION (Education)
S.B. No. 83	TITLE 53 REVISION - SCHOOL BUILDINGS (Education)
S.B. No. 84	TITLE 53 REVISION - PROFESSIONAL PRACTICES (Education)
S.B. No. 69	DRIVER EDUCATION AMENDMENTS (Education)
S.B. No. 71	LOCAL BOARD POWERS (Education)

reports the same back and asks that they be printed and each assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bills to the committees indicated.

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Senator Stratford, having served notice that he might ask the Senate to reconsider its action on S.B. No. 14, CAREER LADDER AMENDMENT, now ask that it be reconsidered.

On motion of Senator Pugh, the Senate voted to refer **S.B. No. 14** to the Education Standing Committee.

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On motion of Senator Cary G. Peterson, 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 State of the Judiciary Address by Chief Justice Gordon R. Hall in Joint Convention. In further compliance with the Peterson motion, the Senate will adjourn until 10:00 a.m. Wednesday, January 16, 1985.

JOINT CONVENTION

President Arnold Christensen called the Joint Convention to order at 11:30 a.m. in the Chamber of the Utah House of Representatives.

Secretary, Utah State Senate advised President Christensen there was a quorum of the members of the Utah State Senate present.

Chief Clerk, Utah House of Representatives advised President Christensen there was a quorum of the members of the Utah House of Representatives present.

President Christensen introduced to the Joint Convention the following Supreme Court Justices:

Gordon R. Hall, Chief Justice and I. Daniel Stewart, Justice; Richard C. Howe, Justice; Michael Zimmerman, Justice and Christine M. Durham, Justice

STATE OF JUDICIARY ADDRESS
CHIEF JUSTICE GORDON R. HALL

Governor Bangerter, Lieutenant Governor Oveson, President Christensen, Speaker Garff, Members of the Forty-Sixth Utah Legislature, State Officials, Special Guests, and Ladies and Gentlemen:

President Christensen, Speaker Garff, the Judiciary is honored by your invitation to address this joint session of the Utah Legislature. Your invitation is symbolic of the relationship that exists among the three co-equal branches of government—a balance-of-powers relationship that is the life blood of our system of democracy and is therefore to be preserved at all cost.

I am pleased to report that the Judiciary of the state is alive and well and capable of serving the needs of the citizens of Utah.

The Judiciary is growing in vigor and in quality, as well as quantity, and remains sensitive and dedicated to the ever-changing needs of society. We continue to make adjustments and to adopt modern procedures to improve the court system. These accomplishments are due only to the cooperative efforts of judges, lawyers, and court personnel and the particularly cooperative attitude of the Legislative and Executive branches of government. For this, we are most appreciative.

Permit me to review the work load of the various courts.

Justices of the Peace

The justice of the peace courts are often referred to as the people's courts because it is in those courts that citizens are most likely to make an appearance. This is so because the civil jurisdiction is limited to $750 and small claims actions under $600. Criminal jurisdiction is limited to Class B and Class C misdemeanors, infractions, traffic offenses, and preliminary hearings for felonies.

The number of justices of the peace is in excess of 160, and their courts are funded by the local governmental unit, county, city, or town. Annual training sessions are required, and they are conducted under the direction of the court administrator.

The 1983-1984 case load in the justice courts exceeded 265,000 cases, 190,000 of which were traffic offenses.

Circuit Courts

The circuit courts are also courts of limited jurisdiction. Civil jurisdiction is limited to $10,000 and small claims cases under $600. Criminal jurisdiction is limited to Class A, Class B, and Class C misdemeanors, infractions, and preliminary hearings for felonies.

There are twelve circuits and thirty-seven judges. 1983-1984 was the first year of full state funding of the circuit court system.

Overall case filings in the circuit court increased from 674,661 in 1982-1983 to 727,114 in 1983-1984, an increase of 7 percent. The most dramatic increase was in civil filings, up over 5,000 cases, representing an increase of 15.9 percent.

District Courts

The district court has unlimited general trial jurisdiction. It also has appellate jurisdiction of appeals from the circuit court and conducts trials do novo of cases appealed from the justice of the peace courts.

There are seven judicial districts, the district court sits in twenty-nine locations, and there are twenty-nine district judges.

The district courts are funded primarily by the counties, the exception being the salaries paid by the state to judges, trial court executives, court reporters and legal research personnel.

Civil filings in the district courts reflect a decrease of 18 percent from 1982-1983, with 6,310 fewer cases being filed. This was a planned decrease and is attributable to two statutory changes effective July 1, 1983. The first was a doubling of filing fees, which encouraged the filing of more cases in the circuit court system. The second was an increase of the circuit court's civil jurisdiction to $10,000, also designed to encourage the filing of more cases in that court and thus more evenly balance the work load of that court with the district court.

On the whole, the trial courts of the state of Utah are adequately staffed, and internal operating procedures have been adopted and implemented to permit them to handle their respective case loads in a reasonably expeditious manner and in a manner consistent with the interests of justice. By way of example, the Judicial Council adopted Rule 4.1 of the Rules of Practice in the District Courts and the Circuit Courts, effective July 1, 1983. By virtue thereof, attorney-induced delay and court-induced delay in the disposition of cases filed have been virtually eliminated. This has been accomplished by applying the stringent provisions of the Rule, which rigidly guards against unwarranted continuances, requires a firm trial setting within ninety days of the filing of a certificate of readiness for trial, and provides for the dismissal of cases not promptly prosecuted.

Another example of a court rule that has expedited the judicial process is that adopted in the Third District Court, our most populous and litigious judicial district. The fourteen members of the court have now adopted an individual calendar system in lieu of the former master calendar system it utilized for a long period of time. The result has been dramatic. Many of the cases on file have been resolved, either by settlement or dismissal, when faced with an early trial date of from two to three months, rather than one year or more. The consequence is, of course, a tremendous reduction in the number of cases previously viewed as "backlog" cases, and the case load in the district has now become manageable.

While the trial courts are operating smoothly without undue delay, the juvenile court and the Supreme Court have not fared so well.

Juvenile Court

The juvenile court was established as a unified state court system in 1965. It is currently staffed by nine judges, who serve in five districts, together with a strong staff providing probation, intake, and investigation services.

The exclusive jurisdiction of the juvenile court includes criminal law violations by juveniles, status offenses such as truancy, curfew and ungovernability, abuse, or neglect of children, and custody determinations for abused and neglected children. The court has concurrent jurisdiction on traffic offenses by juveniles and over adults for offenses against children, including neglect and abuse.

The court has authority to remove children from parental custody, to terminate parent-child relationships, to order treatment of children and therapy for parents,

and to place children in foster homes. The court may also require the payment of restitution, impose fines, and make other necessary orders.

Juvenile court referrals continue to rise. This is attributable to the rapid increase in the population under age 18, due to Utah's higher-than-average birth rate.

Of special note is the fact that the entire Judiciary, and particularly the juvenile court, has adopted the concept of permanency planning. The Judicial Council has formed a permanency planning task force, composed of members of the Judiciary, Department of Social Services representatives, representatives of citizen's child advocacy groups, legislators, and others involved in court-ordered placement of children, to develop a statewide plan for permanency planning. The overall goal is as the name implies: prompt, appropriate, and permanent placement of children to afford them a stable, uninterrupted home life.

Our juvenile court is facing some unique budgeting problems created by the same pressures being felt by public education. Each year, the juvenile court experiences as substantial increase in work load, and the prospects for a continuation of that experience are assured. During the 1980s, the teen population of our state will increase almost 50 percent. Criminal cases and incidents of child abuse and neglect in juvenile court have increased almost 50 percent since 1980, while the total staff of our juvenile court has declined 2 percent. No new judges have been added to the juvenile court in the Sale Lake area since 1971, while the adult judgeships serving the same area have grown from 16 to 29, an 81 percent increase. We urge you to give favorable consideration to the additional judgeships requested and to provide funding for necessary support personnel.

Supreme Court

The number of cases filed in the Supreme Court continues to exceed the number the Court can handle expeditiously.

In 1984, 712 appeals were filed and 11 petitions for rehearing were granted. The five members of the Court wrote 305 opinions—an average of 61 cases for the year for each justice or an average of just over one each week per justice. In addition, the Court resolved 318 cases on motion and 54 cases by summary disposition, all of which totals 677 cases decided. Notwithstanding this considerable effort on the part of the entire Court and its staff, 35 of the 712 cases filed during the year could not be reached for decision. They have now become part of the backlog of cases pending in this Court, which total 841.

As I related to you in my message delivered on January 11th of last year, the Court is of the firm opinion that we have maximized the effort to reduce the backlog. The solution that remains is to limit the number of appeals the Court hears.

The revised Judicial Article (Article VIII of the Constitution of Utah) affords the means by which the appellate case load can be properly managed. Section 5 of the revised Article no longer requires that all appeals be heard by the Supreme Court,

but that "there shall be in all cases an appeal of right from the court of original jurisdiction to a court with appellate jurisdiction over the cause." This provision clearly would accommodate the establishment of a court of appeals with appropriate jurisdiction to share with the Supreme Court the presently unmanageable case load.

A goodly number of our sister states have long ago established such courts. Two of the most recent states to do so are Hawaii and Idaho.

In his State of the State message, Governor Bangerter revealed his intention to establish a joint task force, including in the membership thereof representatives from the Executive Branch, Senate, the House, the Judiciary, the Utah State Bar, and lay members. Their charge should be to thoroughly study the merits of the establishment of such a court of appeals and to consider the extent of its jurisdiction.

It is my suggestion and recommendation that the task force be staffed by a reputable organization both knowledgeable and experienced with the operation of courts of appeal, such as the National Center for State Courts, headquartered in Williamsburg, Virginia, with a western division in San Francisco. Its services would be available at minimum cost through this state's existing subscription with the Center.

In light of the fact that the revision of the Judicial Article has an effective date of July 1, 1985, this body should address during this session the provision thereof which provides that "a chief justice shall be selected from among the justices of the supreme court as provided by statute." It is therefore suggested and recommended that a statute be enacted that would permit the members of the Court to select their own chief justice, just as the leadership of the Senate and the House selects their leaders.

I am pleased to report that there is a strong judicial commitment to addressing the rights of victims of crime. Based upon the acceptance of an advisory committee report, the Judicial Council is actively engaged in a program of implementation of procedures necessary to afford relief to crime victims.

During fiscal year 1983-1984, the circuit courts ordered victim restitution in the amount of $342,300 as the result of convictions in cases of driving under the influence. The 1984-1985 fiscal year projection is for the imposition of $524,100 for restitution. In addition, during 1983-1984, the district courts and circuit courts imposed a total of $3,181,906 in restitution orders. The 1984-1985 projection is that the amount will increase to $3,472,016.

The management of the business of the courts is becoming increasingly complex. It is therefore necessary to take advantage of modern technology that affords the means necessary to assist the courts in calendar management, legal research, and financial accounting. The Judiciary seeks the continued support of the Legislature in providing the technological tools necessary for the courts to function efficiently.

With the removal of the constitutional limitation on the jurisdiction of justices

of the peace, it is timely to consider an increase in the fines applicable to such public offenses, which fines have essentially remained unchanged since 1898. Since the matters are interrelated, it would then be appropriate to address the broader and more complex issue of the reclassification of the various misdemeanor offenses. Also, in the interest of maintaining the integrity of both the justice of the peace courts and the circuit courts, it would be appropriate for the Legislature to clarify by statute the court in which traffic citation cases must be filed.

The Judiciary is cognizant of the need for the deviopment of a judicial performance evaluation program primarily for self-improvement in the performance of individual judges' duties and responsibilities while in office. The Judicial Council is monitoring the development of such programs by the American Bar Association with the goal of adopting guidelines and standards in conjunction with the state's Judicial Conduct Commission. The system, supported by data processing, will concentrate on informing judges on how they can improve. It demonstrates a recognition on the part of the Judiciary of the need to upgrade its efficiency, effectiveness, and performance of responsibilities.

One final matter of considerable importance that bears heavily upon the well-being of the Judiciary is that of compensation. The salaries paid our judges have not kept pace with the national average. Utah now ranks 45th in appellate court salaries and 48th in general jurisdiction trial court salaries on a national comparison. What is even more stunning is that United States District judges sitting in the state of Utah are paid $76,000, or $23,000 more than the highest state court judges. Furthermore, judges sitting on the United States Court of Appeals, a rank roughly comparable to that of the Supreme Court, are paid $80,400, or approximately 50 percent more than Supreme Court justices are paid. I urge you to address this inequity and its demoralizing influence.

We sincerely appreciate your consideration of our needs. Your task of apportioning available revenues among the many demands therefore is a difficult one and requires great wisdom and patience.

Thank you again for this opportunity to report the status of the Judiciary. You may rest assured that we will continue to perform our common task, which is to strengthen and improve the processes of justice.

On motion of Senator Cary G. Peterson seconded by Representative Glen Brown, the Joint Convention voted to have the complete text of the State of the Judiciary address printed in the Senate Journal.

President Arnold Christensen then announced the Joint Convention dissolved.

THIRD DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Arnold Christensen presiding.

Roll Call — All senators present

Prayer — Senator Haven J. Barlow

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

DAILY SENATE JOURNAL

Mr. President: January 16, 1985

The Committee on Revision of the Daily Senate Joural respectfully report that we have read the Journals, for the first and second days and find them correct with minor amendments noted on the final copy.

C.E. 'Chuck' Peterson
Committee Chairman

Committee report read and adopted.

COMMUNICATION FROM THE HOUSE

Mr. President: January 15, 1985

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. 10**, JOINT RULES RESOLUTION, by Representative Moss, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.J.R. No. 10 was read the first time and referred to Rules Committee.

PRESENTATION OF RESOLUTIONS

BYU FOOTBALL TEAM COMMENDATION

S.C.R. No. 3 *Arnold Christensen, C.E. 'Chuck' Peterson, LeRay L. McAllister, Paul Rogers, Haven J. Barlow, John P. Holmgren, William T. Barton, Glade M. Sowards,*

Fred W. Finlinson, Warren E. Pugh, Cary G. Peterson,
Brent C. Overson, Veri Asay, Omar B. Bunnell,
Karl G. Swan, Darrell G. Renstrom, Terry Wiliams,
Lyle W. Hillyard, Dix H. McMullin, Ivan M. Matheson

A CONCURRENT RESOLUTION OF THE LEGISLATURE COMMENDING BRIGHAM YOUNG UNIVERSITY FOR ITS NUMBER ONE RANKING AND NATIONAL FOOTBALL CHAMPIONSHIP; AND RECOGNIZING THE GREAT HONOR THEY HAVE BROUGHT TO UTAH.

S.C.R. No. 3 was, on motion of Senator C.E. 'Chuck' Peterson and under suspension of the rules, read the first, second and third times and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Cornaby	McMullin	Renstrom
Bangerter	Finlinson	Overson (exp.)	Rogers
Barlow	Hillyard	Peterson, C.	Swan
Black	Holmgren	Peterson, Chuck	Wayment (exp.)
Bunnell	Matheson	Peterson, L. (exp.)	Pres. Christensen
Carling	McAllister	Pugh	

Absent or not voting were: Senators

Barton	Sandberg	Stratford	Williams
Money	Sowards		

S.C.R. No. 3 was transmitted to the House.

INTRODUCTION OF BILLS

DFCM AMENDMENTS

S.B. No. 107 *Wayne L. Sandberg*

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; PROVIDING FOR ADDITIONAL LEGISLATIVE INPUT INTO THE BUILDING PROGRAMS OF THE STATE; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 63-1-35, AS LAST AMENDED BY CHAPTER 294, LAWS OF UTAH 1983; 63-1-38.1, AS LAST AMENDED BY CHAPTER 306, LAWS OF UTAH 1983; 63-1-38.3, AS

LAST AMENDED BY CHAPTER 67, LAWS OF UTAH 1984; 63-1-38.8, AS LAST AMENDED BY CHAPTER 294, LAWS OF UTAH 1983

ENACTS: 63-1-36.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

ALCOHOLIC BEVERAGE CONTROL ACT

S.B. No. 108

Warren E. Pugh, Haven J. Barlow
Dix H. McMullin, Cary G. Peterson, Arnold Christensen
Richard J. Carling, Paul Rogers, Lowell S. Peterson
Dona M. Wayment, Brent C. Overson, LeRay L. McAllister
E. Verl Asay, Lyle W. Hillyard, Omar B. Bunnell
Karl G. Swan, Darrell G. Renstrom, Terry Williams
Ivan M. Matheson, C.E. 'Chuck' Peterson, John P. Holmgren
Eldon A. Money, William T. Barton, Dale E. Stratford
Wilford R. Black, K.S. Cornaby, Jack M. Bangerter
Wayne L. Sandberg, Fred W. Finlinson, Glade M. Sowards

AN ACT RELATING TO ALCOHOLIC PRODUCT CONTROL; ESTABLISHING AN ALCOHOLIC BEVERAGE CONTROL COMMISSION; ESTABLISHING A DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL; PROVIDING FOR THE ESTABLISHMENT AND CONTROL OF STATE LIQUOR STORES AND PACKAGE AGENCIES AND THE LICENSING AND CONTROL OF LIQUOR OUTLETS AND ALCOHOLIC PRODUCT MANUFACTURING, WAREHOUSING, AND WHOLESALING FACILITIES; PROVIDING FOR THE ISSUANCE AND REGULATION OF SPECIAL AND SINGLE EVENT ALCOHOLIC PRODUCT USE PERMITS; PROVIDING FOR THE COLLECTION OF BEER TAXES; ESTABLISHING CRIMINAL OFFENSES RELATING TO ALCOHOLIC PRODUCTS; PROVIDING PENALTIES FOR VIOLATIONS OF THIS TITLE: PROVIDING A DRAM SHOP LAW; ESTABLISHING A BUREAU OF NARCOTICS AND ALCOHOLIC BEVERAGE LAW ENFORCEMENT; AND PROVIDING FOR ISSUANCE OF IDENTIFICATION CARDS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: TITLE 32a, UTAH CODE ANNOTATED 1953

REPEALS: 16-6-12.1, AS LAST AMENDED BY CHAPTER 17, LAWS OF UTAH 1980; 16-6-12.2, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-6-12.3, AS ENACTED BY CHAPTER 79, LAWS OF UTAH 1981; 16-6-12.4, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-6-13.1, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1983; 16-6-13.2, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-6-13.3, AS ENACTED BY CHAPTER 25, LAWS OF UTAH 1955; 16-6-13.5, AS LAST AMENDED BY CHAPTER 138, LAWS OF UTAH 1977; 16-6-13.6, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1983; 16-6-13.7, AS LAST AMENDED BY

CHAPTER 138, LAWS OF UTAH 1977; 16-6-13.8, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1983; 16-6-13.9, AS ENACTED BY CHAPTER 37, LAWS OF UTAH 1969; 16-6-13.10, AS ENACTED BY CHAPTER 37, LAWS OF UTAH 1969; 16-6-13.11, AS ENACTED BY CHAPTER 37, LAWS OF UTAH 1969; 16-6-13.12, AS ENACTED BY CHAPTER 37, LAWS OF UTAH 1969; 16-6-14, UTAH CODE ANNOTATED 1953, 16-6-15, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-6-16, AS ENACTED BY CHAPTER 59, LAWS OF UTAH 1979; 16-6-17, AS ENACTED BY CHAPTER 59, LAWS OF UTAH 1979; TITLE 32, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

FAIR HOUSING LAW

S.B. No. 109 *Terry Williams*

AN ACT RELATING TO COMMERCE AND TRADE; PROVIDING FOR THE EXTENSION OF AUTHORITY OF THE DIVISION OF CONSUMER PROTECTION TO "THE FAIR HOUSING ACT"; PROVIDING DEFINITIONS; REGULATING THE PROVISION OF FAIR HOUSING; AND PROVIDING FOR ENFORCEMENT PROCEDURES.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 13-2-1, AS ENACTED BY CHAPTER 57, LAWS OF UTAH 1983

ENACTS: 13-20-1, UTAH CODE ANNOTATED 1953; 13-20-2, UTAH CODE ANNOTATED 1953; 13-20-3, UTAH CODE ANNOTATED 1953; 13-20-4, UTAH CODE ANNOTATED 1953; 13-20-5, UTAH CODE ANNOTATED 1953; 13-20-6, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

SOCIAL SECURITY - RETIREMENT INCOME TAX EXEMPTION

S.B. No. 110 *Richard J. Carling*

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING THAT FEDERAL OLD AGE AND SURVIVORS INSURANCE OR RAILROAD RETIREMENT BENEFITS BE DEDUCTED FROM STATE TAXABLE INCOME; PROVIDING THAT FEDERAL TAXES PAID ON THOSE BENEFITS NOT BE DEDUCTED FROM STATE TAXABLE INCOME; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 59-14A-13, AS LAST AMENDED BY CHAPTER 245, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

CONCURRENT JURISDICTION OF DEFENSE DEPOT - OGDEN

S.B. No. 111 *Lowell S. Peterson*

AN ACT RELATING TO FEDERAL JURISDICTION; ACCEPTING FROM THE UNITED STATES CONCURRENT JURISDICTION WITH THE STATE OF UTAH OVER CERTAIN PROPERTY IN THE WEBER-OGDEN FAIRGROUNDS AREA.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 63-8-6, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

CERTIFICATE OF MERIT IN MEDICAL MALPRACTICE ACTIONS

S.B. No. 112 *Warren E. Pugh*

AN ACT RELATING TO HEALTH CARE MALPRACTICE; REQUIRING THE FILING OF A CERTIFICATE OF MERIT IN MALPRACTICE ACTIONS; PROVIDING THAT ATTORNEY WHO EXECUTES A CERTIFICATE OF MERIT IN BAD FAITH IS LIABLE FOR COSTS AND OTHER DISCIPLINE AS COURT DETERMINES APPROPRIATE; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 78-14-8.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

LIMITATION OF ATTORNEY FEES IN MEDICAL MALPRACTICE ACTIONS

S.B. No. 113 *Warren E. Pugh, Dix H. McMullin*
Brent C. Overson, Haven J. Barlow

AN ACT RELATING TO HEALTH CARE MALPRACTICE; PROVIDING LIMITATIONS ON AMOUNTS OF CONTINGENT FEES AN ATTORNEY MAY COLLECT IN MALPRACTICE ACTION; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 78-14-7.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

LOCAL OPTION SCHOOL DISTRICT SALES TAX

S.B. No. 114 *Paul Rogers*

AN ACT RELATING TO PUBLIC EDUCATION; PROVIDING FOR A LOCAL SALES TAX TO FUND A SCHOOL DISTRICT VOTED LEEWAY PROGRAM.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 11-9-4, AS LAST AMENDED BY CHAPTERS 258 AND 263, LAWS OF UTAH 1983; 53-7-23, AS LAST AMENDED BY CHAPTER 51, LAWS OF UTAH 1980; 53-7-24, AS LAST AMENDED BY CHAPTER 10, LAWS OF UTAH 1984; SECOND SPECIAL SESSION, was read the first time and referred to Rules Committee.

PUBLIC WATER SUPPLY EMINENT DOMAIN

S.B. No. 115 *Fred W. Finlinson*

AN ACT RELATING TO WATER AND IRRIGATION; AUTHORIZING THE OWNER OF A PUBLIC WATER SUPPLY TO EXERCISE THE POWER OF EMINENT DOMAIN TO ACQUIRE AN EASEMENT TO MEET REQUIREMENTS FOR WATER QUALITY PROTECTION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 73-1-6.1, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

PUBLIC SALE OF BONDS

S.B. No. 116 *Fred W. Finlinson*

AN ACT RELATING TO BONDS; PROVIDING THAT BONDS ISSUED BY PUBLIC BODIES SHALL BE SOLD AT PUBLIC SALE BY COMPETITIVE BIDDING; PROVIDING FOR NOTICE OF THE PUBLIC SALE AND EXCEPTIONS TO THE PUBLIC SALE REQUIREMENT; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: CHAPTER 14a, TITLE 11, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

INCOME TAX — FILING PENALTIES

S.B. No. 117 *Lyle W. Hillyard*

AN ACT RELATING TO REVENUE AND TAXATION; REVISING THE $50 PENALTY FOR LATE FILING OF INCOME TAX RETURNS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 59-14A-92, AS LAST AMENDED BY CHAPTER 13, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, was read the first time and referred to Rules Committee.

INDIVIDUAL TAX CREDIT FOR DONATED SERVICES TO PUBLIC EDUCATION

S.B. No. 118 *E. Verl Asay*

AN ACT RELATING TO PUBLIC EDUCATION; ALLOWING AN INDIVIDUAL TAX CREDIT FOR DONATED SERVICES TO THE PUBLIC SCHOOLS AS CERTIFIED BY THE STATE BOARD OF EDUCATION; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 59-14A-8.9, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

HAZARDOUS MATERIALS INVESTIGATION AND RESPONSE ACT

S.B. No. 119 *Fred W. Finlinson*

AN ACT RELATING TO HAZARDOUS WASTE; ESTABLISHING THE "HAZARDOUS MATERIALS INVESTIGATION AND RESPONSE ACT"; AUTHORIZING THE DIRECTOR OF THE DIVISION OF ENVIRONMENTAL HEALTH TO INSPECT, INVESTIGATE, AND TAKE REMEDIAL ACTION AS NECESSARY TO PROTECT PUBLIC HEALTH AND THE ENVIRONMENT; CREATING A RESTRICTED FUND KNOWN AS THE "CONTINGENCY FUND" ADMINISTERED BY THE DIVISION; APPROPRIATING $500,000 TO THE CONTINGENCY FUND; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: CHAPTER 14d, TITLE 26, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

CHILD ABUSE AND REPORTING ACT AMENDMENT

S.B. No. 120 *Paul Rogers*

AN ACT RELATING TO CHILD ABUSE OR NEGLECT; PROVIDING THAT PSYCHIATRISTS, PSYCHOLOGISTS, SOCIAL WORKERS, OR OTHER COUNSELORS LICENSED UNDER THE MEDICAL PRACTICES ACT MAY INVESTIGATE SUSPECTED

INCIDENTS OF ABUSE WHEN AUTHORIZED BY THE DIVISION OF FAMILY SERVICES; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 78-3b-3, AS LAST AMENDED BY CHAPTER 40, LAWS OF UTAH 1982, was read the first time and referred to Rules Committee.

AMENDMENTS TO UNIFORM COMMERCIAL CODE

S.B. No. 121 *Richard J. Carling*

AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE; PROVIDING AMENDMENTS TO THE CHAPTER ON INVESTMENT SECURITIES TO PROVIDE FOR TWO TYPES OF SECURITIES: CERTIFICATED SECURITIES, REPRESENTED BY AN INSTRUMENT, AND UNCERTIFICATED SECURITIES, WHICH ARE NOT REPRESENTED BY A TRANSFERABLE DOCUMENT.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 70A-1-201, AS LAST AMENDED BY CHAPTER 272, LAWS OF UTAH 1977; 70A-5-114, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-101, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-102, AS LAST AMENDED BY CHAPTER 10, LAWS OF UTAH 1973, FIRST SPECIAL SESSION; 70A-8-103, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-104, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-105, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-106, AS ENACTED BY CHAPTER 272, LAWS OF UTAH 1977; 70A-8-107, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-201, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-202, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-203, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-204, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-205, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-206, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-207, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-208, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-301, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-302, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-303, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-304, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-305, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-306, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-307, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-308, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-309, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-310, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-311, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-312, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-313, AS

ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-314, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-315, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-316, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-317, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-318, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-319, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-320, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-401, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-402, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-403, AS LAST AMENDED BY CHAPTER 273, LAWS OF UTAH 1977; 70A-8-404, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-405, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-8-406, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-9-103, AS ENACTED BY CHAPTER 272, LAWS OF UTAH 1977; 70A-9-105, AS LAST AMENDED BY CHAPTER 272, LAWS OF UTAH 1977; 70A-9-203, AS LAST AMENDED BY CHAPTER 272, LAWS OF UTAH 1977; 70A-9-302, AS LAST AMENDED BY CHAPTER 272, LAWS OF UTAH 1977; 70A-9-304, AS LAST AMENDED BY CHAPTER 272, LAWS OF UTAH 1977; 70A-9-305, AS LAST AMENDED BY CHAPTER 272, LAWS OF UTAH 1977; 70A-9-309, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-9-312, AS LAST AMENDED BY CHAPTER 272, LAWS OF UTAH 1977

ENACTS: 70A-8-108, UTAH CODE ANNOTATED 1953; 70A-8-321, UTAH CODE ANNOTATED 1953; 70A-8-407, UTAH CODE ANNOTATED 1953; 70A-8-408, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

UTAH CABOOSE LAW

S.B. No. 122 *Wilford R. Black*

AN ACT RELATING TO RAILROADS; PROVIDING REQUIREMENTS REGARDING CABOOSES; AND PROVIDING A PENALTY.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 56-1-34.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

RETIREMENT EXEMPTION AMENDMENTS

S.B. No. 123 *Paul Rogers*

AN ACT RELATING TO PENSIONS; EXCLUDING CERTAIN APPOINTED STATE OFFICES FROM THE UTAH STATE RETIREMENT ACT IF THEY FILE A FORMAL REQUEST TO BE EXCLUDED; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 49-10-14, AS LAST AMENDED BY CHAPTER 42, LAWS OF UTAH 1984, was read the first time and referred to Rules Committee.

MANDATORY SEWER HOOKUP

S.B. No. 124 *Lyle W. Hillyard*

AN ACT RELATING TO SPECIAL SERVICE DISTRICTS; AUTHORIZING SERVICE DISTRICT TO REQUIRE MANDATORY SEWER HOOKUP UNDER CERTAIN CONDITIONS; AUTHORIZING THE SERVICE DISTRICTS TO ENTER INTO INTERLOCAL AGREEMENTS TO PROVIDE SERVICES AND COMBINE BILLING; PROVIDING FOR TERMINATION OF SERVICES FOR FAILURE TO COMPLY WITH MANDATORY HOOKUP REQUESTS OR FAILURE TO PAY FOR SERVICES; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 11-23-19, AN ENACTED BY CHAPTER 116, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

TRUST DEED CHANGES

S.B. No. 125 *Richard J. Carling*

AN ACT RELATING TO REAL ESTATE; REVISING CERTAIN TRUST DEED PROVISIONS TO ALLOW THE ATTORNEY FOR THE TRUSTEE TO CONDUCT THE FORECLOSURE; EXTENDING THE POSTPONEMENT OF SALE PERIOD; GIVING THE TRUSTEE POWER TO DIRECT THE TERMS OF PAYMENT OF THE BID PRICE; ELIMINATING REINSTATEMENT RIGHT IN JUDICIAL FORECLOSURE; ELIMINATING RECOVERY OF INTEREST, COSTS, AND EXPENSES INCURRED AFTER THE FORECLOSURE SALE; AND GIVING COSTS AND ATTORNEY'S FEES TO PARTY SEEKING A DEFICIENCY JUDGMENT.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 57-1-27, AS ENACTED BY CHAPTER 181, LAWS OF UTAH 1961; 57-1-28, AS ENACTED BY CHAPTER 181, LAWS OF UTAH 1961; 57-1-31, AS LAST AMENDED BY CHAPTER 100, LAWS OF UTAH 1981; 57-1-32, AS ENACTED BY CHAPTER 181, LAWS OF UTAH 1961, was read the first time and referred to Rules Committee.

RACKETEERING ENTERPRISES AMENDMENTS

S.B. No. 126 *K.S. Cornaby*

AN ACT RELATING TO CRIMINAL OFFENSES; PROVIDING FOR PORNOGRAPHY AS AN OFFENSE UNDER THE RACKETEERING ACT; PROVIDING FOR PAYMENT TO THE ENTITY BRINGING AN ACTION UNDER THE ACT; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 76-10-1601, AS ENACTED BY CHAPTER 94, LAWS OF UTAH 1981; 76-10-1602, AS ENACTED BY CHAPTER 94, LAWS OF UTAH 1981; 76-10-1603, AS ENACTED BY CHAPTER 94, LAWS OF UTAH 1981; 76-10-1606, AS ENACTED BY CHAPTER 94, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

MANSLAUGHTER AMENDMENTS

S.B. No. 127 *Lyle W. Hillyard*

AN ACT RELATING TO CRIMINAL LAW; CLARIFYING THE DEFINITION OF THE OFFENSE OF MANSLAUGHTER.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 76-5-205, AS LAST AMENDED BY CHAPTER 53, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

LIVESTOCK HIGHWAY DEATH REPORTING

S.B. No. 128 *Lyle W. Hillyard*

AN ACT RELATING TO HIGHWAY ACCIDENTS; IMPOSING DUTY ON LAW ENFORCEMENT OFFICER INVESTIGATING ACCIDENTS RESULTING IN INJURY OR DEATH OF LIVESTOCK OR BROKEN FENCE TO CONTACT OWNER OR LOCAL BRAND INSPECTOR.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 41-6-38.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

RULES COMMITTEE REPORT

Mr. President January 15, 1985

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 21	JUDICIAL CONDUCT COMMISSION AMENDMENTS (Judiciary)
S.B. No. 35	TITLES IN TRUSTS AND JOINT VENTURES (Judiciary)
S.B. No. 44	COMPUTER CRIMES ACT (Judiciary)
S.B. No. 45	CONSTABLE RESIDENCY REQUIREMENT (Judiciary)
S.B. No. 49	JURY FEE AMENDMENT (Judiciary)
S.B. No. 20	WATER RESOURCES AMENDMENTS (Energy, Natural Resources and Agriculture)
S.B. No. 26	PRODUCE DEALER'S ACT AMENDMENTS (Energy, Natural Resources and Agriculture)
S.B. No. 28	UTAH NOXIOUS WEED ACT (Energy, Natural Resources and Agriculture)
S.B. No. 22	SHERIFF CANDIDATE CERTIFICATION (Transportation and Public Safety)
S.B. No. 24	BOULDER TO BULLFROG SCENIC ROAD APPROPRIATION (Transportation and Public Safety)
S.B. No. 48	UTAH VETERANS MEMORIAL PARK (Transportation and Public Safety)
S.B. No. 56	TRAPPERS LOOP ROAD AMENDMENT AND APPROPRIATION (Transportation and Public Safety)
S.B. No. 63	STATE ROAD DESIGNATION (Transportation and Public Safety)

reports the same back and asks that they be printed and each assigned to a committee.

Glade M. Sowards,
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bills to the committees indicated.

THIRD READING CALENDAR

S.B. No. 9, SUNSET REVIEW—VETERINARY PRACTICE ACT, was read the third time, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Assay	Hillyard	Overson	Rogers
Bangerter	Holmgren	Peterson, C.	Sowards
Barlow	Matheson	Peterson, Chuck	Swan

Black	McAllister	Peterson, L.	Wayment
Bunnell	McMullin	Pugh	Williams
Carling	Money	Renstrom	Pres. Christensen
Cornaby			

Absent or not voting were: Senators

Barton	Finlinson	Sandberg	Stratford

S.B. No. 9 was transmitted to the House.

SECOND READING CALENDAR

S.B. No. 1, SUNSET REVIEW—HEALTH FACILITY ADMINISTRATORS, was read the second time. **S.B. Nos. 1, 3, 4, 5, 6, 8, 10 and 11** were explained by Senator Carling. Senators Matheson, Hillyard and Bunnell commented. On motion of Senator Carling, the bill was circled.

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On motion of Senator Carling, and under suspension of the rules. **S.B. No. 5,** SUNSET ACTS AMENDMENTS, was lifted to the top of the calendar, read the second time, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Hillyard	Overson	Sowards
Bangerter	Holmgren	Peterson, C.	Stratford
Barlow	Matheson	Peterson, Chuck	Swan
Barton	McAllister	Pugh	Wayment
Black	McMullin	Renstrom	Williams
Bunnell	Money	Rogers	Pres. Christensen
Carling			

Absent or not voting were: Senators

Cornaby	Finlinson	Peterson, L.	Sandberg

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On motion of Senator Black, and under suspension of the rules, **S.B. No. 10,** SUNSET REVIEW—ATHLETIC COMMISSION, was lifted to the top of the calendar, read the second time, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Finlinson	Overson	Sowards
Bangerter	Hillyard	Peterson, C.	Stratford
Barlow	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Peterson, L.	Wayment
Bunnell	McAllister	Pugh	Williams
Carling	McMullin	Renstrom	Pres. Christensen
Cornaby	Money	Rogers	

Absent or not voting were: Senators

Barton	Sandberg	

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On motion of Senator Black, and under suspension of the rules, **S.B. No. 11,** SUNSET REVIEW—PODIATRISTS, was lifted to the top of the calendar, read the second time, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Rogers
Bangerter	Finlinson	Overson	Sowards
Barlow	Hillyard	Peterson, C.	Swan
Barton	Holmgren	Peterson, Chuck	Wayment
Black	Matheson	Pugh	Williams
Bunnell	McAllister	Renstrom	Pres. Christensen
Carling	McMullin		

Absent or not voting were: Senators

Peterson, L.	Sandberg	Stratford

COMMITTEE OF THE WHOLE

On motion of Senator Cary Peterson, the Senate resolved itself into a Committee of the Whole. Appearing before the Committee of the Whole was Congressman David S. Monson.

On motion of Senator Cary Peterson, the Committee of the Whole was dissolved.

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On motion of Senator Carling, the circle was removed from S.B. No. 1

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On motion of Senator Cary Peterson, 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 Budget Message. In further compliance with the Peterson motion, the Senate will adjourn until 10:00 a.m. Thursday, January 17, 1985.

JOINT CONVENTION

President Arnold Christensen called the Joint Convention to order at 11:00 a.m. in the Chamber of the House of Representatives.

Secretary of the Utah State Senate advised President Christensen there was a quorum of the members of the Utah State Senate present.

Chief Clerk, Utah House of Representatives advised President Christensen there was a quorum of the members of the Utah House of Representatives present.

President Christensen appointed a Joint Committee comprised of Senators John P. Holmgren, C.E. "Chuck" Peterson and Darrell G. Renstrom and Representatives Merrill Fox, Frances Merrill, Richard Bradford and Arlo James to notify the Governor that the Forty-Sixth Legislature is in Joint Convention and ready to hear his message.

The Joint Committee returned escorting His Excellency Governor Norman H. Bangerter, who was presented to the Joint Convention by President Arnold Christensen. Governor Bangerter then delivered his Budget Message.

BUDGET MESSAGE

On motion of Representative Glen Brown, and seconded by Representative Mike Dmitrich, the Joint Convention voted to have the complete text of the Governor's Budget Message printed in the House Journal.

President Arnold Christensen then announced the Joint Convention dissolved.

FOURTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Arnold Christensen presiding.

Roll Call — All Senators present except Senator Cornaby, excused.

Prayer — Senator Brent C. Overson

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

DAILY SENATE JOURNAL

Mr. President January 17, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the third day and find it correct with minor amendments noted on the final copy.

C.E. "Chuck" Peterson
Committee Chairman

Committee report read and adopted.

COMMUNICATION FROM THE HOUSE

Mr. President: January 16, 1985

I am directed to inform the Senate that the House of Representatives has this day passed H.C.R. No. 6, ARVO VAN ALSTYNE RESOLUTION, by Representative G. LaMont Richards, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

Senators Pugh, Swan, C.E. Peterson, Barlow, Hillyard, Christensen, Wayment expressed regards for Dr. Arvo Van Alstyne.

On motion of Senator C. Peterson, and under suspension of the rules, the resolution was read the first, second and third times, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, C.	Sandberg
Barlow	Matheson	Peterson, Chuck	Stratford
Barton	McAllister	Peterson, L.	Swan
Black	McMullin	Pugh	Wayment
Bunnell	Money	Renstrom	Williams
Finlinson	Overson	Rogers	Pres. Christensen
Hillyard			

Absent or not voting were: Senators

Bangerter	Carling	Cornaby	Sowards

H.C.R No. 6 was signed by the President of the Senate in open session and returned to the House for further action.

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Mr. President: January 16, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 172,** LEGISLATIVE COMMITTEE MEMBERSHIP, by Representative Moss, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.B. No. 172 was read the first time and referred to Rules Committee.

SECRETARY OF SENATE REPORT

Committee reports have been filed with the Secretary of the Senate on **S.B. Nos. 12, 15, 38, 39, 51 and 40** and the bills were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President: January 16, 1985

The Business Labor and Economic Development Committee, to which was referred **S.B. No. 2,** SUNSET REVIEW — OCCUPATIONAL THERAPY, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 7,** SUNSET REVIEW — RECREATIONAL THERAPY, 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.

Lowell S. Peterson
Committee Chairman

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Mr. President: January 15, 1985

The State and Local Affairs Committee, to which was referred **S.B. No. 16,** SPECIAL IMPROVEMENT DISTRICT PROTESTS, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The State and Local Affairs Committee, to which was referred **S.B. No. 25,** MUNICIPAL GOVERNMENT CHANGES AMENDMENT, by Senator Brent C. Overson, 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.

K.S. Cornaby, Committee Chairman

S.B. Nos. 2, 7, 16 and 25 were read the second time, and placed on Consent Calendar.

INTRODUCTION OF BILLS

ADMINISTRATIVE SERVICES ACT AMENDMENTS

S.B. No. 129 *Lyle W. Hillyard*

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; LIMITING THE CONTROL OF THE DIRECTOR OF FINANCE OVER THE STATE BOARD OF EDUCATION TO THE EXTENT AUTHORIZED OR REQUIRED BY THE BOARD UNDER ITS POWERS SET FORTH IN SECTIONS 53-2-12 AND 53-16-2; EXEMPTING THE BOARD FROM PER DIEM AND TRAVEL RATES ESTABLISHED BY THE DIRECTOR OF FINANCE; MAKING IT PERMISSIVE RATHER THAN MANDATORY FOR THE STATE BOARD TO SUBSCRIBE TO CENTRAL SERVICES; EXEMPTING THE BOARD FROM THE STATE'S MASTER BUILDING PLAN; EXEMPTING THE BOARD FROM DFCM PROVISIONS RELATING TO THE CONSTRUCTION AND REPAIR OF FACILITIES; EXEMPTING THE BOARD FROM LEASING POLICIES OF DFCM AND ALLOWING THE BOARD TO HOLD AND RETAIN TITLE TO REAL PROPERTY ASSOCIATED WITH PUBLIC EDUCATION; ALLOWING THE BOARD TO PROVIDE INSURANCE COVERAGE FOR RISKS ASSOCIATED WITH PROGRAMS AND ACTIVITIES

ADMINISTERED BY THE BOARD; AND EXEMPTING THE BOARD FROM THE STATE BUILDING OWNERSHIP ACT.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 63-1-3, AS ENACTED BY CHAPTER 257, LAWS OF UTAH 1981; 63-1-13, AS ENACTED BY CHAPTER 257, LAWS OF UTAH 1981; 63-1-14.5, AS ENACTED BY CHAPTER 320, LAWS OF UTAH 1983; 63-1-15, AS ENACTED BY CHAPTER 257, LAWS OF UTAH 1981; 63-1-25, AS ENACTED BY CHAPTER 257, LAWS OF UTAH 1981; 63-1-35, AS LAST AMENDED BY CHAPTER 294, LAWS OF UTAH 1983; 63-1-38.1, AS LAST AMENDED BY CHAPTER 306, LAWS OF UTAH 1983; 63-1-38.4, AS LAST AMENDED BY CHAPTER 297, LAWS OF UTAH 1983; 63-1-38.7, AS ENACTED BY CHAPTER 257, LAWS OF UTAH 1981; 63-1-38.8, AS LAST AMENDED BY CHAPTER 294, LAWS OF UTAH 1983; 63-1-47, AS LAST AMENDED BY CHAPTER 129, LAWS OF UTAH 1983; 63-9a-3, AS LAST AMENDED BY CHAPTER 260, LAWS OF UTAH 1981

ENACTS: 63-1-38.9, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

SALES OF SECURITIES INVOLVING REAL ESTATE

S.B. No. 130 *K.S. Cornaby*

AN ACT RELATING TO REAL ESTATE; CLARIFYING THE ROLE OF THE DIVISION OF REAL ESTATE AND ITS DUTIES; MAKING CHANGES IN THE LICENSING OF BROKERS AND SALESMEN; AND PROVIDING FOR THE LICENSING OF PRINCIPAL BROKERS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 61-2-3, AS ENACTED BY CHAPTER 257, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

INDUSTRIAL FACILITIES DEVELOPMENT ACT AMENDMENTS

S.B. No. 131 *Glade M. Sowards*

AN ACT RELATING TO INDUSTRIAL FACILITIES DEVELOPMENT; PROVIDING FOR THE ISSUANCE OF BONDS FOR HEALTH CARE SERVICE PROJECTS PURSUANT TO JOINT AGREEMENTS ON BEHALF OF OTHER ENTITIES; PROVIDING AUTHORITY FOR STATE UNIVERSITIES TO ENTER INTO JOINT AND OTHER AGREEMENTS; PROVIDING FOR CERTAIN PROCEDURES AND CONDITIONS FOR ISSUANCE OF THE BONDS; PROVIDING FOR THE PROCEEDS OF BONDS TO PAY FINANCING AND OTHER COSTS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 11-17-2, AS LAST AMENDED BY CHAPTER 9, LAWS OF UTAH 1981, FIRST SPECIAL SESSION; 11-17-3, AS LAST AMENDED BY CHAPTER 9, LAWS OF UTAH 1981, FIRST SPECIAL SESSION; 11-17-5, AS LAST AMENDED BY CHAPTER 14, LAWS OF UTAH 1973; 11-17-8, AS ENACTED BY CHAPTER 29, LAWS OF UTAH 1967; 11-17-16, AS LAST AMENDED BY CHAPTER 12, LAWS OF UTAH 1980

ENACTS: 11-17-4.6, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

TRANSFER OF FOREIGN NATIONALS CONVICTED OF A CRIME

S.B. No. 132 *K.S. Cornaby*

AN ACT RELATING TO CRIMINAL PROCEDURE; PROVIDING FOR THE TRANSFER OF FOREIGN NATIONALS HELD IN UTAH CORRECTIONAL FACILITIES.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 77-30a-1, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

NOTARY PUBLIC AMENDMENTS

S.B. No. 133 *K.S. Cornaby*

AN ACT RELATING TO NOTARIES PUBLIC; ELIMINATING THE UNITED STATES CITIZENSHIP REQUIREMENT; ADDING A MINIMUM AGE AND STATE RESIDENCY REQUIREMENT.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 46-1-1, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984, was read the first time and referred to Rules Committee.

CORPORATE AND COMMERCIAL FILING AMENDMENTS

S.B. No 134 *K.S. Cornaby*

AN ACT RELATING TO CORPORATIONS; AMENDING CERTAIN LAWS UNDER THE SUPERVISION OF THE DIVISION OF CORPORATIONS AND COMMERCIAL CODE; PROVIDING FOR THE APPOINTMENT OF A REGISTERED AGENT AND NAMING A REGISTERED OFFICE OF A DOMESTIC NONPROFIT CORPORATION; PROVIDING FOR CHANGE OF REGISTERED OFFICE OR REGISTERED AGENT;

DIRECTING SERVICE OF PROCESS; REQUIRING THE FILING OF THE APPOINTMENT OF REGISTERED AGENT; REQUIRING AN ANNUAL UPDATE OF REGISTERED OFFICE AND REGISTERED AGENT; STAGGERING THE FILING DATE FOR THE ANNUAL REPORT; ELIMINATING THE PUBLICATION OF A DELINQUENCY NOTICE; CHANGING THE REQUIREMENTS ON A CORPORATE NAME; AMENDING VOLUNTARY DISSOLUTION PROCEDURES; PROVIDING FOR THE VOLUNTARY DISSOLUTION OF CORPORATIONS SOLE; ELIMINATING THE REQUIREMENT OF PUBLICATION OF PENDING SUSPENSIONS; PROVIDING FOR AMENDMENT OF ARTICLES OF INCORPORATION OF A FOREIGN CORPORATION; REQUIRING AUTHENTICATION OF ANNUAL REPORT; PROVIDING FOR THE DESTRUCTION OF OLD RECORDS; REPLACING THE REQUIREMENT OF FILING AN ANNUAL CERTIFICATE WITH AN ANNUAL REPORT; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 7-7-6, AS LAST AMENDED BY CHAPTER 8, LAWS OF UTAH 1983; 16-6-19, AS LAST AMENDED BY CHAPTER 58, LAWS OF UTAH 1979; 16-6-24, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-6-45, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-6-46, AS ENACTED BY CHAPTER 17, LAWS OF UTAH 1963; 16-6-47, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-6-51, AS ENACTED BY CHAPTER 17, LAWS OF UTAH 1963; 16-6-52, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-6-57, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-6-66, AS ENACTED BY CHAPTER 17, LAWS OF UTAH 1963; 16-6-67, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-6-83, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-6-84, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-6-87, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-6-88, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-6-91, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-6-93, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-6-97, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-6-98, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-6-99, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984; 16-7-2, AS ENACTED BY CHAPTER 66, LAWS OF UTAH 1984; 16-7-11, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 16-10-2, AS LAST AMENDED BY CHAPTER 57, LAWS OF UTAH 1979; 16-10-7, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-11, AS ENACTED BY CHAPTER 26, LAWS OF UTAH 1961; 16-10-12, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-13, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-15, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-48, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-49, AS ENACTED BY CHAPTER 28, LAWS OF UTAH 1961; 16-10-50, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-51.7, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-57, AS LAST AMENDED BY CHAPTER 19, LAWS OF UTAH 1963;

16-10-58, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-60, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-61, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-62, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-64, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-65, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-69, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-70, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-77, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-78, AS ENACTED BY CHAPTER 28, LAWS OF UTAH 1961; 16-10-79, AS ENACTED BY CHAPTER 28, LAWS OF UTAH 1961; 16-10-80, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-83, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-84, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-85, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-87, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-88, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-106, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-107, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-110, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-111, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-112, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-114, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-116, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-118, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-121, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-10-122, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-11-14, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-12-3, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 70A-9-409, AS ENACTED BY CHAPTER 272, LAWS OF UTAH 1977

ENACTS: 16-6-25.1, UTAH CODE ANNOTATED 1953; 16-6-25.2, UTAH CODE ANNOTATED 1953; 16-6-25.3, UTAH CODE ANNOTATED 1953; 16-6-99.1, UTAH CODE ANNOTATED 1953; 16-7-12, UTAH CODE ANNOTATED 1953; 16-10-88.1, UTAH CODE ANNOTATED 1953; 16-10-88.2, UTAH CODE ANNOTATED 1953; 42-2-6.6, UTAH CODE ANNOTATED 1953

REPEALS: 16-6-81, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 16-8-5, AS ENACTED BY CHAPTER 26, LAWS OF UTAH 1957; 16-10-88.5, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984; 42-2-6.5, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984, was read the first time and referred to Rules Committee.

PROPERTY ASSESSMENT APPEAL

S.B. No. 135 *Brent C. Overson*

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING FOR THE TOTAL VALUE OF ALL ASSESSED PROPERTY ON A PARCEL OF LAND TO BE

APPEALED, UNLESS THE LAND AND THE IMPROVEMENTS ON THE LAND ARE OWNED BY DIFFERENT PERSONS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 59-7-1.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

RULES COMMITTEE REPORTS

Mr. President: January 16, 1985

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 30	PUBLIC EMPLOYEE RETIREMENT CREDIT PURCHASE (State and Local Affairs)
S.B. No. 42	BOARD OF EXPOSITIONS AMENDMENT (State and Local Affairs)
S.B. No. 46	PUBLIC SAFETY RETIREMENT CREDIT PURCHASE (State and Local Affairs)
S.B. No. 47	POLITICAL CONVENTION EXPENSES (State and Local Affairs)
S.B. No. 52	HANDICAPPED PARKING FINE (Judiciary)
S.B. No. 53	MUNICIPAL FISCAL PROCEDURES AMENDMENT (State and Local Affairs)
S.B. No. 57	FIRE CHIEF RETIREMENT EXEMPTION (State and Local Affairs)
S.B. No. 60	DELAYED DISTRIBUTION OF ESTATE TO MINORS (Judiciary)
S.B. No. 61	JUVENILE AND DISTRICT COURT JURISDICTION-DOMESTIC MATTERS (Judiciary)
S.B. No. 62	UTAH ARBITRATION ACT (Judiciary)
S.B. No. 65	COUNTRY DESIGNATION ON VEHICLE LICENSE PLATES (Transportation and Public Safety)
S.B. No. 86	COURT AUTHORITY FOR CUSTODIAL PARENTS TRAVEL (Judiciary)

reports the same back and asks that they be printed and each assigned to a committee, and

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 37	CHILD ABUSE REPORTING ACT AMENDMENT (Social Service)

S.B. No. 23 PROSTHESIS AND HEARING AID SALES TAX EXEMPTION (Revenue and Taxation)

reports the same back and asks that they be printed and each assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee reports read and adopted. President Christensen assigned the bills to the committees indicated.

THIRD READING CALENDAR

S.B. No. 5, SUNSET ACT AMENDMENTS, was read the third time and explained by Senator McMullin.

Senator Rogers moved that on Page 7, Line 20 be changed to read

"(d) Acupuncture Licensing Act July 1, 1987"

Senator Black moved a substitute motion to change the date to 1988. The substitute motion failed.

Senator Roger's main motion failed.

The bill passed, unamended, on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Sandberg
Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	Matheson	Peterson, L.	Swan
Black	McAllister	Pugh	Wayment
Bunnell	McMullin	Renstrom	Pres. Christensen
Finlinson	Money	Rogers	

Absent or not voting were: Senators

Bangerter	Cornaby	Sowards	Williams
Carling	Overson		

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

APPEALED, UNLESS THE LAND AND THE IMPROVEMENTS ON THE LAND ARE OWNED BY DIFFERENT PERSONS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 59-7-1.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

RULES COMMITTEE REPORTS

Mr. President: January 16, 1985

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 30	PUBLIC EMPLOYEE RETIREMENT CREDIT PURCHASE (State and Local Affairs)
S.B. No. 42	BOARD OF EXPOSITIONS AMENDMENT (State and Local Affairs)
S.B. No. 46	PUBLIC SAFETY RETIREMENT CREDIT PURCHASE (State and Local Affairs)
S.B. No. 47	POLITICAL CONVENTION EXPENSES (State and Local Affairs)
S.B. No. 52	HANDICAPPED PARKING FINE (Judiciary)
S.B. No. 53	MUNICIPAL FISCAL PROCEDURES AMENDMENT (State and Local Affairs)
S.B. No. 57	FIRE CHIEF RETIREMENT EXEMPTION (State and Local Affairs)
S.B. No. 60	DELAYED DISTRIBUTION OF ESTATE TO MINORS (Judiciary)
S.B. No. 61	JUVENILE AND DISTRICT COURT JURISDICTION-DOMESTIC MATTERS (Judiciary)
S.B. No. 62	UTAH ARBITRATION ACT (Judiciary)
S.B. No. 65	COUNTRY DESIGNATION ON VEHICLE LICENSE PLATES (Transportation and Public Safety)
S.B. No. 66	COURT AUTHORITY FOR CUSTODIAL PARENTS TRAVEL (Judiciary)

reports the same back and asks that they be printed and each assigned to a committee, and

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 37	CHILD ABUSE REPORTING ACT AMENDMENT (Social Service)

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Sowards
Bangerter	Holmgren	Peterson, Chuck	Stratford
Barlow	Matheson	Peterson, L.	Swan
Barton	McAllister	Pugh	Wayment
Black	McMullin	Rogers	Williams
Bunnell	Money	Sandberg	Pres. Christensen
Finlinson	Overson		

Absent or not voting were: Senators

Carling	Cornaby	Renstrom

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S.B. No. 18, AGRICULTURE ADVISORY BOARD, was read the second time. On motion of Senator Money, S.B. No. 18 was amended as follows:

Page 1, line 25
after "Association," add "Livestock Auction Marketing Association,"

Page 1, Line 20
delete "nine" and insert in lien thereof "ten"

The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Hillyard	Overson	Sandberg
Bangerter	Holmgren	Peterson, C.	Sowards
Barlow	Matheson	Peterson, Chuck	Stratford
Barton	McAllister	Peterson, L.	Swan
Black	McMullin	Pugh	Wayment
Bunnell	Money	Rogers	Pres. Christensen

Absent or not voting were: Senators

Carling	Finlinson	Renstrom	Williams
Cornaby			

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S.B. No. 19, LIVESTOCK INSPECTION AND QUARANTINE AMENDMENTS, was read the second time, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Hillyard	Overson	Sandberg
Bangerter	Holmgren	Peterson, C.	Sowards
Barlow	Matheson	Peterson, Chuck	Stratford
Barton	McAllister	Peterson, L.	Swan
Black	McMullin	Pugh	Williams
Bunnell	Money	Rogers	Pres. Christensen

Absent or not voting were: Senators

Carling	Finlinson	Renstrom	Wayment
Cornaby			

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The Senate sauntered at 10:55 a.m., and reassembled at 11:10 a.m.

RULES COMMITTEE REPORT

Mr. President Januray 16, 1985

The Senate Rules Committee, to which was referred the following House Joint Resolution:

H.J.R. No. 10, JOINT RULES RESOLUTION

reports the same back and asks to be placed on the Second Reading Calendar.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. On motion of Senator Sowards, and under suspension of the rules, placed at the top of Second Reading Calendar, and read the second time. Richard Strong, Managing Research Analyst in the Office of Legislative Research and General Counsel, explained the cherry House amendments to the distributed copy of the proposed Joint Rules in Committee of the Whole.

Senator McMullin moved amendments.

Senator Sandberg's motion to circle failed.

Senator McMullin withdrew his motion to amend. On motion of Senator Black, the resolution was circled.

RULES COMMITTEE REPORT

Mr. President: January 17, 1985

The Senate Rules Committee, to which were referred the following Senate Bill:

S.B. No. 67 DUI RESTITUTION CLAIM PROCEDURES (Transportation and Public Safety)

reports the same back and asks that it be printed and assigned to a committee.

Glade M. Sewards
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bill to the committee indicated.

SECRETARY OF SENATE REPORT

Committee reports have been filed with the Secretary of the Senate on S.B. Nos. 31, 32, 33, 69, 20, 28, 21, 35, 49, 22, 48 and 56, and the bills were placed on Second Reading Calendar.

THIRD READING CALENDAR

On motion of Senator Black, and under suspension of the rules, the Senate voted to return to Third Reading Calendar, uncircle S.B. No. 10, SUNSET REVIEW —PODIATRISTS, and the bill was before the Senate.

On motion of Senator McAllister S.B. No. 10, was amended as follows:

Page 5, line 20:
After "commission." insert "The director shall prepare an annual budget for the established expenses of the Commission which shall be included in the Governor's budget submitted to the Legislature. Expenditures by the Commission shall not exceed the annual appropriation of the Legislature."

The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Assay	Carling	Money	Sandberg
Bangerter	Hillyard	Peterson, C.	Stratford
Barlow	Holmgren	Peterson, Chuck	Swan
Barton	Matheson	Peterson, L.	Wayment
Black	McAllister	Pugh	Williams
Bunnell	McMullin	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Cornaby	Overson	Rogers	Sowards
Finlinson			

S.B. No. 10, as amended, was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator Cary G. Peterson, the Senate voted to return to Second Reading Calendar and uncircle **S.B. Nos., 1, 3, 4, 6 and 8.**

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H.J.R. No. 10, JOINT RULES RESOLUTION, being circled as the Senate adjourned, was placed on Second Reading Table.

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On motion of Senator Cary G. Peterson and at 11:15 a.m. the Senate adjourned until 10:00 a.m., Friday, January 18, 1985.

FIFTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Arnold Christensen presiding.

Roll Call — All Senators present

Prayer — Lieutenant Governor, W. Val Oveson

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

DAILY SENATE JOURNAL

Mr. President: January 18, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the Fourth day and find it correct with minor amendments noted on the final copy.

William T. Barton, Committee member

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 17, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 6,** WEIGHTS AND MEASURES AMENDMENTS, by Representative Schmutz, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 25,** DIVORCE LAW WAITING PERIOD, by Representative Maxfield, 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. 79,** SUPPORT AND MAINTANCE PAYMENTS, by Representative Maxfield, 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. 85,** MEDICAL EXAMINER'S AMENDMENTS, by Representative Frandsen, 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. 86,** PUBLIC ASSISTANCE FRAUD AMENDMENTS, by Representative Frandsen, 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. 173,** REVISORS STATUTE, by Representative Moss, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 87,** INTERSTATE CHILD SUPPORT COLLECTION, by Representative Frandsen, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 88,** CHILD SUPPORT BOND, by Representative Frandsen, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.B. Nos. 6, 25, 79, 85, 86, 173, 87 and 88 were read the first time and referred to Rules Committee.

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Mr. President: January 17, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **S.C.R. No. 3,** BYU FOOTBALL TEAM COMMENDATION, by Senator Christensen, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.C.R. No. 3 was signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

PRESENTATION OF RESOLUTIONS

RELIGIOUS PERSECUTION RESOLUTION

S.J.R. No. 2 *Terry Williams*

A JOINT RESOLUTION OF THE LEGISLATURE EXPRESSING OUTRAGE AND CONCERN AT THE VIOLATIONS OF BASIC HUMAN RIGHTS OF MEMBERS OF THE

BAHA'I RELIGIOUS COMMUNITY IN IRAN; URGING THE UNITED STATES TO CONTINUE TO PROMOTE HUMAN RIGHTS WHENEVER POSSIBLE; AND IMPLORING THE LEADERSHIP OF IRAN TO ADHERE TO THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS AND STOP ITS INHUMANE AND GENOCIDAL PRACTICES, was read the first time and referred to Rules Committee.

LEGISLATIVE EMPLOYEES' COMPENSATION

S.J.R. No. 3 *Dale E. Stratford*

A JOINT RESOLUTION OF THE LEGISLATURE FIXING THE COMPENSATION FOR LEGISLATIVE EMPLOYEES; AND PROVIDING AND EFFECTIVE DATE, was read the first time.

On motion of Senator Stratford, and under suspension of the rules, the resolution was read the second and third times and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Sowards
Bangerter	Holmgren	Peterson, Chuck	Stratford
Barton	Matheson	Peterson, L.	Swan
Black	McAllister	Pugh	Wayment
Bunnell	McMullin	Renstrom	Williams
Carling	Money	Sandberg	Pres. Christensen
Cornaby	Overson		

Absent or not voting were: Senators

Barlow	Finlinson	Rogers

S.J.R. No. 3 was transmitted to the House

INTRODUCTION OF BILLS

TERRORISTIC THREAT AMENDMENTS

S.B. No. 136 *Richard J. Carling*

AN ACT RELATING TO THE CRIMINAL CODE; AMENDING THE DEFINITION OF A TERRORISTIC THREAT.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 76-5-107, AS ENACTED BY CHAPTER 196, LAWS OF UTAH 1973, was read the first time and referred to Rules Committee.

UTAH FOREIGN JUDGMENT TECHNICAL AMENDMENTS

S.B. No. 137 *Richard J. Carling*

AN ACT RELATING TO FOREIGN JUDGMENTS; MAKING TECHNICAL TO REFLECT REDUCTION IN RECORDING REQUIREMENTS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 78-22a-3, AS LAST AMENDED BY CHAPTER 36, LAWS OF UTAH 1984; 78-22a-5, AS LAST AMENDED BY CHAPTER 36, LAWS OF UTAH 1984, was read the first time and referred to Rules Committee.

APPOINTED OFFICIALS' SALARIES

S.B. No. 138 *LeRay McAllister*

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; PROVIDING FOR THE SALARIES OF CERTAIN APPOINTED STATE OFFICIALS TO BE FIXED BY THE LEGISLATURE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 49-9-4, AS LAST AMENDED BY CHAPTER 86, LAWS OF UTAH 1965; 53-2-8, AS LAST AMENDED BY CHAPTER 8, LAWS OF UTAH 1963; 53-48-6, AS ENACTED BY CHAPTER 138, LAWS OF UTAH 1969; 63-29-8, AS ENACTED BY CHAPTER 156, LAWS OF UTAH 1963, was read the first time and referred to Rules Committee.

NEIGHBORHOOD REDEVELOPMENT

S.B. No. 139 *LeRay McAllister*

AN ACT RELATING TO REDEVELOPMENT; REQUIRING AN ELECTION TO ISSUE BONDS; PROHIBITING AN AGENCY FROM USING PROPERTY TAX USED TO FUND THE MINIMUM SCHOOL PROGRAM; AND PROHIBITING THE USE OF TAX INCREMENT TO PAY FOR INFRASTRUCTURE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 11-19-2, AS LAST AMENDED BY CHAPTER 40, LAWS OF UTAH 1983; 11-19-23.1, AS ENACTED BY CHAPTER 17, LAWS OF UTAH 1971; 11-19-23.2, AS ENACTED BY CHAPTER 17, LAWS OF UTAH 1971; 11-19-23.3, AS LAST AMENDED BY CHAPTER 4, LAWS OF UTAH 1974; 11-19-23.4, AS LAST AMENDED BY CHAPTER 7, LAWS OF UTAH 1980; 11-19-23.7, AS ENACTED BY CHAPTER 17, LAWS OF UTAH 1971; 11-19-25, AS ENACTED BY CHAPTER 4, LAWS OF UTAH 1974; 11-19-35, AS LAST AMENDED BY CHAPTER 40, LAWS OF UTAH 1983

ENACTS: 11-19-29.7, UTAH CODE ANNOTATED 1953; 11-19-34.1, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

PUBLIC SAFETY RETIREMENT COST OF LIVING ADJUSTMENTS

S.B. No. 140 *Richard J. Carling, Fred W. Finlinson*

AN ACT RELATING TO PENSIONS; PROVIDING AN INCREASE IN THE MAXIMUM COST-OF-LIVING ADJUSTMENT FOR RETIREES IN THE PUBLIC SAFETY RETIREMENT SYSTEM; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 49-11-49, AS LAST AMENDED BY CHAPTER 195, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

AGRICULTURAL FEE STRUCTURE AMENDMENTS

S.B. No. 141 *Eldon A. Money*

AN ACT RELATING TO THE AGRICULTURAL CODE; AUTHORIZING THE DEPARTMENT TO ADOPT A SCHEDULE OF FEES ASSESSED FOR SERVICES PROVIDED BY THE DEPARTMENT; REQUIRING THE DEPARTMENT TO SUBMIT THE SCHEDULE TO THE LEGISLATURE FOR APPROVAL; CONFORMING FEE LANGUAGE THROUGHOUT AGRICULTURAL CODE; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 4-1-6, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 4-2-2, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION WHICH TAKES EFFECT JULY 1, 1985; 4-3-8, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION WHICH TAKES EFFECT JULY 1, 1985; 4-7-7, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 4-10-5, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 4-11-4, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH

1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 4-12-4, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION WHICH TAKES EFFECT JULY 1, 1985; 4-13-3, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 4-14-3, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 4-15-5, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 4-24-8, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 4-24-21, AS LAST AMENDED BY CHAPTER 10, LAWS OF UTAH 1981; 4-24-22, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 4-24-23, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 4-29-5, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 4-30-4, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 4-30-8, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 4-31-11, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 4-31-19, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 4-32-5, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 4-33-8, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

S.B. No. 17, BOARD OF EDUCATION POWERS, was read the third time. Senators Barton, Overson, Matheson and Asay, commented.

On motion of Senator Barton, **S.B. No. 17** was amended as follows:

Page 2, Line 12:
Delete lines 12 through 16 and insert in lieu thereof the following: "(5) A board shall take all steps necessary to maximize it's efficiency in providing all educational services. A board shall enter into cooperative and collaborative programs with other governmental units or agencies where doing so will eliminate or curtail the unnecessary duplication of similar services provided by those entities."

The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Sandberg
Bangerter	Finlinson	Overson	Sowards
Barlow	Hillyard	Peterson, C.	Stratford
Barton	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Peterson, L.	Wayment
Bunnell	McAllister	Pugh	Williams
Carling	McMullin	Renstrom	Pres. Christensen

Absent or not voting was: Senator
Rogers

S.B. No. 17, as amended, was transmitted to the House.

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S.B. No. 18, AGRICULTURAL ADVISORY BOARD, 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	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Bunnell	Matheson	Peterson, L.	Swan
Carling	McMullin	Pugh	Wayment
Cornaby	Money	Renstrom	Williams
Finlinson	Overson	Sandberg	Pres. Christensen

Absent or not voting were: Senators

Bangerter	Black	McAllister	Rogers
Barton			

S.B. No. 18, as amended, was transmitted to the House.

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S.B. No. 19, LIVESTOCK INSPECTION AND QUARANTINE AMENDMENTS, was read the third time, and passed on the following roll call:

Yeas, 24, Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, C.	Sowards
Barlow	Matheson	Peterson, Chuck	Stratford
Carling	McAllister	Peterson, L.	Swan
Cornaby	McMullin	Pugh	Wayment
Finlinson	Money	Renstrom	Williams
Hillyard	Overson	Sandberg	Pres. Christensen

Absent or not voting were: Senators

Bangerter	Black	Bunnell	Rogers
Barton			

S.B. No. 19 was transmitted to the House.

SECOND READING CALENDAR

S.B. No. 1, SUNSET REVIEW - HEALTH FACILITY ADMINISTRATORS, was before the Senate. Senator Overson moved the following amendments:

Page 4, Line 23:
Delete the ".," and insert in lieu thereof ";".

Page 4, after line 23, insert the following:
"(e) establish continuing education requirements for licensure renewal not less than 48 hours biennially. Continuing education programs which meet the continuing competency requirement shall receive the approval of the board. Board members may not receive compensation for their involvement in continuing education programs."

Senators Sandberg, Carling, Stratford and Barlow, commented. Senator Overson's motion to circle the bill failed. Senators Matheson and Pugh commented. The Overson motion to amend failed.

Senator Asay moved the following amendments:

Page 3, Line 27:
After the ";" delete the word "or"

Page 4, Line 2:
After the word "condition" delete the "." and insert "; and"

Page 4, Line 3, insert the following before Section 3:
"(h) authorizing or condoning the administration of health care without regard for the requirements of informed consent, including any requirements of parental notification or consent for the treatment of minors."

On motion of Senator Asay, the bill was circled.

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COMMITTEE OF THE WHOLE

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

Jeffrey Holland, President of Brigham Young University, and LaVell Edwards, Coach of B.Y.U.'s football team. The B.Y.U. football team has been declared the number one football team in the country during the 1984 season. Members of the team were introduced. Senators Sowards, Williams, Black, "Chuck" Peterson, Cary G. Peterson, Asay, Wayment and Pugh commented.

On motion of Senator Cary G. Peterson, the Committee of the Whole was dissolved.

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On motion of Senator Carling, the circle was removed from S.B. No. 1, SUNSET REVIEW - HEALTH FACILITY ADMINISTRATORS, and the bill was again before the Senate. Senator Asay's motion to amend was before the Senate. Senators Asay, Black and Swan commented. Clark Granes from the Attorney General's office spoke in Committee of the Whole. Senators Carling, Renstrom, Wayment and Pugh commented. Senator Asay's motion to amend failed.

Senators C.E. Peterson and Black commented.

Senator Matheson moved the following amendment:

Page 2, Line 21:
After "institution" add "or a distinct part of an institution."

Senators Black, Carling, Barlow, Pugh and Overson commented. Senator Matheson's motion passed.

The bill passed second reading as amended, on the following roll call:

Yeas, 23; Nays, 3; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Cornaby	Peterson, C.	Sowards
Barlow	Hillyard	Peterson, Chuck	Swan
Barton	Holmgren	Pugh	Wayment
Black	McMullin	Renstrom	Williams
Bunnell	Money	Rogers	Pres. Christensen
Carling	Overson	Sandberg	

Voting in the negative were: Senators

Asay	Finlinson	McAllister

Absent or not voting were: Senators

Matheson	Peterson, L.	Stratford

COMMITTEE OF THE WHOLE

On the motion of Senator Cary G. Peterson, the Senate resolved itself into a Committee of the Whole.

Appearing before the Committee of the Whole were: Nanette Benowitz and Madge Fairbanks, representing the League of Women Voters. On motion of Senator Cary G. Peterson, the Committee of the Whole was dissolved.

SECRETARY OF THE SENATE

Committee reports have been filed with the Secretary of the Senate on **S.B. Nos. 23, 24 and 63.**

SECOND READING CALENDAR

S.B. No. 3, SUNSET REVIEW - DENTISTS AND DENTAL HYGIENIST ACT, was read the second time.

On motion of Senator Carling, **S.B. No. 3,** was amended as follows:

> Page 6, Line 2:
> Following "practice." delete "." and insert ", before they may practice again in the State of Utah."

Page 7, Line 7:
Following "anesthetics" delete the "," and insert "or"

Page 7, Line 7:
Following "sedation," delete "or any drugs by"

Page 7, Line 8:
Delete "parental route"

The bill passed second reading, as amended, on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Rogers
Bangerter	Finlinson	Overson	Sandberg
Barlow	Hillyard	Peterson, C.	Stratford
Barton	Holmgren	Peterson, Chuck	Swan
Black	McAllister	Peterson, L.	Wayment
Bunnell	McMullin	Renstrom	Pres. Christensen
Carling			

Voting in the negative was: Senator
Matheson (exp.)

Absent or not voting were: Senators

Pugh	Sowards	Williams

COMMUNICATION FROM THE HOUSE

Mr. President: January 18, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 6, PAUL THOMAS RESOLUTION**, by Representative Allen, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.J.R. No. 6, was read the first time. On motion of Senator Holmgren, 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	Finlinson	Money	Rogers
Bangerter	Hillyard	Overson	Sandberg
Barlow	Holmgren	Peterson, C.	Stratford
Barton	Matheson	Peterson, Chuck	Swan
Bunnell	McAllister	Peterson, L.	Wayment
Carling	McMullin	Renstrom	Pres. Christensen
Cornaby			

Absent or not voting were: Senators

Black	Pugh	Sowards	Williams

H.J.R. No. 6, was signed by the President of the Senate in open session and returned to the House for further action.

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On motion of Senator Cary G. Peterson, and at 12:05, the Senate adjourned until 10:00 a.m., Monday, January, 21, 1985.

EIGHTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Arnold Christensen presiding.

Roll Call — All Senators present except Senators Finlinson and Rogers, excused.

Prayer — Patrick Houston, Legislative Aide

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

DAILY SENATE JOURNAL

Mr. President: January 21, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the fifth day and find it correct with minor amendments noted on the final copy.

Darrell G. Renstrom, Committee Member

Committee report read and adopted.

COMMUNICATION FROM THE HOUSE

Mr. President: January 18, 1985

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. 8,** LEGISLATIVE EMPLOYEE'S COMPENSATION, by Senator Stratford, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.J.R. No. 8 was signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

INTRODUCTION OF BILLS

SOLID WASTE MANAGEMENT

S.B. No. 142 *Paul Rogers*

AN ACT RELATING TO SOLID WASTE MANAGEMENT ACT; AUTHORIZING MUNICIPALITIES TO CONTROL SOLID WASTE COLLECTION AND DISPOSAL; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 26-32-3, AS LAST AMENDED BY CHAPTER 27, LAWS OF UTAH 1982, was read the first time and referred to Rules Committee.

MUNICIPAL JAILS

S.B. No. 143 *Paul Rogers*

AN ACT RELATING TO MUNICIPALITIES; ENABLING MUNICIPALITIES TO USE COUNTY JAIL FACILITIES WITHOUT COST.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 10-8-58, UTAH CODE ANNOTATED 1953; 10-13-23, AS LAST AMENDED BY CHAPTER 56, LAWS OF UTAH 1981; 17-22-8, AS LAST AMENDED BY CHAPTER 68, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

EXEMPTIONS TO GENERAL COUNTY MILL LEVY CEILINGS

S.B. No. 144 *Fred W. Finlinson, K.S. Cornaby*

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING FOR AN EXEMPTION FROM THE COUNTY MILL LEVY CEILING FOR VOTER APPROVED INDEBTEDNESS OTHER THAN BONDED INDEBTEDNESS, AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 59-9-6.5, AS LAST AMENDED BY CHAPTER 10, LAWS OF UTAH 1983, FIRST SPECIAL SESSION, was read the first time and referred to Rules Committee.

TRAFFIC-RELATED CRIMINAL OFFENSES — AMENDMENTS

S.B. No. 145 *Richard J. Carling*

AN ACT RELATING TO TRAFFIC OFFENSES; AMENDING VEHICLE-RELATED CODE PROVISIONS REGARDING NATURE OF THE OFFENSE AND PENALTIES, INCLUDING FLEEING AN OFFICER AND NEGLIGENT HOMICIDE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 41-6-13.5, AS LAST AMENDED BY CHAPTER 269, LAWS OF UTAH 1981; 41-6-43.10, AS LAST AMENDED BY CHAPTER 99, LAWS OF UTAH 1983; 41-6-167, AS LAST AMENDED BY CHAPTER 183, LAWS OF UTAH 1983; 76-5-206, AS ENACTED BY CHAPTER 196, LAWS OF UTAH 1973; 76-5-207, AS LAST AMENDED BY CHAPTER 99, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

CRIMINAL CODE FIREARM AMENDMENTS

S.B. No. 146 *Richard J. Carling*

AN ACT RELATING TO THE CRIMINAL CODE; CLARIFYING THE DEFINITION OF WHEN A FIREARM IS LOADED.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

REPEALS AND REENACTS: 76-10-502, AS LAST AMENDED BY CHAPTER 321, LAWS OF UTAH 1974, was read the first time and referred to Rules Committee.

MUNICIPAL CEMETERIES

S.B. 147 *Omar B. Bunnell*

AN ACT RELATING TO CEMETERIES; ENABLING MUNICIPALITIES TO RECLAIM UNUSED AND UNKEPT CEMETERY LOTS; AND DIRECTING MUNICIPALITIES TO SELL ONLY A RIGHT TO BURIAL IN MUNICIPAL CEMETERIES.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 10-8-62, UTAH CODE ANNOTATED 1953; 10-8-63, UTAH CODE ANNOTATED 1953; 10-13-3, UTAH CODE ANNOTATED 1953

ENACTS: CHAPTER 5, TITLE 8, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

PUBLIC SAFETY CONTRIBUTIONS

S.B. No. 148 *Richard J. Carling, Fred W. Finlinson*

AN ACT RELATING TO PENSIONS; PROVIDING FOR PAYMENT OF INDIVIDUAL MEMBER CONTRIBUTIONS BY GENERAL FUND APPROPRIATION FOR EMPLOYEES WHO INDIVIDUALLY CONTRIBUTE TO THE PUBLIC SAFETY RETIREMENT SYSTEM; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 49-11-23, AS LAST AMENDED BY CHAPTER 42, LAWS OF UTAH 1984, was read the first time and referred to Rules Committee.

CRIMINAL CODE — DISHONORED CHECK AMENDMENTS

S.B. No. 149 *Richard J. Carling*

AN ACT RELATING TO THE CRIMINAL CODE; PROVIDING SPECIFIC PROCEDURE FOR WRITTEN NOTIFICATION OF RECEIPT OF A DISHONORED CHECK.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 76-6-505, AS LAST AMENDED BY CHAPTER 92, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

RESTITUTION AMENDMENTS — COURT ASSESSMENT

S.B. No. 150 *Richard J. Carling*

AN ACT RELATING TO RESTITUTION; CLARIFYING THE RESTITUTION PROCEDURE WHICH ALLOWS THE PROSECUTING ATTORNEY TO COLLECT RESTITUTION OWED A VICTIM; AND PROVIDING ASSESSMENT OF RESTITUTION FOR EXTRADITION COSTS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 76-3-201, AS LAST AMENDED BY CHAPTER 18, LAWS OF UTAH 1984; 76-3-201.1, AS ENACTED BY CHAPTER 262, LAWS OF UTAH 1983; 77-30-24, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

MISDEMEANOR OFFENSES — PENALTY MODIFICATIONS

S.B. No. 151 *Richard J. Carling*

AN ACT RELATING TO MISDEMEANORS; AMENDING THE CLASS OF MISDEMEANOR PENALTIES FOR CERTAIN OFFENSES IN THE CRIMINAL CODE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 35-4-18, AS LAST AMENDED BY CHAPTER 78, LAWS OF UTAH 1982; 35-4-19, UTAH CODE ANNOTATED 1953; 41-6-32, AS LAST AMENDED BY CHAPTER

269, LAWS OF UTAH 1977; 76-6-206, AS LAST AMENDED BY CHAPTER 32, LAWS OF UTAH 1974; 76-9-102, AS ENACTED BY CHAPTER 196, LAWS OF UTAH 1973, was read the first time and referred to Rules Committee.

CONSENT CALENDAR

On motion of Senator Overson, the Senate voted to circle **S.B. Nos. 2, 7 and 16.**

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S.B. No. 25, MUNICIPAL GOVERNMENT CHANGES AMENDMENT, 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	Holmgren	Peterson, C.	Sowards
Barton	Matheson	Peterson, Chuck	Stratford
Black	McAllister	Pugh	Swan
Bunnell	McMullin	Renstrom	Williams
Cornaby	Money	Sandberg	Pres. Christensen
Hillyard	Overson		

Absent or not voting were: Senators

Bangerter	Carling	Peterson, L.	Wayment
Barlow	Finlinson	Rogers	

S.B. No. 25 was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator McMullin, and under suspension of the rules, the Senate voted to consider bills on Second Reading Calendar, and circle **S.B. Nos. 4, 6, 8, 12 and 15.**

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S.B. No. 38, CHILD ABUSE — CRIMINAL HOMICIDE, was read the second time, and explained by Senator Overson.

Mr. President: January 15, 1985

The Social Services Standing Committee, to which was referred **S.B. No. 38,**

CHILD ABUSE — CRIMINAL HOMICIDE, by Senator Brent C. Overson et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

John P. Holmgren, Committee Chairman

Committee report read and adopted. Senator Pugh commented. The bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Hillyard	Overson	Sandberg
Barton	Holmgren	Peterson, C.	Stratford
Black	Matheson	Peterson, Chuck	Swan
Bunnell	McAllister	Pugh	Williams
Carling	McMullin	Renstrom	Pres. Christensen
Cornaby	Money		

Absent or not voting were: Senators

Bangerter	Finlinson	Rogers	Wayment
Barlow	Peterson, L.	Sowards	

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S.B. No. 39, CHILD ABUSE CRIMINAL PENALTIES, was read the second time.

Mr. President: January 15, 1985

The Social Services Standing Committee, to which was referred **S.B. No. 39,** CHILD ABUSE CRIMINAL PENALTIES, by Senator Brent C. Overson, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 2:
After "of the", reinsert "second" and insert "degree, unless the child is 14 years of age or younger, in which case it is a felony of the"

Page 2, Line 4:
At the beginning of line 4, reinsert "third" and insert "degree, unless the child is 14 years of age or younger, in which case it is a felony of the".

Page 2, Line 6:
At the beginning of line 6, reinsert "class A misdemeanor" and insert "unless the child is 14 years of age or younger, in which case it is a".

Page 2, Line 13:
After "class", reinsert "B" and insert "unless the child is 14 years of age or younger, in which case it is a class".

Page 2, Line 16:
After "class", reinsert "C" and insert "unless the child is 14 years of age or younger, in which case it is a class".

John P. Holmgren, Committee Chairman

Committee report, with amendments, was read and adopted. Senator Stratford commented.
The bill passed on the following roll call:

Yeas, 22; Nays, 3; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	McMullin	Sandberg
Bangerter	Cornaby	Money	Sowards
Barlow	Hillyard	Overson	Wayment
Barton	Holmgren	Peterson, Chuck	Williams
Black	Matheson	Renstrom	Pres. Christensen
Bunnell	McAllister		

Voting in the negative were: Senators

Pugh	Stratford	Swan

Absent or not voting were: Senators

Finlinson	Peterson, C.	Peterson, L.	Rogers

S.B. No. 2, SUNSET REVIEW — OCCUPATIONAL THERAPY 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	Cornaby	Overson	Sowards
Bangerter	Hillyard	Peterson, C.	Stratford
Barlow	Holmgren	Peterson, Chuck	Swan
Barton	Matheson	Peterson, L.	Wayment
Black	McAllister	Pugh	Williams
Bunnell	McMullin	Renstrom	Pres. Christensen
Carling	Money	Sandberg	

Absent or not voting were: Senators

Finlinson	Rogers

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

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S.B. No. 7, SUNSET REVIEW — RECREATIONAL THERAPY 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	Cornaby	Overson	Sowards
Bangerter	Hillyard	Peterson, C.	Stratford
Barlow	Holmgren	Peterson, Chuck	Swan
Barton	Matheson	Peterson, L.	Wayment
Black	McAllister	Pugh	Williams
Bunnell	McMullin	Renstrom	Pres. Christensen
Carling	Money	Sandberg	

Absent or not voting were: Senators

Finlinson	Rogers

S.B. No. 7 was transmitted to the House.

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S.B. No. 16, SPECIAL IMPROVEMENT DISTRICT PROTESTS, 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	Cornaby	Overson	Sowards
Bangerter	Hillyard	Peterson, C.	Stratford
Barlow	Holmgren	Peterson, Chuck	Swan
Barton	Matheson	Peterson, L.	Wayment
Black	McAllister	Pugh	Williams
Bunnell	McMullin	Renstrom	Pres. Christensen
Carling	Money	Sandberg	

Absent or not voting were: Senators

Finlinson	Rogers

S.B. No. 16 was transmitted to the House.

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On motion of Senator McMullin, **S.B. No. 51,** INTERLOCAL COOPERATION ACT AMENDMENT, was returned to State and Local Affairs Standing Committee.

THIRD READING CALENDAR

S.B. No. 1, SUNSET REVIEW — HEALTH FACILITY ADMINISTRATORS, was read the third time.

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

Page 2, Line 21:
After "institution" delete "or a distinct part of an institution"

Page 3, Lines 3 and 4:
After "institution" delete "or a distinct part of an institution"

Senator Asay again moved his previous amendments to the bill. Senators Bunnell and Cornaby commented. Clark Granes from the Attorney General's office again spoke in Committee of the Whole. Senator Carling commented.

On motion of Senator Asay **S.B. No. 1** was amended as follows:

Page 3, Line 27:
After the ";" delete the word "or"

Page 4, Line 2:
After the word "condition" delete the "." and insert "; and"

Page 4, Line 3, insert the following before Section 3:
"(h) authorizing or condoning the administration of health care without regard for the requirements of informed consent, including any requirements of parental notification or consent for the treatment of minors."

Senator Asay's amendments passed on the following roll call:

Yeas, 16; Nays, 6; Absent, 7

Voting in the affirmative were: Senators

Asay	Holmgren	Overson	Sandberg
Barlow	McAllister	Peterson, C.	Sowards
Barton	McMullin	Peterson, Chuck	Wayment
Hillyard	Money	Renstrom	Pres. Christensen

Voting in the negative were: Senators

Black	Carling	Stratford	Swan
Bunnell	Cornaby		

Absent or not voting were: Senators

Bangerter	Matheson	Pugh	Williams
Finlinson	Peterson, L.	Rogers	

Senator Overson again moved his previous amendments to the bill.

On motion of Senator Carling, the bill was circled.

COMMUNICATION FROM THE HOUSE

Mr. President: January 21, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.C.R. No. 7**, PRESIDENT REAGAN INAUGURATION RESOLUTION, by Representative Cromar, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator McMullin the bill was read the first, second and third times, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Cornaby	Money	Sandberg
Barlow	Hillyard	Overson	Sowards
Barton	Holmgren	Peterson, C.	Stratford
Black	Matheson	Peterson, Chuck	Swan
Bunnell	McAllister	Peterson, L.	Wayment
Carling	McMullin	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Asay	Pugh	Rogers	Williams
Finlinson			

H.C.R. No. 7, was signed by the President of the Senate in open session and returned to the House for further action.

* * *

On motion of Senator Sowards, **S.B. No. 8,** was circled.

SECOND READING CALENDAR

On motion of Senator McMullin, the Senate voted to lift **H.J.R. No. 10,** JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES, from Second Reading Table, to the top of the calendar.

On motion of Senator Overson, the Cherry copy of the proposed rules was amended as follows:

> Page 7, Rule 4.14
> Delete "To the extent these conditions do not amend, repeal, or modify existing law, they are binding on the recipient of the appropriation."

On motion of Senator McMullin, the Cherry copies of the proposed rules were amended as follows:

> Page 3, Heading:
> Delete the words "JOINT MEETINGS OF" and after the word "COMMITTEES" insert "MEETING JOINTLY."

Page 3, Rule 3.02, 3.a.:
At the end of that subsection, after the words "in determining a quorum." insert "If a member returns, after having been absent for two consecutive committee or subcommittee meetings, he shall be counted in determining a quorum and for voting purposes.

Page 3, Rule 3.02, 4.:
Line 1, after the words "Committee of" delete the word "sixteen" and insert the word "eighteen". On line 3, delete the word "three" and insert the word "four". On line 4 after the word "Senate" delete the word "two" and insert the word "three".

Page 4, Rule 3.03:
Delete the word "Joint" and after the words "of the Legislature" insert ", meeting jointly,".

Page 4, Rule 3.04:
After the word "Each" in the first line, delete the word "joint". After the words "interim committee" add ", meeting jointly,". Delete the language inserted by the House. After the words "Senators and" in the second line, insert the words "at least".

Page 7, Rule 4.16:
Delete the language inserted by the House.

Page 10, Rule 4.23:
Delete the language inserted by the House and reinsert the original language.

Page 10, Rule 4.24:
Begin the sentence with the insertion of "If a replacement bill is requested, then" and delete the first word "A" and insert "a". Delete the language inserted by the House and reinsert the original language.

Page 12, Rule 4.33:
Delete the language inserted by the House and reinsert the original language.

Page 28, Rule 13.30:
In the second paragraph, third line after the word "Representatives" insert "and the President shall poll the Senators".

Page 45, Rule 1.01:
In the second paragraph after the words "house on" delete the words "a joint" and insert the word "an". After the word "committee", in the second line, insert ", meeting jointly,".

Page 48, Rule 3.01:
In the first line after the word "The" delete the word "joint" and after the word "committees" insert the words ", meeting jointly,".

Page 48, Rule 3.01:
In the first line after the word "The" delete the word "joint" and after the word "committees" insert the words ", meeting jointly,".

Page 49, Rule 4.02:
After the words "a second" insert ", except for a Senate motion"

Page 49, Rule 4.05:
In the first sentence, after the word "is" delete the words "always be".

Page 49, Rule 4.07:
In the fourth line, after the words "may be made to a" insert "substitute of a".

Page 50, Rule 4.08:
In the last line, after the words "motion of a member" insert "and the approval of a majority of the committee".

H.J.R., No. 10, as amended, passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Sandberg
Bangerter	Hillyard	Overson	Sowards
Barlow	Holmgren	Peterson, C.	Stratford
Black	Matheson	Peterson, Chuck	Swan
Bunnell	McAllister	Peterson, L.	Wayment
Carling	McMullin	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Barton	Pugh	Rogers	Williams
Finlinson			

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S.B. No. 40, EXECUTIVE RESIDENCE COMMISSION, was read the second time, and explained by Senator Barlow.

Mr. President January 15, 1985

The State and Local Affairs Committee, to which was referred **S.B. No. 40,** EXECUTIVE RESIDENCE COMMISSION, by Senator Haven J. Barlow et al, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 2, Line 4:
After "Arts" insert "as designated by the Board of Fine Arts"

Page 2, Line 5:
After "History" insert "as designated by The Board of State History"

Page 2, Line 6:
After "board," insert "as designated by the building board"

Page 2, Line 6:
After "decorator" delete "selected" and reinsert "appointed"

Page 2, Line 7:
After "(~~governor~~)" insert "governor from three nominees submitted by"

Page 2, Line 7:
After "architect" delete "selected" and insert "appointed"

Page 2, Line 8:
At the beginning of line 8 insert "the governor from three nominees submitted by"

Page 2, Line 8:
After "AIA." insert "The commission shall select its own officers."

K.S. Cornaby, Committee Chairman

Committee report, with amendments, was read and adopted. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Sandberg
Bangerter	Hillyard	Overson	Sowards
Barlow	Holmgren	Peterson, C.	Stratford
Barton	Matheson	Peterson, Chuck	Swan
Black	McAllister	Peterson, L.	Wayment
Bunnell	McMullin	Renstrom	Pres. Christensen
Carling			

Absent or not voting were: Senators

Finlinson	Pugh	Rogers	Williams

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Senator Barton, Asay and Overson, each provided information regarding the districts they represent.

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S.B. No. 31, TITLE 53 REPEALERS, was read the second time.

Mr. President January 16, 1985

The Education Standing Committee, to which was referred **S.B. No. 31,** TITLE 53 REPEALERS, by Senator Lyle W. Hillyard, has carefully considered the bill and reports it out of committee with a favorable recommendation.

William T. Barton, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Carling	McMullin	Pugh
Bangerter	Cornaby	Money	Renstrom
Barlow	Hillyard	Overson	Sandberg
Barton	Holmgren	Peterson, C.	Swan
Black	Matheson	Peterson, Chuck	Pres. Christensen
Bunnell	McAllister	Peterson, L.	

Absent or not voting were: Senators

Finlinson	Sowards	Wayment	Williams
Rogers	Stratford		

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On motion of Senator Cary G. Peterson, the circles were removed from **S.B. Nos. 4, 8, 12 and 15.**

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S.B. No. 4, SUNSET REVIEW - PHYSICAL THERAPY PRACTICE ACT, was read the second time, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Renstrom
Bangerter	Hillyard	Overson	Sandberg
Barlow	Holmgren	Peterson, C.	Stratford
Barton	Matheson	Peterson, Chuck	Swan
Black	McAllister	Peterson, L.	Wayment
Bunnell	McMullin	Pugh	Pres. Christensen
Carling			

Absent or not voting were: Senators

Finlinson	Rogers	Sowards	Williams

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S.B. No. 8, NURSE PRACTICE ACT—SUNSET REAUTHORIZATION, was read the second time, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Sowards
Bangerter	Hillyard	Peterson, C.	Stratford
Barlow	Holmgren	Peterson, Chuck	Swan
Barton	Matheson	Peterson, L.	Wayment
Black	McAllister	Pugh	Williams
Bunnell	McMullin	Renstrom	Pres. Christensen
Carling	Money	Sandberg	

Absent or not voting were: Senators

Finlinson	Rogers

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S.B. No. 12, PAWNBROKER REDEMPTION CHARGE REPEAL, was read the second time.

Mr. President: January 16, 1985

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 12,** PAWNBROKER REDEMPTION CHARGE REPEAL, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lowell S. Peterson, Committee Chairman

Committee report read and adopted. Senators Sandberg and Barton commented. The bill passed on the following roll call.

Yeas, 17; Nays, 3; Absent, 9

Voting in the affirmative were: Senators

Asay	Comaby	Overson	Pugh
Barlow	Hillyard	Peterson, C.	Renstrom
Barton	Holmgren	Peterson, Chuck	Stratford
Black	McAllister	Peterson, L.	Pres. Christensen
Carling			

Voting in the negative were: Senators

Matheson	Sandberg	Swan

Absent or not voting were: Senators

Bangerter	McMullin	Rogers	Wayment
Bunnell	Money	Sowards	Williams
Finlinson			

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S.B. No. 15, CONTRACTOR'S BOND LAW AMENDMENTS, was read the second time.

Mr. President January 16, 1985

The Business, Labor and Economic Development Committee, to which was referred **S.B. No. 15,** CONTRACTOR'S BOND LAW AMENDMENTS, by Senator Richard J. Carling, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lowell S. Peterson, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Sandberg
Barlow	Hillyard	Peterson, C.	Stratford
Barton	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Peterson, L.	Pres. Christensen
Carling	McAllister	Pugh	

Absent or not voting were: Senators

Bangerter	McMullin	Rogers	Wayment
Bunnell	Money	Sowards	Williams
Finlinson	Renstrom		

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S.B. No. 32, TITLE 53 REVISION - VOCATIONAL EDUCATION, was read the second time.

Mr. President: January 16, 1985

The Education Standing Committee, to which was referred **S.B. No. 32,** TITLE 53 REVISION - VOCATIONAL EDUCATION, by Senator Lyle W. Hillyard, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 6, Lines 27 and 28:
After "director," delete "qualified by education, training, experience, and demonstrated ability, who is".

William T. Barton, Committee Chairman

Committee report, with amendment, was read and adopted. The bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Cornaby	Money	Sandberg
Barlow	Hillyard	Overson	Sowards
Barton	Holmgren	Peterson, C.	Stratford

Black	Matheson	Peterson, Chuck	Swan
Bunnell	McAllister	Peterson, L.	Pres. Christensen
Carling	McMullin		

Absent or not voting were: Senators

Asay	Pugh	Rogers	Williams
Finlinson	Renstrom	Wayment	

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SECRETARY OF SENATE REPORT

Committee reports have been filed with the Secretary of the Senate on **S.B. Nos. 14** and **34**, and the bills were placed on Second Reading Calendar.

RULES COMMITTEE REPORTS

Mr. President: January 21, 1985

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 72	AMENDMENTS - SEXUAL EXPLOITATION OF MINORS (Social Services)
S.B. No. 80	MUNICIPAL INITIATIVE AND REFERENDUM PROVISIONS (State and Local Affairs)
S.B. No. 82	STATE WATER AUTHORITY (Energy and Natural Resources and Agriculture)
S.B. No. 84	INCREASED PENALTY FOR DEALING IN HARMFUL MATTER (Judiciary)
S.B. No. 88	YOUTH OFFENDERS PROGRAM CERTIFICATION (Judiciary)
S.B. No. 89	JUVENILE DETENTION (Judiciary)
S.B. No. 92	UNIFORM DETERMINATION OF DEATH ACT (Health)

reports the same back and asks that they be printed and each assigned to a committee, and

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 73	UTAH PERCENT-FOR-ART ACT (Revenue and Taxation)
S.B. No. 76	FUNDING OF MUNICIPAL SERVICES (State and Local Affairs)
S.B. No. 87	SUPERVISED PROBATION AMENDMENTS (Judiciary)

S.B. No. 96	DRINKING WATER AND WASTEWATER LOAN PROGRAM (Energy, Natural Resources and Agriculture)
S.B. No. 98	WILDLIFE LICENSE AMENDMENTS (Energy, Natural Resources and Agriculture)
S.B. No. 125	TRUST DEED CHANGES (Judiciary)
S.B. No. 100	ELECTION LAW AMENDMENTS (State and Local Affairs)
S.B. No. 123	RETIREMENT EXEMPTION AMENDMENTS (State and Local Affairs)
S.B. No. 78	MOSQUITO ABATEMENT DISTRICTS (State and Local Affairs)
S.B. No. 115	PUBLIC WATER SUPPLY EMINENT DOMAIN (Health)

reports the same back and asks that they be printed and each assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee reports read and adopted. President Christensen assigned the bills to the committees indicated.

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On motion of Senator Cary G. Peterson, the circle was removed from **S.B. No. 6.**

THIRD READING CALENDAR

On motion of Senator Cary G. Peterson, and under suspension of the rules, the circles were removed from **S.B. Nos. 1** and **3.**

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On motion of Senator Cary G. Peterson, and at 12:10 p.m., the Senate adjourned until 10:00 a.m., Tuesday, January 22, 1985.

NINTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Arnold Christensen presiding.

Roll Call — All Senators present except Senators Rogers and Williams, excused.

Prayer — Tom L. Allen, State Auditor.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

DAILY SENATE JOURNAL

Mr. President: January 22, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the Eighth day and find it correct with minor amendments noted on the final copy.

C.E. "Chuck" Peterson
Committee Chairman

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 21, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 4**, CARL HATFIELD RESOLUTION, by Representative James, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Overson, and under suspension of the rule, **H.C.R. No. 4** was read the first, second and third times, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, C.	Sowards
Barton	Matheson	Peterson, Chuck	Stratford
Black	McAllister	Peterson, L.	Swan
Carling	McMullin	Pugh	Wayment

Cornaby	Money	Renstrom	Pres. Christensen
Hillyard	Overson		

Absent or not voting were: Senators

Bangerter	Bunnell	Rogers	Williams
Barlow	Finlinson	Sandberg	

H.C.R. No 4 was signed by the President of the Senate in open session and returned to the House for further action.

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Mr. President: January 21, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No 2,** CREDIT REPORTING AGENCIES, by Representative Garbett, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 3,** SECURITY PERSONNEL — SUNSET REVIEW, by Representative Moody, 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. 5,** GARNISHMENT LIEN LAW, by Representative Hunter, 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. 14,** COUNTY SERVICE AREA ACT, by Representative Dahl, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 38,** LEFT-LANE TRAVEL RESTRICTIONS, by Representative Browning, 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. 46,** INDIAN AFFAIRS MEMBERSHIP, by Representative Yardley, 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. 51,** CERTIFICATES OF PARTICIPATION, by Representative Jenkins, 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. 71,** STATE FIRE MARSHALL — DIVISION STATUS, by Representative LeBaron, et al. and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.B. Nos. 2, 3, 5, 14, 38, 46, 51 and 71 were read the first time and referred to Rules Committee.

PRESENTATION OF RESOLUTION

UTAH ACADEMIC DECATHLON RESOLUTION

S.C.R. No. 4 *Haven J. Barlow*

A CONCURRENT RESOLUTION OF THE LEGISLATURE SUPPORTING AND ENCOURAGING THE PHILOSOPHY, PURPOSES, AND ACTIVITIES OF THE UTAH ACADEMIC DECATHLON AS RELATED TO THE ATTAINMENT AND RECOGNITION OF ACADEMIC EXCELLENCE, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

COLLATERAL SOURCE RULE FOR MEDICAL MALPRACTICE DAMAGES

S.B. No. 152 *Warren E. Pugh, Omar B. Bunnell*

AN ACT RELATING TO HEALTH CARE MALPRACTICE ACTIONS; PROHIBITING COMPENSATION TO PLAINTIFF FOR COSTS OR EXPENSES THAT WERE OR WILL BE PAID FROM A COLLATERAL SOURCE; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 78-14-4.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

PRELITIGATION PANEL REQUIREMENT FOR MEDICAL MALPRACTICE CLAIMS

S.B. No. 153 *Warren E. Pugh, Omar B. Bunnell*

AN ACT RELATING TO HEALTH CARE MALPRACTICE ACTIONS; ESTABLISHING A PRELITIGATION PANEL APPOINTED BY THE DEPARTMENT OF BUSINESS

REGULATION FOR PRELITIGATION CONSIDERATION OF PERSONAL INJURY AND WRONGFUL DEATH CLAIMS; ESTABLISHING PROCEDURES; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 78-14-12, UTAH CODE ANNOTATED 1953; 78-14-13, UTAH CODE ANNOTATED 1953; 78-14-14, UTAH CODE ANNOTATED 1953; 78-14-15, UTAH CODE ANNOTATED 1953; 78-14-16, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

DEFERRED PERIODIC PAYMENTS FOR MEDICAL MALPRACTICE

S.B. No. 154 *K.S. Cornaby*

AN ACT RELATING TO HEALTH CARE MALPRACTICE; ALLOWING THE COURT UPON THE REQUEST OF ANY PARTY TO THE ACTION TO ENTER JUDGMENT; PROVIDING FOR DEFERRED PERIODIC PAYMENTS TO PLAINTIFF WHO HAS A LIFE EXPECTANCY OF AT LEAST 15 YEARS; ESTABLISHING CRITERIA; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 78-14-9.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

HOSPITAL DISCIPLINARY PROCEEDINGS AMENDMENTS

S.B. No. 155 *K.S. Cornaby*

AN ACT RELATING TO HOSPITALS; PROVIDING THAT DISCIPLINARY PROCEEDINGS ARE CONFIDENTIAL; PROVIDING IMMUNITY TO PARTICIPANTS IN REVIEW OF HEALTH CARE PROVIDER; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 58-12-43, AS LAST AMENDED BY CHAPTER 30, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

NOTICE OF CIVIL LIABILITY FOR BAD CHECKS

S.B. No. 156 *Richard J. Carling*

AN ACT RELATING TO FRAUDULENT CHECKS; AMENDING REQUIRED NOTICE A HOLDER OF A DISHONORED INSTRUMENT MUST GIVE TO THE DRAWER BEFORE COMMENCING CIVIL ACTION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 7-15-1, AS ENACTED BY CHAPTER 16, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

SALES TAX REDUCTION

S.B. No. 157 *Ivan M. Matheson*

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING FOR A REDUCTION OF ¼% IN THE STATE SALES AND USE TAX; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 59-15-4, AS LAST AMENDED BY CHAPTER 56, LAWS OF UTAH 1984; 59-16-3, AS LAST AMENDED BY CHAPTER 56, LAWS OF UTAH 1984, was read the first time and referred to Rules Committee.

WORKERS' COMPENSATION AMENDMENTS

S.B. 158 *Dale E. Stratford*

AN ACT RELATING TO WORKERS' COMPENSATION; AUTHORIZING THE PAYMENT OF THE COUNTY ATTORNEYS' FEES AND COSTS FOR ENFORCING THE WORKERS' COMPENSATION LAW AND INDUSTRIAL AWARDS; PROVIDING A ONE-TIME TRANSFER FROM THE SECOND INJURY FUND TO THE DEFAULT INDEMNITY FUND; AND MAKING OTHER MINOR CHANGES IN THE ADMINISTRATION OF THE DEFAULT INDEMNITY FUND.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 35-1-46, AS LAST AMENDED BY CHAPTER 156, LAWS OF UTAH 1977; 35-1-59, AS LAST AMENDED BY CHAPTER 138, LAWS OF UTAH 1979; 35-1-68, AS LAST AMENDED BY CHAPTER 80, LAWS OF UTAH 1984; 35-1-107, AS ENACTED BY CHAPTER 77, LAWS OF UTAH 1984, was read the first time and referred to Rules Committee.

SMALL POWER PRODUCTION AND COGENERATION

S.B. No. 159 *Fred W. Finlinson*

AN ACT RELATING TO PUBLIC UTILITIES; REQUIRING ELECTRICAL CORPORATIONS TO OFFER CONTRACTS TO INDEPENDENT ENERGY PRODUCERS;

AUTHORIZING THE PUBLIC SERVICE COMMISSION TO ADOPT RATES, TERMS, AND CONDITIONS FOR THE SALE OF ELECTRICITY BY INDEPENDENT ENERGY PRODUCERS; AND EXEMPTING SMALL POWER PRODUCERS AND COGENERATORS FROM CERTAIN REQUIREMENTS OF TITLE 54.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 54-2-1, AS LAST AMENDED BY CHAPTER 50, LAWS OF UTAH 1984

ENACTS: 54-12-1, UTAH CODE ANNOTATED 1953; 54-12-2, UTAH CODE ANNOTATED 1953; 54-12-3, UTAH CODE ANNOTATED 1953; 54-12-4, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

STUDENT MEMBERS OF SCHOOL BOARDS

S.B. No. 160 *Karl G. Swan*

AN ACT RELATING TO PUBLIC SCHOOLS; PROVIDING FOR NONVOTING STUDENT MEMBERSHIP ON STATE AND LOCAL BOARDS OF EDUCATION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 53-2-1.5, UTAH CODE ANNOTATED 1953; 53-6-7.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

INSANITY DEFENSE AMENDMENTS

S.B. No. 161 *Lyle W. Hillyard*

AN ACT RELATING TO CRIMINAL LAW; PROVIDING DEFINITIONS FOR "MENTAL ILLNESS" AND "DIMINISHED MENTAL CAPACITY"; AMENDING DEFINITION OF "GUILTY AND MENTALLY ILL"; PROVIDING FEES, EXPENSES, AND TIME LIMITATIONS FOR EXAMINATIONS; ALLOCATING RESPONSIBILITY FOR PAYMENT OF FEES AND EXPENSES TO APPROPRIATE GOVERNMENT ENTITY; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 76-2-305, AS ENACTED BY CHAPTER 49, LAWS OF UTAH 1983; 77-14-3, AS LAST AMENDED BY CHAPTER 49, LAWS OF UTAH 1983; 77-14-4, AS LAST AMENDED BY CHAPTER 49, LAWS OF UTAH 1983; 77-15-9, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-35-21.5, AS ENACTED BY CHAPTER 49, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

HILL AIR FORCE MUSEUM APPROPRIATION

S.B. No. 162 *Lowell S. Peterson*

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; APPROPRIATING $750,000 FROM THE GENERAL FUND TO THE STATE BUILDING BOARD FOR A MUSEUM AT HILL AIR FORCE BASE; PROVIDING FOR RELEASE OF THE FUNDS BY THE STATE BUILDING BOARD UPON HILL AIR FORCE BASE'S RECEIPT OF MATCHING FUNDS OR CONTRIBUTIONS; AND PROVIDING AN EFFECTIVE DATE, was read the first time and referred to Rules Committee.

UTAH EMERGENCY MEDICAL SERVICES SYSTEM ACT AMENDMENT

S.B. No. 163 *Eldon A. Money, K.S. Cornaby Karl G. Swan, Omar B. Bunnell, Jack M. Bangerter, Cary G. Peterson, Darrell G. Renstrom, Haven J. Barlow*

AN ACT RELATING TO THE EMERGENCY MEDICAL SERVICES ACT; INCREASING MEMBERSHIP ON EMERGENCY MEDICAL SERVICES COMMITTEE FROM 11 TO 13 MEMBERS; INCREASING NOTICE OF HEARING FOR NEW LICENSES FROM FIVE DAYS TO 40 DAYS; AMENDING DEFINITION OF "BASIC LIFE SUPPORT PERSONNEL" TO INCLUDE EMERGENCY MEDICAL DISPATCHERS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 26-8-2, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-8-3, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-8-7, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-8-11, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

INCENTIVES FOR EXCELLENCE IN PUBLIC SCHOOL DISTRICTS

S.B. No. 164 *Lowell S. Peterson Dona M. Wayment, LeRay L. McAllister*

AN ACT RELATING TO THE PUBLIC SCHOOLS; ALLOCATING $1,000,000 FROM THE UNIFORM SCHOOL FUND TO THE STATE BOARD OF EDUCATION TO ENHANCE EDUCATIONAL EXCELLENCE AND PROMOTE A PARTNERSHIP BETWEEN PUBLIC EDUCATION AND PRIVATE ENTERPRISE; PROVIDING GUIDELINES FOR ADMINISTRATION OF THE FUNDS TO THE STATE'S 40 SCHOOL DISTRICTS; REQUIRING MATCHING FUNDS FROM PRIVATE ENTERPRISE; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 53-52a-1, UTAH CODE ANNOTATED 1953; 53-52a-2, UTAH CODE ANNOTATED 1953; 53-52a-3, UTAH CODE ANNOTATED 1953; 53-52a-4, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

CRIMINAL PROCEDURE AMENDMENTS

S.B. No. 165 *Richard J. Carling*

AN ACT RELATING TO CRIMINAL PROCEDURE; AMENDING THE CRIMINAL PROCEDURE FOR FILING INFORMATIONS, FOR DIVERSION ARREST, AND FOR RESTITUTION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 77-2-1, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-7-5, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980

ENACTS: 77-2-10, UTAH CODE ANNOTATED 1953; 77-2-11, UTAH CODE ANNOTATED 1953; 77-2-12, UTAH CODE ANNOTATED 1953; 77-2-13, UTAH CODE ANNOTATED 1953

REPEALS AND REENACTS: 77-7-2, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

CITY ATTORNEY — STATE LAW MISDEMEANOR PROSECUTIONS

S.B. No. 166 *Richard J. Carling*

AN ACT RELATING TO CRIMINAL PROSECUTIONS; ALLOWING CITY ATTORNEYS TO PROSECUTE IN THE NAME OF THE CITY MISDEMEANORS UNDER THE STATE CODE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 10-3-928, AS ENACTED BY CHAPTER 48, LAWS OF UTAH 1977; 17-18-1, AS LAST AMENDED BY CHAPTER 64, LAWS OF UTAH 1979; 78-4-11, AS LAST AMENDED BY CHAPTER 76, LAWS OF UTAH 1983; 78-4-19, AS LAST AMENDED BY CHAPTER 76, LAWS OF UTAH 1983; 78-4-22, AS LAST AMENDED BY CHAPTER 76, LAWS OF UTAH 1983; 78-5-39, AS LAST AMENDED BY CHAPTER 333, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

ASSAULT OFFENSES AMENDMENTS

S.B. No. 167 *Richard J. Carling*

AN ACT RELATING TO CRIMINAL LAW; AMENDING CERTAIN PROVISIONS CONCERNING ASSAULT.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 76-5-102, AS ENACTED BY CHAPTER 32, LAWS OF UTAH 1974; 76-5-102.4, AS ENACTED BY CHAPTER 32, LAWS OF UTAH 1974; 76-5-103, AS LAST AMENDED BY CHAPTER 32, LAWS OF UTAH 1974, was read the first time and referred to Rules Committee.

TEACHER CERTIFICATION BACKGROUND CHECK

S.B. No. 168 *Richard J. Carling*

AN ACT RELATING TO PUBLIC EDUCATION; PERMITTING THE STATE BOARD OF EDUCATION TO REQUIRE CRIMINAL BACKGROUND CHECKS ON INDIVIDUALS APPLYING FOR CERTIFICATION BY THE BOARD.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

REPEALS AND REENACTS: 53-2-18, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

NONRESIDENT PARTIAL TUITION SCHOLARSHIPS

S.B. No. 169 *Lyle W. Hillyard*

AN ACT RELATING TO PUBLIC EDUCATION; ALLOWING THE STATE BOARD OF REGENTS TO GRANT A SCHOLARSHIP FOR PARTIAL WAIVER OF THE NONRESIDENT PORTION OF TUITION ACCORDING TO ESTABLISHED CRITERIA.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 53-34-2.4, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

On motion of Senator Overson, the Senate voted to circle **S.B. No. 1**

• • •

S.B. No. 3, SUNSET REVIEW — DENTISTS AND DENTAL HYGIENIST ACT, was read the third time, and passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Renstrom
Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	McAllister	Peterson, L.	Swan
Black	McMullin	Pugh	Pres. Christensen
Carling			

Voting in the negative was: Senator
Matheson

Absent or not voting were: Senators

Bunnell	Money	Sandberg	Williams
Finlinson	Rogers	Wayment	

S.B. No. 3, as amended, was transmitted to the House.

• • •

S.B. No. 38, CHILD ABUSE, CRIMINAL HOMICIDE, 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	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	Matheson	Peterson, L.	Swan
Bunnell	McAllister	Pugh	Wayment
Carling	McMullin	Renstrom	Pres. Christensen
Cornaby	Overson		

Absent or not voting were: Senators

Bangerter	Finlinson	Rogers	Williams
Black	Money	Sandberg	

S.B. No. 38 was transmitted to the House.

• • •

On motion of Senator Cary G. Peterson, **S.B. No. 39** were circled.

• • •

On motion of Senator Overson, the circle was removed from **S.B. No. 1**, SUNSET REVIEW - HEALTH FACILITY ADMINISTRATORS and the bill was before the Senate. Senator Overson's motion to amend, was before the Senate.

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

Page 4, Line 23:
Delete ";" and insert "; and".

Page 4, Line 23:
After line 23, insert "(e) establish continuing education requirements for licensure renewal as determined by the Board. Continuing education programs which meet to continuing competency requirement shall receive the approval of the board. Board members may not receive compensation for their involvement in continuing education programs."

On motion of Senator C.E. Peterson, **S.B. No. 1**, was amended as follows:

Page 5, Line 1 through 8
Delete the following entirely and renumber: "(2) After July 1, 1985, all new applicants are required to have, in addition to Subsection (1), a bachelor's degree from an approved program in health care administration, nursing, business, personnel management or other related field, or the equivalent of these types of bachelor's degrees as established by rule and as approved by the division. An administrator holding a license before July 1, 1985, is not required to have this additional education for renewal of his license."

Senators, Carling, Cornaby, McAllister, Barlow and Swan commented.

Senator Black's motion to delete the amendments put in the bill yesterday by Senator Asay failed on a standing vote.

S.B. No. 1, as amended, failed on the following roll call.

Yeas, 14; Nays, 11; Absent, 4

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, C.	Sowards
Bangerter	McAllister	Peterson, Chuck	Wayment

Barlow	McMullin	Sandberg	Pres. Christensen
Hillyard	Overson		

Voting in the negative were: Senators

Black	Finlinson	Peterson, L.	Stratford
Carling (exp.)	Matheson (exp.)	Pugh	Swan
Cornaby	Money	Renstrom	

Absent or not voting were: Senators

Barton	Bunnell	Rogers	Williams

S.B. No. 1, is reconsidered.

• • •

S.B. No. 40, EXECUTIVE RESIDENCE COMMISSION, 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	Finlinson	Money	Renstrom
Barlow	HillyardHolmgren	Overson	Sandberg
Black	Matheson	Peterson, C.	Sowards
Bunnell	McAllister	Peterson, Chuck	Stratford
Carling	McMullin	Peterson, L.	Wayment
Cornaby		Pugh	Pres. Christensen

Absent or not voting were: Senators

Asay	Rogers	Swan	Williams
Barton			

S.B. No. 40, as amended, was transmitted to the House.

• • •

S.B. No. 31, TITLE 53 REPEALERS, 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	Finlinson	Overson	Sandberg
Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Black	Matheson	Peterson, L.	Wayment
Bunnell	McAllister	Pugh	Pres. Christensen
Cornaby	McMullin	Renstrom	

Absent or not voting were: Senators

Barton	Money	Swan	Williams
Carling	Rogers		

S.B. No. 31, was transmitted to the House.

• • •

S.B. No. 4, SUNSET REVIEW - PHYSICAL THERAPY PRACTICE ACT, was read the third time, and passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	McMullin	Renstrom
Bangerter	Cornaby	Overson	Sandberg
Barlow	Finlinson	Peterson, C.	Sowards
Barton	Hillyard	Peterson, Chuck	Stratford
Black	Holmgren	Peterson, L.	Wayment
Bunnell	McAllister	Pugh	Pres. Christensen

Voting in the negative was: Senator
Matheson

Absent or not voting were: Senators

Money	Rogers	Swan	Williams

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

• • •

On motion of Senator Cary G. Peterson, the Senate resolved into a Committee of the Whole. Appearing before the Committee was Muriel Hillis, representing the Right to Life organization.

On motion of Senator Cary G. Peterson, the Committee was disolved.

• • •

S.B. No. 8, NURSE PRACTICE ACT - SUNSET RE-AUTORIZATION, 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	Finlinson	Overson	Sandberg
Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Black	Matheson	Peterson, L.	Wayment
Carling	McAllister	Pugh	Pres. Christensen
Cornaby	McMullin	Renstrom	

Absent or not voting were: Senators

Barton	Money	Swan	Williams
Bunnell	Rogers		

S.B. No. 8, was transmitted to the House.

• • •

S.B. No. 12, PAWNBROKER REDEMPTION CHARGE REPEAL, was read the third time, and passed on the following roll call:

Yeas, 18; Nays, 7; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	Holmgren	Pugh
Bangerter	Carling	Matheson	Renstrom
Barlow	Cornaby	Money	Sowards
Barton	Finlinson	Peterson, L.	Wayment
Black	Hillyard		

Voting in the negative were: Senators

McAllister	Peterson, C.	Sandberg	Pres. Christensen
McMullin	Peterson, Chuck	Stratford	

Absent or not voting were: Senators

Overson	Rogers	Swan	Williams

S.B. No. 12 was transmitted to the House.

• • •

S.B. No. 15, CONTRACTOR'S BOND LAW AMENDMENT, 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	Finlinson	Money	Renstrom
Bangerter	Hillyard	Overson	Sandberg
Barlow	Holmgren	Peterson, C.	Sowards
Bunnell	Matheson	Peterson, Chuck	Wayment
Carling	McAllister	Peterson, L.	Pres. Christensen
Cornaby	McMullin	Pugh	

Absent or not voting were: Senators

Barton	Rogers	Swan	Williams
Black	Stratford		

S.B. No. 15, was transmitted to the House.

• • •

S.B. No. 32, TITLE 52 - REVISION - VOCATIONAL EDUCATION, was read the third time, and passed, as amended, on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Hillyard	Overson	Sandberg
Bangerter	Holmgren	Peterson, C.	Sowards
Barlow	Matheson	Peterson, Chuck	Stratford
Bunnell	McAllister	Peterson, L.	Swan
Carling	McMullin	Pugh	Wayment
Cornaby	Money	Renstrom	Pres. Christensen
Finlinson			

Absent or not voting were: Senators

Barton	Black	Rogers	Williams

S.B. No. 32, as amended, was transmitted to the House.

• • •

On motion of Senator Overson, the Circle was removed from **S.B. No. 39,** CHILD ABUSE CRIMINAL PENALTIES, and the bill was read the third time.

On motion of Senator Overson, **S.B. No. 39,** was amended as follows:

Goldenrod: Page 2, Lines 13 through 14a to read as follows:
"(b) if done recklessly, the offense is a class B misdemeanor:"

Goldenrod: Page 2, Lines 15 through 16a to read as follows:
"(c) if done with criminal negligence, the offense is a class C misdemeanor."

The bill passed, as amended, on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Renstrom
Bangerter	Hillyard	Overson	Sandberg
Barlow	Holmgren	Peterson, C.	Sowards
Black	Matheson	Peterson, Chuck	Swan
Bunnell	McAllister	Peterson, L.	Wayment
Carling	McMullin	Pugh	Pres. Christensen

Voting in the negative was: Senator
Stratford

Absent or not voting were: Senators

Barton	Finlinson	Rogers	Williams

S.B. No. 39, as amended, was transmitted to the House.

• • •

SECOND READING CALENDAR

On motion of Senator McMullin, **S.B. No. 6,** NURSE PRACTITIONER'S PRESCRIPTIVE PRACTICE ACT—SUNSET REAUTHORIZATION, was read the second time and circled.

• • •

S.B. No. 33, TITLE 53 REVISION - SCHOOL BUILDINGS AND CONSTRUCTION, was read the second time.

Mr. President January 16, 1985

The Education Standing Committee, to which was referred **S.B. No. 33,** TITLE 53 REVISION - SCHOOL BUILDINGS AND CONSTRUCTION, by Senator Lyle W. Hillyard, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Lines 9 and 10:
Delete "No levy is allowable under this section after June 30, 1987."

Page 7, Lines 29 and 30:
After "have" delete "experienced a reduction in assessed valuation and"

William T. Barton, Committee Chairman

Committee report, with amendments, was read and adopted.

• • •

The Senate sauntered at 11:15 a.m., and reassembled at 11:35 a.m.

• • •

On motion of Senator McMullin, the Senate voted to lift **S.B. No. 76,** FUNDING OF MUNICIPAL SERVICES, from State and Local Affairs Standing Committee, and return it to Rules Committee.

• • •

S.B. No. 33, TITLE 53, REVISION — SCHOOL BUILDINGS AND CONSTRUCTION, was again before the Senate, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Hillyard	Money	Sowards
Bangerter	Holmgren	Overson	Stratford
Barlow	Matheson	Peterson, Chuck	Swan
Barton	McAllister	Peterson, L.	Wayment

Bunnell	McMullin	Pugh	Pres. Christensen
Cornaby			

Absent or not voting were: Senators

Black	Finlinson	Renstrom	Sandberg
Carling	Peterson, C.	Rogers	Williams

• • •

On motion of Senator Hillyard, the Senate voted to lift **S.B. No. 34**, TITLE 58 REVISION - PROFESSIONAL PRACTICES, to the top of the calendar and the bill was read the second time.

Mr. President: January 21, 1985

The Education Committee, to which was referred **S.B. No. 34**, TITLE 58 REVISION - PROFESSIONAL PRACTICES, by Senator Lyle W. Hillyard, has carefully considered the bill and reports it out of committee favorably and with the following amendment:

Page 11, Line 29:
Delete "issue subpoenas" and insert "request the presentation of documents"

William T. Barton, Committee Chairman

Committee report, with amendment, was read and adopted. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Hillyard	Overson	Sandberg
Bangerter	Holmgren	Peterson, C.	Sowards
Barlow	Matheson	Peterson, Chuck	Stratford
Barton	McAllister	Peterson, L.	Swan
Black	McMullin	Pugh	Wayment
Bunnell	Money	Renstrom	Pres. Christensen
Cornaby			

Absent or not voting were: Senators

Carling	Finlinson	Rogers	Williams

• • •

S.B. No. 69, DRIVER EDUCATION AMENDMENTS, was read the second time.

Mr. President January 16, 1985

The Education Standing Committee, to which was referred **S.B. No. 69,** DRIVER EDUCATION AMENDMENTS, by Senator Fred W. Finlinson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

William T. Barton, Committee Chairman

Committee report read and adopted. On motion of Senator McMullin, the bill was circled.

• • •

S.B. No. 20, WATER RESOURCES AMENDMENTS, was read the second time.

Mr. President January 17, 1985

The Energy, Natural Resources and Agriculture Committee, to which was referred **S.B. No. 20,** WATER RESOURCES AMENDMENTS, by Senator Dale E. Stratford, has carefully considered the bill and reports it out of committee favorably and with the following amendment:

Page 4, Line 26:
After "chapter" delete "are" and re-insert "may be"

Fred W. Finlinson, Committee Chairman

Committee report, with amendment, was read and adopted. The bill passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4
Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Sandberg
Bangerter	Holmgren	Peterson, C.	Sowards
Barlow	Matheson	Peterson, Chuck	Stratford
Barton	McAllister	Peterson, L.	Swan
Black	McMullin	Pugh	Wayment
Bunnell	Money	Renstrom	Pres. Christensen

Voting in the negative was: Senator
Hillyard

Absent or not voting were: Senators

Carling	Finlinson	Rogers	Williams

• • •

S.B. No. 28, UTAH NOXIOUS WEED ACT AMENDMENT, was read the second time.

Mr. President January 17, 1985

The Energy, Natural Resources and Agriculture Committee, to which was referred **S.B. No. 28,** UTAH NOXIOUS WEED ACT AMENDMENT, by Senator Eldon A. Money, has carefully considered the bill and reports it out committee favorably and with the following amendments:

Page 3, Line 12:
After "board." insert "At least two members of the County Weed Control Board shall be farmers or ranchers residing in the county."

Fred W. Finlinson, Committee Chairman

Committee report, with amendments, was read and adopted.

On motion of Senator Money, **S.B. No. 28,** was amended as follows:

Page 3, Line 12:
Delete the committee amendment and after the word "board", insert the following sentence: "Two members of the board shall be farmers or ranchers whose primary source of income is derived from production agriculture."

S.B. No. 28, passed, as amended, on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Hillyard	Overson	Sandberg
Bangerter	Holmgren	Peterson, C.	Sowards
Barlow	Matheson	Peterson, Chuck	Stratford
Black	McAllister	Peterson, L.	Wayment
Bunnell	McMullin	Pugh	Pres. Christensen
Cornaby	Money	Rogers	

Absent or not voting were: Senators

Barton	Finlinson	Swan	Williams
Carling	Rogers		

RULES COMMITTEE REPORT

Mr. President January 22, 1985

The Senate Rules Committee, to which were referred the following House Bills:

H.B. No. 85	MEDICAL EXAMINERS AMENDMENTS (Health)
H.B. No. 2	CREDIT REPORTING AGENCIES (Business, Labor and Economic Development)
H.B. No. 5	GARNISHMENT LIEN LAW (Business, Labor and Economic Development)

reports the same back and asks that they be each assigned to a committee, and

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 112	CERTIFICATE OF MERIT IN MEDICAL MALPRACTICE ACTIONS (Health)
S.B. No. 113	LIMITATION OF ATTORNEY FEES IN MEDICAL MALPRACTICE ACTIONS (Health)
S.B. No. 103	PERSONAL CHOICE AND LIVING WILL ACT (Judiciary)

reports the same back and asks that they be printed and each assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee reports read and adopted. President Christensen assigned the bills to the committees indicated.

• • •

Senator Matheson, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action on **S.B. No. 1**, SUNSET REVIEW-HEALTH FACILITY ADMINISTRATION, on the next legislative day.

• • •

H.J.R. No. 10, JOINT RULE RESOLUTION, was placed on the Third Reading Table.

• • •

S.B. No. 6, NURSE PRACTITIONERS PRESCRIPTIVE PRACTICE ACT - SUNSET REAUTHORIZATION, and **S.B. No. 69,** DRIVER EDUCATION AMENDMENTS, being circled as the Senate adjourned, were placed on Second Reading Table.

• • •

On motion of Senator Cary G. Peterson, and at 12:00 noon, the Senate adjourned until 10:00 a.m., Wednesday, January 23, 1985.

TENTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Arnold Christensen presiding.

Roll Call — All Senators present.

Prayer — Father John Headerman, acting chancellor of the Catholic Diocese, Salt Lake City, Utah

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

DAILY SENATE JOURNAL

Mr. President: January 23, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the Ninth day and find it correct with minor amendments noted on the final copy.

William T. Barton, Committee member

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 22, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 29**, LIMITATION ON ENFORCEMENT OF DUE-ON-SALE CLAUSES, by Representative Moody, 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. 87**, WATER CONDITIONER INSTALLERS, by Representative Anderson, 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. 49**, VETERAN'S PREFERRED EMPLOYMENT, by Representative Christensen, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 73**, PROBATE-GUARDIAN APPOINTMENT

AMENDMENTS, 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, as amended, **H.B. No. 90,** INCOME WITHHOLDING AMENDMENTS, by Representative Frandsen, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 91,** STATE INCOME TAX INTERCEPT FOR DELINQUENT CHILD SUPPORT, by Representative Frandsen, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 92,** CREDIT REPORTING OF SUPPORT DELINQUENCY, by Representative Frandsen, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.B. Nos. 29, 37, 49, 73, 90, 91, and **92** were read the first time and referred to Rules Committee.

STANDING COMMITTEE REPORT

Mr. President: January 22, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 45,** CONSTABLE RESIDENCY REQUIREMENT, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee favorably with the following amendments and asks that it be placed on the Consent Calendar:

Page 2, lines 4, 5, and 6:
Delete "Any" and insert "If a", after "constable" delete "who" and after Subsection (2)" delete "shall resign from his office. The office" and insert "his office shall be declared vacant by the appropriate county commission and"

Page 2, lines 28, 29, and 30:
Delete "(2) Any deputy appointed by a constable under Subsection (1) shall reside in the county or precinct he serves, during his appointment."

Page 2, line 10:
After "17-16-7" delete "(1)"

Page 1, lines 10 and 11:
After "CONSTABLES" delete "AND THEIR DEPUTIES"

E. Verl Asay, Committee Chairman

Committee report, with amendments, was read and adopted. **S.B. No. 45** was read the second time, and placed on Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been filed with the Secretary of the Senate on **S.B. Nos. 44, 52, 60 and 61,** and the bills were placed on Second Reading Calendar.

INTRODUCTION OF BILLS

LIMITATIONS ON INSURANCE FOR ABORTIONS

S.B. No. 170 *Brent C. Overson*

AN ACT RELATING TO INSURANCE; PROVIDING LIMITATION OF COVERAGE FOR ELECTIVE ABORTIONS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 31-19-38, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

INSECT INFESTATION EMERGENCY CONTROL ACT

S.B. No. 171 *Eldon A. Money*

AN ACT RELATING TO AGRICULTURE; ESTABLISHING THE INSECT INFESTATION EMERGENCY CONTROL ACT; AUTHORIZING COMMISSIONER OF AGRICULTURE TO DECLARE AN INSECT INFESTATION EMERGENCY AND TAKE APPROPRIATE ACTION; CREATING AN AD HOC DECISION AND ACTION COMMITTEE WITHIN THE DEPARTMENT; CREATING A RESTRICTED ACCOUNT KNOWN AS THE INSECT INFESTATION EMERGENCY CONTROL ACCOUNT ADMINISTERED BY THE DEPARTMENT; APPROPRIATING $2,424,391 FROM THE GENERAL FUND; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: CHAPTER 35, TITLE 4, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

UTAH TRAVEL COUNCIL BOARD

S.B. No. 172 *Fred W. Finlinson*

AN ACT RELATING TO TRAVEL DEVELOPMENT; PROVIDING FOR AN INCREASE IN THE NUMBER OF MEMBERS OF THE BOARD OF TRAVEL DEVELOPMENT TO INCLUDE REPRESENTATIVES OF THE SKI INDUSTRY.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 63-16-2, AS LAST AMENDED BY CHAPTER 320, LAWS OF UTAH 1983.

was read the first time and referred to Rules Committee.

BEEF PROMOTION FEES

S.B. No. 173 *Lowell S. Peterson*

AN ACT RELATING TO THE AGRICULTURAL CODE; AUTHORIZING THE DEPARTMENT OF AGRICULTURE TO ASSESS FEE FOR BEEF PROMOTION; PROVIDING THAT EXACT AMOUNT OF FEE, NOT LESS THAN 25 CENTS AND NOT TO EXCEED $1, SHALL BE ASSESSED UPON MAJORITY VOTE OF BEEF PRODUCERS; PROVIDING FOR DISTRIBUTION ON MONTHLY BASIS OF REVENUES COLLECTED; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 4-21-3, AS ENACTED BY CHAPTER 11, LAWS OF UTAH 1981; 4-21-4, AS LAST AMENDED BY CHAPTER 2, LAWS OF UTAH 1979; 4-21-5, AS LAST AMENDED BY CHAPTER 2, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

PUBLIC SAFETY RETIREMENT SERVICE CREDIT

S.B. No. 174 *Richard J. Carling, Fred W. Finlinson*

AN ACT RELATING TO PENSIONS; PROVIDING FOR PAYMENT, AT THE EMPLOYEE'S OPTION, OF REQUIRED CONTRIBUTIONS BY PARTICIPATING EMPLOYERS FOR MEMBERS OF THE PUBLIC SAFETY RETIREMENT SYSTEM WHO HAVE SERVICE CREDIT IN THE UTAH STATE RETIREMENT SYSTEM; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 49-11-20, AS ENACTED BY CHAPTER 127, LAWS OF UTAH 1969, was read the first time and referred to Rules Committee.

NORTHERN MICROWAVE SYSTEM APPROPRIATION

S.B. No. 175 *Lyle W. Hillyard*

AN ACT RELATING TO TELECOMMUNICATIONS; APPROPRIATING $1,166,300 TO COMPLETE THE STATE NARROWBAND MICROWAVE SYSTEM INTO THE CACHE VALLEY AND RESTORE THE BROADBAND MICROWAVE SYSTEM TO OGDEN AND LOGAN; AND PROVIDING AN EFFECTIVE DATE, was read the first time and referred to Rules Committee.

EMINENT DOMAIN POWERS OF POLITICAL SUBDIVISIONS

S.B. No. 176 *Warren E. Pugh*

AN ACT RELATING TO CONDEMNATION LAWS; PROVIDING THAT COUNTIES, CITIES, TOWNS, AND OTHER POLITICAL SUBDIVISIONS OF THE STATE MAY NOT TAKE BY EMINENT DOMAIN ANY PROPERTY OWNED BY ELECTRIC UTILITIES WHICH ARE SUBJECT TO THE JURISDICTION OF THE PUBLIC SERVICE COMMISSION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 73-9-13, AS LAST AMENDED BY CHAPTER 20, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 78-34-3, UTAH CODE ANNOTATED 1953

ENACTS: 10-8-14.5, UTAH CODE ANNOTATED 1953; 10-13-14.6, UTAH CODE ANNOTATED 1953; 11-13-5.7, UTAH CODE ANNOTATED 1953; 17-4-3.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

TAX INFORMATION DISCLOSURE

S.B. No. 177 *Ivan M. Matheson*

AN ACT RELATING TO REVENUE AND TAXATION; PROHIBITING THE STATE TAX COMMISSION FROM DISCLOSING ANY TAX INFORMATION RECEIVED FROM ANY PERSON TO OTHER STATE AGENCIES.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 59-5-46, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

On motion of Senator McMullin, **H.J.R. No. 10,** JOINT RULES RESOLUTION, was lifted from Third Reading Table, placed at the top of the calendar and read the third time.

Senator Black moved the following amendment:

Page 3, Number 4:
following the word "the" delete [~~majority leadership of the Senate~~ Four ~~and the House (four members), and the minority leadership of the Senate (two members) and the House (three)~~]

and insert the following language:

"following: the majority leadership of the Senate (3), the majority leadership of the House (4), the minority leadership of the Senate (2), the minority leadership of the House (3), the chairman of the Senate Appropriations Committee (1), the chairman of the House Appropriation Committee (1), an additional one member from the minority party of the House to be appointed by the minority leader of the House (1), an additional one member of the Senate from the majority party to be appointed by the President of the Senate (1), and two additional members of the Senate from the minority party to be appointed by the minority leader (2).
In all decisions of the Appropriations Executive Committee a majority vote prevails. When a division is requested, that vote must include at least fifty percent of the members of one house and more than fifty percent of the members of the other (each) house in attendance."

On motion of Senator Pugh, the resolution was circled.

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On motion of Senator Hillyard, **S.B. Nos 33** and **34** were circled.

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S.B. No. 20, WATER RESOURCES AMENDMENTS, was read the third time, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Matheson	Peterson, C.	Sandberg
Barton	McAllister	Peterson, Chuck	Sowards
Black	McMullin	Peterson, L.	Stratford
Bunnell	Money	Pugh	Wayment
Cornaby	Overson	Rogers	Pres. Christensen
Holmgren			

Absent or not voting were: Senators

Asay	Carling	Hillyard	Swan
Barlow	Finlinson	Renstrom	Williams

S.B. No. 20, as amended, was transmitted to the House.

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S.B. No. 28, UTAH NO.'IOUS WEED ACT AMENDMENT, 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	Hillyard	Overson	Sandberg
Bangerter	Holmgren	Peterson, C.	Sowards
Barton	Matheson	Peterson, Chuck	Stratford
Black	McAllister	Peterson, L.	Wayment
Bunnell	McMullin	Pugh	Williams
Cornaby	Money	Rogers	Pres. Christensen
Finlinson			

Absent or not voting were: Senators

Barlow	Carling	Renstrom	Swan

S.B. No. 28, as amended, was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator Cary G. Peterson, the Senate voted to lift **S.B. No. 69,** DRIVER EDUCATION AMENDMENTS, from Second Reading Table, and place it at the top of the calendar.

On motion of Senator Finlinson, **S.B. No. 69,** was amended as follows:

Page 2, Line 1:
Change "ten" to "10" and after "12" delete the period, insert a comma and insert "or who have attained their 16th birthday."

S.B. No. 69, passed, as amended on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Sandberg
Bangerter	Finlinson	Overson	Sowards
Barlow	Hillyard	Peterson, C.	Stratford
Barton	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Peterson, L.	Wayment
Bunnell	McAllister	Pugh	Pres. Christensen
Carling	McMullin	Rogers	

Absent or not voting were: Senators

Renstrom	Williams

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S.B. No. 21, JUDICIAL CONDUCT COMMISSION AMENDMENTS, was read the second time.

Mr. President January 17, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 21,** JUDICIAL CONDUCT COMMISSION AMENDMENTS, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 33:
After "disability" insert ", including habitual use of alcohol,"

E. Verl Asay, Committee Chairman

Committee report, with amendment was read and adopted. Senator Cornaby moved to delete the committee amendment. Senators Hillyard and Asay commented. The motion failed. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Finlinson	Overson	Sandberg
Bangerter	Hillyard	Peterson, C.	Sowards
Barton	Holmgren	Peterson, Chuck	Stratford
Black	Matheson	Peterson, L.	Swan
Bunnell	McAllister	Pugh	Wayment
Carling	McMullin	Rogers	Pres. Christensen
Cornaby	Money		

Absent or not voting were: Senators

Barlow	Renstrom	Williams

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S.B. No. 35, TITLE IN TRUSTS AND JOINT VENTURES, was read the second time.

Mr. President: January 17, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 35,** TITLE IN TRUSTS AND JOINT VENTURES, by Senator Lyle W. Hillyard, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted. Senators Christensen, Black, Matheson, Swan, Pugh and McAllister commented. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Hillyard	Overson	Sandberg
Barlow	Holmgren	Peterson, C.	Sowards
Barton	Matheson	Peterson, Chuck	Stratford
Black	McAllister	Peterson, L.	Swan
Carling	McMullin	Pugh	Wayment
Finlinson	Money	Rogers	Pres. Christensen

Absent or not voting were: Senators

Bangerter	Cornaby	Renstrom	Williams
Bunnell			

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The Senate sauntered at 11:20 a.m., and reassembled at 11:45 a.m.

RULES COMMITTEE REPORT

Mr. President: January 23, 1985

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 104	PEACE OFFICER DESIGNATION (Transportation and Public Safety)
S.B. No. 111	CONCURRENT JURISDICTION OF DEFENSE DEPOT - OGDEN (Transportation and Public Safety)
S.B. No. 120	CHILD ABUSE AND REPORTING ACT AMENDMENT (Social Services)
S.B. No. 122	UTAH CABOOSE LAW (Transportation and Public Safety)
S.B. No. 124	MANDATORY SEWER HOOKUP (State and Local Affairs)
S.B. No. 126	RACKETEERING ENTERPRISES AMENDMENTS (Judiciary)
S.B. No. 128	LIVESTOCK HIGHWAY DEATH REPORTING (Transportation and Public Safety)
S.B. No. 132	TRANSFER OF FOREIGN NATIONALS CONVICTED OF A CRIME (Judiciary)

reports the same back and asks that they be printed and each assigned to a committee, and

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 29	NEW AUTOMOBILE WARRANTIES (Business, Labor and Economic Development)
S.B. No. 74	OPTOMETRY AMENDMENTS (Business, Labor and Economic Development)
S.B. No. 93	PHYSICIAN ASSISTANT AMENDMENTS (Business, Labor and Economic Development)
S.B. No. 97	WATER DEVELOPMENT AND FLOOD MITIGATION G.O. BONDS (Energy, Natural Resources and Agriculture)

reports the same back and asks that they be printed and each assigned to a committee.

Glade M. Sowards, Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bills to the committees indicated.

THIRD READING CALENDAR

On motion of Senator Hillyard, and under suspension of the rules, the circles were removed from **S.B. Nos. 33** and **34.**

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S.B. No. 33, TITLE 53 - REVISION SCHOOL BUILDINGS, 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	Hillyard	Peterson, C.	Sandberg
Barlow	Holmgren	Peterson, Chuck	Sowards
Barton	Matheson	Peterson, L.	Stratford
Black	McAllister	Pugh	Swan
Carling	McMullin	Renstrom	Williams
Cornaby	Money	Rogers	Pres. Christensen
Finlinson	Overson		

Absent or not voting were: Senators

Asay	Bunnell	Wayment

S.B. No. 33, as amended, was transmitted to the House.

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S.B. No. 34, TITLE 53 - REVISION PROFESSIONAL PRACTICES, 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	Finlinson	Overson	Rogers
Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	Matheson	Peterson, L.	Swan
Black	McAllister	Pugh	Williams
Carling	Money	Renstrom	Pres. Christensen
Cornaby			

Absent or not voting were: Senators

Bunnell	McMullin	Sandberg	Wayment

S.B. No. 34, as amended, was transmitted to the House.

SECOND READING CALENDAR

S.B. No. 49, JURY FEE AMENDMENT, was read the second time.

Mr. President: January 17, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 49,** JURY FEE AMENDMENT, by Senator Lyle W. Hillyard, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Cornaby	McMullin	Rogers
Bangerter	Finlinson	Money	Sandberg
Barlow	Hillyard	Overson	Sowards
Barton	Holmgren	Peterson, Chuck	Stratford
Black	Matheson	Peterson, L.	Swan
Carling	McAllister	Pugh	Pres. Christensen

Absent or not voting were: Senators

Bunnell	Renstrom	Wayment	Williams
Peterson, C.			

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S.B. No. 22, SHERIFF CANDIDATE CERTIFICATION, was read the second time.

Mr. President: January 17, 1985

The Transportation and Public Safety Standing Committee, to which was referred **S.B. No. 22,** SHERIFF CANDIDATE CERTIFICATION, by Senator Lyle W. Hillyard, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Jack M. Bangerter, Committee Chairman

Committee report read and adopted. Senators Matheson, Stratford and Black, commented.

On motion of Senator Renstrom **S.B. No. 22,** was amended as follows:

Page 1, Line 20
After "sheriff" insert "in a county with a population over 30,000"

Senators Bunnell and Holmgrem commented. The bill failed on the following roll call:

Yeas, 10; Nays, 15; Absent, 4

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Renstrom
Black	Hillyard	Pugh	Rogers
Carling	Holmgren		

Voting in the negative were: Senators

Bangerter (exp.)	Finlinson	Peterson, C.	Swan
Barlow	Matheson	Peterson, Chuck	Wayment
Barton	McMullin	Sandberg	Pres. Christensen
Bunnell	Money	Stratford	

Absent or not voting were: Senators

McAllister	Peterson, L.	Sowards	Williams

Senator C.E. Peterson, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action on **S.B. No. 22,** on the next legislative day.

STANDING COMMITTEE REPORT

Mr. President: January 22, 1985

The State and Local Affairs Standing Committee, to which was referred **S.B. No. 57,** FIRE CHIEF RETIREMENT EXEMPTION, by Senator Haven J. Barlow, has carefully considered the bill and reports it out of committee favorably with the following amendments and asks that it be placed on the Consent Calendar:

Line 29:
After the word "system" insert "and does not receive payment from the State Retirement Office,", and

The State and Local Affairs Committee, to which was referred **S.B. No. 46,** PUBLIC SAFETY RETIREMENT CREDIT PURCHASE, by Senator Karl G. Swan, 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.

K.S. Cornaby, Committee Chairman

Committee reports read and adopted. **S.B. Nos. 57** and **46** were read the second time, and placed on Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been filed with the Secretary of the Senate on **S.B. Nos. 71, 70, 73, 37, 30, 42** and **58,** and the bills were placed on the Second Reading Calendar.

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Senator Matheson, having served notice yesterday that he might ask the Senate to reconsider its action on **S.B. No. 1,** SUNSET REVIEW - HEALTH FACILITIES ADMINISTRATION, on this day did not ask that it be reconsidered.

S.B. No. 1, was filed.

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H.J.R. No. 10, JOINT RULES RESOLUTION, being circled on Third Reading Calendar, as the Senate adjourned, was placed on Third Reading Table.

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On motion of Senator Cary G. Peterson, and at 12:15 p.m., the Senate adjourned until 10:00 a.m., Thursday, January 24, 1985.

ELEVENTH DAY
MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Arnold Christensen presiding.

Roll Call — All Senators present.

Prayer — Rev. Fr. Andrew H. Mahalares, Pastor Prophet Elias and Holy Trinity, Greek Orthodox Community of Salt Lake City, Utah

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

DAILY SENATE JOURNAL

Mr. President: January 24, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the Tenth day and find it correct with minor amendments noted on the final copy.

C.E. "Chuck" Peterson
Committee Chairman

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 23, 1985

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, **S.C.R. No. 2,** MARTIN LUTHER KING RESOLUTION, by Senator Williams, et al, and the same is transmitted herewith for further consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Williams, the Senate voted to refuse to concur in the House amendment and to ask the House to recede from its amendments. **S.C.R. No. 2** was returned to the House.

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Mr. President: January 23, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 64,** PROMPT CONSTRUCTION PAYMENTS, by Representative Tomlinson, 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. 56,** SIMPLIFIED MECHANICS LIEN NOTICE, by Representative Holt, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 70,** INDEPENDENT CONTRACTORS EXEMPTION, by Representative Garbett, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.B. Nos. 64, 56 and **70** were read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

PENALTY FOR WRONGFUL LIEN

S.B. No. 178 *Ivan M. Matheson*

AN ACT RELATING TO LIENS; PROVIDING A PENALTY FOR A WRONGFUL LIEN; AND OUTLINING A PROCEDURE FOR ITS REMOVAL.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 38-9-1, UTAH CODE ANNOTATED 1953; 38-9-2, UTAH CODE ANNOTATED 1953; 38-9-3, UTAH CODE ANNOTATED 1953; 38-9-4, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

INSURANCE FOR ADOPTED CHILDREN

S.B. No. 179 *K.S. Cornaby*

AN ACT RELATING TO INSURANCE; PROVIDING COVERAGE FOR ADOPTED CHILDREN FROM THE DATE OF PLACEMENT FOR ADOPTION UNDER ACCIDENT AND SICKNESS INSURANCE, SUBSCRIBER CONTRACT, OR HEALTH MAINTENANCE CONTRACT.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 31-19-38, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

MISSING CHILDREN REGISTRY AMENDMENTS

S.B. No. 180 *K.S. Cornaby*

AN ACT RELATING TO THE MISSING CHILDREN REGISTRY; ELIMINATING REQUIREMENTS THAT CHILD PLACEMENT AGENCIES FINGERPRINT OR FOOTPRINT CHILDREN AND SEARCH CENTRAL REGISTER FOR MISSING CHILDREN BEFORE PLACING CHILDREN; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

REPEALS: 77-26a-5, AS ENACTED BY CHAPTER 121, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

VOLUNTARY ADOPTION REGISTRY

S.B. No. 181 *K.S. Cornaby*

AN ACT RELATING TO ADOPTION; REQUIRING MAINTENANCE AND FILING OF "NONIDENTIFYING" ADOPTION INFORMATION; ESTABLISHING VOLUNTARY, MUTUAL ADOPTION REGISTRY FOR "IDENTIFYING" ADOPTION INFORMATION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 26-2-10, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 78-30-15, UTAH CODE ANNOTATED 1953

ENACTS: 78-30-16, UTAH CODE ANNOTATED 1953; 78-30-17, UTAH CODE ANNOTATED 1953; 78-30-18, UTAH CODE ANNOTATED 1953; 78-30-19, UTAH CODE ANNOTATED 1953; 78-30-20, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

CATV FACILITIES PROTECTION

S.B. No. 182 *Omar B. Bunnell*

AN ACT RELATING TO PUBLIC UTILITIES; PROVIDING FOR THE PROTECTION OF THE UNDERGROUND FACILITIES OF CATV COMPANIES; AND PROVIDING FOR THE PARTICIPATION OF CATV COMPANIES IN "BLUE STAKE" PROGRAMS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 54-8a-1, AS ENACTED BY CHAPTER 204, LAWS OF UTAH 1977; 54-8a-2, AS ENACTED BY CHAPTER 204, LAWS OF UTAH 1977; 54-8a-3, AS ENACTED BY CHAPTER 204, LAWS OF UTAH 1977; 54-8a-4, AS ENACTED BY CHAPTER 204, LAWS OF UTAH 1977; 54-8a-5, AS ENACTED BY CHAPTER 204, LAWS OF UTAH 1977; 54-8a-6, AS ENACTED BY CHAPTER 204, LAWS OF UTAH 1977; 54-8a-7, AS ENACTED BY CHAPTER 204, LAWS OF UTAH 1977; 54-8a-8, AS ENACTED BY CHAPTER 204, LAWS OF UTAH 1977; 54-8a-9, AS ENACTED BY CHAPTER 204, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

SERVICE RETIREMENT BENEFIT TO SPOUSE

S.B. No. 183 *Fred W. Finlinson*

AN ACT RELATING TO PENSIONS; PROVIDING FOR RETIREMENT BENEFITS TO THE SURVIVING SPOUSE OF A MEMBER WHO HAS 25 OR MORE YEARS OF SERVICE CREDIT; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 49-10-33, AS LAST AMENDED BY CHAPTER 222, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

STATE MONEY MANAGEMENT COUNCIL

S.B. No. 184 *Lowell S. Peterson*

AN ACT RELATING TO PUBLIC FUNDS AND ACCOUNTS; REQUIRING THE STATE MONEY MANAGEMENT COUNCIL TO INCLUDE AN ACTING COUNTY TREASURER.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 51-7-16, AS LAST AMENDED BY CHAPTER 67, LAWS OF UTAH 1984, was read the first time and referred to Rules Committee.

STATE BUILDING BOARD PREROGATIVES FOR HIGHER EDUCATION

S.B. No. 185 *Lowell S. Peterson*

AN ACT RELATING TO PUBLIC EDUCATION; REQUIRING THE STATE BUILDING BOARD TO OBTAIN CONCURRENCE FROM THE STATE BOARD OF REGENTS IN ALTERING PRIORITIES ESTABLISHED BY THE REGENTS REGARDING THE BUILDING BOARD'S COMPREHENSIVE TEN-YEAR BUILDING PLAN.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 63-1-35, AS LAST AMENDED BY CHAPTER 294, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

CAREER TEACHING SCHOLARSHIP AMENDMENTS

S.B. No. 186 *Lowell S. Peterson*

AN ACT RELATING TO PUBLIC EDUCATION; MODIFYING PAYBACK REQUIREMENTS ON UTAH TEACHING SCHOLARSHIPS TO REQUIRE PAYBACK FROM THOSE WHO HAVE NOT COMPLETED A TEACHER CERTIFICATION PROGRAM AND HAVE DROPPED OUT OF SCHOOL, FROM THOSE WHO HAVE CHANGED PROGRAMS, AND FROM THOSE WHO HAVE HAD THEIR SCHOLARSHIPS CANCELLED.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 53-39-1, AS ENACTED BY CHAPTER 48, LAWS OF UTAH 1984; 53-39-2, AS ENACTED BY CHAPTER 48, LAWS OF UTAH 1984, was read the first time and referred to Rules Committee.

PUBLIC PROCUREMENT OFFICER APPOINTMENT

S.B. No. 187 *Paul Rogers*

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; PROVIDING FOR THE APPOINTMENT OF THE CHIEF PROCUREMENT BOARD FOR AN INDEFINITE TERM.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 63-56-8, AS LAST AMENDED BY CHAPTER 259, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

JOB TRAINING COORDINATION ACT

S.B. No. 188 *Haven J. Barlow*

AN ACT RELATING TO PUBLIC WELFARE; ESTABLISHING THE MEMBERSHIP AND RESPONSIBILITIES OF THE JOB TRAINING COORDINATING COUNCIL; CREATING AN OFFICE OF JOB TRAINING FOR ECONOMIC DEVELOPMENT; PROVIDING FOR A DIRECTOR AND STAFF; AND OUTLINING THE RESPONSIBILITIES OF PRIVATE INDUSTRY COUNCILS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 55-17-6, UTAH CODE ANNOTATED 1953; 55-17-7, UTAH CODE ANNOTATED 1953; 55-17-8, UTAH CODE ANNOTATED 1953; 55-17-9, UTAH CODE ANNOTATED 1953; 55-17-10, UTAH CODE ANNOTATED 1953; 55-17-11, UTAH CODE ANNOTATED 1953; 55-17-12, UTAH CODE ANNOTATED 1953; 55-17-13, UTAH CODE ANNOTATED 1953

REPEALS: 55-17-1, AS ENACTED BY CHAPTER 202, LAWS OF UTAH 1969; 55-17-2, AS LAST AMENDED BY CHAPTER 142, LAWS OF UTAH 1979; 55-17-3, AS ENACTED BY CHAPTER 202, LAWS OF UTAH 1969; 55-17-5, AS LAST AMENDED BY CHAPTER 142, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

CHILD-CARE EMPLOYEE BACKGROUND INVESTIGATIONS

S.B. No. 189 *Brent C. Overson*

AN ACT RELATING TO CHILD CARE CENTERS AND ALL JUVENILE FACILITIES; PROVIDING FOR CRIMINAL HISTORY INVESTIGATION OF ALL EMPLOYEES OR VOLUNTEERS; AND REQUIRING TERMINATION OF EMPLOYMENT OF ANY EMPLOYEE OR VOLUNTEER WITH HISTORY OF CRIMINAL ACTS RELATING TO CHILDREN.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 55-9-1, AS LAST AMENDED BY CHAPTER 170, LAWS OF UTAH 1975; 55-9-2, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 55-9-3, AS LAST AMENDED BY CHAPTER 170, LAWS OF UTAH 1975; 55-9-4, AS LAST AMENDED BY CHAPTER 197, LAWS OF UTAH 1969; 55-11b-1, AS LAST AMENDED BY CHAPTER 289, LAWS OF UTAH 1983; 55-11b-5, AS LAST AMENDED BY CHAPTER 289, LAWS OF UTAH 1983; 55-11b-20, AS LAST AMENDED BY CHAPTER 247, LAWS OF UTAH 1981; 55-11b-21, AS LAST AMENDED BY CHAPTER 247, LAWS OF UTAH 1981; 77-27-21.5, AS LAST AMENDED BY CHAPTER 18, LAWS OF UTAH 1984

ENACTS: 55-9-1.5, UTAH CODE ANNOTATED 1953; 55-9-3.1, UTAH CODE ANNOTATED 1953; 55-9-3.2, UTAH CODE ANNOTATED 1953; 55-9-3.3, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

CRIMINAL THREATS AMENDMENTS

S.B. No. 190 *Richard J. Carling*

AN ACT RELATING TO CRIMINAL LAW; AMENDING A SECTION RELATED TO THREATENING A WITNESS AND A SECTION RELATED TO THREATENING ANOTHER WITH A WEAPON.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 76-8-508, AS ENACTED BY CHAPTER 196, LAWS OF UTAH 1973; 76-10-506, AS ENACTED BY CHAPTER 196, LAWS OF UTAH 1973, was read the first time and referred to Rules Committee.

AMENDMENT TO ANNEXATION PROVISION

S.B. No. 191 *Jack M. Bangerter*
John P. Holmgren, Lyle W. Hillyard

AN ACT RELATING TO CITIES AND TOWNS; REQUIRING A MUNICIPALITY TO OBTAIN CONSENT FROM AND PROVIDE REIMBURSEMENT TO ANY NON MUNICIPAL ELECTRIC UTILITY SERVICING AN AREA TO BE ANNEXED BEFORE BEING ALLOWED TO PROVIDE ELECTRIC SERVICES TO CONSUMERS IN THAT AREA TO BE ANNEXED.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 10-2-424, AS ENACTED BY CHAPTER 247, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

IMPERSONATING A PEACE OFFICER

S.B. No. 192 *Richard J. Carling*

AN ACT RELATING TO CRIMINAL LAW; AMENDING THE OFFENSE OF IMPERSONATING A PEACE OFFICER.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 76-8-512, AS ENACTED BY CHAPTER 196, LAWS OF UTAH 1973, was read the first time and referred to Rules Committee.

INTERFERENCE WITH ARRESTING OFFICER-AMENDMENT

S.B. No. 193 *Richard J. Carling*

AN ACT RELATING TO CRIMINAL LAW; AMENDING THE PROVISIONS OF THE OFFENSE OF INTERFERING WITH AN ARRESTING OFFICER.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 76-8-305, AS ENACTED BY CHAPTER 62, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

On motion of Senator McMullin, **S.B. No. 69** was circled.

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S.B. No. 21, JUDICIAL CONDUCT COMMISSION AMENDMENTS, was read the third time.

On motion of Senator Hillyard, **S.B. No. 21** was amended as follows:

Delete the following inserted committee amendment.
Goldenrod Page 1, Line 33:
After "disability" delete ",including habitual use of alcohol,"

The bill passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Asay	Cornaby	Peterson, C.	Sandberg
Bangerter	Hillyard	Peterson, Chuck	Stratford
Barlow	Holmgren	Peterson, L.	Swan
Barton	Matheson	Pugh	Wayment
Black	McMullin	Renstrom	Williams
Bunnell	Money	Rogers	Pres. Christensen

Voting in the negative was: Senator
McAllister

Absent or not voting were: Senators

Carling	Finlinson	Overson	Sowards

S.B. No. 21, unamended, was transmitted to the House.

• • •

S.B. No. 35, TITLE IN TRUSTS AND JOINT VENTURES, was read the third time.

On motion of Senator Stratford **S.B. No. 35** was amended as follows:

Page 1, Line 22:
After "enterprise" delete "for profit"

The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Sandberg
Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	Matheson	Peterson, L.	Swan

Black	McAllister	Pugh	Wayment
Bunnell	McMullin	Renstrom	Williams
Carling	Money	Rogers	Pres. Christensen

Absent or not voting was: Senator
Finlinson

S.B. No 35, as amended, was transmitted to the House.

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S.B. No. 49, JURY FEE AMENDMENT, 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	Finlinson	Overson	Rogers
Bangerter	Hillyard	Peterson, C.	Sandberg
Barton	Holmgren	Peterson, Chuck	Sowards
Black	Matheson	Peterson, L.	Wayment
Bunnell	McAllister	Pugh	Williams
Carling	McMullin	Renstrom	Pres. Christensen
Cornaby	Money		

Voting in the negative was: Senator
Stratford

Absent or not voting were: Senators

Barlow	Swan

S.B. No. 49 was transmitted to the House.

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On motion of Senator Finlinson, the circle was removed from **S.B. No. 69,** DRIVER EDUCATION AMENDMENTS, and the bill was read the third time. Darrell Josie, State Specialist for Driver Education Safety spoke in Committee of the Whole. Senator Barlow commented.

The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, Chuck	Sowards
Bangerter	Holmgren	Peterson, L.	Stratford
Barton	Matheson	Pugh	Swan
Bunnell	McAllister	Renstrom	Wayment
Carling	McMullin	Rogers	Williams
Cornaby	Overson	Sandberg	Pres. Christensen
Finlinson			

Absent or not voting were: Senators

Barlow	Black	Money	Peterson, C.

S.B. No. 69, as amended, was transmitted to the House.

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On motion of Senator Asay, the Senate resolved into a Committee of the Whole. Appearing before the Committee was Tom 'Cubby' Barberi from KALL Radio. Mr. Barberi was presented a resolution and several senators commented.

On motion of Senator Asay, the Committee was disolved.

SECOND READING CALENDAR

S.B. No. 48, UTAH VETERANS MEMORIAL PARK. was read the second time.

Mr. President January 17, 1985

The Transportation and Public Safety Standing Committee, to which was referred **S.B. No. 48,** UTAH VETERANS MEMORIAL PARK, by Senator Paul Rogers et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Jack M. Bangerter, Committee Chairman

Committee report read and adopted. Senators Black, Rogers and Sowards commented.

Senator Rogers with the aid of five senators, requested a call of the Senate. On motion of Senator Rogers, the call of the Senate was lifted.

S.B. No. 48, passed on the following roll call:

Yeas, 16; Nays, 8; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Bunnell	Money	Sowards
Barlow	Cornaby	Peterson, L.	Swan
Barton	Holmgren	Renstrom	Wayment
Black	McMullin	Rogers	Williams

Voting in the negative were: Senators

Hillyard	McAllister	Pugh	Stratford
Matheson (exp.)	Peterson, Chuck	Sandberg	Pres. Christensen

Absent or not voting were: Senators

Asay	Finlinson	Overson	Peterson, C.
Carling			

On motion of Senator McMullin and under suspension of the rules, **S.B. No. 48,** was placed on Third Reading Table.

• • •

S.B. No. 56, TRAPPER'S LOOP ROAD AMENDMENT AND APPROPRIATION, was read the second time.

Mr. President: January 17, 1985

The Transportation and Public Safety Standing Committee, to which was referred **S.B. No. 56, TRAPPER'S LOOP ROAD AMENDMENT AND APPROPRIATION,** by Senator Dale E. Stratford et al, has carefully considered the bill and reports it out of committee favorably and with the following amendment:

> Page 2, lines 12 and 13:
> After "from" delete "the on and off ramps on the west side of route 84 at Peterson Station Interchange" and insert "route 84 near Mountain Green"

Jack M. Bangerter, Committee Chairman

Committee report, with amendments, was read and adopted. A videotape regarding the 'Loop' was viewed by the senators. Senator Stratford explained the bill. Senators Black, Swan, Barton and Barlow commented. The bill passed on the following roll call:

Yeas, 23; Nays, 2; Absent, 4

Voting in the affirmative were: Senators

Asay	Cornaby	Peterson, Chuck	Sowards
Bangerter	Hillyard	Peterson, L.	Stratford
Barlow	Matheson	Pugh	Swan (exp.)
Barton	McMullin	Renstrom	Wayment
Bunnell	Money	Rogers	Williams
Carling	Overson	Sandberg	

Voting in the negative were: Senators

McAllister	Pres. Christensen

Absent or not voting were: Senators

Black	Finlinson	Holmgren	Peterson, C.

On motion of Senator McMullin, and under suspension of the rules, **S.B. No. 56,** was placed on Third Reading Table.

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S.B. No. 23, PROSTHESIS AND HEARING AID SALES TAX EXEMPTION, was read the second time.

Mr. President: January 18, 1985

The Revenue and Taxation Committee, to which was referred **S.B. No. 23,** PROSTHESIS AND HEARING AID SALES TAX EXEMPTION, by Seantor Eldon A. Money, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 4:
After "PROSTHESIS" delete "AND HEARING AID"

Page 1, Line 11:
After "OF" delete "HEARING AIDS AND"

Page 3, Line 2:
After "syringes" delete "hearing aids"

Page 3, Line 13:
After "any" reinsert "auditory."

Lyle W. Hillyard, Committee Chairman

Committee report, with amendments, was read and adopted. The bill passed on the following roll call:

Yeas, 21; Nays, 2; Absent, 6

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, Chuck	Stratford
Barlow	Matheson	Pugh (exp.)	Swan
Barton	McAllister	Renstrom	Wayment
Black (exp.)	McMullin	Sandberg	Williams
Carling	Money	Sowards	Pres. Christensen
Cornaby			

Voting in the negative were: Senators

Hillyard (exp.)	Overson (exp.)

Absent or not voting were: Senators

Bangerter	Finlinson	Peterson, L.	Rogers
Bunnell	Peterson, C.		

On motion of Senator McMullin, and under suspension of the rules, **S.B. No. 23,** was placed on Third Reading Table.

• • •

Senator C.E. Peterson, having served notice that he might ask the Senate to reconsider its action on **S.B. No. 22,** SHERRIFF CANDIDATE CERTIFICATION, on this day, now asked that it be reconsidered. The bill was placed at the top of Second Reading Calendar, and circled.

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S.B. No. 24, BOULDER TO BULLFROG SCENIC ROAD APPROPRIATION, was read the second time.

Mr. President: January 18, 1985

The Transportation & Public Safety Committee, to which was referred **S.B. No. 24,** BOULDER TO BULLFROG SCENIC ROAD APPROPRIATION, by Senator Ivan M. Matheson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Jack M. Bangerter, Committee Chairman

Senator Matheson explained the bill. Steve Cramer from Garfield county spoke in Committee of the Whole. The bill passed on the following roll call:

Yeas, 19; Nays, 1; Absent, 9

Voting in the affirmative were: Senators

Asay	Cornaby	Peterson, Chuck	Swan
Bangerter	Hillyard	Peterson, L.	Wayment
Barlow	Holmgren	Renstrom	Williams
Black	Matheson	Sandberg	Pres. Christensen
Bunnell	Money	Sowards	

Voting in the negative was: Senator
McAllister

Absent or not voting were: Senators

Barton	McMullin	Peterson, C.	Rogers
Carling	Overson	Pugh	Stratford
Finlinson			

On motion of Senator McMullin, and under suspension of the rules, **S.B. No. 24,** was placed on Third Reading Table.

RULES COMMITTEE REPORTS

Mr. President: January 24, 1985

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 13	CREDIT REPAIR CLINICS (Business, Labor and Economic Development)
S.B. No. 68	LIQUOR LAW ENFORCEMENT AMENDMENTS (Transportation and Public Safety)
S.B. No. 75	DIVISION OF CONTRACTORS (Business, Labor and Economic Development)
S.B. No. 108	ALCOHOLIC BEVERAGE CONTROL ACT (Judiciary)
S.B. No. 119	HAZARDOUS MATERIALS INVESTIGATION AND RESPONSE ACT (Health)
S.B. No. 136	TERRORISTIC THREAT AMENDMENTS (Judiciary)
S.B. No. 138	APPOINTED OFFICIALS SALARIES (State and Local Affairs)

reports the same back and asks that they be printed and each assigned to a committee, and

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 27	UTILITY FRANCHISE TAX DEDUCTION (Revenue and Taxation)
S.B. No. 142	SOLID WASTE MANAGEMENT (State and Local Affairs)
S.B. No. 147	MUNICIPAL CEMETARIES (State and Local Affairs)
S.B. No. 154	DEFERRED PERIODIC PAYMENTS FOR MEDICAL MAL-PRACTICE (Health)
S.B. No. 155	HOSPITAL DISCIPLINARY PROCEEDINGS AMENDMENTS (Health)

reports the same back and asks that they be printed and each assigned to a committee.

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 66	TRUST DEED AMENDMENTS (Energy, Natural Resources and Agriculture)
S.B. No. 127	MANSLAUGHTER AMENDMENTS (Judiciary)

reports the same back and asks that they be printed and each assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee reports read and adopted. President Christensen assigned the bills to the committees indicated.

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On motion of Senator L. Peterson, the Senate voted to lift **S.B. No. 74**, OPTOMETRY AMENDMENTS, from Business, Labor and Economic Development Standing Committee, and transfer it to Health Standing Committee.

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

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m., with President Christensen presiding.

RULES COMMITTEE REPORT

Mr. President: January 24, 1985

The Senate Rules Committee, to which were referred the following Senate Joint Resolution:

S.J.R. No. 2 RELIGIOUS PERSECUTION RESOLUTION

reports the same back and asks that it be placed on the Second Reading Calendar.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted, and the resolutions was placed on Second Reading Calendar.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 24, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 13**, AUTHORIZATION FOR ASSOCIATE DEGREE AT TECHNICAL COLLEGES, by Representative Moss, 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. 47**, FIREMEN MINIMUM MONTHLY RETIREMENT ALLOWANCE, by Representative Ellertson, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed Substitute **H.B. No. 31**, LEGISLATOR COMPENSATION LIMITATIONS, by Representative Reber, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.B. Nos. 13, 47, and **31** were read the first time and referred to Rules Committee.

THIRD READING CALENDAR

On motion of Senator Sowards, and under suspension of the rules, the Senate voted to lift **H.J.R. No. 10**, JOINT RULES RESOLUTION, from Third Reading Table and the pending amendment by Senator Black was approved and incorporated into the copy. (Page 235)

The resolution passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Hillyard	Overson	Rogers
Barlow	Holmgren	Peterson, C.	Sandberg
Barton	Matheson	Peterson, Chuck	Sowards
Bunnell	McAllister	Peterson, L.	Stratford
Carling	McMullin	Pugh	Swan
Cornaby	Money	Renstrom	Pres. Christensen
Finlinson			

Absent or not voting were: Senators

Asay	Black	Wayment	Williams

H.J.R. No. 10, as amended, was returned to the House.

SECOND READING CALENDAR

S.B. No. 63, STATE ROAD DESIGNATIONS, was read the second time.

Mr. President: January 18, 1985

The Transportation & Public Safety Committee, to which was referred **S.B. No. 63,** STATE ROAD DESIGNATIONS, Senator Wilford R. Black, Jr. et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Jack M. Bangerter, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Hillyard	Overson	Rogers
Barlow	Holmgren	Peterson, C.	Sandberg
Barton	Matheson	Peterson, Chuck	Sowards
Bunnell	McAllister	Peterson, L.	Stratford
Carling	McMullin	Pugh	Swan
Cornaby	Money	Renstrom	Pres. Christensen
Finlinson			

Absent or not voting were: Senators

Asay	Black	Wayment	Williams

• • •

On motion of Senator McMullin, the circle was removed from **S.B. No. 22,** SHERIFF CANDIDATE CERTIFICATION, and the bill was before the Senate. Senators Hillyard, Matheson, Renstrom, Cary G. Peterson and Bunnell commented.

On motion of Senator Matheson **S.B. No. 22,** was amended as follows:

Goldenrod Page 1, Line 20:
After "sheriff" delete "in a county with a population over 30,000"

The bill passed on the following roll call:

Yeas, 20; Nays, 8; Absent, 1

Voting in the affirmative were: Senators

Bangerter	Carling	Money	Rogers
Barlow	Cornaby	Peterson, C.	Sandberg
Barton	Hillyard	Peterson, L.	Sowards
Black	Holmgren	Pugh	Wayment
Bunnell	McAllister	Renstrom	Williams

Voting in the negative were: Senators

Asay	Matheson (exp.)	Overson	Stratford
Finlinson	McMullin	Peterson, Chuck	Pres. Christensen

Absent or not voting was: Senator
Swan

• • •

S.B. No. 14, CAREER LADDER AMENDMENTS, was before the Senate.

Mr. President: January 21, 1985

The Education Committee, to which was referred **S.B. No. 14,** CAREER LADDER AMENDMENTS, by Senator Warren E. Pugh, has carefully considered the bill and reports it out of committee with a favorable recommendation.

William T. Barton, Committee Chairman

Committee report read and adopted. Senators Overson, Pugh, Bangerter, Asay and Barton commented. The bill passed on the following roll call:

Yeas, 25; Nays, 3; Absent, 1

Voting in the affirmative were: Senators

Bangerter	Finlinson	Peterson, C.	Sowards
Barlow	Hillyard	Peterson, Chuck	Stratford
Barton	Holmgren	Peterson, L.	Swan
Black	Matheson	Pugh	Wayment
Bunnell	McAllister	Renstrom	Williams
Carling	McMullin	Rogers	Pres. Christensen
Cornaby			

Voting in the negative were: Senators

Asay	Overson	Sandberg (exp.)

Absent or not voting was: Senator
Money

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On motion of Senator Carling, and under suspension of the rules, the Senate voted to lift **S.B. No. 1**, SUNSET REVIEW - HEALTH FACILITY ADMINISTRATION, from the files and reconsider it on Third Reading Calendar.

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

> Goldenrod: Page 5, after Line 8:
> Insert, "(1) After July 1, 1985, all new applicants are required to have, in addition to subsection (1), the education or experience requirements as established by rule and as approved by the division."

The bill passed on reconsideration on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Asay	Cornaby	Peterson, Chuck	Sowards
Bangerter	Finlinson	Peterson, L.	Stratford
Barlow	Holmgren	Pugh	Swan
Black	McAllister	Renstrom	Wayment
Bunnell	Overson	Rogers	Pres. Christensen
Carling	Peterson, C.	Sandberg	

Voting in the negative was: Senator
Matheson

Absent or not voting were: Senators

Barton	McMullin	Money	Williams
Hillyard			

S.B. No. 1, as amended, was transmitted to the House.

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On motion of Senator McMullin and at 3:00 p.m., the Senate adjourned until 10:00 a.m., Friday, January 25, 1985.

TWELFTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Arnold Christensen presiding.

Roll Call — All Senators present.

Prayer — Senator Lyle Hillyard

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

DAILY SENATE JOURNAL

Mr. President: January 25, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the Eleventh day and find it correct with minor amendments noted on the final copy.

Darrell G. Renstrom, Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 24, 1985

I am directed to inform the Senate that the House of Representatives has this day refused to recede from its amendments to **S.C.R. No. 2**, MARTIN LUTHER KING RESOLUTION, by Senator Williams, et al, and has appointed a Conference Committee consisting of Representatives Merrill, Cromar and Moran, to act with a like Committee from the Senate on this bill.

Carole E. Peterson, Acting Chief Clerk

President Christensen appointed a committee comprised of Senators Williams, Wayment and Bangerter to meet with a like committee from the House to consider the bill.

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Mr. President: January 24, 1985

I am directed to inform the Senate that the House of Representatives has this

day passed **H.B. No. 129,** PUBLICATION OF WILDLIFE RULES, by Representative Phelps, 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. 77,** JUVENILE COURT JURISDICTION — FAILURE TO REPORT CHILD ABUSE, 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. 76,** JUVENILE COURT — PERMANENT DEPRIVATION AMENDMENTS, by Representative Walker, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.B. Nos. 129, 77 and 76 were read the first time and referred to Rules Committee.

STANDING COMMITTEE REPORT

Mr. President: January 24, 1985

The Energy, Natural Resources & Agriculture Committee, to which was referred **S.B. No. 26,** PRODUCE DEALERS' ACT AMENDMENTS, by Senator Eldon A. Money, has carefully considered the bill and reports it out of committee favorably and asks that it be placed on the Consent Calendar with the recommendation that the original bill be deleted in body and title and that **SUBSTITUTE S.B. No. 26** replace the original bill.

Fred W. Finlinson, Committee Chairman

Committee report read and adopted. **S.B. No. 26** was read the second time, and placed on Consent Calendar. The following **SUB. S.B. No. 26** replaced the original bill.

PRODUCE DEALERS' ACT AMENDMENTS

SUBSTITUTE
S.B. No. 26 *Eldon A. Money*

AN ACT RELATING TO AGRICULTURE; CHANGING THE TITLE OF THE "PRODUCE DEALERS' ACT" TO THE "AGRICULTURAL PRODUCTS DEALERS' ACT" TO MORE ACCURATELY REFLECT THE SCOPE OF THE CHAPTER; PROVIDING FOR IMMEDIATE SUSPENSION OF LICENSE IN CERTAIN SITUATIONS UPON NOTICE TO PERSON AFFECTED AND AN OPPORTUNITY FOR HEARING WITHOUT DELAY; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 4-7-1, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979; 4-7-3, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979; 4-7-6, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979; 4-7-7, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979; 4-7-8, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979

ENACTS: 4-7-13.5, UTAH CODE ANNOTATED 1953.

SECRETARY OF SENATE REPORT

Committee reports have been received by the Secretary of the Senate on **S.B. Nos. 82, 96, 98, 62, 87, 88** and **125**, and the bills were placed on Second Reading Calendar.

PRESENTATION OF RESOLUTIONS

NATIONAL PARK BUFFER ZONE RESTRICTION RESOLUTION

S.J.R. No. 4 *Ivan M. Matheson*

A JOINT RESOLUTION OF THE LEGISLATURE EXPRESSING STRONG OPPOSITION TO THE PARK PROTECTION ACT; AND URGING CONGRESS TO DEFEAT THE ACT IF IT IS REINTRODUCED IN THE 1985 SESSION, was read the first time and referred to Rules Committee.

AGENCY COOPERATION FOR EFFICIENCY RESOLUTION

S.J.R. No. 5 *William T. Barton*

A JOINT RESOLUTION OF THE LEGISLATURE ENCOURAGING PUBLIC AGENCIES AT ALL LEVELS OF GOVERNMENT TO ENTER INTO AGREEMENTS OF COOPERATION WHICH WILL ELIMINATE UNNECESSARY DUPLICATION OF SIMILAR SERVICES; AND ENCOURAGING THE VARIOUS ENTITIES OF GOVERNMENT TO PROMOTE SUCH AGREEMENTS, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

STATE LAND LAW ACT

S.B. No. 194 *Fred W. Finlinson*

AN ACT RELATING TO STATE LANDS; PROVIDING FOR THE CREATING OF THE BOARD AND DIVISION OF STATE LANDS AND FORESTRY; AND ESTABLISHING THEIR JURISDICTION AND AUTHORITY OVER STATE LANDS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: TITLE 65A, UTAH CODE ANNOTATED 1953

REPEALS: TITLE 24, UTAH CODE ANNOTATED 1953; TITLE 65, UTAH CODE ANNOTATED 1953

THIS ACT ENACTS NEW MATERIAL, was read the first time and referred to Rules Committee.

CERTIFICATE OF NEED FOR NURSING HOMES

S.B. No. 195 *Paul Rogers*

AN ACTING RELATING TO NURSING HOME FACILITIES; REQUIRING A CERTIFICATE OF NEED FOR EXPANSION OF NURSING HOME FACILITIES; PROVIDING EXCEPTION FOR FACILITIES HAVING 92% OCCUPANCY RATE OVER PRECEDING YEAR; AUTHORIZING DEPARTMENT OF HEALTH TO ADMINISTER CHAPTER; ESTABLISHING PROCEDURES AND REQUIREMENTS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: CHAPTER 22a, TITLE 26, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

INFORMED CONSENT REQUIREMENTS

S.B. No. 196 *E. Verl Asay*

AN ACT RELATING TO THE DIVISION OF REGISTRATION; REQUIRING CERTAIN LICENSED HEALTH CARE PROFESSIONALS TO COMPLY WITH INFORMED CONSENT REQUIREMENTS OR BE GUILTY OF UNPROFESSIONAL CONDUCT.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 58-1-44, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

WATER CONSERVANCY DISTRICT BOARD PER DIEM

S.B. No. 197 *Fred W. Finlinson*

AN ACT RELATING TO THE WATER CONSERVANCY ACT; INCREASING THE COMPENSATION FOR THE BOARDS OF DIRECTORS FOR WATER CONSERVANCY DISTRICTS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 73-9-10, AS LAST AMENDED BY CHAPTER 282, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

STATE ENGINEER APPROVAL OF APPLICATIONS

S.B. No. 198 *Fred W. Finlinson*

AN ACT RELATING TO WATER AND IRRIGATION; REQUIRING THE STATE ENGINEER TO CONSIDER APPLICATIONS TO APPROPRIATE WATER FOR A FIXED PERIOD OF TIME FOR AGRICULTURE AND MUNICIPAL PURPOSES; AND INCLUDING AVAILABILITY OF WATER AS A CONSIDERATION IN DETERMINING WATER APPROPRIATIONS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 73-3-8, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

REQUIREMENTS FOR ALTERING NATURAL STREAMS

S.B. No. 199 *Fred W. Finlinson*

AN ACT RELATING TO WATER AND IRRIGATION; REQUIRING THE STATE ENGINEER'S APPROVAL TO RELOCATE A NATURAL STREAM CHANNEL OR TO ALTER THE BEDS OR BANKS OF A NATURAL STREAM CHANNEL; AND AMENDING THE CONDITIONS FOR APPLICATION APPROVAL.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 73-3-29, AS LAST AMENDED BY CHAPTER 347, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

FILING APPLICATIONS TO EXCHANGE WATER

S.B. No. 200 *Fred W. Finlinson*

AN ACT RELATING TO WATER AND IRRIGATION; REQUIRING APPLICANTS TO PROVIDE INFORMATION CONCERNING THE DEVELOPMENT COMPLETED

UNDER AN APPROVED EXCHANGE APPLICATION; AND PROVIDING CONDITIONS UNDER WHICH THE STATE ENGINEER MAY LAPSE AN APPLICATION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 73-3-20, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

WOLFCREEK APPROPRIATION

S.B. No. 201 *Lowell S. Peterson*

AN ACT RELATING TO NATURAL RESOURCES; APPROPRIATING $950,800 FOR THE FIRST PAYMENT FOR THE WOLFCREEK PROPERTY ACQUISITION; REQUIRING THE DEPARTMENT OF NATURAL RESOURCES TO INDENTIFY AND OFFER FOR SALE, LANDS OWNED BY THE STATE, WHICH ARE OF AT LEAST EQUAL ACREAGE TO THE WOLFCREEK ACQUISITION; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT ENACTS NEW MATERIAL, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

S.B. No. 63, STATE ROAD DESIGNATIONS, 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	Hillyard	Peterson, C.	Sowards
Bangerter	Holmgren	Peterson, Chuck	Stratford
Barton	Matheson	Peterson, L.	Swan
Black	McAllister	Pugh	Wayment
Carling	McMullin	Renstrom	Williams
Cornaby	Overson		

Absent or not voting were: Senators

Barlow	Finlinson	Rogers	Pres. Christensen
Bunnell	Money	Sandberg	

S.B. No. 63 was transmitted to the House.

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S.B. No. 22, SHERRIFF CANDIDATE CERTIFICATION, was read the third time. Senators Hillyard, Swan, Black and Matheson commented. The bill passed on the following roll call:

Yeas, 18; Nays, 7; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Cornaby	Peterson, C.	Renstrom
Barton	Hillyard	Peterson, Chuck	Sandberg
Black	Holmgren	Peterson, L.	Sowards
Bunnell	Matheson	Pugh	Wayment
Carling	McAllister		

Voting in the negative were: Senators

Asay	Overson	Stratford	Williams
Finlinson	Rogers	Swan	

Absent or not voting were: Senators

Barlow	McMullin	Money	Pres. Christensen

S.B. No. 22, as amended, was transmitted to the House.

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S.B. No. 14, CAREER LADDER AMENDMENTS, was read the third time, and passed on the following roll call:

Yeas, 22; Nays, 4; Absent, 3

Voting in the affirmative were: Senators

Barton	Hillyard	Peterson, L.	Sowards
Black	Holmgren	Pugh	Stratford
Bunnell	McMullin	Renstrom	Swan
Carling	Money	Rogers	Wayment
Cornaby	Peterson, C.	Sandberg	Williams
Finlinson	Peterson, Chuck		

Voting in the negative were: Senators

Asay	Matheson	McAllister	Overson

Absent or not voting were: Senators

Bangerter	Barlow	Pres. Christensen

S.B. No. 14, was transmitted to the House.

SECOND READING CALENDAR

S.B. No. 44, COMPUTER CRIMES ACT, was read the second time.

Mr. President: January 22, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 44,** COMPUTER CRIMES ACT, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 24:
Delete "chapter" and insert "part"

Page 3, Lines 1 and 2:
After "willfully" delete ", and without authorization,"

Page 3, Line 2:
After "access to," insert "and without authorization" and delete "or"

Page 3, Line 7:
After "uses or" insert "knowingly"

Page 3, Line 21:
After "interrupts" insert "computer"

Page 3, Line 22:
After line 22, insert the following: "(5) A person who willfully and without authorization damages or destroys, in whole or in part, any computer, computer network, computer property, or computer system, is guilty of a Class A misdemeanor unless the amount of damage exceeds $100, in which case the person is guilty of a felony of the third degree."

E. Verl Asay, Committee Chairman

Committee report, with amendments, was read and adopted. Senator Wayment was presiding.

On motion of Senator McAllister, **S.B. No. 44,** was amended as follows:

Page 3, Line1:
After "person who" insert ", for purposes of personal financial gain"

On motion of Senator Rogers, the bill was circled. President Christensen resumed presiding.

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S.B. No. 52, HANDICAPPED PARKING FINE, was read the second time.

Mr. President: January 22, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 52,** HANDICAPPED PARKING FINE, by Senator Brent C. Overson, et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Lines 1 and 2
After "Any" delete "person in" and after "shall be" delete "subject to a class C misdemeanor." and insert "an infraction."

E. Verl Asay, Committee Chairman

Committee report read and adopted.

On motion of Senator Overson the Senate voted to adopt the follwing substitute bill and it replaced the original.

HANDICAPPED PARKING FINE AND TRANSFERABLE ID CARDS FOR THE HANDICAPPED

SUBSTITUTE
S.B. No. 52 *Brent C. Overson*

AN ACT RELATING TO MOTOR VEHICLES; PROVIDING FOR ENFORECEMENT OF HANDICAPPED PARKING REGULATIONS ON PRIVATE PROPERTY; AND PROVIDING FOR ISSUANCE OF TRANSFERABLE ID CARDS TO HANDICAPPED PERSONS.

THIS ACT AFFECTS SECTION OF UTAH ANNOTATED 1953 AS FOLLOWS:

AMENDS: 41-1-49.8, AS LAST AMENDED BY CHAPTER 160, LAWS OF UTAH 1979; 41-1-49.9, AS LAST AMENDED BY CHAPTER 160, LAWS OF UTAH 1979; 41-1-49.10, AS LAST AMENDED BY CHAPTER 171, LAWS OF UTAH 1977.

On motion of Senator Overson, **SUB. S.B. No. 52,** was circled.

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S.B. No. 60, DELAYED DISTRIBUTION OF ESTATE TO MINORS, was read the second time.

Mr. President: January 22, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 60,** DELAYED DISTRIBUTION OF ESTATE TO MINORS, by Senator Lyle W. Hillyard, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted. Senators McAllister, Matheson and Sandberg commented.

Senator Matheson moved that on Page 2, Line 6 the words "advanced age" be deleted. The motion failed.

The bill passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, Chuck	Sowards
Barlow	Matheson	Peterson, L.	Stratford
Bunnell	McAllister	Pugh	Swan
Carling	McMullin	Renstrom	Wayment
Cornaby	Money	Rogers	Williams
Finlinson	Peterson, C.	Sandberg	Pres. Christensen
Hillyard			

Voting in the negative was: Senator
Bangerter

Absent or not voting were: Senators

Barton	Black	Overson

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On motion of Senator Rogers, the circle was removed from **S.B No. 44,** COMPUTER CRIMES ACT, and the bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Hillyard	Overson	Sowards
Bangerter	Holmgren	Peterson, C.	Stratford
Barlow	Matheson	Peterson, Chuck	Swan
Black	McAllister	Pugh	Wayment
Carling	McMullin	Renstrom	Williams
Cornaby	Money	Rogers	Pres. Christensen
Finlinson			

Absent or not voting were: Senators

Barton	Bunnell	Peterson, L.	Sandberg

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Senator Finlinson was presiding.

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S.B. No. 61, JUVENILE AND DISTRICT COURT, was read the second time.

Mr. President: January 22, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 61,** JUVENILE AND DISTRICT COURT, by Senator Lyle W. Hillyard, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Vert Asay, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Finlinson	Overson	Sowards
Bangerter	Hillyard	Peterson, C.	Stratford
Barlow	Holmgren	Peterson, Chuck	Swan
Black	McAllister	Peterson, L.	Wayment
Carling	McMullin	Pugh	Pres. Christensen
Cornaby	Money	Renstrom	

Absent or not voting were: Senators

Barton	Matheson	Sandberg	Williams
Bunnell	Rogers		

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S.B. No. 71, LOCAL BOARD POWERS, was read the second time.

Mr. President: January 23, 1985

The Senate Education Standing Committee, to which was referred **S.B. No. 71,** LOCAL BOARD POWERS, by Senator Dale E. Stratford, has carefully considered the bill and reports it out of committee with a favorable recommendation.

William T. Barton, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 21; Nays, 3; Absent, 5

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, C.	Rogers
Bangerter	Matheson	Peterson, Chuck	Sandberg
Black	McMullin	Peterson, L.	Sowards
Carling	Money	Pugh	Stratford
Finlinson	Overson	Renstrom	Pres. Christensen
Hillyard			

Voting in the negative were: Senators

Bunnell	McAllister	Swan

Absent or not voting were: Senators

Barlow	Cornaby	Wayment	Williams
Barton			

COMMUNICATION FROM THE HOUSE

Mr. President: January 25, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 14,** NEIL DEAN SCHAERRER RESOLUTION, by Representative Sykes, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Sowards, and under suspension of the rules, the resolution was read the first, second and third times, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Sandberg
Bangerter	Holmgren	Peterson, Chuck	Sowards
Barlow	Matheson	Peterson, L.	Stratford
Black	McAllister	Pugh	Swan
Bunnell	McMullin	Renstrom	Wayment
Carling	Money	Rogers	Pres. Christensen
Cornaby	Overson		

Absent or not voting were: Senators

Barton	Finlinson	Williams

H.C.R. No. 14, was signed by the President of the Senate in open session and returned to the House for further action.

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Mr. President: January 24, 1985

I am directed to inform the Senate that the House of Representatives has this day refused to concur in the Senate amendments to **H.J.R. No. 10,** JOINT RULES RESOLUTION, by Representative Moss, et al, and requests the Senate to recede from its amendments.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Sowards, the Senate voted to refuse to recede from its amendments. President Christensen appointed a committee comprised of Senators Sowards, Bunnell and Hillyard to meet with a like committee from the House. **H.J.R. No. 10,** was returned to the House.

SECOND READING CALENDAR

S.B. No. 70, INSURANCE ANTI-DISCRIMINATION CLAUSE REPEAL, was read the second time.

Mr. President: January 23, 1985

The Health Standing Committee, to which was referred **S.B. No. 70,** INSURANCE ANTI-DISCRIMINATION CLAUSE REPEAL, by Senator Ivan M. Matheson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted.

Senator L. Peterson moved to circle the bill. Senators Matheson and Cornaby commented.

On motion of Senator Matheson, the bill was placed on Second Reading Table.

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COMMITTEE OF THE WHOLE

On motion of Senator Wayment, the Senate resolved itself into a Committee of the Whole. Appearing before the Senate was Davis County Commissioner J. Harold Tippets.

Senators Overson, Barlow and Bangerter commented.

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

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S.B. No. 73, UTAH PERCENT-FOR-ART ACT, was read the second time.

Mr. President: January 22, 1985

The Senate Revenue & Taxation Committee, to which was referred **S.B. No. 73,** UTAH PERCENT-FOR-ART ACT, by Senator Dona M. Wayment, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lyle W. Hillyard, Committee Chairman

Committee report read and adopted. On motion of Senator Wayment, the bill was circled.

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S.B. No. 37, CHILD ABUSE REPORTING ACT AMENDMENT, was read the second time.

Mr. President: January 22, 1985

The Social Services Standing Committee, to which was referred **S.B. No. 37,** CHILD ABUSE REPORTING ACT AMENDMENT, by Senator Brent C. Overson et al, has

carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Lines 11 and 12:
After the word "BORN" delete the words "TO A MOTHER WHO IS DEPENDENT ON DRUGS OR ALCOHOL" and insert "WITH FETAL ALCOHOL SYNDROME OR FETAL DRUG DEPENDENCY"

Page 1, Line 26:
After the word "child" delete the words "or its mother".

Page 1, Line 27:
After the word "and" delete the words "has reason to believe" and insert the word "determines".

Page 1, Line 27:
After the words "that the" delete the words "mother or".

Page 1, Line 28:
After the word "birth," delete the words "is physically dependent on alcohol or any drug" and insert the words "has fetal alcohol syndrome or fetal drug dependency".

Page 1, Line 29:
After the word "this" delete the word "observation" and insert the word "determination".

Page 1, Lines 31-34:
Delete lines 31 through 34.

John P. Holmgren
Committee Chairman

Committee report, with amendments, was read and adopted. Senators Bunnell and Pugh commented. The bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Sandberg
Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	McAllister	Peterson, L.	Swan
Black	McMullin	Pugh	Wayment

Bunnell	Money	Renstrom	Pres. Christensen
Cornaby	Overson		

Absent or not voting were: Senators

Bangerter	Finlinson	Rogers	Williams
Carling	Matheson	Sowards	

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S.B. No. 30, PUBLIC EMPLOYEE RETIREMENT CREDIT PURCHASE. was read the second time.

Mr. President: January 22, 1985

The State and Local Affairs Standing Committee, to which was referred **S.B. No. 30,** PUBLIC EMPLOYEE RETIREMENT CREDIT PURCHASE, by Sen. Karl G. Swan, has carefully considered the bill and reports it out of committee favorably and with the following amendment:

Page 1, Line 24:
after "credit" delete "for" and insert "equal to"

K.S. Cornaby, Committee Chairman

Committee report, with amendments, was read and adopted. Senators Black, McAllister, Sandberg and Cornaby commented. The bill passed on the following roll call:

Yeas, 19; Nays, 8; Absent, 2

Voting in the affirmative were: Senators

Barlow	Finlinson	Money	Stratford
Barton	Hillyard	Pugh	Swan
Black	Holmgren	Renstrom	Wayment
Bunnell	Matheson	Rogers	Williams
Cornaby	McMullin	Sowards	

Voting in the negative were: Senators

Asay	McAllister	Peterson, Chuck	Sandberg
Bangerter	Peterson, C.	Peterson, L.	Pres. Christensen

Absent or not voting were: Senators

Carling	Overson

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On motion of Senator Cary Peterson, the circles were removed from **S.B. Nos. 73** and **52.**

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On motion of Senator Cary Peterson and at 12:00 noon, the Senate adjourned until 10:00 a.m., Monday January 28, 1985.

FIFTEENTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Arnold Christensen presiding.

Roll Call — All Senators present.

Prayer — Senator John P. Holmgren

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

DAILY SENATE JOURNAL

Mr. President: January 28, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the Twelfth day and find it correct with minor amendments noted on the final copy.

C.E. "Chuck" Peterson
Committee Chairman

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 25, 1985

I am directed to inform the Senate that the Speaker of the House has this day appointed a Conference Committee consisting of Representatives Moss, McKeachnie, and Lewis to act with a like Committee from the Senate to consider or amend **H.J.R. No. 10**, JOINT RULES RESOLUTION, by Representative Moss, et al.

Carole E. Peterson, Acting Chief Clerk

President Christensen appointed a conference committee consisting of Senators Sowards, Bunnell and Hillyard.

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Mr. President: January 25, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 78**, ADOPTIONS AND BIRTH CERTIFICATES - JUVENILE COURT, 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, as amended, **H.B. No. 67,** LICENSURE AUTHORITY FOR ADULT DAY CARE, by Representative Skousen, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.J.R. No. 1,** FEDERAL RESERVE SYSTEM AUDIT RESOLUTION by Representative Dahl, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 7,** LIVESTOCK MARKET COMMITTEE, by Representative Schmutz, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 21,** EDUCATION RESPONSIBILITY AT THE STATE TRAINING SCHOOL, 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, as amended, **SUBSTITUTE H.B. No. 102,** WATER POLLUTION CONTROL STANDARDS, by Representative Schmutz, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.B. Nos. 78 and **67; H.J.R. No. 1,** and **H.B. Nos. 7, 21** and **102,** were read the first time and referred to Rules Committee.

PRESENTATION OF RESOLUTION

INTERSTATE CONSTRUCTION COMPLETION RESOLUTION

S.J.R. No. 6 *Warren E. Pugh*

A JOINT RESOLUTION OF THE LEGISLATURE URGING CONGRESS TO PASS THE 1984 INTERSTATE COST ESTIMATE, SO THAT THE UNFINISHED SECTIONS OF INTERSTATE HIGHWAY IN UTAH MAY BE COMPLETED, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

UTAH CODE RECODIFICATION

S.B. No. 202 *Dale E. Stratford, Lyle W. Hillyard*

AN ACT RELATING TO RECODIFICATION OF THE UTAH CODE; ESTABLISHING A CODE RECODIFICATION COMMISSION; ESTABLISHING THE AUTHORITY AND DUTIES OF THE RECODIFICATION COMMISSION; ESTABLISHING THE AUTHORITY TO ENTER CONTRACTS ON BEHALF OF THE STATE FOR THE CODE RECODIFICATION AND PUBLISHING; ESTABLISHING A TIMETABLE FOR RECODIFICATION; PROVIDING AN APPROPRIATION OF $100,000; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 68-1-10, UTAH CODE ANNOTATED 1953; 68-1-11, UTAH CODE ANNOTATED 1953; 68-1-12, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

ELECTED PUBLIC SERVICE COMMISSION

S.B. No. 203 *Darrell G. Renstrom*

AN ACT RELATING TO PUBLIC UTILITIES; PROVIDING FOR AN ELECTED PUBLIC SERVICE COMMISSION WITH A COMMISSIONER ELECTED AT LARGE FROM EACH CONGRESSIONAL DISTRICT.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 54-1-1.5, AS LAST AMENDED BY CHAPTER 320, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

LICENSING REQUIREMENTS FOR DRILLING WATER WELLS

S.B. No. 204 *Fred W. Finlinson*

AN ACT RELATING TO WATER AND IRRIGATION; PROVIDING CONDITIONS FOR OBTAINING A WELL DRILLERS LICENSE AND AN OPERATORS LICENSE; PROVIDING TERMS OF LICENSING; INCREASING THE BOND REQUIREMENTS TO $5,000 FOR WELL DRILLERS; OUTLINING ADDITIONAL VIOLATIONS; AMENDING PENALITIES; AUTHORIZING THE STATE ENGINEER TO ISSUE TEMPORARY TEST WELL PERMITS; SPECIFYING TERMS AND CONDITIONS OF TEST WELLS; AND MAKING TECHNICAL CHANGES.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 73-3-22, UTAH CODE ANNOTATED 1953; 73-3-24, UTAH CODE ANNOTATED 1953; 73-3-25, UTAH CODE ANNOTATED 1953; 73-3-26, UTAH CODE ANNOTATED 1953

ENACTS: 73-3-30, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

DISPOSITION OF UNCLAIMED PROPERTY

S.B. No. 205 *Lyle W. Hillyard*

AN ACT RELATING TO DISPOSAL OF PROPERTY; PROVIDING A PROCEDURE FOR HANDLING UNCLAIMED PROPERTY, FOR CLAIMING THE PROPERTY, AND FOR DISPOSITION OF PROCEEDS FROM SALE OF PROPERTY IF IT IS NOT CLAIMED.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: CHAPTER 24a, TITLE 77, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

BUSINESS AND ENERGY CREDIT AMENDMENTS

S.B. No. 206 *Glade M. Sowards*

AN ACT RELATING TO THE ENERGY SYSTEM TAX CREDIT; PROVIDING FOR AN EXTENSION AND INCREASE OF THE CREDIT; PROVIDING FOR GREATER BUSINESS USE OF THE CREDIT; EXTENDING THE CREDIT TO LESSEES; PROVIDING FOR A NEW LIMITATION OF THE CREDIT; PROVIDING FOR SAFEGUARDS AGAINST ABUSES OF THE CREDIT AUTHORIZING THE ENERGY OFFICE TO PROMULGATE RULES NECESSARY FOR PURPOSES OF THIS CHAPTER; AND PROVIDING FOR RETROSPECTIVE OPERATION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 59-14B-1, AS ENACTED BY CHAPTER 66, LAWS OF UTAH 1980; 59-14B-2, AS LAST AMENDED BY CHAPTER 244, LAWS OF UTAH 1981; 59-14B-3, AS LAST AMENDED BY CHAPTER 244, LAWS OF UTAH 1981; 59-14B-4, AS LAST AMENDED BY CHAPTER 244, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

OCCUPATION TAX AMENDMENT

S.B. No. 207 *Fred W. Finlinson*

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING A NEW BASIS FOR COMPUTING THE OCCUPATION TAX IMPOSED ON METALLIFEROUS MINERALS; AND PROVIDING FOR RETROSPECTIVE OPERATION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 59-5-67, AS LAST AMENDED BY CHAPTER 63, LAWS OF UTAH 1984, was read the first time and referred to Rules Committee.

COMPETITIVE BIDDING FOR PUBLIC UTILITIES

S.B. No. 208 *William T. Barton*

AN ACT RELATING TO PUBLIC UTILITIES; REQUIRING PUBLIC UTILITIES TO ADVERTISE FOR BIDS ON PROJECTS EXCEEDING $100,000; AND ESTABLISHING BIDDING, ADVERTISING, AND BONDING RELATED TO SUCH PROJECTS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 54-3-25, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

CONSENT CALENDAR

S.B. No. 45, CONSTABLE RESIDENCY REQUIREMENT, 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	Finlinson	Overson	Sandberg
Barlow	Hillyard	Peterson, C.	Sowards
Barton	Holmgren	Peterson, Chuck	Stratford
Black	Matheson	Peterson, L.	Swan
Bunnell	McAllister	Pugh	Williams
Carling	Money	Renstrom	Pres. Christensen
Cornaby			

Absent or not voting were: Senators

Asay	McMullin	Rogers	Wayment

S.B. No. 45, as amended, was transmitted to the House.

• • •

S.B. No. 46, PUBLIC SAFETY RETIREMENT CREDIT PURCHASE, 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	Cornaby	McMullin	Renstrom
Barlow	Finlinson	Money	Sandberg
Barton	Hillyard	Overson	Stratford
Black	Holmgren	Peterson, C.	Swan
Bunnell	Matheson	Peterson, Chuck	Williams
Carling	McAllister	Peterson, L.	Pres. Christensen

Absent or not voting were: Senators

Asay	Rogers	Sowards	Wayment
Pugh			

S.B. No. 46 was transmitted to the House.

• • •

S.B. No. 57, FIRE CHIEF RETIREMENT EXEMPTION, was read the third time, and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barlow	Finlinson	Money	Renstrom
Barton	Hillyard	Overson	Stratford
Black	Holmgren	Peterson, C.	Swan
Carling	Matheson	Peterson, Chuck	Williams
Cornaby	McAllister	Peterson, L.	Pres. Christensen

Absent or not voting were: Senators

Asay	McMullin	Rogers	Sowards
Bangerter	Pugh	Sandberg	Wayment
Bunnell			

S.B. No. 57, as amended, was transmitted to the House.

• • •

S.B. No. 60, DELAYED DISTRIBUTION OF ESTATE TO MINORS, 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	Hillyard	Overson	Sandberg
Bangerter	Holmgren	Peterson, Chuck	Sowards
Barlow	Matheson	Peterson, L.	Stratford
Barton	McAllister	Pugh	Swan
Bunnell	McMullin	Renstrom	Wayment
Carling	Money	Rogers	Pres. Christensen
Finlinson			

Absent or not voting were: Senators

Black	Cornaby	Peterson, C.	Williams

S.B. No. 60 was transmitted to the House.

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On motion of Senator C. Peterson, **S.B. No. 44** was circled.

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S.B. No. 61, JUVENILE AND DISTRICT COURT, 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	Finlinson	Overson	Sowards
Bangerter	Hillyard	Peterson, Chuck	Stratford
Barlow	Holmgren	Pugh	Swan
Barton	Matheson	Renstrom	Wayment
Bunnell	McAllister	Rogers	Williams
Carling	McMullin	Sandberg	Pres. Christensen
Cornaby			

Absent or not voting were: Senators

Black	Money	Peterson, C.	Peterson, L.

S.B. No. 61 was transmitted to the House.

* * *

On motion of Senator Stratford, **S.B. No. 71** was circled.

* * *

S.B. No. 37, CHILD ABUSE REPORTING ACT AMENDMENT, 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	Finlinson	Overson	Sowards
Bangerter	Hillyard	Peterson, C.	Stratford
Barlow	Holmgren	Peterson, Chuck	Swan
Barton	Matheson	Peterson, L.	Wayment
Black	McAllister	Pugh	Williams
Carling	McMullin	Renstrom	Pres. Christensen
Cornaby	Money	Rogers	

Absent or not voting were: Senators

Bunnell	Sandberg

S.B. No. 37, as amended, was transmitted to the House.

* * *

S.B. No. 30, PUBLIC EMPLOYEE RETIREMENT CREDIT PURCHASE, was read the third time. Senator Swan explained the bill. Senators Sowards, Black and Matheson commented. The bill passed on the following roll call:

Yeas, 17; Nays, 11; Absent, 1

Voting in the affirmative were: Senators

Barton	Finlinson	Money	Sowards
Black	Hillyard	Peterson, L.	Swan
Bunnell	Holmgren	Pugh	Wayment
Carling	McMullin	Renstrom	Williams
Cornaby			

Voting in the negative were: Senators

Asay	Matheson	Peterson, Chuck	Stratford
Bangerter	McAllister	Rogers	Pres. Christensen
Barlow	Peterson, C. (exp)	Sandberg	

Absent or not voting was: Senator
Overson

S.B. No. 30, as amended, was transmitted to the House.

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COMMITTEE OF THE WHOLE

On motion of Senator Cary Peterson, the Senate resolved into a Committee of the Whole. The "Dinah Mites" from the Vernal Chamber of Commerce presented information about and gifts from the Uintah Basin.

Senators Hillyard and Holmgren presented information about and gifts from their districts.

On motion of Senator Cary Peterson, the Committee was dissolved.

• • •

S.B. No. 71, LOCAL BOARD POWERS, was uncircled, read the third time and passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Hillyard	Peterson, C.	Stratford
Barlow	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Renstrom	Wayment
Carling	McMullin	Sandberg	Williams
Cornaby	Overson	Sowards	Pres. Christensen
Finlinson			

Voting in the negative was: Senator
McAllister

Absent or not voting were: Senators

Asay	Bunnell	Peterson, L.	Rogers
Barton	Money	Pugh	

S.B. No. 71 was transmitted to the House.

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RULES COMMITTEE REPORTS

Mr. President: January 25, 1985

The Senate Rules Committee, to which was referred the following Senate Bills:

S.B. No. 102 PSC JURISDICTION OVER TELECOMMUNICATIONS CORPORATIONS (Business, Labor and Economic Development)

reports the same back and asks that it be printed and each assigned to a committee, and

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 131 INDUSTRIAL FACILITIES DEVELOPMENT ACT AMENDMENTS (Health)

S.B. No. 152 COLLATERAL SOURCE RULE FOR MEDICAL MALPRACTICE DAMAGES (Health)

S.B. No. 162 HILL AIR FORCE MUSEUM APPROPRIATION (State and Local Affairs)

S.B. No. 172 UTAH TRAVEL COUNCIL BOARD (State and Local Affairs)

S.B. No. 43 BUSINESS INFORMATION OFFICE AND CONSUMER PROTECTION ADVISORY COUNCIL (Business, Labor and Economic Development)

S.B. No. 163 UTAH EMERGENCY MEDICAL SERVICES SYSTEM ACT AMENDMENT (Health)

S.B. No. 171 INSECT INFESTATION EMERGENCY CONTROL ACT (Energy, Natural Resources and Agriculture)

reports the same back and asks that they be printed and each assigned to a committee, and

Mr. President: January 24, 1985

The Senate Rules Committee, to which was referred the following Senate Bill:

S.B. No. 36 MAXIMUM UNEMPLOYMENT CONTRIBUTION RATE REDUCTION (Revenue and Taxation)

reports the same back and asks that it be printed and assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bills to the committees indicated.

SECRETARY OF SENATE REPORT

Committee reports have been received on **H.B. No. 85** and **SUB. S.B. No 72** and **S.B. Nos. 78, 80** and **123**, and the bills were placed on Second Reading Calendar.

• • •

Senator Bunnell spoke regarding the district he represents.

SECOND READING CALENDAR

On motion of Senator Cary Peterson, and under suspension of the rules the Senate voted to lift **S.J.R. No. 2**, RELIGIOUS PERSECUTION RESOLUTION to the top of the calendar and it was read the second and third times. Senator Williams explained the resolution, and it passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Finlinson	Overson	Sowards
Barlow	Hillyard	Peterson, C.	Stratford
Barton	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Peterson, L.	Wayment
Bunnell	McAllister	Pugh	Williams
Carling	McMullin	Renstrom	Pres. Christensen
Cornaby	Money	Sandberg	

Absent or not voting were: Senators

Asay	Rogers

S.J.R. No. 2 was transmitted to the House.

• • •

SUB. S.B. No. 52, HANDICAPPED PARKING FINE AND TRANSFERABLE ID CARDS FOR THE HANDICAPPED, was before the Senate.

On motion of Senator Overson, **SUB. S.B. No. 52** was amended as follows:

Green: Page 3, Line 24:
After "infraction" delete the period, add a comma and insert "with a fine not to exceed $25.00."

Senator Overson moved amendments.

On motion of Senator Overson, the bill was circled.

• • •

S.B. No. 73, UTAH PERCENT-FOR-ART, was before the Senate. Senator Wayment explained the bill. Ruth Draper from Utah Arts Council, spoke in Committee of the Whole. Senators Stratford, Pugh and Christensen commented.

On motion of Senator Wayment **S.B. No. 73** was amended as follows:

Page 1, Line 22:
After "TITLE" delete "63" and insert "64".

Page 6, Line 9:
Delete "year" and insert "Percent-for-Art project".

Page 6, Line 29:
After "Title" delete "63" and insert "64".

Senators Bunnell, Bangerter, Barlow, Sandberg and Rogers commented.

The bill passed on the following roll call:

Yeas, 21; Nays, 5; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Peterson, C.	Sowards
Bangerter	Cornaby	Peterson, Chuck	Swan
Barlow	Finlinson	Renstrom	Wayment
Barton	McMullin	Rogers	Williams
Black	Money	Sandberg	Pres. Christensen
Bunnell			

Voting in the negative were: Senators

Hillyard	Matheson	McAllister	Stratford
Holmgren			

Absent or not voting were: Senators

Overson	Peterson, L.	Pugh

Senator Pugh's motion to place **S.B. No. 73** on Third Reading Table, failed.

• • •

S.B. No. 42, BOARD OF EXPOSITIONS AMENDMENT, was read the second time.

Mr. President: January 22, 1985

The State and Local Affairs Standing Committee, to which was referred **S.B. No. 42,** BOARD OF EXPOSITIONS AMENDMENT, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee with a favorable recommendation.

K.S. Cornaby, Committee Chairman

Committee report read and adopted.

On motion of Senator Carling, **S.B. No. 42** was amended as follows:

Page 1, Line 24:
reinstate "The"

Page 1, Line 25:
reinstate entire line: "members may not serve more than two full consecutive terms."; delete "." and insert ", unless the Governor deems an additional term necessary due to exceptional circumstances in the public interest."

On motion of Senator Overson, **S.B. No. 42** was amended as follows:

Page 1, Line 10:
Delete "ELIMINATING" and insert in lieu thereof "MODIFYING"

The bill passed, as amended, on the following roll call:

Yeas, 23; Nays, 3; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Cornaby	Overson	Sowards
Barlow	Finlinson	Peterson, C.	Stratford
Barton	Hillyard	Peterson, Chuck	Swan
Black	Holmgren	Peterson, L.	Wayment
Bunnell	Matheson	Pugh	Pres. Christensen
Carling	McMullin	Rogers	

Voting in the negative were: Senators

Money	Renstrom	Sandberg

Absent or not voting were: Senators

Asay	McAllister	Williams

• • •

S.B No. 58, GOVERNMENTAL IMMUNITY, was read the second time.

Mr. President: January 22, 1985

The State and Local Affairs Standing Committee, to which was referred **S.B. No. 58,** GOVERNMENTAL IMMUNITY, by Senator Haven J. Barlow, has carefully considered the bill and reports it out of committee with a favorable recommendation.

K.S. Cornaby, Committee Chairman

Committee report read and adopted. Senators Barlow, Hillyard and Matheson commented. On motion of Senator Barlow **S.B. No. 58,** was amended as follows:

Page 2:
Delete lines 27 and 28 and insert in lieu thereof:
"(1) arises out of the activities of providing emergency medical assistance, fighting fire, handling hazardous materials or emergency evacuations."

The bill passed on the following roll call:

Yeas, 21; Nays, 4; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Cornaby	McMullin	Sowards
Barlow	Finlinson	Peterson, C.	Stratford
Barton	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Pugh	Wayment

Bunnell	McAllister	Sandberg	Pres. Christensen
Carling			

Voting in the negative were: Senators

Hillyard	Overson	Peterson, L.	Rogers

Absent or not voting were: Senators

Asay	Money	Renstrom	Williams

• • •

S.B. No. 82, STATE WATER AUTHORITY, was read the second time.

Mr. President: January 24, 1985

The Energy, Natural Resources and Agriculture Committee, to which was referred **S.B. No. 82,** STATE WATER AUTHORITY, by Senator Fred W. Finlinson, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Lines 15 and 16:
After "AND" delete "ESTABLISHING A RESTRICTED ACCOUNT FOR THE STATE ENGINEER'S USE." and insert "PROVIDING AUTHORITY TO THE STATE ENGINEER TO USE THE FUNDS APPROPRIATED FOR FLOOD CONTROL FOR EMERGENCY FLOOD CONTROL WORK."

Page 4, Lines 9 through 14:
Delete all the language on lines 9 through 14 and insert the following: "73-2-24. Money appropriated by the legislature to the state engineer for flood mitigation is available to be used by the state engineer or may be distributed by the state engineer to a county to use for emergency flood control work at the state engineer's discretion."

Fred W. Finlinson, Committee Chairman

Committee report, with amendments, was read and adopted. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Finlinson	Money	Renstrom
Barlow	Hillyard	Overson	Rogers
Barton	Holmgren	Peterson, C.	Sandberg

Black	Matheson	Peterson, Chuck	Sowards
Bunnell	McAllister	Peterson, L.	Stratford
Carling	McMullin	Pugh	Pres. Christensen
Cornaby			

Absent or not voting were: Senators

Asay	Swan	Wayment	Williams

• • •

On motion of Senator Pugh, and under suspension of the rules, **S.B. No. 108,** ALCOHOLIC BEVERAGE CONTROL ACT, was lifted to the top of the calendar and read the second time.

Mr. President: January 28, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 108,** ALCOHOLIC BEVERAGE CONTROL ACT, by Senator Warren E. Pugh, et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 8, Lines 13 through 23
Delete "entirely"

Page 8, Line 24:
Delete "(34)" and insert "(33)"

Page 8, Line 27:
Delete "(35)" and insert "(34)"

Page 9, Line 3:
Delete "(36)" and insert "(35)"

Page 9, Between Lines 4 and 5 insert: "(36) "Rule" means a general statement adopted by the commission to guide the activities of those regulated or employed by the department, to implement or interpret this title or to describe the organization, procedure, or practice requirements of the department in order to carry out the intent of the law and ensure its uniform application. This definition shall include any amendment or repeal of a prior rule, but shall not include rules concerning only the internal managment of the department which do not affect private rights or procedures available to the public including intra-departmental memoranda."

Page 70, Line 13:
After the word "premises" delete "is" and insert "are"

Page 74, Lines 27 and 28:
After "or director" delete "of the total issued and outstanding stock of" and insert "if"

Page 94, Line 11:
Delete "gasahol" and insert "gasohol"

Page 101, Lines 13, 14, 15, 16, 17, 18 and 19:
Delete entirely

Page 102, between Lines 9 and 10:
Insert "(3) The commission shall determine the maximum amount that may be charged by a permittee for an alcoholic beverage, including any set-up fee or other charge. The maximum amount that may be charged shall be set forth in the permit."

Page 102, Line 10:
change "3" to "4"

Page 104, Line 10:
Delete "." and insert "if forfeiture proceedings are not instituted pursuant to Section 32a-13-3."

Page 104, between Lines 21 and 22:
Insert "(c) No permittee shall charge more than the maximum amount set forth in the permit for any alcoholic beverage."

Page 104, Line 22:
Delete "(c)" and insert "(d)"

Page 104, Line 27:
Delete "(d)" and insert "(e)"

Page 105, Line 1:
Delete "(e)" and insert "(f)"

Page 105, Line 4:
Delete "(f)" and insert "(g)"

Page 105, Line 7:
Delete "(g)" and insert "(h)"

Page 105, Line 9:
Delete "(h)" and insert "(i)"

Page 105, Line 12:
Delete "(i)" and insert "(j)"

Page 105, Line 18:
Delete "(j)" and insert "(k)"

Page 105, Line 20:
Delete "(k)" and insert "(l)"

Page 105, Line 23:
Delete "(l)" and insert "(m)"

Page 107, between Lines 7 and 8:
Insert "The permittee shall maintain an expense and revenue ledger or record showing:
(i) Expenditures made for liquor, set-ups and other ingredients and components of alcoholic beverage, and
(ii) The revenue from sale of alcoholic beverages."

Page 107, Line 8:
Delete "(m)" and insert "(o)"

Page 172, after Line 19:
Insert "Section 3. This act takes effect July 1, 1985."

E. Vern Asay, Committee Chairman

Committee report, with amendments, was read and adopted.

On motion of Senator Cornaby **S.B. No. 108,** was amended as follows:

Page 163, Line 4:
Delete "an alcoholic beverage" and insert in lieu thereof "liquor"

Page 163, Line 11:
Delete "alcoholic beverage" and insert in lieu thereof "liquor"

The bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Sandberg
Bangerter	Holmgren	Peterson, Chuck	Stratford
Bunnell	Matheson	Peterson, L.	Swan
Carling	McMullin	Pugh	Wayment
Cornaby	Money	Renstrom	Pres. Christensen
Finlinson			

Absent or not voting were: Senators

Barlow	Black	Overson	Sowards
Barton	McAllister	Rogers	Williams

• • •

On motion of Senator Overson, the circle was removed from **SUB. S.B. No. 52** and **S.B. No. 44.**

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On motion of Senator Cary G. Peterson and at 12:00 noon, the Senate adjourned until 10:00 a.m., Tuesday, January 29, 1985.

SIXTEENTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Arnold Christensen presiding.

Roll Call — All Senators present.

Prayer — Senator Dona M. Wayment

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

DAILY SENATE JOURNAL

Mr. President: January 29, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the Fifteenth day and find it correct with minor amendments noted on the final copy.

Darrell Renstrom
Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 28, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **Substitute H.B. No. 1**, LOCAL RENT CONTROL PROHIBITION, by Representative Moody, 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. 48**, INTEREST PAYMENTS FROM FIREMEN RETIRED RESERVE FUND, by Representative Ellertson, 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. 89**, CHILD SUPPORT STATUE OF LIMITATION CLARIFICATION, by Representative Frandsen, 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. 96,** ADOPTION PETITION REQUIREMENTS, by Representative Maxfield, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 109,** INTERSTATE COMPACT ON ADOPTION AND MEDICAL ASSISTANCE, by Representative Skousen, 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. 125,** COMPULSORY SCHOOL AGE LIMITATION, by Representative Schmutz, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

Sub. H.B. Nos. 1 and **89** and **H.B. Nos. 48, 96, 109** and **125** were read the first time and referred to Rules Committee.

STANDING COMMITTEE REPORTS

Mr. President: January 28, 1985

The Energy, Natural Resources & Agriculture Committee, to which was referred **S.B. No. 66,** TRUST DEED AMENDMENTS, by Senator Ivan M. Matheson, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Fred W. Finlinson, Committee Chairman

Committee report read and adopted. **S.B. No. 66,** was read the second time, and placed on Consent Calendar.

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Mr. President: January 25, 1985

The Business, Labor and Economic Development Standing Committee, to which was referred **S.B. No. 93,** PHYSICIAN ASSISTANT AMENDMENTS, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee favorably with the following amendments and asks that it be placed on the Consent Calendar:

Page 1, Line 32:
After "enrolled" insert "and actively engaged"

Page 1, Line 32:
After "a" delete "physician's" and insert "physician"

Page 1, Line 32:
After "assistant" insert "s"

Page 1, Line 33:
After "Registration" insert "upon the recommendation of the board"

Page 2, Line 5:
After "Section" delete "58-1-42" and insert "63-38-3-2"

Lowell S. Peterson, Committee Chairman

Committee report, with amendments, was read and adopted. **S.B. No. 93**, was read the second time, and placed on Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B. Nos. 13, 75, 65, 67, 68, 104, 111, 36, 128, 124** and **147** and **SUB. S.B. Nos. 64, 29**, and **H.B. No. 5**, and the bills were placed on Second Reading Calendar.

PRESENTATION OF RESOLUTION

T.H. BELL COMMENDATION

S.C.R. No. 5 *Haven J. Barlow*
Arnold Christensen, C.E. Peterson, Cary G. Peterson
Dix H. McMullin, Glade M. Sowards, Dona M. Wayment
Paul Rogers, Karl G. Swan, Omar B. Bunnell
John P. Holmgren, Lyle W. Hillyard, Wayne L. Sandberg
E. Vern Asay, Jack M. Bangerter, Brent C. Overson
LeRay L. McAllister, William T. Barton, Ivan M. Matheson
Wilford R. Black, Terry Williams, K.S. Cornaby
Richard J. Carling, Fred W. Finlinson, Lowell S. Peterson

A CONCURRENT RESOLUTION OF THE LEGISLATURE COMMENDING T.H. BELL FOR HIS EXEMPLARY SERVICE AS UNITED STATES SECRETARY OF EDUCATION, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING

S.B. No. 209 *K.S. Cornaby*

AN ACT RELATING TO THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING; PROVIDING A RESTRUCTURING OF THE DIVISION OF REGISTRATION; CHANGING THE NAME TO THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 8-4-1, AS ENACTED BY CHAPTER 26, LAWS OF UTAH 1983; 8-4-5, AS ENACTED BY CHAPTER 26, LAWS OF UTAH 1983; 8-4-8, AS ENACTED BY CHAPTER 26, LAWS OF UTAH 1983; 13-1-2, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 21-2-3, AS LAST AMENDED BY CHAPTER 69, LAWS OF UTAH 1983; 22-4-3, AS LAST AMENDED BY CHAPTER 21, LAWS OF UTAH 1983; 22-4-8, AS LAST AMENDED BY CHAPTER 21, LAWS OF UTAH 1983; 32-8-53, UTAH CODE ANNOTATED 1953; 41-1-22, UTAH CODE ANNOTATED 1953; 58-3-2, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 58-3-4, AS ENACTED BY CHAPTER 135, LAWS OF UTAH 1967; 58-5-3, AS LAST AMENDED BY CHAPTER 30, LAWS OF UTAH 1977; 58-5-6, AS LAST AMENDED BY CHAPTER 30, LAWS OF UTAH 1977; 58-5-8, AS LAST AMENDED BY CHAPTER 6, LAWS OF UTAH 1980; 58-5-15, AS ENACTED BY CHAPTER 30, LAWS OF UTAH 1977; 58-7-2, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1979; 58-7-6, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1979; 58-7-7, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 58-7-17, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1979; 58-9-3, AS LAST AMENDED BY CHAPTER 34, LAWS OF UTAH 1981; 58-9-4, AS ENACTED BY CHAPTER 5, LAWS OF UTAH 1980; 58-9-7, AS ENACTED BY CHAPTER 5, LAWS OF UTAH 1980; 58-9-8, AS ENACTED BY CHAPTER 5, LAWS OF UTAH 1980; 58-9-11, AS ENACTED BY CHAPTER 5, LAWS OF UTAH 1980; 58-11-2, AS LAST AMENDED BY CHAPTER 7, LAWS OF UTAH 1982; 58-11-5, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 58-11-6, AS ENACTED BY CHAPTER 24, LAWS OF UTAH 1981; 58-11-7, AS ENACTED BY CHAPTER 24, LAWS OF UTAH 1981; 58-12-2, AS ENACTED BY CHAPTER 27, LAWS OF UTAH 1981; 58-12-28, AS LAST AMENDED BY CHAPTER 30, LAWS OF UTAH 1981; 58-12-29.5, AS ENACTED BY CHAPTER 34, LAWS OF UTAH 1981; 58-12-33, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 58-12-35.1, AS ENACTED BY CHAPTER 4, LAWS OF UTAH 1976; 58-12-51.6, AS ENACTED BY CHAPTER 33, LAWS OF UTAH 1981; 58-12-52, AS ENACTED BY CHAPTER 31, LAWS OF UTAH 1977; 58-12-53, AS ENACTED BY CHAPTER 31, LAWS OF UTAH 1977; 58-12-55, AS ENACTED BY CHAPTER 31, LAWS OF UTAH 1977; 58-12-56, AS ENACTED BY CHAPTER 31, LAWS OF UTAH 1977; 58-12-58, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1983; 58-12-63, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1983; 58-16-2, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 58-16-4, UTAH

CODE ANNOTATED 1953; 58-16-5, UTAH CODE ANNOTATED 1953; 58-16-7, UTAH CODE ANNOTATED 1953; 58-16-11, AS LAST AMENDED BY CHAPTER 10, LAWS OF UTAH 1979; 58-17-2, AS LAST AMENDED BY CHAPTER 6, LAWS OF UTAH 1980; 58-17-2.7, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 58-17-6, AS ENACTED BY CHAPTER 117, LAWS OF UTAH 1957; 58-17-6.5, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 58-17-7, AS ENACTED BY CHAPTER 117, LAWS OF UTAH 1957; 58-17-8.7, AS ENACTED BY CHAPTER 117, LAWS OF UTAH 1957; 58-17-14, AS ENACTED BY CHAPTER 17, LAWS OF UTAH 1983; 58-17-15, UTAH CODE ANNOTATED 1953; 58-17-18, UTAH CODE ANNOTATED 1953, 58-17-24, UTAH CODE ANNOTATED 1953; 58-17-25, AS ENACTED BY CHAPTER 117, LAWS OF UTAH 1957; 58-17-28, AS ENACTED BY CHAPTER 142, LAWS OF UTAH 1971; 58-20-1, UTAH CODE ANNOTATED 1953; 58-20-4, AS ENACTED BY CHAPTER 143, LAWS OF UTAH 1967; 58-22-2, AS ENACTED BY CHAPTER 118, LAWS OF UTAH 1955; 58-22-3, AS LAST AMENDED BY CHAPTER 67, LAWS OF UTAH 1984; 58-22-8, AS ENACTED BY CHAPTER 118, LAWS OF UTAH 1955; 58-22-10, AS ENACTED BY CHAPTER 118, LAWS OF UTAH 1955; 58-24-6, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 58-24-10, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 58-25-2, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 58-25-5, AS LAST AMENDED BY CHAPTER 18, LAWS OF UTAH 1975; 58-25-6, AS LAST AMENDED BY CHAPTER 26, LAWS OF UTAH 1981; 58-25-12, AS ENACTED BY CHAPTER 100, LAWS OF UTAH 1959; 58-26-2, AS ENACTED BY CHAPTER 35, LAWS OF UTAH 1981; 58-26-3, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 58-31-9, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 58-35-2, AS LAST AMENDED BY CHAPTER 34, LAWS OF UTAH 1981; 58-35-5, AS LAST AMENDED BY CHAPTER 133, LAWS OF UTAH 1973; 58-35-7, AS LAST AMENDED BY CHAPTER 32, LAWS OF UTAH 1977; 58-35-9, AS ENACTED BY CHAPTER 138, LAWS OF UTAH 1971; 58-35-11, AS LAST AMENDED BY CHAPTER 32, LAWS OF UTAH 1977; 58-35-12, AS ENACTED BY CHAPTER 138, LAWS OF UTAH 1971; 58-35-14, AS ENACTED BY CHAPTER 138, LAWS OF UTAH 1971; 58-37-6, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 58-39-3, AS LAST AMENDED BY CHAPTER 31, LAWS OF UTAH 1981; 58-39-6, AS LAST AMENDED BY CHAPTER 31, LAWS OF UTAH 1981; 58-39-12, AS ENACTED BY CHAPTER 124, LAWS OF UTAH 1973; 58-41-2, AS LAST AMENDED BY CHAPTER 34, LAWS OF UTAH 1981; 58-41-6, AS LAST AMENDED BY CHAPTER 34, LAWS OF UTAH 1981, 58-41-13, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 58-44-4, AS ENACTED BY CHAPTER 21, LAWS

OF UTAH 1979; 58-44-6, AS ENACTED BY CHAPTER 21, LAWS OF UTAH 1979; 58-44-7, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 58-44-8, AS ENACTED BY CHAPTER 21, LAWS OF UTAH 1979; 58-46-2, AS LAST AMENDED BY CHAPTER 34, LAWS OF UTAH 1981; 58-46-3, AS ENACTED BY CHAPTER 22, LAWS OF UTAH 1979; 58-46-4, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 58-46-5, AS ENACTED BY CHAPTER 22, LAWS OF UTAH 1979; 58-46-6, AS ENACTED BY CHAPTER 22, LAWS OF UTAH 1979; 58-47-2, AS ENACTED BY CHAPTER 22, LAWS OF UTAH 1981; 58-47-8, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 58-47-11, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 58-47-14, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 58-47-17, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, WHICH TAKES EFFECT JULY 1, 1985; 58A-3-16, AS ENACTED BY CHAPTER 23, LAWS OF UTAH 1981; 63-55-7, AS LAST AMENDED BY CHAPTER 73, LAWS OF UTAH 1984; 78-56-139, UTAH CODE ANNOTATED 1953; 78-56-15, AS LAST AMENDED BY CHAPTER 77, LAWS OF UTAH 1977; 78-56-16, AS LAST AMENDED BY CHAPTER 95, LAWS OF UTAH 1975; 78-56-17, UTAH CODE ANNOTATED 1953.

REPEALS AND REENACTS: CHAPTER 1, TITLE 58, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

MOBILE AND MODULAR HOME ZONING

S.B. No. 210 *E. Verl Asay*

AN ACT RELATING TO ZONING AND PLANNING; MANDATING THAT MODULAR, MANUFACTURED, OR MOBILE HOMES BE PERMITTED IN MUNICIPAL AND COUNTY DISTRICTS WHICH ARE ZONED FOR MULTI-UNIT FAMILY DWELLINGS; AND PERMITTING THEM, BY LOCAL ORDINANCE, IN MUNICIPAL OR COUNTY RESIDENTIAL ZONES.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 10-9-2.6, UTAH CODE ANNOTATED 1953; 17-27-11.8, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

WAGE, HOUR, AND WORKING CONDITION AMENDMENTS

S.B. No. 211 *Dale E. Stratford*

AN ACT RELATING TO LABOR IN GENERAL; PROVIDING FOR THE ELIMINATION OF SEX-BASED DISTINCTIONS; EXCLUDING LEGALLY MARRIED PERSONS

OR HIGH SCHOOL GRADUATES FROM THE PROVISIONS RELATING TO THE EMPLOYMENT OF CHILDREN; INCLUDING ACCRUED VACATION AND BENEFITS IN THE DEFINITION OF WAGES; ESTABLISHING A FORMULA FOR MINIMUM AND MAXIMUM WAGES ASSIGNED FOR COLLECTION; PROVIDING FOR PENALTIES; RENDERING UNLAWFUL ATTEMPTS BY AN EMPLOYER TO REBATE, RETURN, OR REFUND ANY PART OF THAT EMPLOYEE'S SALARY OR COMPENSATION; PROVIDING FOR THE PROCEDURE WHEN APPEALING AN INDUSTRIAL COMMISSION ORDER OR AWARD; PROVIDING FOR RECIPROCITY WITH OTHER STATES; AND PROVIDING FOR COSTS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 34-22-5, AS LAST AMENDED BY CHAPTER 73, LAWS OF UTAH 1971; 34-22-8, AS LAST AMENDED BY CHAPTER 61, LAWS OF UTAH 1973; 34-22-9, AS LAST AMENDED BY CHAPTER 61, LAWS OF UTAH 1973; 34-22-13, AS ENACTED BY CHAPTER 85, LAWS OF UTAH 1969; 34-22-14, AS LAST AMENDED BY CHAPTER 61, LAWS OF UTAH 1973; 34-23-9, AS ENACTED BY CHAPTER 63, LAWS OF UTAH 1973; 34-26-1, AS LAST AMENDED BY CHAPTER 166, LAWS OF UTAH 1981; 34-26-4, AS ENACTED BY CHAPTER 85, LAWS OF UTAH 1969; 34-28-1, AS LAST AMENDED BY CHAPTER 64, LAWS OF UTAH 1973; 34-28-2, AS ENACTED BY CHAPTER 85, LAWS OF UTAH 1969; 34-28-3, AS LAST AMENDED BY CHAPTER 155, LAWS OF UTAH 1977; 34-28-5, AS ENACTED BY CHAPTER 85, LAWS OF UTAH 1969; 34-28-8, AS ENACTED BY CHAPTER 85, LAWS OF UTAH 1969; 34-28-9, AS LAST AMENDED BY CHAPTER 99, LAWS OF UTAH 1975; 34-28-12, AS ENACTED BY CHAPTER 85, LAWS OF UTAH 1969; 34-28-13, AS LAST AMENDED BY CHAPTER 166, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

DEREGULATION OF TELECOMMUNICATION DISTRIBUTORS AND INDEPENDENT ENERGY PRODUCERS

S.B. No. 212 *Fred W. Finlinson*

AN ACT RELATING TO PUBLIC UTILITIES; EXEMPTING FROM REGULATION CERTAIN DISTRIBUTORS OF INTRASTATE TELECOMMUNICATIONS AND CERTAIN INTRASTATE INDEPENDENT ENERGY PRODUCERS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 54-2-1, AS LAST AMENDED BY CHAPTER 50, LAWS OF UTAH 1984, was read the first time and referred to Rules Committee.

INDUSTRIAL REHABILITATION

S.B. No. 213 *Dale E. Stratford*

AN ACT RELATING TO THE INDUSTRIAL COMMISSION; PROVIDING FOR AN INDUSTRIAL REHABILITATION PROGRAM FOR INDUSTRIALLY INJURED WORKERS; APPOINTING AN INDUSTRIAL REHABILITATION COORDINATOR; GIVING THE COORDINATOR POWERS AND RESPONSIBILITIES; PROVIDING FOR THE ADMINISTRATION OF THE INDUSTRIAL REHABILITATION PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 35-1-108, UTAH CODE ANNOTATED 1953; 35-1-109, UTAH CODE ANNOTATED 1953; 35-1-110, UTAH CODE ANNOTATED 1953; 35-1-111, UTAH CODE ANNOTATED 1953; 35-1-112, UTAH CODE ANNOTATED 1953; 35-1-113, UTAH CODE ANNOTATED 1953; 35-1-114, UTAH CODE ANNOTATED 1953; 35-1-115, UTAH CODE ANNOTATED 1953; 35-2-66, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

BUSINESS OPPORTUNITY DISCLOSURE ACT

S.B. No. 214 *Brent C. Overson*

AN ACT RELATING TO COMMERCE AND TRADE; PROVIDING A LIMIT OF $500,000 ON THE AMOUNT OF CONSIDERATION REQUIRED TO SUBJECT A BUSINESS OPPORTUNITY TO THE BUSINESS OPPORTUNITY DISCLOSURE ACT; AND RESTRICTING WHEN TREBLE DAMAGES MAY BE AWARDED.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 13-15-2, AS LAST AMENDED BY CHAPTER 58, LAWS OF UTAH 1983; 13-15-3, AS LAST AMENDED BY CHAPTER 58, LAWS OF UTAH 1983; 13-15-6, AS LAST AMENDED BY CHAPTER 58, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

RETIREMENT FINAL AVERAGE SALARY

S.B. No. 215 *Dix H. McMullin*

AN ACT RELATING TO PENSIONS; CHANGING THE FINAL AVERAGE SALARY CALCULATIONS FROM A FIVE YEAR TO A THREE YEAR AVERAGE; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 49-10-6, AS LAST AMENDED BY CHAPTER 224, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

ANTI DISCRIMINATION ACT AMENDMENTS

S.B. No. 216 *Dale E. Stratford, Terry Williams*

AN ACT RELATING TO LABOR IN GENERAL; ENLARGING PROHIBITED EMPLOYMENT PRACTICES; CHANGING THE COMPLAINT AND JUDICIAL REVIEW PROCEDURE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 34-35-2, AS LAST AMENDED BY CHAPTER 136, LAWS OF UTAH 1979; 34-35-5, AS LAST AMENDED BY CHAPTER 136, LAWS OF UTAH 1979; 34-35-6, AS LAST AMENDED BY CHAPTER 136, LAWS OF UTAH 1979

ENACTS: 34-35-7.1, UTAH CODE ANNOTATED 1953; 34-35-8.1, UTAH CODE ANNOTATED 1953

REPEALS: 34-35-7, AS LAST AMENDED BY CHAPTER 1, LAWS OF UTAH 1981; 34-35-8, AS ENACTED BY CHAPTER 85, LAWS OF UTAH 1969, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

On motion of Senator Pugh, and under suspension of the rules, **S.B. No. 108,** ALCOHOLIC BEVERAGE CONTROL ACT, was lifted to the top of the calendar, and read the third time.

On motion of Senator Pugh, the Senate voted to adopt the Replacement Committee Report, and further to adopt the Goldenrod pages as placed in legislator's folders.

On motion of Senator Pugh **S.B. No. 108,** was amended as follows:

Goldenrod: Page 163, Line 4
Delete "liquor" and reinsert "an alcoholic beverage"

Goldenrod: Page 163, Line 11
Delete "liquor" and reinsert "alcoholic beverage"

The bill passed on the following roll call:

Yeas, 19; Nays, 3; Absent, 7

Voting in the affirmative were: Senators

Asay	Finlinson	Overson	Sowards
Bangerter	Holmgren	Peterson, C.	Swan

Barton	McAllister	Peterson, L.	Wayment
Carling	McMullin	Pugh	Pres. Christensen
Cornaby	Money	Renstrom	

Voting in the negative were: Senators

Hillyard	Peterson, Chuck	Stratford

Absent or not voting were: Senators

Barlow	Bunnell	Rogers	Williams
Black	Matheson	Sandberg	

Senator Bangerter, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action.

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On motion of Senator Carling, **S.B. No. 44** was circled.

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S.B. No. 73, UTAH PERCENT-FOR-ART ACT, was read the third time.

On motion of Senator Black, **S.B. No. 73** was amended as follows:

Goldenrod: Page 6, Line 20 through 24:
Delete all underlined material.

Goldenrod: Page 6, Lines 19 and 20:
After "purpose" to read "; however, the"

On motion of Senator McAllister, **S.B. No. 73** was amended as follows:

Page 5, Line 3:
Delete "a fund" and insert "an appropriation"; after "administered" insert "by the Division of Fine Arts"

Page 8, Lines 1 and 2:
Delete completely.

Page 8, Lines 3 through 23:
Renumber accordingly.

Page 8, Line 30:
Delete "funds" and insert "appropriation"

Page 9, Line 4:
Delete "funds received by the director" and insert "unexpended funds"

Page 9, Line 5:
After "shall" insert "be non-lapsing and"

The bill passed on the following roll call:

Yeas, 17; Nays, 9; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Peterson, Chuck	Sowards
Bangerter	Cornaby	Renstrom	Swan
Barton	Finlinson	Rogers	Wayment (exp.)
Black	Peterson, C. (exp.)	Sandberg	Williams
Bunnell			

Voting in the negative were: Senators

Hillyard	McMullin	Overson (exp.)	Stratford
Holmgren	Money (exp.)	Peterson, L. (exp.)	Pres. Christensen
McAllister			

Absent or not voting were: Senators

Barlow	Matheson	Pugh

S.B. No. 73, as amended was transmitted to the House.

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S.B. No. 42, BOARD OF EXPOSITIONS 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	Hillyard	Peterson, C.	Sandberg
Bangerter	Holmgren	Peterson, Chuck	Stratford
Barton	McAllister	Peterson, L.	Swan
Black	McMullin	Renstrom	Wayment

Carling	Money	Rogers	Pres. Christensen
Finlinson	Overson		

Absent or not voting were: Senators

Barlow	Cornaby	Pugh	Williams
Bunnell	Matheson	Sowards	

S.B. No. 42, as amended, was transmitted to the House.

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On motion of Senator Cary Peterson, **S.B. No. 58** was circled.

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On motion of Senator Rogers, the circle was removed from **S.B. No. 44,** COMPUTER CRIMES ACT, and the bill was read the third time.

On motion of Senator Rogers, **S.B. No. 44** was amended as follows:

Goldenrod: Page 3, Line 5:
After "of a" insert ": (a)"

Goldenrod: Page 3, Line 6:
Delete "third" and insert "second"

Goldenrod: Page 3, Line 6:
After "degree" delete the period and insert the following: "if the amount of damage exceeds $1,000; (b) felony of the third degree if the amount of damage exceeds $250 but does not exceed $1,000; (c) class A misdemeanor if the amount of damage exceeds $100 but does not exceed $250; (d) class B misdemeanor if the amount of damage does not exceed $100"

Goldenrod: Page 3, Line 18:
After "of a" insert ": (a)"

Goldenrod: Page 3, Line 19:
Delete "third" and insert "second"

Goldenrod: Page 3, Line 19:
After "degree" delete the period and insert the following: "if the amount of damages exceeds $1,000; (b) felony of the third degree if the amount of damages exceeds $250 but does not exceed $1,000; (c) class A misdemeanor if the amount of damage exceeds $100 but does not exceed $250; (d) class B misdemeanor if the amount of damage does not exceed $100"

Goldenrod: Page 3, Line 22a, 22b, 22c, 22d and 22e:
Delete all underlined material.

The bill passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 6

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, C.	Stratford
Bangerter	Hillyard	Peterson, Chuck	Swan
Barton	Matheson	Renstrom	Wayment
Black	McAllister	Rogers	Williams
Carling	McMullin	Sandberg	Pres. Christensen
Cornaby	Money		

Voting in the negative was: Senator
Overson

Absent or not voting were: Senators

Barlow	Holmgren	Pugh	Sowards
Bunnell	Peterson, L.		

S.B. No. 44, as amended, was transmitted to the House.

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S.B. No. 82, STATE WATER AUTHORITY, 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	Finlinson	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford

Barton	McAllister	Peterson, L.	Swan
Black	McMullin	Renstrom	Wayment
Bunnell	Money	Rogers	Williams
Cornaby	Overson	Sandberg	Pres. Christensen

Voting in the negative were: Senators

Asay	Matheson

Absent or not voting were: Senators

Carling	Hillyard	Pugh

S.B. No. 82, as amended, was transmitted to the House.

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On motion of Senator Barlow, the circle was removed from **S.B. No. 58,** GOVERNMENTAL IMMUNITY, and the bill was read the third time and passed on the following roll call:

Yeas, 20; Nays, 2; Absent, 7

Voting in the affirmative were: Senators

Asay	Finlinson	Money	Sandberg
Bangerter	Holmgren	Overson	Stratford
Barlow	Matheson	Peterson, Chuck	Swan
Barton	McAllister	Renstrom	Wayment
Black	McMullin	Rogers	Pres. Christensen

Voting in the negative were: Senators

Hillyard	Peterson, C.

Absent or not voting were: Senators

Bunnell	Cornaby	Pugh	Williams
Carling	Peterson, L.	Sowards	

S.B. No. 58, as amended, was transmitted to the House.

SECOND READING CALENDAR

SUB. S.B. No. 52, HANDICAPPED PARKING FINE AND TRANSFERABLE ID CARDS FOR THE HANDICAPPED, was before the Senate.

On motion of Senator Overson, **SUB. S.B. No. 52** was amended as follows:

Page 2, Line 26:
After "(b)" delete all of lines 26 through 30, and insert "The department shall establish rules governing the issuance, renewal, and termination of transferrable motor vehicle identification cards, in accordance with this section."

Page 3, Line 20:
After "handicapped" insert a "." and delete ", unless that person is parking the vehicle for the benefit of a handicapped person."

Senators McAllister, Renstrom, Christensen and Black commented.

Senator Overson, with the aid of five senators, requested a call of the Senate.

On motion of Senator Overson, the call of the Senate was lifted. The bill passed on the following roll call:

Yeas, 21; Nays, 6; Absent, 2

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Sowards
Bangerter	Finlinson	Overson	Swan
Barlow	Hillyard	Peterson, C.	Wayment
Barton	Holmgren	Renstrom	Williams
Black	McMullin	Rogers	Pres. Christensen
Bunnell			

Voting in the negative were: Senators

Matheson	Peterson, Chuck	Sandberg	Stratford
McAllister	Peterson, L.		

Absent or not voting were: Senators

Carling	Pugh

• • •

S.B. No. 96, DRINKING WATER AND WASTEWATER LOAN PROGRAM, was read the second time.

Mr. President: January 24, 1985

The Energy, Natural Resources & Agriculture Committee, to which was referred **S.B. No. 96,** DRINKING WATER AND WASTEWATER LOAN PROGRAM, 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. Senators Matheson and Swan commented. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Finlinson	Overson	Sandberg
Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Swan
Barton	Matheson	Peterson, L.	Wayment
Black	McAllister	Renstrom	Williams
Cornaby	McMullin	Rogers	Pres. Christensen

Absent or not voting were: Senators

Bunnell	Money	Pugh	Stratford
Carling			

• • •

S.B. No. 98, WILDLIFE LICENSE AMENDMENTS, was read the second time.

Mr. President: January 24, 1985

The Energy, Natural Resources & Agriculture Committee, to which was referred **S.B. No. 98,** WILDLIFE LICENSE AMENDMENTS, by Senator Fred W. Finlinson, et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 4, Line 7:
After "Any age" insert "500.00"

Page 4, Line 12:
Delete "9.00" and insert "18.00"

Fred W. Finlinson, Committee Chairman

Committee report, with amendments, was read and adopted. Senators Matheson, Swan, Sowards and Barton commented.

On motion of Senator Finlinson **S.B. No. 98** was amended as follows:

Page 4, Line 12:
Delete "18.00" and insert "9.00"

The above amendment passed on the following roll call:

Yeas, 15; Nays, 10; Absent, 4

Voting in the affirmative were: Senators

Barlow	Finlinson	Renstrom	Wayment
Black	McMullin	Sowards	Williams
Carling	Overson	Stratford	Pres. Christensen
Cornaby	Peterson, L.	Swan	

Voting in the negative were: Senators

Asay	Hillyard	McAllister	Peterson, Chuck
Bangerter	Holmgren	Peterson, C.	Rogers
Barton	Matheson		

Absent or not voting were: Senators

Bunnell	Money	Pugh	Sandberg

Senator Black moved the following amendments:

Page 4, Line 6:
Change combination license - 16 years or older from $35.00 to $32.00.

Page 4, Line 10:
Change resident fishing license - 16-64 (season) from $18.00 to $15.00.

Page 4, Line 22:
Change nonresident fishing license - any age (1-day) from $5.00 to $7.00.

Senator Hillyard moved the following substitute amendments:

"all license increases be placed midway between the present fee and the proposed fee"

Senators Rogers, Barlow, Overson, Swan, Matheson, Bunnell and Renstrom commented.

Senator Hillyard's substitute motion failed on a voice vote.

Senator Black explained his main motion. Senators Swan and Finlinson commented.

Senator Swan moved the following amendment to Senator Black's main motion.

Page 4, Line 10:
Change resident fishing license - 16-64 (season) from $15.00 to $16.00.

Page 4, Line 14:
Change resident big game - 16 years or older from $15.00 to $16.00.

On motion of Senator Cary Peterson, the bill will remain as unfinished business.

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On motion of Senator Cary G. Peterson, and at 12:05 p.m., the Senate recessed.

AFTERNOON SESSION

The Senate was called to order at 2:00 p.m. with President Arnold Christensen presiding.

UNFINISHED BUSINESS

S.B. No. 98, WILDLIFE LICENSE AMENDMENTS, was before the Senate as unfinished business. Senator Swan re-submitted his motion to amend.

Senators Finlinson, Sowards and Christensen commented.

Senator Black's main motion with Senator Swan's amendment failed on a voice vote.

On motion of Senator Barton, **S.B. No. 98** was amended as follows:

Page 3, Line 29:
Before "Residents" insert "(1)"

Page 4, after Line 27, add the following:
"(2) Statewide fish stamps or fees may not be imposed without legislative approval."

Senators Cary Peterson, McMullin and Black commented. The bill passed on the following roll call:

Yeas, 19; Nays, 5; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Holmgren	Peterson, L.	Stratford
Barlow	Matheson	Renstrom	Swan
Barton	Money	Rogers	Wayment
Carling	Peterson, C.	Sandberg	Williams
Finlinson	Peterson, Chuck	Sowards	

Voting in the negative were: Senators

Black (exp)	McAllister	McMullin	Pres. Christensen
Hillyard			

Absent or not voting were: Senators

Asay	Cornaby	Overson	Pugh
Bunnell			

SECOND READING CALENDAR

S.B. No. 62, UTAH ARBITRATION ACT, was read the second time.

Mr. President: January 24, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 62,** UTAH ARBITRATION ACT, by Senator Dale E. Stratford, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Vert Asay, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Carling	McMullin	Sandberg
Bangerter	Cornaby	Money	Stratford
Barlow	Hillyard	Peterson, C.	Swan
Barton	Holmgren	Peterson, Chuck	Wayment
Black	Matheson	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Bunnell	Overson	Pugh	Sowards
Finlinson	Peterson, L.	Rogers	Williams
McAllister			

RULES COMMITTEE REPORT

Mr. President: January 29, 1985

The Senate Rules Committee, to which were referred the following House Bills:

H.B. No. 29	LIMITATION ON ENFORCEMENT OF DUE ON SALE CLAUSES (Business, Labor and Economic Development)
H.B. No. 49	VETERANS PREFERRED EMPLOYMENT (Business, Labor and Economic Development)
H.B. No. 56	SIMPLIFIED MECHANICS LIEN NOTICE (Business, Labor and Economic Development)
H.B. No. 64	PROMPT CONSTRUCTION PAYMENTS (Business, Labor and Economic Development)
H.B. No. 70	INDEPENDENT CONTRACTORS EXEMPTION (Business, Labor and Economic Development)
H.B. No. 90	INCOME WITHHOLDING AMENDMENTS (Social Services)
H.B. No. 91	STATE INCOME TAX INTERCEPT FOR DELINQUENT CHILD SUPPORT (Social Services)
H.B. No. 92	CREDIT REPORTING OF SUPPORT DELINQUENCY (Social Services)

reports the same back and asks that they each be assigned to a committee, and

The Senate Rules Committee, to which were referred the following Senate Bills:

S.J.R. No. 5	AGENCY COOPERATION FOR EFFICIENCY RESOLUTION (State and Local Affairs)
S.B. No. 76	FUNDING OF MUNICIPAL SERVICES (State and Local Affairs)
S.B. No. 175	NORTHERN MICROWAVE SYSTEM APPROPRIATION (State and Local Affairs)

reports the same back and asks that they be printed and each assigned to a committee, and

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 81 INDIGENT MEDICAL ASSISTANCE PROGRAM (Health)
S.B. No. 164 INCENTIVES FOR EXCELLENCE IN PUBLIC SCHOOL DISTRICTS (Education)
S.B. No. 168 TEACHER CERTIFICATION BACKGROUND CHECK (Education)

reports the same back and asks that they be printed and each assigned to a committee.

Glade M. Soward
Rules Committee Chairman

Committee reports read and adopted. President Christensen assigned the bills to the committees indicated.

Mr. President: January 29, 1985

The Senate Rules Committee, to which was referred the following Senate Concurrent Resolution:

S.C.R. No. 5 T.H. BELL COMMENDATION

reports the same back and asks that it be printed and, under suspension of the rules, placed on the Second Reading Calendar.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted.

SECOND READING CALENDAR

S.B. No. 87, SUPERVISED PROBATION AMENDMENTS, was read the second time.

Mr. President: January 24, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 87,** SUPERVISED PROBATION AMENDMENTS, by Senator Dale E. Stratford, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 8, Lines 2, 3, 4, 5, 6, 7:
After "section." delete "In class B misdemeanors where probation supervision is not provided, the court may order the Department of Corrections to monitor the payment of any fine or restitution ordered and give the court notice of the completion of payment or the failure of the defendant to make payment as ordered."

E. Verl Asay, Committee Chairman

Committee report, with amendment, was read and adopted. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Cornaby	Money	Sandberg
Barlow	Hillyard	Overson	Stratford
Barton	Holmgren	Peterson, C.	Swan
Black	Matheson	Peterson, Chuck	Wayment
Bunnell	McAllister	Renstrom	Pres. Christensen
Carling	McMullin	Rogers	

Absent or not voting were: Senators

Asay	Peterson, L.	Sowards	Williams
Finlinson	Pugh		

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S.B. No. 88, YOUTH OFFENDERS PROGRAM CERTIFICATION, was read the second time.

Mr. President: January 24, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 88,** YOUTH OFFENDERS PROGRAM CERTIFICATION, by Senator Dale E. Stratford, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Lines 13 and 14:
After "FACILITIES" insert a "." and delete "WHICH SERVE JUVENILES WHO ARE COMMITTED TO THE FACILITY BY THE JUVENILE COURT."

Page 2, Line 5:
After "establish and" delete "administrate" and insert "administer"

Page 2, Line 19:
Delete "diagnostic" and insert "assessment"

age 3, Line 8:
After "who" delete "are committed to the facility by the juvenile court." and insert "have committed a delinquent act, in this state or in any other state, which would constitute a felony or misdemeanor if committed by an adult."

Page 3, Lines 13 and 14:
After "who" delete "are committed to the facility by the juvenile court and those which provide services to youth offenders" and insert "have committed a delinquent act, in this state or in any other state, which would constitute a felony or misdemeanor if committed by an adult,".

Page 3, Lines 21 and 22:
After "facility" delete "which serves juveniles who are committed to the facility by the juvenile court, and"

E. Verl Asay, Committee Chairman

Committee report, with amendments, was read and adopted. Senators Stratford and Rogers commented. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Finlinson	Overson	Sandberg
Barlow	Hillyard	Peterson, C.	Sowards
Barton	Holmgren	Peterson, Chuck	Stratford
Black	Matheson	Peterson, L.	Swan
Bunnell	McAllister	Renstrom	Wayment
Carling	McMullin	Rogers	Pres. Christensen
Cornaby	Money		

Absent or not voting were: Senators

Asay	Pugh	Williams

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S.B. No. 125, TRUST DEED CHANGES, was read the second time.

Mr. President: January 24, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 125,** TRUST DEED CHANGES, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 1, Line 17:
After "COSTS AND" insert "REASONABLE"

Page 2, Line 13:
After "trustee's and" insert "reasonable"

Page 6, Line 22:
Delete "The party bringing the action is entitled to recover" and insert "In any action brought under this section, the prevailing party shall be entitled to collect"

Page 6, Line 23:
After "costs and" insert "reasonable"

E. Verl Asay, Committee Chairman

Committee report, with amendments, was read and adopted. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Sowards
Barlow	Hillyard	Overson	Stratford
Barton	Holmgren	Peterson, C.	Swan
Black	Matheson	Peterson, Chuck	Wayment
Bunnell	McAllister	Renstrom	Pres. Christensen
Carling	McMullin	Sandberg	

Absent or not voting were: Senators

Bangerter	Peterson, L.	Rogers	Williams
Finlinson	Pugh		

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H.B. No. 85, MEDICAL EXAMINER'S AMENDMENTS, was read the second time.

Mr. President: January 25, 1985

The Health Standing Committee, to which was referred **H.B. No. 85,** MEDICAL EXAMINER'S AMENDMENTS, by Representative Lloyd Frandsen, 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. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Hillyard	Overson	Sandberg
Barlow	Holmgren	Peterson, C.	Sowards
Barton	Matheson	Peterson, Chuck	Stratford
Black	McAllister	Peterson, L.	Swan
Bunnell	McMullin	Renstrom	Wayment
Carling	Money	Rogers	Pres. Christensen
Cornaby			

Absent or not voting were: Senators

Bangerter	Finlinson	Pugh	Williams

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S.B. No. 72, AMENDMENTS - SEXUAL EXPLOITATION OF MINORS, was read the second time.

Mr. President: January 23, 1985

The Social Services Standing Committee, to which was referred **S.B. No. 72,** AMENDMENTS - SEXUAL EXPLOITATION OF MINORS, by Senator Dona M. Wayment 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. 72** replace the original bill:

John P. Holmgren, Committee Chairman

Committee report, with amendment, was read and adopted. The following substitute bill replaced the original bill.

AMENDMENTS - SEXUAL EXPLOITATION OF MINORS

SUBSTITUTE
S.B. No. 72 *Dona M. Wayment*

AN ACT RELATING TO CRIMINAL LAW; AMENDING THE AGE LIMITATION OF THE SEXUAL EXPLOITATION ACT TO INCLUDE ALL MINORS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 76-5a-1, AS ENACTED BY CHAPTER 87, LAWS OF UTAH 1983; 76-5a-2, AS ENACTED BY CHAPTER 87, LAWS OF UTAH 1983; 76-5a-3, AS ENACTED BY CHAPTER 87, LAWS OF UTAH 1983; 76-5a-4, AS ENACTED BY CHAPTER 87, LAWS OF UTAH 1983.

SUB. S.B. No. 72 passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Sowards
Bangerter	Holmgren	Peterson, Chuck	Stratford
Barlow	Matheson	Peterson, L.	Swan
Barton	McAllister	Renstrom	Wayment
Bunnell	McMullin	Rogers	Pres. Christensen
Cornaby	Overson	Sandberg	

Absent or not voting were: Senators

Black	Finlinson	Pugh	Williams
Carling	Money		

RECONSIDERATION

Senator Bangerter, having served notice that he might ask the Senate to reconsider its action on **S.B. No. 108,** ALCOHOLIC BEVERAGE CONTROL ACT, on this day, now asked that it be reconsidered.

On motion of Senator Cornaby, **S.B. No. 108** was amended as follows:

Goldenrod: Page 163, Line 4:
Restore "liquor" and delete "an alcoholic beverage"

Goldenrod: Page 163, Line 11:
Restore "liquor" and delete "alcoholic beverage"

The bill passed on reconsideration on the following roll call:

Yeas, 22; Nays, 2; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Finlinson	Peterson, Chuck	Sowards
Barlow	Holmgren	Peterson, L.	Stratford
Barton	McAllister	Renstrom	Swan
Black	McMullin	Rogers	Wayment
Bunnell	Money	Sandberg	Pres. Christensen
Cornaby	Peterson, C.		

Voting in the negative were: Senators

Hillyard	Matheson

Absent or not voting were: Senators

Asay	Overson	Pugh	Williams
Carling			

S.B. No. 108, as amended, was transmitted to the House.

SECOND READING CALENDAR

S.B. No. 78, MOSQUITO ABATEMENT DISTRICTS, was read the second time.

Mr. President: **January 24, 1985**

The State and Local Affairs Standing Committee, to which was referred **S.B. No. 78,** MOSQUITO ABATEMENT DISTRICTS, by Senator Wilford R. Black, has carefully considered the bill and reports it out of committee with a favorable recommendation.

K.S. Cornaby, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Matheson	Peterson, C.	Stratford
Bangerter	McAllister	Peterson, Chuck	Swan
Black	McMullin	Peterson, L.	Wayment
Bunnell	Money	Renstrom	Williams
Cornaby	Overson	Sandberg	Pres. Christensen
Hillyard			

Absent or not voting were: Senators

Barlow	Carling	Holmgren	Rogers
Barton	Finlinson	Pugh	Sowards

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S.B. No. 80, MUNICIPAL INITIATIVE AND REFERENDUM PROVISIONS, was read the second time.

Mr. President: January 24, 1985

The State and Local Affairs Standing Committee, to which was referred **S.B. No. 80,** MUNICIPAL INITIATIVE AND REFERENDUM PROVISIONS, by Senator Wilford R. Black, et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 8, Line 13:
After "means" delete "any" and insert "the next"

Page 8, Line 13:
After "or" delete "special" and insert "general municipal"

K.S. Cornaby, Committee Chairman

Committee report, with amendments, was read and adopted. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Money	Sandberg
Bangerter	Cornaby	Overson	Stratford
Barlow	Hillyard	Peterson, C.	Swan
Barton	Matheson	Peterson, Chuck	Wayment
Black	McAllister	Peterson, L.	Williams
Bunnell	McMullin	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Finlinson	Pugh	Rogers	Sowards
Holmgren			

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S.B. No. 123, RETIREMENT EXEMPTION AMENDMENTS, was read the second time.

Mr. President: January 24, 1985

The State and Local Affairs Standing Committee, to which was referred **S.B. No.**

123, RETIREMENT EXEMPTION AMENDMENTS, by Senator Paul Rogers, has carefully considered the bill and reports it out of committee with a favorable recommendation.

K.S. Cornaby, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Money	Rogers
Bangerter	Cornaby	Overson	Sandberg
Barlow	Hillyard	Peterson, C.	Stratford
Barton	Matheson	Peterson, Chuck	Swan
Black	McAllister	Peterson, L.	Williams
Bunnell	McMullin	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Finlinson	Pugh	Sowards	Wayment
Holmgren			

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S.B. No. 13, CREDIT SERVICES ORGANIZATIONS, was read the second time.

Mr. President: January 25, 1985

The Business, Labor and Economic Development Standing Committee, to which was referred **S.B. No. 13,** CREDIT SERVICES ORGANIZATIONS, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lowell S. Peterson, Committee Chairman

Committee report read and adopted. Senators Carling and Hillyard, commented. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Stratford
Bangerter	Hillyard	Peterson, C.	Swan
Barlow	Holmgren	Peterson, Chuck	Wayment
Barton	Matheson	Peterson, L.	Williams

Black	McAllister	Renstrom	Pres. Christensen
Carling	Money	Sandberg	

Absent or not voting were: Senators

Bunnell	McMullin	Rogers	Sowards
Finlinson	Pugh		

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S.B. No. 29, NEW AUTOMOBILE WARRANTIES (LEMON LAW), was read the second time.

Mr. President: January 25, 1985

The Business, Labor and Economic Development Standing Committee, to which was referred **S.B. No. 29,** NEW AUTOMOBILE WARRANTIES, by Senator Lowell S. Peterson, 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. 29** replace the original bill.

Lowell S. Peterson, Committee Chairman

Committee report, with amendment, was read and adopted. The following substitute bill replaced the original bill.

NEW MOTOR VEHICLE WARRANTIES

SUBSTITUTE
S.B. No. 29 *Lowell S. Peterson*

AN ACT RELATING TO COMMERCE AND TRADE; PROVIDING REMEDIES FOR CONSUMERS OF NEW MOTOR VEHICLES.

THIS ACT ENACTS CHAPTER 21, TITLE 13, UTAH CODE ANNOTATED 1953.

SUB. S.B. No. 29 passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Sandberg
Bangerter	Hillyard	Overson	Stratford
Barlow	Holmgren	Peterson, C.	Swan
Barton	Matheson	Peterson, Chuck	Wayment
Black	McAllister	Peterson, L.	Williams
Carling	McMullin	Renstrom	Pres. Christensen

Absent or not voting were: Senators
Bunnell Pugh Rogers Sowards
Finlinson

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S.B. No. 75, DIVISION OF CONTRACTORS, was read the second time.

Mr. President: January 25, 1985

The Business, Labor and Economic Development Standing Committee, to which was referred **S.B. No. 75,** DIVISION OF CONTRACTORS, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 17:
After 1953 insert "SECTION 58A-2-4, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 23, LAWS OF UTAH 1981"

Page 1, Line 23:
After "enforce" delete "this chapter" and insert "Title 58A"

Page 1, Line 24:
After "41" delete the period and insert "with the collaboration and assistance of the representative boards of the trades governed by this title."

Page 4, Line 7:
After "firm," delete "copartner" and insert "partnership"

Page 4, Line 25:
After "work." insert "58A-1a-1.5 (1) There is created within the division a Board of Contractors comprising five members appointed by the governor with the advice and consent of the Senate. One member shall be a licensed general engineering contractor, one member shall be licensed general building contractors, one member shall be a home builder, and one member shall be a licensed specialty contractor. Majority of the members constitutes a quorum. Board members shall be compensated as provided by law.

(2) The board shall assist and advise the director in the administration and enforcement of this title, prepare and review examinations for applicants, submit to the director recommendations for licensure and

certification standards, and perform all of the duties required by statute or rule."

Page 5, Line 5:
After "or" delete "stock" and insert "livestock"

Page 5, Line 27:
After "than" delete "$750, if" and insert "$250, including all".

Page 5, Line 28:
After "work" delete "do not exceed an additional $250"

Page 13, after Line 28:
Insert "Section 3. Section 58A-2-4, Utah Code Annotated 1953, as enacted by Chapter 23, Laws of Utah 1981, is repealed and reenacted to read:

Section 58A-2-4. (1) There is created a Plumbers Licensing Board comprising five members appointed by the director with the approval of the executive director. Four board members shall be licensed under this chapter and recommended by the plumbing industry of this state, and one member shall be a member of the general public with no history of any engagement in union activity or in the plumbing trade.

(2) Three board members constitute a quorum. Each member shall receive compensation and expenses as provided by law.

(3) The board shall meet as often as necessary, shall, in collaboration with the division, examine and approve applicants for journeyman plumber and apprentice plumber, shall advise the director on administration and budgetary matters, shall submit recommendations for licensure and standards for applicants, and shall perform other duties required by statute or rule."

Lowell S. Peterson, Committee Chairman

Committee report, with amendments, was read and adopted. Senators Stratford and Carling commented.

On motion of Senator Cornaby, the bill was circled.

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The Senate recessed at 4:05 p.m., and reassembled at 5:10 p.m.

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On motion of Senator McMullin, **S.B. No. 75** was uncircled.

RULES COMMITTEE REPORT

Mr. President: January 29, 1985

The Senate Rules Committee, to which was referred the following Senate Bill:

S.B. No. 153 PRELITIGATION PANEL REQUIREMENT FOR MEDICAL MALPRACTICE CLAIMS (Health)

reports the same back and asks that it be printed and assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bill to the committee indicated.

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S.B. No. 212, DEREGULATION OF TELECOMMUNICATION DISTRIBUTORS AND INDEPENDENT ENERGY PRODUCERS was amended in short and long titles and enrolled as follows:

PUBLIC UTILITIES DEFINITIONAL CHANGES

Enrolled Copy
S.B. No. 212

Fred Finlinson, William T. Barton, Glade M. Sowards, LeRay McAllister, C.E. 'Chuck' Peterson

AN ACT RELATING TO PUBLIC UTILITIES; EXEMPTING FROM REGULATION CERTAIN INTRASTATE INDEPENDENT ENERGY PRODUCERS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS:

54-2-1, AS LAST AMENDED BY CHAPTER 50, LAWS OF UTAH 1984.

On motion of Senator McMullin, and at 5:15 p.m., the Senate adjourned until 10:00 a.m., Wednesday, January 30, 1985.

SEVENTEENTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Arnold Christensen presiding.

Roll Call — All Senators present, except Senators Williams and Pugh, excused.

Prayer — Rev. Donald H. Baird, Minister of First Presbyterian Church. Salt Lake City, Utah

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

DAILY SENATE JOURNAL

Mr. President: January 30, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the Sixteenth day and find it correct with minor amendments noted on the final copy.

C.E. 'Chuck' Peterson
Committee Chairman

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 29, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **SUBSTITUTE H.C.R. No. 8,** BOY SCOUT WEEK RESOLUTION, by Representative Lewis, et al. and the same is transmitted herewith for Senate consideration

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Cary G. Peterson, and under suspension of the rules, the resolution was read the first, second and third times, and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Sandberg
Bangerter	Holmgren	Peterson, Chuck	Sowards
Barton	McAllister	Peterson, L.	Swan
Cornaby	McMullin	Renstrom	Wayment
Finlinson	Overson	Rogers	Pres. Christensen

Absent or not voting were: Senators

Barlow	Carling	Money	Stratford
Black	Matheson	Pugh	Williams
Bunnell			

H.C.R. No. 3, was signed by the President of the Senate in open session and returned to the House for further action.

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Mr. President: January 29, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 124,** DUI VICTIM RESTITUTION AMENDMENTS, by Representative Rees, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.B. No. 124 was read the first time and referred to Rules Committee.

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JOINT CONFERENCE COMMITTEE REPORT
(H.J.R. No. 10, JOINT RULES RESOLUTION)

Mr. President:
Mr. Speaker: January 29, 1985

Your Conference Committee, consisting of Senators Glade M. Sowards, Omar B. Bunnell, and Lyle W. Hillyard, and Representatives James R. Moss, Gayle F. McKeachnie and Ted D. Lewis, to which was referred **H.J.R. No. 10,** HOUSE JOINT RULES, by Representative Moss, begs leave to report as follows:

Page 3, Heading:
Adopt Senate Amendment

Page 3, Rule 3.02, 3.a.:
Delete Senate Amendement and restore the language ", without giving notice for the reason for his absence," and adopt House Amendment of "Two" instead of "three"

Page 3, Rule 3.02, 4.:
Adopt Senate Amendment

Page 4, Rule 3.03:
Adopt Senate Amendment

Page 4, Rule 3.04:
Adopt Senate Amendment

Page 7, Rule 4.14:
Adopt Senate Amendment

Page 7, Rule 4.16:
Adopt Senate Amendment

Page 8, Rule 4.18:
Adopt House Amendment

Page 10, Rule 4.23:
Adopt Senate Amendment

Page 10, Rule 4.24:
Adopt Senate Amendment

Page 12, Rule 4.33:
Adopt Senate Amendment

Page 28, Rule 13.30:
Adopt Senate Amendment

Page 31 and 32, Rule 15.02 and 15.03:
Adopt House Amendments

Page 43, Rule 17.01:
Adopt House Amendment

Page 45, Rule 1.01:
Adopt Senate Amendment

Page 48, Rule 3.01:
Adopt Senate Amendment

Page 49, Rule 4.02:
Delete Senate Amendment and restore to original form

Page 49, Rule 4.05:
Adopt Senate Amendment

Page 49, Rule 4.07:
Delete Senate Amendment and restore to original form

Page 50, Rule 4.08:
Adopt Senate Amendment

James R. Moss, Glade M. Sowards
Chairmen

On motion of Senator Sowards, the Senate voted to adopt the Joint Conference Committee Report. The bill passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Asay	Cornaby	Peterson, C.	Sowards
Bangerter	Holmgren	Peterson, Chuck	Stratford
Barlow	Matheson	Peterson, L.	Swan
Barton	McAllister	Renstrom	Wayment
Bunnell	McMullin	Rogers	Pres. Christensen
Carling	Overson	Sandberg	

Voting in the negative was: Senator
Hillyard

Absent or not voting were: Senators

Black	Money	Pugh	Williams
Finlinson			

H.J.R. No. 10, was returned to the House.

INTRODUCTION OF BILLS

TEACHER RESPONSIBILITY FOR AFTER SCHOOL ACTIVITIES

S.B. No. 217 *Brent C. Overson*

AN ACT RELATING TO PUBLIC SCHOOLS; PROVIDING THAT TEACHERS AND ADMINISTRATORS IN PUBLIC ELEMENTARY SCHOOLS MAY NOT HOLD A CHILD AFTER REGULAR SCHOOL HOURS WITHOUT NOTICE TO AND APPROVAL FROM THE CHILD'S PARENT OR GUARDIAN.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 53-24-1.7, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

ENERGY RESOURCE AND TECHNOLOGY INCENTIVES

S.B. No. 218 *Glade M. Sowards*

AN ACT RELATING TO THE ENERGY CONSERVATION AND DEVELOPMENT COUNCIL; PROVIDING AUTHORITY FOR FINANCIAL ASSISTANCE TO ENERGY RESOURCE AND TECHNOLOGY DEVELOPERS AND RESEARCHERS; PROVIDING FOR RULEMAKING AUTHORITY; AND ESTABLISHING PROJECT AND COUNCIL REPORTING REQUIREMENTS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 63-53-1, AS ENACTED BY CHAPTER 177, LAWS OF UTAH 1977; 63-53-4, AS ENACTED BY CHAPTER 177, LAWS OF UTAH 1977

ENACTS: 63-53-8, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

CONSENT CALENDAR

SUB. S.B. No. 26, PRODUCE DEALER'S ACT AMENDMENTS, was read the third time, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Sandberg
Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	Matheson	Peterson, L.	Swan
Bunnell	McAllister	Renstrom	Wayment
Carling	McMullin	Rogers	Pres. Christensen

Absent or not voting were: Senators

Black	Money	Pugh	Williams
Finlinson			

SUB. S.B. No. 26 was transmitted to the House.

THIRD READING CALENDAR

H.B. No. 85, MEDICAL EXAMINER'S AMENDMENT, was read the third time, and passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 6

Voting in the affirmative were: Senators

Asay	Cornaby	McMullin	Sandberg
Bangerter	Finlinson	Money	Sowards
Barlow	Hillyard	Overson	Swan
Barton	Holmgren	Peterson, C.	Wayment
Black	Matheson	Peterson, Chuck	Pres. Christensen
Carling	McAllister		

Voting in the negative was: Senator
Stratford

Absent or not voting were: Senators

Bunnell	Pugh	Rogers	Williams
Peterson, L.	Renstrom		

H.B. No. 85 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

Senator Asay was presiding.

• • •

SUB. S.B. No. 52, HANDICAPPED PARKING FINE AND TRANSFERABLE ID CARDS FOR THE HANDICAPPED, was read the third time, and before the Senate.

On motion of Senator Holmgren, **SUB. S.B. No. 52** was amended as follows:

Page 2, Lines 7 and 8:
After the word "by" on Line 7 delete "the Veterans Administration, by a duly licensed orthopedist, or by any other" and insert "any".

Senator Overson, with the aid of five Senators, requested a call of the Senate. On motion of Senator Overson, the call of the Senate was lifted.

The substitute bill passed on the following roll call:

Yeas, 19; Nays, 6; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	McMullin	Sandberg
Bangerter	Cornaby	Money	Sowards
Barton	Finlinson	Overson	Swan
Black	Hillyard	Peterson, L.	Wayment
Bunnell	Holmgren	Renstrom	

Voting in the negative were: Senators

Matheson	Peterson, C.	Rogers	Stratford
McAllister	Peterson, Chuck		

Absent or not voting were: Senators

Barlow	Pugh	Williams	Pres. Christensen

SUB. S.B. No. 52, as amended, was transmitted to the House.

• • •

S.B. No. 96, DRINKING WATER AND WASTEWATER LOAN PROGRAMS, was read the third time. Senators Finlinson and Holmgren commented. The bill passed on the following roll call:

Yeas, 22; Nays, 2; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Overson	Sandberg
Bangerter	Cornaby	Peterson, C.	Sowards
Barlow	Finlinson	Peterson, Chuck	Stratford
Barton	Matheson	Peterson, L.	Swan
Black	McAllister	Rogers	Wayment
Bunnell	McMullin		

Voting in the negative were: Senators
Hillyard Holmgren

Absent or not voting were: Senators
Money Renstrom Williams Pres. Christensen
Pugh

S.B. No. 96, was transmitted to the House.

• • •

President Christensen was presiding.

• • •

S.B. No. 98, WILDLIFE LICENSE AMENDMENTS, was read the third time.

On motion of Senator Finlinson S.B. No. 98 was amended as follows:

Page 1, Line 12:
After the ";" delete the word "AND"

Page 1, Line 13:
After the word "FEES" add "; AND PROHIBITING THE IMPOSITION OF STATEWIDE FISH STAMPS OR FEES"

Page 1, Line 16:
After line 16, insert the following: "23-19-3, AS LAST AMENDED BY CHAPTER 46, LAWS OF UTAH 1971"

Page 1, line 23:
After line 23, insert the following: "Section 1. Section 23-19-3, Utah Code Annotated 1953, as last amended by Chapter 46, Laws of Utah 1983, is amended to read:

23-19-3. There may be issued, as supplements to appropriate licenses and permits, special tag or tags for protected wildlife as determined by the Wildlife Board or the Board of Big Game Control, except as provided in Subsection 23-19-40 (2)."

Page 1, Line 24:
Beginning with Section 1, renumber remaining sections accordingly.

Senator Hillyard's motion to amend the bill as follows, failed on a voice vote.

Page 4, Line 6:
Delete "$35.00" and insert "$30.00"

Page 4, Line 8:
Delete "$9.00" and insert "$7.50"

Page 4, Line 10:
Delete "$18.00" and insert "$15.00"

Page 4, Line 12:
Delete "$9.00" and insert "$7.50"

Page 4, Line 15:
Delete "$6.00" and insert "$5.00"

Page 4, Line 16:
Delete "$12.00" and insert "$10.00"

Page 4, Line 28:
After line 27, insert a new section 7. "Section 7. There is appropriated from the General Fund to the Division of Wildlife Resources $700,000 to be used for general wildlife purposes."

The bill passed on the following roll call:

Yeas, 19; Nays, 7; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Cornaby	Peterson, L.	Stratford
Barlow	Finlinson	Renstrom	Swan
Barton	Holmgren	Rogers	Wayment
Bunnell	Money	Sandberg	Pres. Christensen
Carling	Peterson, Chuck	Sowards	

Voting in the negative were: Senators

Asay	Hillyard	McAllister	Peterson, C.
Black	Matheson	McMullin	

Absent or not voting were: Senators

Overson	Pugh	Williams

S.B. No. 98, as amended, was transmitted to the House.

• • •

S.B. No. 62, UTAH ARBITRATION ACT, was read the third time, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Cornaby	McMullin	Sandberg
Bangerter	Finlinson	Money	Sowards
Barlow	Hillyard	Peterson, Chuck	Stratford
Barton	Holmgren	Peterson, L.	Wayment
Bunnell	Matheson	Renstrom	Pres. Christensen
Carling	McAllister	Rogers	

Absent or not voting were: Senators

Black	Peterson, C.	Swan	Williams
Overson	Pugh		

S.B. No. 62 was transmitted to the House.

• • •

On motion of Senator Stratford, **S.B. No. 87** was circled.

• • •

S.B. No. 88, YOUTH OFFENDERS PROGRAM CERTIFICATION, was read the Third time. Senators Stratford and Hillyard commented, and the bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Finlinson	Money	Sandberg
Bangerter	Hillyard	Overson	Stratford
Barlow	Holmgren	Peterson, C.	Swan
Black	Matheson	Peterson, Chuck	Wayment
Carling	McAllister	Rogers	Pres. Christensen
Cornaby	McMullin		

Absent or not voting were: Senators

Barton	Peterson, L.	Renstrom	Williams
Bunnell	Pugh	Sowards	

S.B. No. 88, as amended, was transmitted to the House.

• • •

S.B. No. 125, TRUST DEED CHANGES, was read the third time, and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Finlinson	McMullin	Sandberg
Barlow	Hillyard	Money	Sowards
Black	Holmgren	Overson	Stratford
Carling	Matheson	Peterson, Chuck	Wayment
Cornaby	McAllister	Rogers	Pres. Christensen

Absent or not voting were: Senators

Bangerter	Peterson, C.	Pugh	Swan
Barton	Peterson, L.	Renstrom	Williams
Bunnell			

S.B. No. 125, as amended, was transmitted to the House.

• • •

SUB. S.B. No. 72, AMENDMENTS - SEXUAL EXPLOITATION OF MINORS, 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	Finlinson	Money	Sandberg
Bangerter	Hillyard	Overson	Sowards
Barlow	Holmgren	Peterson, C.	Stratford
Black	Matheson	Peterson, Chuck	Wayment
Carling	McAllister	Rogers	Pres. Christensen
Cornaby	McMullin		

Absent or not voting were: Senators

Barton	Peterson, L.	Renstrom	Williams
Bunnell	Pugh	Swan	

SUB. S.B. No. 72, was transmitted to the House.

* * *

S.B. No. 78, MOSQUITO ABATEMENT DISTRICTS, 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	Finlinson	Money	Rogers
Bangerter	Hillyard	Overson	Sandberg
Barlow	Holmgren	Peterson, C.	Sowards
Black	Matheson	Peterson, Chuck	Stratford
Carling	McAllister	Peterson, L.	Wayment
Cornaby	McMullin	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Barton	Pugh	Swan	Williams
Bunnell			

S.B. No. 78, was transmitted to the House.

* * *

S.B. No. 80, MUNICIPAL INITIATIVE AND REFERENDUM PROVISIONS, was read the third time, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Finlinson	Overson	Sowards
Bangerter	Hillyard	Peterson, C.	Stratford
Barlow	Holmgren	Peterson, Chuck	Swan
Barton	Matheson	Peterson, L.	Wayment

Black	McAllister	Renstrom	Williams
Carling	McMullin	Rogers	Pres. Christensen
Cornaby	Money	Sandberg	

Absent or not voting were: Senators
Bunnell Pugh

S.B. No. 80, as amended, was transmitted to the House.

• • •

S.B. No. 123, RETIREMENT EXEMPTION AMENDMENTS, was read the third time, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Finlinson	Money	Sandberg
Bangerter	Hillyard	Overson	Sowards
Barlow	Holmgren	Peterson, C.	Stratford
Barton	Matheson	Peterson, Chuck	Swan
Black	McAllister	Peterson, L.	Wayment
Carling	McMullin	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Bunnell	Pugh	Rogers	Williams
Cornaby			

S.B. No. 123 was transmitted to the House.

• • •

S.B. No. 13, CREDIT REPAIR CLINICS, 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	Hillyard	Overson	Sandberg
Bangerter	Holmgren	Peterson, C.	Sowards
Barlow	Matheson	Peterson, Chuck	Stratford
Black	McAllister	Peterson, L.	Swan

Carling	McMullin	Renstrom	Wayment
Cornaby	Money	Rogers	Pres. Christensen
Finlinson			

Absent or not voting were: Senators

Barton	Bunnell	Pugh	Williams

S.B. No. 13 was transmitted to the House.

• • •

SUB. S.B. No. 29, NEW MOTOR VEHICLE WARRANTIES (LEMON LAW), was read the third time.

On motion of Senator McMullin, the bill was placed on Third Reading Table.

• • •

On motion of Senator Stratford, the circle was removed from **S.B. No. 87,** SUPERVISED PROBATION AMENDMENTS, and the bill was placed on Third Reading Table.

SECOND READING CALENDAR

On motion of Senator Carling, **H.B. No. 5** was circled.

• • •

On motion of Senator Carling, **S.B. No. 6,** NURSE PRACTITIONER'S PRESCRIPTIVE PRACTICE ACT — SUNSET REAUTHORIZATION, was lifted from Second Reading Table, and before the Senate. Senator Hillyard and Asay commented. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Sandberg
Bangerter	Finlinson	Overson	Sowards (exp)
Barlow	Hillyard	Peterson, C.	Swan
Barton	Holmgren	Peterson, Chuck	Wayment
Black	Matheson	Peterson, L.	Williams
Bunnell	McAllister	Renstrom	Pres. Christensen
Carling	McMullin	Rogers	

Absent or not voting were: Senators
Pugh Stratford

• • •

On motion of Senator Cornaby, **S.B. No. 75,** DIVISION OF CONTRACTOR'S, was before the Senate and amended as follows:

Committee amendment on Page 4, Line 25, place a period after "members" and delete "appointed by the governor with the advice and consent of the Senate."

Committee amendment on Page 13 after Line 28, place a period after "members" and delete "appointed by the director with the approval of the executive director."; and

Page 1, Line 25:
After "58A-1-2." insert "(1)"

Page 1, Line 29:
Insert a new Subsection to read: "(2) For each board created under this title, members shall be appointed by the governor with the advice and consent of the Senate. Membership and qualifications shall otherwise be determined as provided in the respective contractors, plumber, and electrician chapters."

On motion of Senator McAllister, **S.B. No. 75** was amended as follows:

Page 8, Line 17:
Delete "rudimentary"

Page 8, Line 26:
Delete "sooner"

The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Finlinson	Overson	Sowards
Barlow	Hillyard	Peterson, C.	Stratford
Barton	Holmgren	Peterson, Chuck	Swan
Black	McAllister	Peterson, L.	Wayment

Bunnell	McMullin	Renstrom	Pres. Christensen
Cornaby	Money	Rogers	

Absent or not voting were: Senators

Bangerter	Matheson	Sandberg	Williams
Carling	Pugh		

COMMUNICATION FROM THE HOUSE

Mr. President: January 30, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 14,** PARK CITY WINTER OLYMPICS RESOLUTION, by Representative Brown, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Sowards, and under suspension of the rules, the resolution was read the first, second and third times. Jerry Eitner, President of the Board of the International Special Olympics, and Jim Murphy, Executive Director of the International Special Olympics spoke in Committee of the Whole.

The resolution passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Finlinson	Peterson, C.	Sowards
Barlow	Hillyard	Peterson, Chuck	Swan
Barton	Holmgren	Peterson, L.	Wayment
Bunnell	McMullin	Renstrom	Williams
Carling	Money	Rogers	Pres. Christensen
Cornaby	Overson	Sandberg	

Absent or not voting were: Senators

Asay	Matheson	Pugh	Stratford
Black	McAllister		

H.J.R. No. 14, was signed by the President of the Senate in open session and returned to the House for further action.

RULES COMMITTEE REPORT

Mr. President: January 29, 1985

The Senate Rules Committee, to which were referred the following House Bills:

H.B. No. 86	PUBLIC ASSISTANCE FRAUD AMENDMENTS (Social Services)
H.B. No. 87	INTERSTATE CHILD SUPPORT COLLECTION (Social Services)
H.B. No. 88	CHILD SUPPORT BOND (Social Services)
SUB. H.B. No. 89	CHILD SUPPORT STATUTE OF LIMITATION CLARIFICATION (Social Services)

reports the same back and asks that they each be assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bills to the committees indicated.

• • •

H.B. No. 5, being circled as the Senate adjourned, was placed on Second Reading Table.

• • •

On motion of Senator Cary G. Peterson, and at 12:00 noon, the Senate adjourned until 10:00 a.m., Thursday, January 31, 1985.

EIGHTEENTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with Senator Cary G. Peterson presiding.

Roll Call — All Senators present, except Senators Overson and Pugh and President Christensen, excused.

Prayer — Senator Ivan M. Matheson

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

DAILY SENATE JOURNAL

Mr. President: January 31, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the Seventeenth day and find it correct with minor amendments noted on the final copy.

Darrell G. Renstrom, Committee Member

Committee report read and adopted.

COMMUNICATION FROM THE GOVERNOR

Dear President Christensen and Speaker Garff: January 29, 1985

This is to inform you that on January 29, 1985, I signed into law the following bills which have been forwarded to the Lieutenant Governor's Office for filing.

S.C.R. 1, MISS AMERICA SHARLENE WELLS COMMENDATION
S.C.R. 3, BYU FOOTBALL COMMENDATION

Norman H. Bangerter
Governor, State of Utah

Communication filed.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 30, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 9,** SUNSET REVIEW - VETERINARY PRACTICE ACT, by Senator

Lowell S. 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.

Carole E. Peterson, Acting Chief Clerk

S.B. No. 9 was signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

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Mr. President: January 30, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **SUBSTITUTE H.B. No. 59**, PHARMACY PRACTICE ACT, by Representative Anderson, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 94**, ENFORCEMENT OF LEGISLATIVE INTENT, by Representative Selleneit, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, **H.B. No. 123**, JUVENILE COURT DETENTION ORDERS, by Representative Brown, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **SUBSTITUTE H.B. No. 131**, CONSERVATION EASEMENTS, by Representative Myrin, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, **H.B. No. 134**, SCHOOL BUS FLASHING LIGHTS MODIFICATION, by Representative Warnick, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed on Consent Calendar, **H.B. No. 136**, GOVERNMENTAL PLANNING COORDINATION, by Representative Christensen, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.B. Nos. 59, 94, 123, 131, 134 and **136**, were read the first time and referred to Rules Committee.

•

Mr. President: January 30, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **S.B. No. 11**, SUNSET REVIEW - PODIATRISTS, by Senator Black, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Black, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Bangerter	Cornaby	McAllister	Peterson, L.
Barlow	Finlinson	McMullin	Renstrom
Black	Hillyard	Money	Rogers
Bunnell	Holmgren	Peterson, C.	Sowards
Carling	Matheson	Peterson, Chuck	Swan

Absent or not voting were: Senators

Asay	Pugh	Stratford	Williams
Barton	Sandberg	Wayment	Pres. Christensen
Overson			

S.B. No. 11 was returned to the House.

• • •

Mr. President January 30, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, **H.C.R. No. 10**, UTAH'S GRAND CIRCLE OF THE SOUTHWEST, by Representative Yardley, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Matheson, and under suspension of the rules, the resolution was read the first, second and third times, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Cornaby	McMullin	Renstrom
Barlow	Hillyard	Money	Sandberg
Barton	Holmgren	Peterson, C.	Stratford
Black	Matheson	Peterson, Chuck	Swan
Bunnell	McAllister	Peterson, L.	Wayment
Carling			

Absent or not voting were: Senators

Bangerter	Overson	Rogers	Williams
Finlinson	Pugh	Sowards	Pres. Christensen

H.C.R. No. 10, was signed by the President of the Senate in open session and returned to the House for further action.

PRESENTATION OF RESOLUTION

RURAL ELECTRIFICATION ADMINISTRATION

S.C.R. No. 6 *Glade M. Sowards*

A CONCURRENT RESOLUTION OF THE LEGISLATURE RECOGNIZING THE ESSENTIAL ROLE PLAYED BY THE RURAL ELECTRIFICATION ADMINISTRATION (REA) IN THE DEVELOPMENT OF RURAL AMERICA; COMMENDING THE REA; AND ENCOURAGING THE FEDERAL GOVERNMENT TO CONTINUE TO SUPPORT THE REA, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

MINIMUM BASIC TAX LEVY ADJUSTMENT

S.B. No. 219 *Lyle W. Hillyard*

AN ACT RELATING TO REVENUE AND TAXATION; REQUIRING ALL ADJUSTMENTS TO THE MINIMUM BASIC TAX LEVY FOR SCHOOL DISTRICTS TO BE MADE PRIOR TO JULY 1 OF EACH YEAR; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 59-9-2, AS LAST AMENDED BY CHAPTER 243, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

COMPLETION AND DELIVERY OF ASSESSMENT BOOKS

S.B. No. 220 *Lyle W. Hillyard*

AN ACT RELATING TO REVENUE AND TAXATION; ELIMINATING THE PENALTY IMPOSED ON COUNTY ASSESSORS WHO FAIL TO FILE AN AFFIDAVIT OF ASSESSMENT OR WHO FAIL TO FILE THE ASSESSMENT BOOK OR INFORMATION REQUIRED BY LAW WITH THE COUNTY AUDITOR OR THE STATE TAX COMMISSION; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 59-5-30, AS LAST AMENDED BY CHAPTER 71, LAWS OF UTAH 1982.

REPEALS: 59-5-33, AS LAST AMENDED BY CHAPTER 71, LAWS OF UTAH 1982, was read the first time and referred to Rules Committee.

CHANGES IN ASSESSMENT ROLL

S.B. No 221 *Lyle W. Hillyard*

AN ACT RELATING TO REVENUE AND TAXATION; PROHIBITING CHANGES IN THE COUNTY ASSESSMENT BOOK AFTER JULY 1; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 59-8-4, AS LAST AMENDED BY CHAPTER 71, LAWS OF UTAH 1982, was read the first time and referred to Rules Committee.

EXCESS LEVIES

S.B. No. 222 *Lyle W. Hillyard*

AN ACT RELATING TO REVENUE AND TAXATION; REQUIRING COUNTY ATTORNEYS TO BRING A COURT ACTION TO SET ASIDE ANY EXCESS LEVY ONLY UPON A SHOWING OF SUFFICIENT EVIDENCE; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 59-9-10, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

POWERS AND DUTIES OF TAX COMMISSION

S.B. No. 223 *Lyle W. Hillyard*

AN ACT RELATING TO REVENUE AND TAXATION; REQUIRING THE STATE TAX COMMISSION TO CONFER WITH AND ADVISE COUNTY ASSESSORS WITH RESPECT TO THEIR DUTIES INSTEAD OF DIRECTING THEM IN THEIR DUTIES; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 59-5-46, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, was read the first time and referred to Rules Committee.

STATUTE OF LIMITATIONS FOR CIVIL RIGHTS CASES

S.B. No. 224 *Lyle W. Hillyard*

AN ACT RELATING TO THE STATUTES OF LIMITATIONS; ADDING A PROVISION REGARDING CIVIL RIGHTS CASES CONCERNING ACTIONS FOR LIABILITY CREATED BY THE STATUTES OF THE UNITED STATES GOVERNMENT; AND ADDING A PROVISION RELATING TO ACTIONS FOR VIOLATIONS OF CIVIL RIGHTS UNDER THE UTAH STATE CONSTITUTION OR THE UNITED STATES CONSTITUTION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 78-12-29, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

UTAH STATE CRIMINAL JUSTICE TRAINING COUNCIL

S.B. No. 225 *Richard J. Carling*

AN ACT RELATING TO CRIMINAL JUSTICE; ESTABLISHING A UTAH CRIMINAL JUSTICE TRAINING COUNCIL AND DESCRIBING ITS DUTIES; CREATING AN ACCOUNT TO FUND THE COUNCIL AND CRIMINAL JUSTICE TRAINING FOR PEACE OFFICERS, PROSECUTORS, AND CORRECTIONS AGENCIES; PROVIDING FUNDING AND DISTRIBUTION OF THE CRIMINAL JUSTICE TRAINING FUND; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: CHAPTER 15a, TITLE 67, UTAH CODE ANNOTATED 1953

REPEALS: 67-15-21, AS LAST AMENDED BY CHAPTER 211, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B. Nos. 43, 162, 164** and **115**; and **H.B. Nos. 29** and **64**, and the bills were placed on Second Reading Calendar.

THIRD READING CALENDAR

On motion of Senator Matheson, **S.B. No. 6**, NURSE PRACTITIONER'S PRESCRIPTIVE PRACTICE ACT — SUNSET REAUTHORIZATION, was read the third time, and circled.

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S.B. No. 75, DIVISION OF CONTRACTORS, was read the third time.

On motion of Senator Cornaby, the Senate voted to adopt the following substitute bill.

DIVISION OF CONTRACTORS

SUBSTITUTE
S.B. No. 75 *K.S. Cornaby*

AN ACT RELATING TO THE DIVISION OF CONTRACTORS; PROVIDING A RESTRUCTURING OF THE DIVISION OF CONTRACTORS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 58A-3-11, AS LAST AMENDED BY CHAPTER 320, LAWS OF UTAH 1983

ENACTS: CHAPTER 1a, TITLE 58A, UTAH CODE ANNOTATED 1953

REPEALS AND REENACTS: CHAPTER 1, TITLE 58A, UTAH CODE ANNOTATED 1953; 58A-2-4, AS ENACTED BY CHAPTER 23, LAWS OF UTAH 1981.

On motion of Senator Black, **SUB. S.B. No. 75** was circled.

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On motion of Senator Carling, the circle was removed from **S.B. No. 6**, NURSE PRACTITIONER'S PRESCRIPTIVE PRACTICE ACT — SUNSET REAUTHORIZATION, and the bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	McAllister	Peterson, L.
Bangerter	Cornaby	McMullin	Renstrom
Barlow	Finlinson	Money	Sandberg
Barton	Hillyard	Overson	Sowards
Black	Holmgren	Peterson, C.	Swan
Bunnell	Matheson	Peterson, Chuck	Williams

Absent or not voting were: Senators

Pugh	Stratford	Wayment	Pres. Christensen
Rogers			

S.B. No. 6 was transmitted to the House.

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On motion of Senator Sowards, and under suspension of the rules, **S.C.R. No. 6,** RURAL ELECTRIFICATION ADMINISTRATION, was lifted from Rules Committee, 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	Hillyard	Overson	Sandberg
Bangerter	Holmgren	Peterson, C.	Sowards
Barlow	Matheson	Peterson, Chuck	Stratford
Barton	McAllister	Peterson, L.	Swan
Black	McMullin	Renstrom	Wayment
Carling	Money	Rogers	Williams
Cornaby			

Absent or not voting were: Senators

Bunnell	Finlinson	Pugh	Pres. Christensen

S.C.R. No. 6 was transmitted to the House.

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On motion of Senator Carling, **H.B. No. 5,** GARNISHMENT LIEN LAW, was lifted from Second Reading Table, and referred to Business, Labor and Economic Development Standing Committee.

SECOND READING CALENDAR

S.B. No. 65, COUNTY DESIGNATION ON VEHICLE LICENSE PLATES, was read the second time.

Mr. President: January 28, 1985

The Senate Transportation and Public Safety Standing Committee, to which was referred **S.B. No. 65,** COUNTY DESIGNATION ON VEHICLE LICENSE PLATES, by Senator Lyle W. Hillyard, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 29 and 30:
After "thereof," delete "and a slogan determined as provided in Section 41-1-44.2".

Jack M. Bangerter, Committee Chairman

Committee report, with amendments, was read and adopted.

On motion of Senator Hillyard, **S.B. No. 65** was amended as follows:

Page 2, Lines 6, 7, and 8:
After "shall be" on line 6, delete the remainder of the language on line 6, all of the language on line 7 and the word "paid" on line 8 and insert "included as a part of the registration decal"

Page 2, Lines 8 through 11:
After the number "1986" on line 8, delete the comma and the remainder of the language and all language through line 11, leaving the period.

Page 2, Lines 12 and 13:
After "designation" on line 12, delete the remainder of the language and "decal" on line 13.

Page 2, Line 15:
After "deisgnation" delete "decal".

Senators Swan, Black and Sowards commented. The bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Cornaby	McMullin	Renstrom
Bangerter	Finlinson	Money	Sandberg
Barlow	Hillyard	Peterson, C.	Sowards
Barton	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Peterson, L.	Wayment
Bunnell	McAllister		

Absent or not voting were: Senators

Carling	Pugh	Stratford	Pres. Christensen
Overson	Rogers	Williams	

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S.B. No. 67, DUI RESTITUTION CLAIMS PROCEDURE, was read the second time.

Mr. President: January 28, 1985

The Senate Transportation and Public Safety Standing Committee, to which was referred **S.B. No. 67,** DUI RESTITUTION CLAIM PROCEDURES, by Senator William T. Barton, has carefully considered the bill and reports it out of committee with the recommendation that the original bill be deleted in body and title and that **SUBSTITUTE S.B. No. 67** replace the original bill.

SUBSTITUTE S.B. No. 67 to be amended as follows:

Page 1, Line 28:
Delete "or corporation"

Jack M. Bangerter, Committee Chairman

Committee report, with amendments, was read and adopted. The following substitute bill was adopted.

DUI RESTITUTION CLAIM PROCEDURES

SUBSTITUTE
S.B. No. 67 *William T. Barton*

AN ACT RELATING TO RESTITUTION; PROVIDING AMENDMENTS TO FACILITATE CLAIMS BY DUI VICTIMS FOR RESTITUTION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 41-25-2, AS ENACTED BY CHAPTER 100, LAWS OF UTAH 1983; 41-25-3, AS ENACTED BY CHAPTER 100, LAWS OF UTAH 1983
ENACTS: 41-25-8, UTAH CODE ANNOTATED 1953.

Senator Overson was present.

Senators Hillyard, Barton and Asay commented. Bart Fitzgerald, with the Highway Safety Division of the Department of Public Safety, answered questions in Committee of the Whole. Senator Swan commented.

On motion of Senator Barton, **SUB. S.B. No. 67** was amended as follows:

Page 1, Lines 31 and 32:
Delete "or corporation"

Page 1, Line 24:
Delete "for which judgment is awarded" and insert in its place "for which the cause of action arose"

Page 1, Line 24:
Delete "March 29," and insert in its place "July 1,"

The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Cornaby	McMullin	Sandberg
Bangerter	Finlinson	Money	Stratford
Barlow	Hillyard	Overson	Swan
Barton	Holmgren	Peterson, C.	Wayment
Black	Matheson	Peterson, Chuck	Williams
Bunnell	McAllister	Peterson, L.	

Absent or not voting were: Senators

Carling	Renstrom	Sowards	Pres. Christensen
Pugh	Rogers		

THIRD READING CALENDAR

On motion of Senator Black, and under suspension of the rules, the Senate voted to return to Third Reading Calendar, uncircle **SUB. S.B. No. 75,** DIVISION OF CONTRACTORS, and the bill passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barlow	Finlinson	Money	Sandberg
Barton	Hillyard	Overson	Stratford
Bunnell	Holmgren	Peterson, C.	Swan
Carling	Matheson	Peterson, Chuck	Wayment
Cornaby	McMullin	Peterson, L.	Williams

Absent or not voting were: Senators

Asay	McAllister	Renstrom	Sowards
Bangerter	Pugh	Rogers	Pres. Christensen
Bunnell			

SUB. S.B. No. 75, was transmitted to the House.

SECOND READING CALENDAR

S.B. No. 68, LIQUOR LAW ENFORCEMENT AMENDMENTS, was read the second time.

Mr. President: January 28, 1985

The Senate Transportation and Public Safety Standing Committee, to which was referred **S.B. No. 68,** LIQUOR LAW ENFORCEMENT AMENDMENTS, by Senator Fred W. Finlinson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Jack M. Bangerter, Committee Chairman

Committee report read and adopted. Senators Finlinson, Hillyard, Stratford, Holmgren and McAllister commented. The bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Hillyard	Money	Sandberg
Barlow	Holmgren	Overson	Sowards
Barton	Matheson	Peterson, C.	Stratford
Bunnell	McAllister	Peterson, Chuck	Swan
Cornaby	McMullin	Renstrom	Williams
Finlinson			

Absent or not voting were: Senators

Asay	Carling	Pugh	Wayment
Black	Peterson, L.	Rogers	Pres. Christensen

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S.B. No. 104, PEACE OFFICER DESIGNATION, was read the second time.

Mr. President: January 28, 1985

The Senate Transportation and Public Safety Standing Committee, to which was referred **S.B. No. 104,** PEACE OFFICER DESIGNATION, by Senator Jack M. Bangerter, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 6, line 24:
After "(a)" delete "ny," and insert "any".

Page 7, Line 2:
After "designated" delete "a" and insert "as".

Page 9, Lines 26 and 27:
After "include" delete "state capitol security" and insert "military police".

Page 11, Line 24:
After "person" insert "is".

Jack M. Bangerter, Committee Chairman

Committee report, with amendments, was read and adopted. On motion of Senator Bangerter, the bill was circled.

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S.B. No. 111, CONCURRENT JURISDICTION OF DEFENSE DEPOT-OGDEN, was read the second time.

Mr. President: January 28, 1985

The Senate Transportation and Public Safety Standing Committee, to which was referred **S.B. No. 111,** CONCURRENT JURISDICTION OF DEFENSE DEPOT-OGDEN, by Senator Lowell S. Peterson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Jack M. Bangerter, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Cornaby	McMullin	Peterson, L.
Barlow	Hillyard	Money	Renstrom
Barton	Holmgren	Overson	Sandberg
Black	Matheson	Peterson, C.	Stratford
Bunnell	McAllister	Peterson, Chuck	Williams
Carling			

Absent or not voting were: Senators

Asay	Pugh	Sowards	Wayment
Finlinson	Rogers	Swan	Pres. Christensen

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S.B. No. 128, LIVESTOCK HIGHWAY DEATH REPORTING, was read the second time.

Mr. President: **January 28, 1985**

The Revenue and Taxation Committee, to which was referred **S.B. No. 128,** LIVESTOCK HIGHWAY DEATH REPORTING, by Senator Lyle W. Hillyard has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Lines 10 and 11:
After "ON" delete "LAW ENFORCEMENT" and insert "A PEACE".

Page 1, Line 11:
After "INVESTIGATING" insert "AN".

Page 1, Line 21:
After "Any" delete "law enforcement" and insert "peace".

Page 1, Line 23:
After "efforts" insert "as soon as possible".

Page 1, Line 25:
After "Any" delete "law enforcement" and insert "peace".

Page 1, Line 28:
After "efforts" insert "as soon as possible".

Jack M. Bangerter, Committee Chairman

Committee report, with amendments, was read and adopted. Senators L. Peterson, Cornaby, McAllister, Stratford and McMullin commented. On motion of Senator Hillyard, the bill was circled.

On motion of Senator McMullin, and at 12:00 noon, the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:10 p.m. with President Arnold Christensen presiding.

COMMUNICATION FROM THE HOUSE

Mr. President: January 31, 1985

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 31, 1985, **H.J.R. No. 10**, JOINT RULES RESOLUTION, by Representative Moss, et al, and the same is transmitted herewith for signature of the President.

Carole E. Peterson, Acting Chief Clerk

H.J.R. No. 10 was signed by the President of the Senate in open session and returned to the House for further action.

SECRETARY OF SENATE REPORT

Committee reports have been filed with the Secretary of the Senate on **S.B. Nos. 97, 171, 103, 126** and **127**, and the bills were placed on Second Reading Calendar.

STANDING COMMITTEE REPORT

Mr. President: January 30, 1985

The Education Standing Committee, to which was referred **S.B. No. 168**, CRIMINAL BACKGROUND CHECK ON SCHOOL EMPLOYEES, by Senator LeRay McAllister, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

William T. Barton, Committee Chairman

Committee report read and adopted. **S.B. No. 168** was read the second time, and placed on Consent Calendar.

INTRODUCTION OF BILLS

AUDITS OF PUBLIC UTILITIES

S.B. No. 226 *William T. Barton*

AN ACT RELATING TO PUBLIC UTILITIES; PROVIDING THAT CERTAIN PUBLIC UTILITIES SUBMIT TO AN EFFICIENCY AUDIT.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 54-4-1, AS LAST AMENDED BY CHAPTER 9, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

THERMAL POWER FACILITIES ACT AMENDMENTS

S.B. No. 227 *Eldon A. Money, Cary G. Peterson*

AN ACT RELATING TO THERMAL POWER FACILITIES; PROVIDING FOR JOINT PARTICIPATION BETWEEN UTAH CITIES, TOWNS, AND POWER UTILITIES IN PLANNING, FINANCING, CONSTRUCTION, ACQUISITION, OWNERSHIP, OPERATION, OR MAINTENANCE OF THERMAL POWER FACILITIES; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 54-9-1, AS LAST AMENDED BY CHAPTER 189, LAWS OF UTAH 1979; 54-9-1.5, AS LAST AMENDED BY CHAPTER 189, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

PRESENTATION OF RESOLUTION

DON LIND RESOLUTION

S.C.R. No. 7 *Dix H. McMullin*
Arnold Christensen, Fred W. Finlinson

A CONCURRENT RESOLUTION OF THE LEGISLATURE CONGRATULATING DON LIND, SCHEDULED TO BE THE FIRST UTAH ASTRONAUT IN SPACE, ON HIS SPACE FLIGHT SCHEDULED FOR LATER THIS YEAR; AND COMMENDING HIM FOR HIS CONTRIBUTIONS TO THE SPACE PROGRAM.

On motion of Senator McMullin, and under suspension of the rules, the resolution was read the first time, and placed on Second Reading Calendar.

SECOND READING CALENDAR

S.B. No. 36, MAXIMUM UNEMPLOYMENT CONTRIBUTION RATE REDUCTION, was read the second time.

Mr. President: January 29, 1985

The Revenue & Taxation Standing Committee, to which was referred **S.B. No. 36,** MAXIMUM UNEMPLOYMENT CONTRIBUTION RATE REDUCTION, by Senator Jack M. Bangerter, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lyle W. Hillyard, Committee Chairman

Committee report read and adopted.

Senator Bangerter explained the bill. Colin Neal with the Intermountain Chapter of National Electrical Contractors Association; and Duane C. Price, Director Unemployment Insurance, State of Utah; and Jack Olsen, Utah Taxpayers Association, answered questions in Committee of the Whole.

Senators Bunnell, Matheson, Black, Barlow, Swan, Sandberg, Rogers, Barton and Sowards commented.

Senator Overson moved that the employer contribution for unemployment compensation be 6% of wages and that the change be made throughout the bill. The motion passed.

The bill failed on the following roll call:

Yeas, 9; Nays, 16; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Money	Peterson, Chuck	Wayment
Barlow	Overson	Sandberg	Williams
Black			

Voting in the negative were: Senators

Asay	Cornaby	McAllister	Rogers
Barton	Hillyard	McMullin	Sowards
Bunnell	Holmgren	Peterson, L.	Swan
Carling	Matheson	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Finlinson	Peterson, C.	Pugh	Stratford

S.B. No. 36 was filed.

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S.B. No. 64, ACCESSIBILITY FOR THE HANDICAPPED ON PRIVATE PROPERTY, was read the second time.

Mr. President: January 29, 1985

The Social Services Committee, to which was referred **S.B. No. 64,** ACCESSIBILITY FOR THE HANDICAPPED ON PRIVATE PROPERTY, by Senator Brent C. Overson 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. 64** replace the original bill.

John P. Holmgren, Committee Chairman

Committee report read and adopted. The following substitute bill replaced the original bill.

ACCESSIBILITY FOR THE HANDICAPPED ON PRIVATE PROPERTY

SUBSTITUTE
S.B. No. 64 *Brent C. Overson*

AN ACT RELATING TO DISABLED PERSONS; ENABLING LOCAL GOVERNING BODIES TO PROVIDE FOR ELIMINATION OF ARCHITECTURAL BARRIERS ON PRIVATE PROPERTY WHICH IS USED BY THE PUBLIC; PROVIDING FOR THE INVOLVEMENT OF APPROPRIATE POLITICAL ENTITIES IN THE ADOPTION OF PLANNING AND DESIGN CRITERIA; AND PROVIDING MEANS OF ENFORCEMENT.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 26-29-1, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-29-3, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-29-4, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981.

The bill passed on the following roll call:

Yeas, 20; Nays, 5; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	Peterson, C.	Stratford
Barlow	Hillyard	Peterson, L.	Swan
Barton	Holmgren	Renstrom	Waymont

Black	McMullin	Sandberg	Williams
Bunnell	Overson	Sowards	Pres. Christensen

Voting in the negative were: Senators

Bangerter	McAllister	Money	Peterson, Chuck
Cornaby			

Absent or not voting were: Senators

Finlinson	Matheson	Pugh	Rogers

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S.B. No. 124, MANDATORY SEWER HOOKUP, was read the second time.

Mr. President: January 29, 1985

The State and Local Affairs Standing Committee, to which was referred **S.B. No. 124,** MANDATORY SEWER HOOKUP, by Senator Lyle W. Hillyard, has carefully considered the bill and reports it out of committee favorably and with the following amendment:

Page 2, Line 24:
After "within" delete "600" and insert "300"

K.S. Cornaby, Committee Chairman

Committee report, with amendments, was read and adopted. Senators Christensen, McAllister and Bunnell commented. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	Money	Sandberg
Bangerter	Cornaby	Overson	Sowards
Barlow	Hillyard	Peterson, C.	Stratford
Barton	Holmgren	Peterson, Chuck	Swan
Black	McAllister	Renstrom	Williams
Bunnell	McMullin	Rogers	Pres. Christensen

Absent or not voting were: Senators

Finlinson	Peterson, L.	Pugh	Wayment
Matheson			

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S.B. No. 147, MUNICIPAL CEMETERIES, was read the second time.

Mr. President: January 29, 1985

The State and Local Affairs Standing Committee, to which was referred **S.B. No. 147,** MUNICIPAL CEMETERIES, by Senator Omar B. Bunnell, has carefully considered the bill and reports it out of committee with a favorable recommendation.

K.S. Cornaby, Committee Chairman

Committee report read and adopted.

On motion of Senator Bunnell **S.B. No. 147,** was amended as follows:

Page 4, following Line 31:
Insert the following language: "8-5-8. (1) The owner, grantee, or person claiming through the grantee, shall have the right, on presentation of the certificate of title or right to burial to the municipality, for any lot or parcel which has been reverted to the municipality, at the option of the municipality, to: (a) be compensated for the lot or parcel at the reasonable value of the lot or parcel as of the date the certificate is presented to the municipality, or (b) receive a right to burial to another lot or parcel if the right to burial or title to the lot or parcel has been sold by the municipality, or (c) receive the right to burial to the lot or parcel if the municipality has not sold the right to burial to the lot or parcel. (2) Nothing in this section prevents a municipality from collecting unpaid perpetual care charges from a person claiming title or the right to burial."

The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Cornaby	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	McAllister	Peterson, L.	Swan
Black	McMullin	Renstrom	Wayment
Bunnell	Money	Rogers	Williams
Carling	Overson	Sandberg	Pres. Christensen

Absent or not voting were: Senators

Asay	Hillyard	Matheson	Pugh
Finlinson			

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The Senate sauntered at 3:50 p.m., and reassembled at 4:10 p.m.

COMMUNICATION FROM THE HOUSE

Mr. President: January 31, 1985

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,** SOUTHERN UTAH FUEL COMPANY RESOLUTION, by Representative Christensen, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Cary G. Peterson, and under suspension of the rules, the resolution was read the first, second and third times, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Sandberg
Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Swan
Barton	Matheson	Peterson, L.	Wayment
Black	McAllister	Renstrom	Williams
Bunnell	McMullin	Rogers	Pres. Christensen
Carling	Money		

Absent or not voting were: Senators

Finlinson	Pugh	Stratford

H.C.R. No. 5, was signed by the President of the Senate in open session and returned to the House for further action.

RULES COMMITTEE REPORT

Mr. President: January 31, 1985

The Senate Rules committee, to which were referred the following House Bills:

SUB. H.B. No. 1	LOCAL RENT CONTROL PROHIBITION (State and Local Affairs)
H.B. No. 48	INTEREST PAYMENTS FROM FIREMEN RETIRED RESERVE FUND (State and Local Affairs)
H.B. No. 6	WEIGHTS AND MEASURES AMENDMENTS (Energy, Natural Resources and Agriculture)
H.B. No. 96	ADOPTION PETITION REQUIREMENTS (Social Services)
H.B. No. 109	INTERSTATE COMPACT ON ADOPTION AND MEDICAL ASSISTANCE (Social Services)
H.B. No. 125	COMPULSORY SCHOOL AGE LIMITATION (Education)
H.B. No. 3	SECURITY PERSONNEL - SUNSET REVIEW (Transportation and Public Safety)
H.B. No. 14	COUNTY SERVICE AREA ACT (State and Local Affairs)
H.B. No. 38	LEFT LANE TRAVEL RESTRICTIONS (Transportation and Public Safety)
H.B. No. 46	INDIAN AFFAIRS MEMBERSHIP (State and Local Affairs)
H.B. No. 51	CERTIFICATE OF PARTICIPATION (State and Local Affairs)
H.B. No. 71	STATE FIRE MARSHAL - DIVISION STATUS (Transportation and Public Safety)
H.B. No. 172	LEGISLATIVE COMMITTEE MEMBERSHIP (State and Local Affairs)
H.B. No. 13	AUTHORIZATION FOR ASSOCIATE DEGREE AT TECHNICAL COLLEGE (Education)
H.B. No. 47	FIREMEN MINIMUM MONTHLY RETIREMENT ALLOWANCE (State and Local Affairs)
H.B. No. 78	ADOPTIONS AND BIRTH CERTIFICATES-JUVENILE COURT (Judiciary)
SUB. H.B. No. 102	WATER POLLUTION CONTROL STANDARDS (Health)
H.B. No. 124	DUI VICTIM RESTITUTION AMENDMENTS (Transportation and Public Safety)

reports the same back and asks that they each be assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bills to the committees indicated.

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Mr. President: January 31, 1985

The Senate Rules Committee, to which was referred the following House Bill:

H.B. No. 173 REVISORS STATUTE

reports the same back and asks that it be placed on the Second Reading Calendar.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. On motion of Senator Sowards, and under suspension of the rules, the bill was placed on Second Reading Calendar.

SECOND READING CALENDAR

S.C.R. No. 5, T.H. BELL COMMENDATION, was read for the second time. On motion of Senator Barlow, and under suspension of the rules, the bill was read the third time, and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Hillyard	Overson	Sandberg
Barlow	Holmgren	Peterson, C.	Sowards
Barton	Matheson	Peterson, Chuck	Swan
Black	McAllister	Peterson, L.	Wayment
Bunnell	McMullin	Renstrom	Pres. Christensen
Carling			

Absent or not voting were: Senators

Bangerter	Finlinson	Pugh	Stratford
Cornaby	Money	Rogers	Williams

S.C.R. No. 5, was transmitted to the House.

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S.B. No. 43, BUSINESS INFORMATION OFFICE AND CONSUMER, was read the second time.

Mr. President: January 30, 1985

The Business, Labor and Economic Development Standing Committee, to which was referred **S.B. No. 43,** BUSINESS INFORMATION OFFICE AND CONSUMER, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 23:
After (a) delete "two" and insert "three"

Page 2, Line 25:
After (b) delete "two" and insert "three"

Page 2, Line 27:
After (c) delete "three" and insert "one", delete "members" and insert "member"

Page 2, delete Lines 28-30.

Page 3, delete Lines 1-7

Page 3, after Line 7:
insert the following: "(2) Each member shall be appointed by the governor for a three-year term, except that for the initial appointments three members consisting of one business, one consumer and one general public member shall be appointed for three-year terms; two members consisting of one business and one consumer member shall be appointed for two-year terms; and two member consisting of one business and one consumer member shall be appointed for one-year terms. In selecting the council members, reasonable consideration should be given to geographical consideration."

Lowell S. Peterson, Committee Chairman

Committee report, with amendments, was read and adopted. The bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Hillyard	Overson	Rogers
Bangerter	Holmgren	Peterson, C.	Sandberg
Barlow	Matheson	Peterson, Chuck	Swan
Bunnell	McAllister	Peterson, L.	Wayment
Carling	McMullin	Renstrom	Pres. Christensen
Cornaby			

Absent or not voting were: Senators

Barton	Finlinson	Pugh	Stratford
Black	Money	Sowards	Williams

On motion of Senator McMullin, and under suspension of the rules, the bill was placed on Third Reading Table.

• • •

S.B. No. 162, HILL AIR FORCE MUSEUM APPROPRIATION, was read the second time.

Mr. President: January 30, 1985

The Business, Labor & Economic Development Committee, to which was referred **S.B. No. 162,** HILL AIR FORCE MUSEUM APPROPRIATION, by Senator Lowell S. Peterson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lowell S. Peterson, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 19; Nays, 5; Absent, 5

Voting in the affirmative were: Senators

Asay	Cornaby	McMullin	Swan
Barlow	Hillyard	Peterson, C.	Wayment
Barton	Holmgren	Peterson, Chuck	Williams
Black	Matheson	Peterson, L.	Pres. Christensen
Bunnell	McAllister	Renstrom	

Voting in the negative were: Senators

Bangerter	Finlinson	Rogers	Sandberg
Carling			

Absent or not voting were: Senators

Money	Pugh	Sowards	Stratford
Overson			

On motion of Senator Black, and under suspension of the rules, the bill was placed on Third Reading Table.

• • •

H.B. No. 29, LIMITATION ON ENFORCEMENT OF DUE-ON SALE CLAUSES, was read the second time.

Mr. President: January 30, 1985

The Business, Labor and Economic Development Standing Committee, to which was referred **H.B. No. 29,** LIMITATION ON ENFORCEMENT OF DUE-ON-SALE CLAUSES, by Representative H. Craig Moody, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lowell S. Peterson, Committee Chairman

Committee report read and adopted. Senator Overson explained the bill, and it passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Rogers
Bangerter	Hillyard	Peterson, C.	Sandberg
Barlow	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Peterson, L.	Wayment
Bunnell	McAllister	Renstrom	Pres. Christensen
Carling	McMullin		

Absent or not voting were: Senators

Barton	Money	Sowards	Williams
Finlinson	Pugh	Stratford	

• • •

H.B. No. 64, PROMPT CONSTRUCTION PAYMENTS, was read the second time.

Mr. President: January 30, 1985

The Business, Labor and Economic Development Standing Committee, to which was referred **H.B. No. 64,** PROMPT CONSTRUCTION PAYMENTS, by Representative David L. Tomlinson, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lowell S. Peterson, Committee Chairman

Committee report read and adopted. Senator L. Peterson explained the bill. Senators Asay and Renstrom commented. Senator Sandberg's motion to circle the bill failed.

The bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Carling	Overson	Rogers
Bangerter	Cornaby	Peterson, C.	Sandberg
Barlow	Hillyard	Peterson, Chuck	Swan
Barton	Holmgren	Peterson, L.	Wayment
Black	McAllister	Renstrom	Pres. Christensen
Bunnell	McMullin		

Absent or not voting were: Senators

Finlinson	Money	Sowards	Williams
Matheson	Pugh	Stratford	

• • •

S.B. No. 164, INCENTIVES FOR EXCELLENCE IN PUBLIC SCHOOL DISTRICTS, was read the second time.

Mr. President: January 30, 1985

The Education Standing Committee, to which was referred **S.B. No. 164,** INCENTIVES FOR EXCELLENCE IN PUBLIC SCHOOL DISTRICTS, by Senator Lowell S. Peterson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

William T. Barton, Committee Chairman

Committee report read and adopted. Senators L. Peterson, Bunnell, Barlow and Matheson commented.

The bill passed on the following roll call:

Yeas, 18; Nays, 5; Absent, 6

Voting in the affirmative were: Senators

Asay	Bunnell	McMullin	Rogers
Bangerter	Carling	Overson	Wayment
Barlow	Cornaby	Peterson, L.	Williams
Barton	Hillyard	Renstrom	Pres. Christensen
Black	Holmgren		

Voting in the negative were: Senators

Matheson	Peterson, Chuck	Sandberg	Swan
McAllister			

Absent or not voting were: Senators

Finlinson	Peterson, C.	Sowards	Stratford
Money	Pugh		

• • •

On motion of Senator McMullin, the circles were removed from **S.B. Nos. 104** and **128.**

THIRD READING CALENDAR

On motion of Senator McMullin, and under suspension of the rules, **S.B. No. 164** was placed on Third Reading Table.

On motion of Senator McMullin, and at 5:00 p.m., the Senate adjourned until 10:00 a.m., Friday, February 1, 1985.

NINETEENTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with Senator Cary G. Peterson presiding.

Roll Call — All Senators present, except Senator Pugh, excused.

Prayer — John E. Brockert, Director of Vital Statistics, Department of Health.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 31, 1985

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,** RELIGIOUS PERSECUTION RESOLUTION, by Senator Williams, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 11,** SUNSET REVIEW - PODIATRISTS, by Senator Black, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 63,** STATE ROAD DESIGNATIONS, 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.

Carole E. Peterson, Acting Chief Clerk

S.J.R. No. 2, S.B. Nos. 11 and **63** were signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor. **S.J.R. No. 2** was transmitted to the Lieutenant Governor.

• • •

Mr. President: January 31, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 40,** UNIFORM FIREARMS LAW, by Representative Dahl, 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. 105,** DAY CARE OPERATIONS AMENDMENT, by Representative Phelps, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **SUBSTITUTE H.B. No. 181,** REGULATION OF OIL TREATMENT PLANTS, by Representative Myrin, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 122,** JUVENILE COURT - JUVENILES AND ADULTS, 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 on consent calendar **H.B. No. 162,** UGMS AMENDMENTS, by Representative Phelps, 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. 195,** UTAH PRIVATE ACTIVITY BOND CEILING ALLOCATION ACT, by Representative DeMann, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 218,** CHILD CUSTODY COURT COSTS, by Representative Merrill, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.B. Nos. 40, 105, 122, 162, 195, 218 and SUB. H.B. No. 181, were read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

MOTOR VEHICLE AMENDMENTS

S.B. No. 228 *C.E. Peterson*

AN ACT RELATING TO MOTOR VEHICLES; REQUIRING THOSE MOTOR VEHICLES NOT MANUFACTURED FOR SALE IN THE UNITED STATES TO BE BROUGHT INTO COMPLIANCE WITH FEDERAL MOTOR VEHICLE STANDARDS PRIOR TO REGISTRATION; PROVIDING A PENALTY FOR SALE OR OPERATION WITHOUT COMPLIANCE; AND PROVIDNG AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 41-1-22.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

NOTICE OF EXCESS LEVY

S.B. No. 229 *Lyle W. Hillyard*

AN ACT RELATING TO REVENUE AND TAXATION; REQUIRING ADJUSTMENTS TO MILL LEVIES; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTION OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 59-9-9, AS LAST AMENDED BY CHAPTER 71, LAWS OF UTAH 1982, was read the first time and referred to Rules Committee.

RETIREMENT BENEFITS

S.B. No. 230 *Dix H. McMullin*

AN ACT RELATING TO PENSIONS; EXTENDING THE MINIMUM MONTHLY RETIREMENT ALLOWANCE TO PERSONS WHO RETIRE AFTER JULY 1, 1977; APPROPRIATING $142,942 TO THE STATE RETIREMENT BOARD; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 49-10-59, AS LAST AMENDED BY CHAPTER 50, LAWS OF UTAH 1982

REPEALS: 49-10-61, AS LAST AMENDED BY CHAPTER 50, LAWS OF UTAH 1982, was read the first time and referred to Rules Committee.

EXTENSION OF SALES AND USE TAX EXEMPTION FOR POLLUTION CONTROL EQUIPMENT

S.B. No. 231 *Warren E. Pugh, Richard J. Carling*

AN ACT RELATING TO REVENUE AND TAXATION; EXTENDING THE SALES OR USE TAX EXEMPTION FOR PROPERTY, MATERIALS, OR SERVICES USED IN THE CONSTRUCTION OR INCORPORATED IN POLLUTION CONTROL FACILITIES IN UTAH; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 26-13-27, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-13-28, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 59-15-6, AS LAST

AMENDED BY CHAPTER 60, LAWS OF UTAH 1984; 59-16-4, AS LAST AMENDED BY CHAPTER 60, LAWS OF UTAH 1984, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

On motion of Senator Hillyard, **S.B. No. 65,** COUNTY DESIGNATION ON VEHICLE LICENSE PLATES, was read the third time and placed on Third Reading Table.

• • •

SUB. S.B. No. 67, DUI RESTITUTION CLAIM PROCEDURES, was read the third time, and circled.

• • •

S.B. No. 68, LIQUOR LAW ENFORCEMENT AMENDMENTS, was read the third time, and circled.

• • •

S.B. No. 111, CONCURRENT JURISDICTION OF DEFENSE DEPOT - OGDEN, was read the third time, and circled.

• • •

SUB. S.B. No. 64, PROMPT CONSTRUCTION PAYMENTS, 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	Cornaby	Money	Sowards
Bangerter	Finlinson	Overson	Swan
Barlow	Hillyard	Peterson, C.	Wayment
Barton	Holmgren	Peterson, Chuck	Williams
Black	Matheson	Peterson, L.	Pres. Christensen
Carling	McMullin	Sandberg	

Voting in the negative were: Senators

McAllister	Stratford

Absent or not voting were: Senators

Bunnell	Pugh	Renstrom	Rogers

SUB. S.B. No. 64, was transmitted to the House.

COMMITTEE OF THE WHOLE

On motion of Senator Cary Peterson, the Senate resolved itself into a Committee of the Whole. Appearing before the Committee were Rex Emenegger, Mayor of Brian Head, Utah, and Herschel G. Hester, Director of Utah League of Cities and Towns.

On motion of Senator Cary G. Peterson, the Committee was dissolved.

• • •

On motion of Senator Finlinson, the circle was removed from **S.B. No. 68,** LIQUOR LAW ENFORCEMENT AMENDMENTS, and the bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Cornaby	McMullin	Sowards
Barlow	Finlinson	Money	Stratford
Barton	Hillyard	Overson	Swan
Black	Holmgren	Peterson, Chuck	Wayment
Bunnell	Matheson	Sandberg	Pres. Christensen
Carling	McAllister		

Absent or not voting were: Senators

Bangerter	Peterson, L.	Renstrom	Williams
Peterson, C.	Pugh	Rogers	

Senator McMullin, having voted on the prevailing side served notice that he may ask the Senate to reconsider its action on the bill.

• • •

On motion of Senator Barton, the circle was removed from **SUB. S.B. No. 67,** DUI RESTITUTION CLAIMS PROCEDURES, and the bill was before the Senate.

On motion of Senator Hillyard, **SUB. S.B. No. 67,** was amended as follows:

Green: Page 2, Lines 12 and 26:
Delete "resulting from personal injury"

Senator Black's motion to reconsider Senator Hillyard's amendment failed on a voice vote.

Senators Stratford, Hillyard and Carling commented. On motion of Senator McMullin, the bill was circled.

• • •

Senator McMullin, having served notice that he might ask the Senate to reconsider its action on **S.B. No. 68,** LIQUOR LAW ENFORCEMENT AMENDMENTS, now asked that it be reconsidered.

On motion of Senator McMullin, the Senate voted to place the bill on Third Reading Table.

• • •

S.B.No. 124, MANDATORY SEWER HOOKUP, was read the third time. Senators Finlinson, Stratford, and Matheson commented.

COMMITTEE OF THE WHOLE

On motion of Senator Carling, the Senate resolved itself into a Committee of the Whole. Appearing before the Committee was Ted Wilson, Mayor of Salt Lake City, Utah. Senators Asay, Williams, Sowards, Black and Cary Peterson commented.

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

• • •

The Senate sauntered at 11:05 a.m., and reassembled at 11:25 a.m.

• • •

S.B. No. 124, MANDATORY SEWER HOOKUP, was again before the Senate.

On motion of Senator Bunnell **S.B. No. 124** was amended as follows:

Page 2, Line 24:
After "within" restore "600" and delete "300"

Senator Black's motion to amend Goldenrod: Page 2, Line 24a: After "property line" delete the semi-colon, add a comma, and insert "the district shall pay one-half the cost of the line beyond 300 feet", failed.

The bill passed on the following roll call:

Yeas, 24; Nays, 4; Absent, 1

Voting in the affirmative were: Senators

Asay	Finlinson	Overson	Sandberg
Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Swan
Bunnell	McAllister	Peterson, L.	Wayment
Carling	McMullin	Renstrom	Williams
Cornaby	Money	Rogers	Pres. Christensen

Voting in the negative were: Senators

Barton	Black	Matheson	Stratford

Absent or not voting was: Senator
Pugh

S.B. No. 124, as amended, was transmitted to the House.

• • •

On motion of Senator Barton, the circle was removed from **SUB. S.B. No. 67,** DUI RESTITUTION CLAIM PROCEDURES, and the bill was before the Senate.

On motion of Senator Carling **SUB. S.B. No. 67** was amended as follows:

Green: Page 2, Line 12 and 26:
Restore "resulting from personal injury"

The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Sandberg
Bangerter	Finlinson	Overson	Sowards
Barlow	Hillyard	Peterson, C.	Stratford
Barton	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Peterson, L.	Wayment
Bunnell	McAllister	Renstrom	Williams
Carling	McMullin	Rogers	Pres. Christensen

Absent or not voting was: Senator
Pugh

SUB. S.B. No. 67, as amended, was transmitted to the House.

• • •

S.B. No. 111, CONCURRENT JURISDICTION OF DEFENSE DEPOT - OGDEN, was uncircled and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Sandberg
Bangerter	Finlinson	Overson	Sowards
Barlow	Hillyard	Peterson, C.	Stratford
Barton	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Peterson, L.	Wayment
Bunnell	McAllister	Renstrom	Williams
Carling	McMullin	Rogers	Pres. Christensen

Absent or not voting was: Senator
Pugh

S.B. No. 111, was transmitted to the House.

• • •

S.B. No. 147, MUNICIPAL CEMETERIES, 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	Cornaby	Overson	Sandberg
Bangerter	Finlinson	Peterson, C.	Sowards
Barlow	Hillyard	Peterson, Chuck	Stratford
Barton	Holmgren	Peterson, L.	Wayment
Black	Matheson	Renstrom	Williams
Bunnell	McAllister	Rogers	Pres. Christensen
Carling	McMullin		

Absent or not voting were: Senators

Money	Pugh	Swan

S.B. No. 147, as amended, was transmitted to the House.

• • •

H.B. No. 29, LIMITATION ON ENFORCEMENT OF DUE-ON-SALE CLAUSES, was read the third time, and passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Asay	Cornaby	McMullin	Rogers
Bangerter	Finlinson	Overson	Sandberg
Barlow	Hillyard	Peterson, C.	Sowards
Black	Holmgren	Peterson, Chuck	Stratford
Bunnell	Matheson	Peterson, L.	Wayment
Carling	McAllister	Renstrom	Pres. Christensen

Voting in the negative was: Senator
Williams

Absent or not voting were: Senators

Barton	Money	Pugh	Swan

H.B. No. 29, was signed by the President of the Senate in open session and returned to the House for further action.

• • •

H.B. No. 64, PROMPT CONSTRUCTION PAYMENTS, was read the third time, and passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Sowards
Bangerter	Holmgren	Peterson, Chuck	Stratford
Barlow	McAllister	Peterson, L.	Swan
Bunnell	McMullin	Renstrom	Wayment
Carling	Money	Rogers	Williams
Cornaby	Overson	Sandberg	Pres. Christensen

Voting in the negative was: Senator
Finlinson

Absent or not voting were: Senators

Barton	Black	Matheson	Pugh

H.B. No. 64, was signed by the President of the Senate in open session and returned to the House for further action.

RULES COMMITTEE REPORTS

Mr. President: January 31, 1985

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 90	SALES TAX ON SCHOOL SALES (Education)
S.B. No. 101	UNEMPLOYMENT COMPENSATION MODIFICATIONS (Revenue and Taxation)
S.B. No. 121	AMENDMENTS TO UNIFORM COMMERCIAL CODE (Revenue and Taxation)
S.B. No. 130	SALES OF SECURITIES INVOLVING REAL ESTATE (State and Local Affairs)
S.B. No. 149	CRIMINAL CODE-DISHONORED CHECK AMENDMENTS (Business, Labor and Economic Development)
S.B. No. 156	NOTICE OF CIVIL LIABILITY FOR BAD CHECKS (Business, Labor and Economic Development)
S.B. No. 134	CORPORATE AND COMMERCIAL FILING AMENDMENTS (Business, Labor and Economic Development)
S.B. No. 161	INSANITY DEFENSE AMENDMENTS (Judiciary)
S.B. No. 105	ALCOHOL MOTOR FUEL AMENDMENTS (Transportation and Public Safety)

reports the same back and asks that they be printed and each assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bills to the committees indicated.

• • •

Mr. President: February 1, 1985

The Senate Rules Committee, to which was referred the following Senate Bill:

S.J.R. No. 6 INTERSTATE CONSTRUCTION COMPLETION RESOLUTION

reports the same back and asks that it be printed and placed on the Second Reading Calendar.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. **S.J.R. No. 6** was placed on Second Reading Calendar.

• • •

On motion of Senator McMullin, and at 12:00 noon, the Senate adjourned until 10:00 a.m., Monday, February 4, 1985.

TWENTY SECOND DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Arnold Christensen presiding.

Roll Call — All Senators present, except Senators Pugh and Finlinson, excused.

Prayer — Kendall Timothy, Assistant Sergeant at Arms, Utah State Senate.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

DAILY SENATE JOURNAL

Mr. President: February 4, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the Eighteenth and Nineteenth days and find them correct with minor amendments noted on the final copies.

C.E. 'Chuck' Peterson
Committee Chairman

Committee report read and adopted.

COMMUNICATION FROM THE HOUSE

Mr. President: February 1, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, upon reconsideration, **S.C.R. No. 2**, MARTIN LUTHER KING RESOLUTION, by Senator Williams, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

The Joint Conference Committee Report is recorded in the House Journal, Day 18. It was adopted by the House. On Day 19 the House voted to reconsider its action and refused to adopt the report. The resolution was again amended by the House, and transmitted to the Senate.

On motion of Senator Williams, the Senate voted to concur in the House amendment on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Sowards
Bangerter	Hillyard	Overson	Stratford
Barlow	Holmgren	Peterson, C.	Swan
Barton	Matheson	Peterson, Chuck	Wayment
Black	McAllister	Peterson, L.	Williams
Bunnell	McMullin	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Carling	Pugh	Rogers	Sandberg
Finlinson			

S.C.R. No. 2 was transmitted to the House.

• • •

Mr. President: January 31, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **S.C.R. No. 6,** RURAL ELECTRIFICATION ADMINISTRATION, by Senator Sowards, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Sowards, the Senate voted to not concur in the House amendments, and to ask the House to recede from its amendments.
S.C.R. No. 6 was returned to the House.

• • •

Mr. President: January 31, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 16,** YEAR OF THE TEACHER RESOLUTION, 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, as amended, **H.B. No. 20,** PUBLIC ACCOUNTANTS EDUCATION REQUIREMENTS, by Representative Rees, 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 in title and body, **SUBSTITUTE H.B. No. 58,** EDUCATIONAL PROFESSIONAL PRACTICES AMENDMENTS, 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, under suspension of the rules, as amended, **SUBSTITUTE H.B. No. 106,** PROHIBITION OF ALCOHOLIC BEVERAGES IN PUBLIC SCHOOLS, by Representative Stephens, 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. 139,** ATTORNEY GENERAL CAREER SERVICE AMENDMENTS, by Representative Moss, 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. 170,** CLASS C ROAD FUNDS, by Representative Strong, 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, **SECOND SUBSTITUTE H.B. No. 110,** RIGHT TO WORK AMENDMENTS, by Representative Dahl, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, on Consent Calendar, **H.B. No. 189,** RESOURCE DEVELOPMENT COORDINATING COMMITTEE AMENDMENTS, by Representative Christensen, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 11,** HIGH FRONTIER NUCLEAR DETERRENT RESOLUTION, by Representative Skousen, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.C.R. No. 16, H.B. No. 20, SUB. H.B. Nos. 58, 110 and 106 and H.B. Nos. 139, 170 and 189 and H.J.R No. 11 were read the first time and referred to Rules Committee.

PRESENTATION OF RESOLUTIONS

UTAH HIGHWAY PATROL COMMENDATION

S.J.R. No. 7 *Richard J. Carling, Dix H. McMullin*
Paul Rogers, Haven J. Barlow
Dona M. Wayment, Lowell S. Peterson, LeRay L. McAllister
Brent C. Overson, Jack M. Bangerter, Ivan M. Matheson
Cary G. Peterson, Wilford R. Black, Lyle W. Hillyard
E. Verl Asay, C.E. Peterson, John P. Holmgren
Glade M. Sowards, K.S. Cornaby, Darrell G. Renstrom
Karl G. Swan, Dale E. Stratford, W.L. Sandberg
Fred W. Finlinson, William T. Barton, Terry Williams
Omar B. Bunnell, Arnold Christensen, Warren E. Pugh

A JOINT RESOLUTION OF THE LEGISLATURE RECOGNIZING THE UTAH HIGHWAY PATROL ON ITS 50TH ANNIVERSARY, was read the first time and referred to Rules Committee.

CLASS SIZE RESOLUTION

S.J.R. No. 8 *Jack M. Bangerter, Haven J. Barlow*

A JOINT RESOLUTION OF THE LEGISLATURE RECOGNIZING THE NEED TO GIVE HIGH PRIORITY CONSIDERATION TO CLASS SIZE REDUCTION IN THE PUBLIC SCHOOLS; SETTING A LEGISLATIVE GOAL TO DEAL WITH THE PROBLEM; AND ENCOURAGING LOCAL SCHOOL DISTRICTS TO DEVELOP ALTERNATIVE PROGRAMS FOR CLASS SIZE REDUCTION, SUCH AS YEAR ROUND SCHOOLS AND SIMILAR PROGRAMS, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILL

INSURANCE LAW RECODIFICATION

S.B. No. 232 *Fred W. Finlinson*

AN ACT RELATING TO INSURANCE; GIVING THE PURPOSE, SCOPE, AND APPLICATION OF THE INSURANCE RECODIFICATION; PROVIDING RULES OF CONSTRUCTION AND INTERPRETATION; DEFINING TERMS; PROVIDING FOR THE ADMINISTRATION OF THE INSURANCE DEPARTMENT; SPECIFYING THE DUTIES AND POWERS OF THE INSURANCE COMMISSIONER; PROVIDING THE PROCEDURES TO ENFORCE THE INSURANCE CODE AND THE COMMISSIONER'S RULES AND ORDERS; PROVIDING FOR THE FINANCING OF THE INSURANCE DEPARTMENT; PROVIDING FOR THE TAXATION OF ADMITTED INSURERS AND NONADMITTED INSURERS; SETTING UP RETALIATION PROVISIONS FOR FOREIGN INSURERS; PROVIDING GENERAL REQUIREMENTS FOR INSURERS,

INCLUDING REQUIREMENTS FOR DOING AN AUTHORIZED INSURANCE BUSINESS IN UTAH; PROVIDING FOR ABANDONED PROPERTY, GOVERNING POLITICAL CONTRIBUTIONS AND LOBBYING; REQUIRING ANNUAL STATEMENTS; REGULATING DOMESTIC STOCK AND MUTUAL INSURANCE CORPORATIONS; PROVIDING FOR THEIR ORGANIZATION; DIRECTING THE USE OF SECURITIES IN DOMESTIC INSURANCE CORPORATIONS; PROVIDING FOR CORPORATE REORGANIZATION; PROVIDING FOR THE ORGANIZATION AND REGULATION OF SERVICE INSURANCE CORPORATIONS; PROVIDING FOR THE ORGANIZATION, MANAGEMENT, AND GENERAL REGULATION OF NONPROFIT HEALTH SERVICE INSURANCE CORPORATIONS; PROVIDING FOR THE ORGANIZATION AND REGULATION OF HEALTH MAINTENANCE ORGANIZATIONS; PROVIDING FOR THE ORGANIZATION OF VARIOUS TYPES OF DOMESTIC INSURERS, DEFINING THEIR AUTHORIZED SECURITES, DESCRIBING THEIR MANAGEMENT, PROVIDING FOR CORPORATE REORGANIZATION, AND OTHER MISCELLANEOUS PROVISIONS; PROVIDING REQUIREMENTS FOR ISSUERS OF GIFT ANNUITIES; PROVIDING A REGULATORY SCHEME FOR MOTOR CLUBS; PROVIDING FOR THE INSURANCE DEPARTMENT'S SUPERVISION OVER THE STATE RISK MANAGEMENT FUND; PROVIDING A REGULATORY SCHEME FOR EMPLOYEE WELFARE FUNDS AND PLANS; PROVIDING A REGULATORY SCHEME AND AUTHORIZATION OF FOREIGN INSURERS; GIVING THE INSURANCE DEPARTMENT JURISDICTION OVER UNAUTHORIZED INSURERS; PROVIDING FOR THE REGULATION OF INSURANCE HOLDING COMPANIES; PROVIDING FOR REQUIRED ASSETS; SETTING FORTH MINIMUM SOLVENCY STANDARDS; ESTABLISHING VALUATION OF ASSETS; REQUIRING SPECIFIED RESERVES; PROVIDING A REGULATORY SCHEME FOR INVESTMENTS; PROVIDING FOR RATE REGULATION, RATE STANDARDS, AND FILING PROCEDURES, AND DIRECTING RATE SERVICE ORGANIZATIONS; PROVIDING FOR UNDERWRITING RESTRICTIONS; PROVIDING FOR APPROVAL OF INSURANCE FORMS; REGULATING SPECIFIC CLAUSES IN INSURANCE CONTRACTS; PROVIDING REGULATION OVER CONTRACTS OF SURETY INSURANCE, LIABILITY INSURANCE, MOTOR VEHICLE INSURANCE, LIFE INSURANCE AND ANNUITIES, GROUP LIFE INSURANCE, DISABILITY INSURANCE, GROUP DISABILITY INSURANCE, CREDIT LIFE AND DISABILITY INSURANCE, FRATERNAL INSURERS, WORKER'S COMPENSATION INSURANCE, LEGAL EXPENSE INSURANCE, REINSURANCE, AND OTHER MISCELLANEOUS INSURANCE COVERAGES; PROVIDING FOR THE LICENSURE OF AGENTS, BROKERS, AND CONSULTANTS; PROVIDING FOR OVERVIEW OF MARKETING PRACTICES; PROVIDING CERTAIN LAWS GOVERNING THE COMPENSATION OF AGENTS, BROKERS, AND CONSULTANTS; PROVIDING FOR THE REGULATION OF INDEPENDENT ESCROWS; PROVIDING FOR THE LICENSURE OF THIRD PARTY ADMINISTRATORS; GOVERNING ADMINISTRATIVE PRACTICES AND THE COMPENSATION OF THIRD PARTY ADMINISTRATORS; PROVIDING FOR THE ADJUSTMENT OF INSURANCE CLAIMS; REGULATING THE LICENSURE AND REGISTRATION OF INSURANCE ADJUSTERS;

PROVIDING FOR CLAIM ADJUSTMENT PRACTICES; PROVIDING FOR SUMMARY AND FORMAL PROCEEDINGS IN CONNECTION WITH THE LIQUIDATION AND REHABILITATION OF INSURERS; PROVIDING FOR A LIFE AND DISABILITY GUARANTY ASSOCIATION; CREATING A PROPERTY AND CASUALTY GUARANTY ASSOCIATION; CREATING A HEALTH CARE INSURANCE GUARANTY ASSOCIATION AND FUND; APPLYING CERTAIN PROVISIONS OF THE INSURANCE CODE TO THE STATE INSURANCE FUND; ESTABLISHING REQUIREMENTS OF FINANCIAL RESPONSIBILITY FOR MOTOR VEHICLE OWNERS AND OPERATORS; MAKING COLLATERAL REFERENCE CORRECTIONS; CREATING THE INSURANCE CODE TASK FORCE; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 7-1-503, AS ENACTED BY CHAPTER 16, LAWS OF UTAH 1981; 13-7-2, AS LAST AMENDED BY CHAPTER 18, LAWS OF UTAH 1973; 26-21-19, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-22-15, AS ENACTED BY CHAPTER 125, LAWS OF UTAH 1981; 27-12-155, AS LAST AMENDED BY CHAPTER 43, LAWS OF UTAH 1982; 35-1-53, AS LAST AMENDED BY CHAPTER 145, LAWS OF UTAH 1981; 35-1-104, UTAH CODE ANNOTATED 1953; 35-2-19, UTAH CODE ANNOTATED 1953; 35-3-2, AS LAST AMENDED BY CHAPTER 123, LAWS OF UTAH 1979; 35-3-8, UTAH CODE ANNOTATED 1953; 35-3-13, AS LAST AMENDED BY CHAPTER 27, LAWS OF UTAH 1974; 35-3-17, UTAH CODE ANNOTATED 1953; 41-2-19, AS LAST AMENDED BY CHAPTER 39, LAWS OF UTAH 1984; 49-6a-15, AS LAST AMENDED BY CHAPTER 42, LAWS OF UTAH 1984; 51-7-12, AS LAST AMENDED BY CHAPTER 44, LAWS OF UTAH 1984; 54-6-12, AS LAST AMENDED BY CHAPTER 273, LAWS OF UTAH 1981; 54-6-17, AS LAST AMENDED BY CHAPTER 107, LAWS OF UTAH 1957; 63-30-29.5, AS ENACTED BY CHAPTER 128, LAWS OF UTAH 1983; 70B-4-102, AS ENACTED BY CHAPTER 18, LAWS OF UTAH 1969; 70B-4-103, AS ENACTED BY CHAPTER 18, LAWS OF UTAH 1969; 78-14-3, AS ENACTED BY CHAPTER 23, LAWS OF UTAH 1976

ENACTS: CHAPTERS 1 THROUGH 28, TITLE 31A, UTAH CODE ANNOTATED 1953; 35-3-16.1, UTAH CODE ANNOTATED 1953; 35-3-24, UTAH CODE ANNOTATED 1953; 35-3-25, UTAH CODE ANNOTATED 1953; 35-3-26, UTAH CODE ANNOTATED 1953; 35-3-27, UTAH CODE ANNOTATED 1953; 35-3-28, UTAH CODE ANNOTATED 1953; CHAPTER 12A, TITLE 41, UTAH CODE ANNOTATED 1953

REPEALS: ALL OF TITLE 31, UTAH CODE ANNOTATED 1953; SECTION 35-1-95, UTAH CODE ANNOTATED 1953; SECTION 35-3-16, AS LAST AMENDED BY CHAPTER 145, LAWS OF UTAH 1981; CHAPTER 5, TITLE 41, UTAH CODE ANNOTATED 1953; CHAPTER 12, TITLE 41, UTAH CODE ANNOTATED 1953, CHAPTER 16, TITLE 41, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

CONSENT CALENDAR

S.B. No. 66, TRUST DEED AMENDMENTS, was read the third time, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Sowards
Bangerter	Hillyard	Peterson, C.	Stratford
Barlow	Holmgren	Peterson, Chuck	Swan
Barton	Matheson	Peterson, L.	Wayment
Black	McAllister	Renstrom	Williams
Bunnell	McMullin	Rogers	Pres. Christensen
Carling	Money	Sandberg	

Absent or not voting were: Senators

Finlinson	Pugh

S.B. No. 66, was transmitted to the House.

• • •

S.B. No. 93, PHYSICIAN ASSISTANT AMENDMENTS, was read the third time. On motion of Senator McMullin, the bill was placed on Third Reading Table.

SECOND READING CALENDAR

On motion of Senator Bangerter, the Senate voted to adopt **SUBSTITUTE S.B. No. 104,** PEACE OFFICER DESIGNATION.

The following substitute bill replaced the original bill:

PEACE OFFICER DESIGNATION

SUBSTITUTE
S.B. No. 104 *Jack M. Bangerter*

AN ACT RELATING TO CRIMINAL PROCEDURE; PROVIDING A CLASSIFICATION OF PEACE OFFICERS BY JOB DESCRIPTION; PROVIDING TRAINING REQUIREMENTS; AND AMENDING THE RETIREMENT LAW TO COMPORT WITH THE CLASSIFICATION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 49-11-8, AS LAST AMENDED BY CHAPTER 224, LAWS OF UTAH 1984; 77-1-3, AS LAST AMENDED BY CHAPTER 212, LAWS OF UTAH 1983.

ENACTS: CHAPTER 1a, TITLE 77, UTAH CODE ANNOTATED 1953.

On motion of Senator Bangerter, **SUB. S.B. No. 104** was circled.

• • •

On motion of Senator Hillyard, **S.B. No. 128,** LIVESTOCK HIGHWAY DEATH REPORTING, was circled.

• • •

S.B. No. 115, PUBLIC WATER SUPPLY EMINENT DOMAIN, was read the second time.

Mr. President: January 30, 1985

The Health Standing Committee, to which was referred **S.B. No. 115,** PUBLIC WATER SUPPLY EMINENT DOMAIN, by Senator Fred W. Finlinson, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 1, Line 21:
After 73-1-6.1. insert "(1) It is declared that use of land for the purpose of protecting water supplies from pollution sources is a public use."

Page 1, Line 21:
Before "Any" insert "(2)" making a new paragraph.

Ivan M. Matheson, Committee Chairman

Committee report, with amendments, was read and adopted. On motion of Senator McMullin, the bill was circled.

• • •

On motion of Senator McMullin, **S.B. No. 97** was circled.

• • •

S.B. No. 171, INSECT INFESTATION EMERGENCY CONTROL ACT, was read the second time.

Mr. President: January 31, 1985

The Energy, Natural Resources & Agriculture Committee, to which was referred **S.B. No. 171,** INSECT INFESTATION EMERGENCY CONTROL ACT, by Senator Eldon A. Money, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Lines 15 and 16:
After "DEPARTMENT;" delete "CREATING A RESTRICTED ACCOUNT KNOWN AS THE INSECT INFESTATION EMERGENCY CONTROL ACCOUNT ADMINISTERED" and insert "PROVIDING THAT MONIES RECEIVED WILL BE DEDICATED CREDITS FOR USE"

Page 3, Lines 18 through 25:
Delete lines 18 through 25 and insert "4-35-6(1) All money received by the state under this chapter shall be deposited by the Department of Agriculture as dedicated credits for the purpose of insect control within the state and any unexpended balance at the end of a fiscal year shall be non-lapsing. Funds may also be used as matching funds for participation in programs of the U.S. Department of Agriculture"

Page 4, Line 17:
After "the" delete "Insect Infestations Emergency Control Account" and insert "Department of Agriculture"

Fred W. Finlinson, Committee Chairman

Committee report, with amendments, was read and adopted. On motion of Senator Money, the Senate voted to adopt the following substitute bill to replace the original bill:

INSECT INFESTATION EMERGENCY CONTROL ACT

SUBSTITUTE
S.B. No. 171 *Eldon A. Money*

AN ACT RELATING TO AGRICULTURE; ESTABLISHING THE INSECT INFESTATION EMERGENCY CONTROL ACT; AUTHORIZING COMMISSIONER OF AGRICULTURE TO DECLARE AN INSECT INFESTATION EMERGENCY AND TAKE APPROPRIATE ACTION; CREATING AN AD HOC DECISION AND ACTION COMMITTEE WITHIN THE DEPARTMENT; PROVIDING THAT MONEY RECEIVED BY THE DEPARTMENT IS DEPOSITED AS DEDICATED CREDITS; APPROPRIATING $2,424,391 FROM THE GENERAL FUND; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: CHAPTER 35, TITLE 4, UTAH CODE ANNOTATED 1953.

On motion of Senator Money, **SUB. S.B. No. 171** was circled.

• • •

S.B. No. 103, PERSONAL CHOICE AND LIVING WILL ACT, was read the second time.

Mr. President: January 31, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 103,** PERSONAL CHOICE AND LIVING WILL ACT, by Senator Jack M. Bangerter, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted. On motion of Senator Bangerter, the bill will be considered at 11:00 a.m. on February 5, 1985.

• • •

S.B. No. 126, RACKETEERING ENTERPRISES AMENDMENTS, was read the second time.

Mr. President: January 31, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 126,** RACKETEERING ENTERPRISES AMENDMENTS, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted. Senator Hillyard proposed an amendment that failed. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Hillyard	Overson	Sandberg
Bangerter	Holmgren	Peterson, C.	Sowards
Barlow	Matheson	Peterson, Chuck	Stratford

Barton	McAllister	Peterson, L.	Wayment
Carling	McMullin	Renstrom	Williams
Cornaby	Money	Rogers	Pres. Christensen

Absent or not voting were: Senators

Black	Finlinson	Pugh	Swan
Bunnell			

COMMITTEE OF THE WHOLE

On motion of Senator McMullin, the Senate resolved itself into a Committee of the Whole. Appearing before the committee was Jan P. Christensen, President of the Sandy Chamber of Commerce.

On motion of Senator McMullin, the committee was dissolved.

• • •

The Senate sauntered at 10:40 a.m., and reassembled at 11:00 a.m.

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B. Nos. 27, 100, 138, 142** and **H.B. Nos. 86, 87, 88, SUB. H.B. No. 89** and **H.B. Nos. 38, 90, 91** and **92**, and the bills were placed on Second Reading Calendar.

SECOND READING CALENDAR

On motion of Senator McMullin, and under suspension of the rules, **S.C.R. No. 7**, DON LIND RESOLUTION, was placed at the top of the calendar and read the second and third times.

On motion of Senator McMullin, **S.C.R. No. 7** was amended as follows:

Page 1, Line 17:
After "scheduled to be" insert "<u>one of</u>" and change "astronaut" to "astronauts"

Page 2, Line 4:
After "will be" insert "<u>one of</u>" and change "astronaut" to "astronauts"

The resolution passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Hillyard	Overson	Sowards
Bangerter	Holmgren	Peterson, C.	Stratford
Barlow	Matheson	Peterson, Chuck	Swan
Bunnell	McAllister	Peterson, L.	Wayment
Carling	McMullin	Renstrom	Williams
Cornaby	Money	Sandberg	Pres. Christensen

Absent or not voting were: Senators

Barton	Finlinson	Pugh	Rogers
Black			

S.C.R. No. 4, as amended, was transmitted to the House.

PRESENTATION OF RESOLUTION

UNITED STATES OLYMPIC GYMNASTS RESOLUTION

S.J.R. No. 9 *Terry Williams*

A JOINT RESOLUTION OF THE LEGISLATURE RECOGNIZING THE EXHIBITION PERFORMANCE OF THIRTEEN MEMBERS OF THE UNITED STATES OLYMPICS GYMNASTICS TEAM; AND COMMENDING THEM FOR THEIR ACHIEVEMENTS.

On motion of Senator Williams, and under suspension of the rules, the resolution was read the first, second and third times. Peter Vidmar, Olympic Gold Medal Gymnast, USA, spoke in Committee of the Whole.

The resolution passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Cornaby	Peterson, C.	Sowards
Bangerter	Hillyard	Peterson, Chuck	Stratford
Barlow	Holmgren	Peterson, L.	Swan
Barton	Matheson	Renstrom	Wayment
Black	McMullin	Rogers	Williams
Bunnell	Money	Sandberg	Pres. Christensen
Carling	Overson		

Absent or not voting were: Senators
Finlinson McAllister Pugh

S.J.R. No. 9, was transmitted to the House.

• • •

The Senate recessed for a Rules Committee meeting at 11:15 a.m., and reassembled at 11:40 a.m.

• • •

On motion of Senator Money, the circle was removed from **SUB. S.B. No. 171,** INSECT INFESTATION EMERGENCY CONTROL ACT, and the bill was before the Senate. Senators Hillyard, Matheson, L. Peterson and Holmgren commented.

Senator Swan moved amendments that failed.

Senators Sowards and Barlow commented. The substitute bill passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2

Voting in the affirmative were: Senators

Asay	Cornaby	Peterson, C.	Sowards
Bangerter	Finlinson	Peterson, Chuck	Stratford
Barlow	Holmgren	Peterson, L.	Swan
Barton	Matheson	Renstrom	Wayment
Black	McMullin	Rogers	Williams
Bunnell	Money	Sandberg	Pres. Christensen
Carling	Overson		

Voting in the negative was: Senator
Hillyard

Absent or not voting were: Senators
McAllister Pugh

On motion of Senator McMullin, and under suspension of the rules, **SUB. S.B. No. 171,** was placed on Third Reading Table.

PRESENTATION OF RESOLUTION

Mr. President: February 4, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 9,** G. HOMER DURHAM RESOLUTION, by Representative Moss, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Sowards, and under suspension of the rules, the resolution was read the first, second and third times, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Sandberg
Bangerter	Finlinson	Peterson, C.	Sowards
Barlow	Hillyard	Peterson, Chuck	Stratford
Black	Matheson	Peterson, L.	Swan
Bunnell	McMullin	Renstrom	Wayment
Carling	Money	Rogers	Pres. Christensen

Absent or not voting were: Senators

Barton	McAllister	Pugh	Williams
Holmgren			

H.C.R. No. 9, was signed by the President of the Senate in open session and returned to the House for further action.

RULES COMMITTEE REPORT

Mr. President: February 4, 1985

The Senate Rules Committee, to which were referred the following Senate Bills and Resolution:

S.J.R. No. 4	NATIONAL PARK BUFFER ZONE RESTRICTION RESOLUTION (Energy, Natural Resources and Agriculture)
S.B. No. 133	NOTARY PUBLIC AMENDMENTS (Judiciary)
S.B. No. 137	UTAH FOREIGN JUDGMENT TECHNICAL AMENDMENTS (Judiciary)
S.B. No. 141	AGRICULTURAL FEE STRUCTURE AMENDMENTS (Energy, Natural Resources and Agriculture)

S.B. No. 145	TRAFFIC RELATED CRIMINAL OFFENSES-AMENDMENTS (Transportation and Public Safety)
S.B. No. 146	CRIMINAL CODE FIREARM AMENDMENTS (Judiciary)
S.B. No. 200	FILING APPLICATIONS TO EXCHANGE WATER (Energy, Natural Resources and Agriculture)
S.B. No. 197	WATER CONSERVANCY DISTRICT BOARD PER DIEM (Energy, Natural Resources and Agriculture)
S.B. No. 192	IMPERSONATING A PEACE OFFICER (Transportation and Public Safety)
S.B. No. 193	INTERFERENCE WITH ARRESTING OFFICER-AMENDMENT (Transportation and Public Safety)
S.B. No. 196	INFORMED CONSENT REQUIREMENTS (Judiciary)

reports the same back and asks that they be printed and each assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bills to the committees indicated.

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On motion of Senator Cary G. Peterson, the circles were removed from **S.B. Nos. 104, 128, 97** and **115.**

• • •

On motion of Senator Cary G. Peterson, and at 12:00 noon, the Senate adjourned until 10:00 a.m., Tuesday, February 5, 1985.

TWENTY THIRD DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Arnold Christensen presiding.

Roll Call — All Senators present except Senator Pugh, excused.

Prayer — Senator Richard J. Carling.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

DAILY SENATE JOURNAL

Mr. President: February 5, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the twenty second day and find it correct with minor amendments noted on the final copy.

C.E. 'Chuck' Peterson
Committee Chairman

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 4, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 12**, WILBERG MINE DISASTER RESOLUTION, by Representative Christensen, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Bunnell, and under suspension of the rules, the resolution was read the first, second and third times, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Cornaby	Money	Sandberg
Barlow	Finlinson	Overson	Sowards
Barton	Hillyard	Peterson, C.	Stratford
Black	Holmgren	Peterson, Chuck	Wayment

Bunnell	Matheson	Peterson, L.	Williams
Carling	McAllister	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Asay	Pugh	Rogers	Swan
McMullin			

H.C.R. No. 12 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

Mr. President: February 4, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 13,** MINE RESCUE TEAMS COMMENDATION, by Representative Dmitrich, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Bunnell, and under suspension of the rules, the resolution was read the first, second and third times, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Cornaby	Money	Sandberg
Barlow	Finlinson	Overson	Sowards
Barton	Hillyard	Peterson, C.	Stratford
Black	Holmgren	Peterson, Chuck	Wayment
Bunnell	Matheson	Peterson, L.	Pres. Christensen
Carling	McAllister	Renstrom	

Absent or not voting were: Senators

Asay	Pugh	Swan	Williams
McMullin	Rogers		

H.C.R. No. 13 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

Mr. President: February 4, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 65,** EXEMPTION FROM WORKMEN'S COMPENSATION, by Representative Jenkins, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 177,** GOVERNMENTAL IMMUNITY FOR NATURAL DISASTERS, by Representative Browning, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 138,** PAYMENT AND PERFORMANCE BONDS, 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 **SECOND SUBSTITUTE H.B. No. 115,** INTERLOCAL COOPERATION ACT CHANGES, by Representative Richards, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.B. Nos. 65, 177, 138 and **SECOND SUB. H.B. No. 115** were read the first time and referred to Rules Committee.

• • •

Mr. President: February 4, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **S.J.R. No. 9,** UNITED STATES OLYMPIC GYMNASTS RESOLUTION, by Senator Williams, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.J.R. No. 9 was signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Lieutenant Governor.

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B. Nos. 102, 90, 113, 153, 154, 155** and **163,** and **H.B. Nos. 13** and **125,** and the bills were placed on Second Reading Calendar.

PRESENTATION OF RESOLUTION

OATH OF OFFICE AMENDMENT

S.J.R. No. 10 *Dona M. Waymont*

A JOINT RESOLUTION OF THE LEGISLATURE PROPOSING TO AMEND THE UTAH CONSTITUTION; RELATING TO THE OATH OF OFFICE TAKEN BY ALL ELECTED OR APPOINTED OFFICERS; ADDING THE PHRASE "SO HELP ME GOD" TO THE OATH OR AFFIRMATION; AND PROVIDING AN EFFECTIVE DATE.

THIS RESOLUTION PROPOSES TO CHANGE THE UTAH CONSTITUTION AS FOLLOWS:

AMENDS: ARTICLE IV, SEC. 10, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

DUI PENALTIES

S.B. No. 233 *Lyle W. Hillyard*

AN ACT RELATING TO MOTOR VEHICLES; AMENDING THE DUI LAW TO REQUIRE THAT WORK PROJECT SERVICE BE MEASURED BY HOURS, RATHER THAN DAYS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 41-6-44, AS LAST AMENDED BY CHAPTER 183, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

PSC RETENTION ELECTIONS

S.B. No. 234 *Darrell G. Renstrom*

AN ACT RELATING TO PUBLIC UTILITIES; PROVIDING RETENTION ELECTIONS OF PUBLIC SERVICE COMMISSIONERS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 54-1-1.5, AS LAST AMENDED BY CHAPTERS 246 AND 320, LAWS OF UTAH 1983; 54-1-11, AS ENACTED BY CHAPTER 246, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

WINTER RECREATIONAL PARKING

S.B. No. 235 *Terry Williams*

AN ACT RELATING TO PARKS AND RECREATION; PROVIDING FOR ANNUAL FEES FOR THE USE OF WINTER RECREATIONAL PARKING LOTS TO HELP FUND THE ESTABLISHMENT AND MAINTENANCE OF THE LOTS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: SECTIONS 63-11a-1 THROUGH 63-11a-9, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

PUBLIC INFORMATION DISCLOSURE

S.B. No. 236 *Ivan M. Matheson*

AN ACT RELATING TO DRIVERS LICENSES; PROVIDING THAT LISTS OF NAMES OF PERSONS HOLDING DRIVERS LICENSES MAY NOT BE SOLD FOR USE BY OTHERS FOR COMMERCIAL PURPOSES.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 41-2-12, AS LAST AMENDED BY CHAPTER 98, LAWS OF UTAH 1969, was read the first time and referred to Rules Committee.

ACTIONS TO RESOLVE OUTSTANDING WARRANTS AMENDMENTS

S.B. No. 237 *Richard J. Carling*

AN ACT RELATING TO OUTSTANDING WARRANTS; CLARIFYING CERTAIN PROCEDURES FOR APPLICATION OF TAX REFUNDS TO BAIL ON UNRESOLVED WARRANTS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 59-14A-80, AS LAST AMENDED BY CHAPTER 39, LAWS OF UTAH 1984, was read the first time and referred to Rules Committee.

PAGING DEFINITION

S.B. No. 238 *Richard J. Carling*

AN ACT RELATING TO PUBLIC UTILITIES; DEFINING PAGING FOR PURPOSES OF REGULATION BY THE PUBLIC SERVICE COMMISSION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 54-2-1, AS LAST AMENDED BY CHAPTER 50, LAWS OF UTAH 1984. was read the first time and referred to Rules Committee.

AMENDMENTS TO INTERLOCAL COOPERATION ACT

S.B. No. 239 *Eldon A. Money*

AN ACT RELATING TO COOPERATION BETWEEN AND AMONG PUBLIC AGENCIES; CLARIFYING DEFINITION OF "FACILITIES AND SERVICES"; CLARIFYING AUTHORITY OF PUBLIC AGENCIES TO APPROPRIATE FUNDS, TRANSFER PROPERTY, AND PROVIDE PERSONNEL AND SERVICES; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 11-13-3, AS LAST AMENDED BY CHAPTER 2, LAWS OF UTAH 1982, SECOND SPECIAL SESSION; 11-13-5.5, AS ENACTED BY CHAPTER 47, LAWS OF UTAH 1977; 11-13-13, AS ENACTED BY CHAPTER 14, LAWS OF UTAH 1965. was read the first time and referred to Rules Committee.

CONSENT CALENDAR

S.B. No. 168, TEACHER CERTIFICATION BACKGROUND CHECK, was read the third time, explained by Senator McAllister, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Sandberg
Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	Matheson	Peterson, L.	Wayment
Black	McAllister	Renstrom	Williams
Bunnell	Money	Rogers	Pres. Christensen
Carling			

Absent or not voting were: Senators

Finlinson	McMullin	Pugh	Swan

S.B. No. 168 was transmitted to the House.

THIRD READING CALENDAR

S.B. No. 126, RACKETEERING ENTERPRISES 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	McAllister	Rogers
Bangerter	Cornaby	Money	Sandberg
Barlow	Finlinson	Overson	Sowards
Barton	Hillyard	Peterson, C.	Stratford
Black	Holmgren	Peterson, Chuck	Wayment
Bunnell	Matheson	Peterson, L.	Pres. Christensen

Absent or not voting were: Senators

McMullin	Renstrom	Swan	Williams
Pugh			

S.B. No. 126 was transmitted to the House.

SECOND READING CALENDAR

SUB. S.B. No. 104, PEACE OFFICER DESIGNATION, was before the Senate. Ted Leamons, Director of Peace Officers Standards and Training, spoke in Committee of the Whole.

Senators Bangerter, Finlinson, Carling and Black commented.

On motion of Senator Finlinson, **SUB. S.B. No. 104** was amended as follows:

Page 15, insert between Lines 23 and 24:
"72-1a-2 (1) "Constable" means any constable elected in a county or precinct, or employee of a constable, who is charged with and primarily performs, but is not limited to, duties including controlling, transporting, supervising, and taking into custody individuals arrested or convicted of crime, taking possession of, supervising, and disposing of property under court order, and serving criminal and civil process.

(2) A constable has statewide peace officer authority only while engaged in the performance of his duties. Constables may carry firearms only if authorized and under conditions specified by the constable's chief administrator.

(3) No constable may exercise peace officer authority until he has completed the approved basic training program for constables and the chief administrator has certified this completion of training to the Director of Peace Officer Standards and Training.

(4) The elected constable shall establish and maintain the approved basic constable course and in-service training program, but in no event may the training consist of less than 40 hours per year, to be conducted by its own staff or other agencies as provided by the Director of Peace Officers Standards and Training with the advice and consent of the Council on Peace Officers Standards and Training."

Page 15, Line 24:
Delete "2" and insert "3"

Page 16, Line 27:
Delete "3" and insert "4"

Page 17, Line 24:
Delete "service of legal"

Page 17, Line 25:
Delete "process,"

Page 17, Line 26:
Delete "constables,"

Page 18, Line 14:
Delete "The carrying of firearms by"

Page 18, Line 15:
Delete entire line

Page 18, Line 16:
Delete entire line

Page 18, Line 23:
Delete "City and county constables and their"

Page 18, Line 24:
Delete entire line

Page 18, Line 25:
Delete entire line

Page 19, Line 3:
Delete "5" and insert "6"

Page 19, Line 16:
Delete "6" and insert "7"

Page 19, Line 25:
Delete "7" and insert "8"

Page 20, Line 6:
Delete "8" and insert "9"

Page 20, Line 10:
Delete "9" and insert "10"

Green: Page 1, Line 12:
After "PEACE OFFICERS" insert "AND OF CONSTABLES"

On motion of Senator Finlinson, the Senate voted to have the long title of the substitute bill changed to conform with the amendments.

The substitute bill passed, as amended, on the following roll call:

Yeas, 21; Nays, 2; Absent, 6

Voting in the affirmative were: Senators

Asay	Cornaby	McMullin	Sowards
Bangerter	Finlinson	Overson	Swan
Barlow	Hillyard	Peterson, Chuck	Wayment
Black	Holmgren	Renstrom	Williams
Bunnell	McAllister	Sandberg	Pres. Christensen
Carling			

Voting in the negative were: Senators

Matheson	Stratford

Absent or not voting were: Senators

Barton	Peterson, C.	Pugh	Rogers
Money	Peterson, L.		

• • •

On motion of Senator Hillyard, **S.B. Nos. 128** and **97** were circled.

• • •

S.B. No. 115, PUBLIC WATER SUPPLY EMINENT DOMAIN, was before the Senate. Senators Finlinson, Matheson and Stratford commented.

On motion of Senator Finlinson, **S.B. No. 115** was amended as follows:

Page 1, Line 23:
Delete "an": change "easement" to "easements" and delete "upon public and private lands"

The bill passed on the following roll call:

Yeas, 19; Nays, 4; Absent, 6

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, C.	Sowards
Bangerter	Matheson	Peterson, Chuck	Swan
Barlow	McAllister	Peterson, L.	Wayment
Black	McMullin	Renstrom	Pres. Christensen
Finlinson	Money	Sandberg	

Voting in the negative were: Senators

Hillyard	Rogers	Stratford	Williams

Absent or not voting were: Senators

Barton	Carling	Overson	Pugh
Bunnell	Cornaby		

• • •

On motion of Senator Sowards, **H.B. No. 125,** COMPULSORY SCHOOL AGE LIMITATION, was lifted from Second Reading Calendar and returned to the Education Standing Committee.

• • •

S.B. No. 103, PERSONAL CHOICE AND LIVING WILL ACT, was before the Senate. Senator Bangerter explained the bill. David Cook, private attorney, explained the bill and Connie Pratt, President of Utah's Right to Life, expressed opposition to the bill in Committee of the Whole. Senators Asay, Swan, Renstrom, Bunnell, Black and Hillyard questioned Mr. Cook. Senators Black, Renstrom and Asay questioned Mrs. Pratt.

S.B. No. 103 will remain as unfinished business.

On motion of Senator Cary G. Peterson, and at 12:10, the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 3:15 p.m., with President Arnold Christensen presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 5, 1985

I am directed to inform the Senate that the House of Representatives has this day receded from its amendments and passed **S.C.R. No. 6,** RURAL ELECTRIFICATION ADMINISTRATION, 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.

Carole E. Peterson, Acting Chief Clerk

S.C.R. No. 6 was signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

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Mr. President: February 5, 1985

I am directed to inform the Senate that the Speaker has signed in open session, **S.C.R. No. 2, MARTIN LUTHER KING RESOLUTION,** by Senator Williams, et al, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.C.R. No. 2 was signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

Mr. President: • February 4, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 198,** REPORTING OF PRIVATE TELECOMMUNI-

CATIONS SYSTEMS, by Representative White, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.B. No. 198 was read the first time and referred to Rules Committee.

SECRETARY OF SENATE REPORT

Committee Reports have been filed with the Secretary of the Senate on **H.B. No. 78** and **S.B. Nos. 132** and **200,** and the bills were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President: February 5, 1985

The Senate Transportation and Public Safety Standing Committee, to which was referred **H.B. No. 3,** SECURITY PERSONNEL — SUNSET REVIEW, by Representative H. Craig Moody, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The Transportation and Public Safety Standing Committee, to which was referred **H.B. No. 38,** LEFT-LANE TRAVEL RESTRICTIONS, by Representative Kaye Browning, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The Transportation and Public Safety Standing Committee, to which was referred **H.B. No. 71,** STATE FIRE MARSHAL — DIVISION STATUS, by Representative Donald R. LeBaron, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The Energy, Natural Resources & Agriculture Committee, to which was referred **H.B. No. 6,** WEIGHTS AND MEASURES AMENDMENTS, by Representative Ray S. Schmutz, has carefully considered the bill and reports it out of committee favorably with the following amendments and asks that it be placed on the Consent Calendar:

Page 5, Line 4:
After "Sell," delete "keep,"

Page 5, Line 6:
After "sold," delete "kept,", and

The Energy, Natural Resources & Agriculture Committee, to which was referred **S.B. No. 197,** WATER CONSERVANCY DISTRICT BOARD PER DIEM, by Senator Fred W. Finlinson, has carefully considered the bill and reports it out of committee favorably and with the following amendments and asks that it be placed on the Consent Calendar:

Page 2, Line 10:
After "sum," delete "ordered by the court,"

Page 2, Lines 13 and 14:
After "duties." delete "For", capitalize "Multi-", and after "multi-county" delete "districts the court" and insert "district boards"

Fred W. Finlinson, Committee Chairman

Committee report, with amendments, was read and adopted. **H.B. Nos. 3, 38, 71, 6** and **S.B. No. 197** were read the second time, and placed on Consent Calendar.

COMMITTEE ON APPOINTMENTS

President Christensen appointed Senator C.E. 'Chuck' Peterson as Chairman of the Senate Special Committee on Appointments.

UNFINISHED BUSINESS

On motion of Senator Cary G. Peterson, the Senate voted to circle **S.B. No. 103,** PERSONAL CHOICE AND LIVING WILL ACT.

SECOND READING CALENDAR

S.B. No. 127, MANSLAUGHTER AMENDMENTS, was read the second time.

Mr. President: January 31, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 127,** MANSLAUGHTER AMENDMENTS, by Lyle W. Hillyard, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted. On motion of Senator Hillyard, the Senate voted to adopt the following substitute bill:

MANSLAUGHTER AMENDMENTS

SUBSTITUTE
S.B. No. 127 *Lyle W. Hillyard*

AN ACT RELATING TO CRIMINAL LAW; CLARIFYING THE DEFINITION OF THE OFFENSE OF MANSLAUGHTER.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 76-5-205, AS LAST AMENDED BY CHAPTER 53, LAWS OF UTAH 1975.

The substitute bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Stratford
Bangerter	Holmgren	Peterson, Chuck	Swan
Barton	Matheson	Peterson, L.	Wayment
Black	McAllister	Renstrom	Williams
Bunnell	Overson	Sandberg	Pres. Christensen
Cornaby			

Absent or not voting were: Senators

Barlow	Finlinson	Money	Rogers
Carling	McMullin	Pugh	Sowards

• • •

Senator Cornaby was presiding.

UNFINISHED BUSINESS

On motion of Senator Bangerter, the circle was removed from **S.B. No. 103,** PERSONAL CHOICE AND LIVING WILL ACT. Senator Asay questioned Connie Pratt, and David Cook again spoke in Committee of the Whole.

Senator Asay commented.

On motion of Senator Renstrom **S.B. No. 103,** was amended as follows:

Page 3, between Lines 15 and 16:
Insert "(8) "In writing" means any printed or handwritten directive."

Senator Renstrom's motion to delete all of 75-2-1107 on Pages 12 and 13 failed on a voice vote.

On motion of Senator Black **S.B. No. 103,** was amended as follows:

Page 14, Line 3:
After "oral revocation" insert "not otherwise known to the attending physician"

Senators Swan and Renstrom commented.

On motion of Senator Asay **S.B. No. 103,** was amended as follows:

Page 17, Line 8:
After "mercy killing" delete "or" and insert in lieu thereof a comma, and after "euthanasia" insert a comma and insert "or suicide."

Senator Bangerter commented.

The bill passed on the following roll call:

Yeas, 19; Nays, 4; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Hillyard	Peterson, L.	Stratford
Barton	Holmgren	Renstrom	Swan
Black	Money	Rogers	Wayment
Bunnell	Peterson, C.	Sandberg	Williams
Cornaby	Peterson, Chuck	Sowards	

Voting in the negative were: Senators

Asay (exp.)	Barlow	McMullin	Overson

Absent or not voting were: Senators

Carling	Matheson	Pugh	Pres. Christensen
Finlinson	McAllister		

RULES COMMITTEE REPORTS

Mr. President: February 5, 1985

The Senate Rules Committee, to which were referred the following House Bills:

H.B. No. 21	EDUCATION RESPONSIBILITY AT THE STATE TRAINING SCHOOL (Education)
H.B. No. 67	LICENSURE AUTHORITY FOR ADULT DAY CARE (Social Services)
H.B. No. 77	JUVENILE COURT JURISDICTION - FAILURE TO REPORT CHILD ABUSE (Judiciary)
H.B. No. 129	PUBLICATION OF WILDLIFE RULES (Energy, Natural Resources and Agriculture)
H.B. No. 40	UNIFORM FIREARMS LAW (Transportation, and Public Safety)
H.B. No. 105	DAY CARE OPERATIONS AMENDMENT (Social Services)
H.B. No. 122	JUVENILE COURT - JUVENILES AND ADULTS (Judiciary)
H.B. No. 162	UGMS AMENDMENTS (Energy, Natural Resources and Agriculture)
SUB. H.B. No. 181	REGULATION OF OIL TREATMENT PLANTS (Energy, Natural Resources and Agriculture)
H.B. No. 195	UTAH PRIVATE ACTIVITY BOND CEILING ALLOCATION ACT (Revenue and Taxation)
H.B. No. 218	CHILD CUSTODY COURT COSTS (Social Services)
H.B. No. 25	DIVORCE LAW WAITING PERIOD AMENDMENTS (Judiciary)
H.B. No. 79	SUPPORT AND MAINTENANCE PAYMENTS (Judiciary)
H.B. No. 20	PUBLIC ACCOUNTANTS EDUCATION REQUIREMENTS (Education)
SUB. H.B. No. 58	EDUCATIONAL PROFESSIONAL PRACTICES AMENDMENTS (Education)
SUB. H.B. No. 106	PROHIBITION OF ALCOHOLIC BEVERAGES IN PUBLIC SCHOOLS (Education)
H.B. No. 189	RESOURCE DEVELOPMENT COORDINATING COMMITTEE AMENDMENTS (Energy, Natural Resources and Agriculture)
SUB. H.B. No. 170	CLASS C ROAD FUNDS (Transportation, and Public Safety)
H.B. No. 139	ATTORNEY GENERAL CARREER SERVICE AMENDMENTS (State and Local Affairs)
SUB. H.B. No. 59	PHARMACY PRACTICE ACT (Health)
SUB. H.B. No. 131	CONSERVATION EASEMENTS (Energy, Natural Resources and Agriculture)
H.B. No. 134	SCHOOL BUS FLASHING LIGHTS MODIFICATION (Transportation and Public Safety)
H.B. No. 136	GOVERNMENTAL PLANNING COORDINATION (Energy, Natural Resources and Agriculture)

reports the same back and asks that they each be assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. Senator Cornaby assigned the bills to the committees indicated.

• • •

On motion of Senator Cary Peterson, **S.B. No. 97** was placed on Second Reading Table; and **H.B. No. 173**, and **S.J.R. No. 6** were circled. President Christensen was presiding.

• • •

S.B. No. 27, UTILITY FRANCHISE TAX DEDUCTION, was read the second time.

Mr. President: February 1, 1985

The Revenue & Taxation Committee, to which was referred **S.B. No. 27**, UTILITY FRANCHISE TAX DEDUCTION, by Senator William T. Barton, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lyle W. Hillyard, Committee Chairman

Committee report read and adopted. Senators Bunnell, Matheson, Swan and Renstrom commented. The bill failed on the following roll call:

Yeas, 11; Nays, 13; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	McMullin	Sowards
Barlow	Cornaby	Peterson, L. (exp)	Wayment
Barton	McAllister	Sandberg	

Voting in the negative were: Senators

Black	Matheson (exp)	Peterson, C.	Swan
Bunnell	Money	Peterson, Chuck	Williams
Hillyard (exp)	Overson (exp)	Renstrom	Pres. Christensen
Holmgren			

Absent or not voting were: Senators

Bangerter	Pugh	Rogers	Stratford
Finlinson			

S.B. No. 27 was filed.

• • •

On motion of Senator Hillyard, the circle was removed from **S.B. No. 128**, LIVESTOCK HIGHWAY DEATH REPORTING, and the bill was before the Senate. Senators Hillyard, Matheson and Barlow commented.

On motion of Senator Hillyard, **S.B. No. 128** was amended as follows:

> Page 1, After line 29, insert new subsection as follows:
> "(3) No civil or criminal liability for claims arises against any peace officer for failure to locate the owner of the livestock or property. Nothing in this subsection precludes disciplinary action by the department against a peace officer for failure to perform duties required by this section."

The bill passed on the following roll call:

Yeas, 20; Nays, 1; Absent, 8

Voting in the affirmative were: Senators

Asay	Hillyard	Overson	Sandberg
Bangerter	Holmgren	Peterson, C.	Sowards
Barlow	Matheson	Peterson, Chuck	Wayment
Barton	McAllister	Peterson, L.	Williams
Carling	Money	Renstrom	Pres. Christensen

Voting in the negative was: Senator
Rogers

Absent or not voting were: Senators

Black	Cornaby	McMullin	Stratford
Bunnell	Finlinson	Pugh	Swan

• • •

On motion of Senator Sowards, the circle was removed from **H.B. No. 173**, REVISORS STATUTE, and the bill was read the second time and passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 6

Voting in the affirmative were: Senators

Asay	Finlinson	Money	Rogers
Bangerter	Hillyard	Overson	Sandberg
Barlow	Holmgren	Peterson, C.	Sowards
Barton	Matheson	Peterson, Chuck	Wayment
Bunnell	McAllister	Renstrom	Pres. Christensen
Carling	McMullin		

Voting in the negative was: Senator
Williams

Absent or not voting were: Senators

Black	Peterson, L.	Stratford	Swan
Cornaby	Pugh		

CHILD SUPPORT BILLS
(H.B. Nos. 86, 87, 88, SUB. H.B. No. 89, and H.B. Nos. 90, 91 and 92)

H.B. No. 86, PUBLIC ASSISTANCE FRAUD AMENDMENTS, was read the second time.

Mr. President: February 1, 1985

The Social Services Committee, to which was referred **H.B. No. 86,** PUBLIC ASSISTANCE FRAUD AMENDMENTS, by Representative Lloyd Frandsen, has carefully considered the bill and reports it out of committee with a favorable recommendation.

John P. Holmgren, Committee Chairman

Committee report read and adopted. John Abbott, Director of the Office of Recovery Services explained the package of Child Support Bills in Committee of the Whole. Senators Hillyard, Matheson, Barlow and Sowards questioned Mr. Abbott. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Sowards
Bangerter	Finlinson	Peterson, C.	Stratford
Barlow	Hillyard	Peterson, Chuck	Swan
Barton	Holmgren	Renstrom	Wayment
Black	Matheson	Rogers	Williams
Bunnell	McAllister	Sandberg	Pres. Christensen
Carling	Money		

Absent or not voting were: Senators

McMullin	Peterson, L.	Pugh

• • •

H.B. No. 87, INTERSTATE CHILD SUPPORT COLLECTION, was read the second time.

Mr. President: February 1, 1985

The Social Services Committee, to which was referred **H.B. No. 87,** INTERSTATE CHILD SUPPORT COLLECTION, by Representative Lloyd Frandsen, has carefully considered the bill and reports it out of committee with a favorable recommendation.

John P. Holmgren, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Sowards
Barlow	Hillyard	Peterson, C.	Stratford
Barton	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Renstrom	Wayment
Bunnell	McAllister	Rogers	Pres. Christensen
Carling	Money	Sandberg	

Absent or not voting were: Senators

Bangerter	McMullin	Pugh	Williams
Finlinson	Peterson, L.		

• • •

H.B. No. 88, CHILD SUPPORT BOND, was read the second time.

Mr. President: February 1, 1985

The Social Services Committee, to which was referred **H.B. No. 88,** CHILD SUPPORT BOND, by Representative Lloyd Frandsen, has carefully considered the bill and reports it out of committee with a favorable recommendation.

John P. Holmgren, Committee Chairman

Committee report read and adopted.

On motion of Senator Finlinson **H.B. No. 88** was amended as follows:

Cherry: Page 2, after Line 6:
Insert "This act shall take effect July 1, 1985."

The bill passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Stratford
Bangerter	Finlinson	Peterson, C.	Swan
Barlow	Holmgren	Peterson, Chuck	Wayment
Black	Matheson	Renstrom	Williams
Bunnell	McAllister	Rogers	Pres. Christensen
Carling	Money	Sandberg	

Voting in the negative was: Senator
Hillyard (exp.)

Absent or not voting were: Senators

Barton	Peterson, L.	Pugh	Sowards
McMullin			

• • •

SUB. H.B. No. 89, CHILD SUPPORT STATUTE OF LIMITATION CLARIFICATION, was read the second time.

Mr. President: February 1, 1985

The Social Services Committee, to which was referred **SUBSTITUTE H.B. No. 89,** CHILD SUPPORT STATUTE OF LIMITATION CLARIFICATION, by Representative Lloyd Frandsen, has carefully considered the bill and reports it out of committee with a favorable recommendation.

John P. Holmgren, Committee Chairman

Committee report read and adopted. The substitute bill passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Finlinson	Overson	Sowards
Barlow	Hillyard	Peterson, C.	Stratford
Black	Holmgren	Peterson, Chuck	Swan
Bunnell	Matheson	Renstrom	Wayment
Carling	McAllister	Rogers	Pres. Christensen
Cornaby	Money	Sandberg	

Voting in the negative was: Senator
Asay

Absent or not voting were: Senators

Barton	Peterson, L.	Pugh	Williams
McMullin			

• • •

H.B. No. 90, INCOME WITHHOLDING AMENDMENTS, was read the second time.

Mr. President: February 1, 1985

The Social Services Committee, to which was referred **H.B. No. 90,** INCOME WITHHOLDING AMENDMENTS, by Representative Lloyd Frandsen, has carefully considered the bill and reports it out of committee with a favorable recommendation.

John P. Holmgren, Committee Chairman

Committee report read and adopted. The bill will remain as unfinished business.

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On motion of Senator Cary Peterson, the circle was removed from **S.J.R. No. 6.**

• • •

On motion of Senator Cary Peterson, and at 5:15 p.m., the Senate adjourned until 10:00 a.m., Wednesday, February 6, 1985.

TWENTY FOURTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Arnold Christensen presiding.

Roll Call — All Senators present except Senator Carling, excused.

Prayer — Reverend Anthony R. Auer, Pastor Lutheran Church.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

DAILY SENATE JOURNAL

Mr. President: February 6, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the Twenty third day and find it correct with minor amendments noted on the final copy.

Darrell G. Renstrom, Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 5, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **SUBSTITUTE H.B. No. 24**, WORKING WOMEN CHILD CARE COSTS, by Representative Maxfield, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 132**, UTAH CORRECTIONAL INDUSTRIES ACT, by Representative Jenkins, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 199**, TELEPHONE CORPORATION DEFINITION, by Representative LaBaron, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

SUB. H.B. No. 24 and **H.B. Nos. 132** and **199**, were read the first time and referred to Rules Committee.

• • •

Mr. President: February 5, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 17**, WEDNESDAY'S CHILD RESOLUTION, by Representative Tuttle, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Williams, and under suspension of the rules, the resolution was read the first, second and third times, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Finlinson	Overson	Rogers
Bangerter	Hillyard	Peterson, C.	Sandberg
Barlow	Holmgren	Peterson, Chuck	Swan
Barton	Matheson	Peterson, L.	Wayment
Black	McAllister	Pugh	Williams
Cornaby	McMullin	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Bunnell	Money	Sowards	Stratford
Carling			

H.C.R. No. 17 was signed by the President of the Senate in open session and returned to the House for further action.

INTRODUCTION OF BILLS

WATER DISTRICT INDEBTEDNESS AMENDMENTS

S.B. No. 240 *Fred W. Finlinson*

AN ACT RELATING TO WATER AND IRRIGATION; PROVIDING FOR REVENUE PLEDGES BY METROPOLITAN WATER DISTRICTS AND WATER CONSERVANCY DISTRICTS TO CONTRACTS CREATING INDEBTEDNESS OR OBLIGATIONS; PROVIDING THAT CONTRACTS CREATING INDEBTEDNESS OR OBLIGATIONS PAYABLE SOLELY FROM REVENUES MAY BE MADE WITHOUT BEING SUBMITTED TO THE ELECTORS FOR APPROVAL; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 73-8-26, AS LAST AMENDED BY CHAPTER 81, LAWS OF UTAH 1982; 73-9-31, AS LAST AMENDED BY CHAPTER 352, LAWS OF UTAH 1983; 73-9-32, AS LAST AMENDED BY CHAPTER 285, LAWS OF UTAH 1981; 73-9-32.5, AS ENACTED BY CHAPTER 285, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

TAX COMMISSION CONTINUOUS GARNISHMENTS

S.B. No. 241 *Dix H. McMullin, Brent C. Overson*

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING THAT CERTAIN REMEDIES EMPLOYED BY THE STATE TAX COMMISSION REMAIN IN EFFECT UNTIL THE LIABILITY IS SATISFIED OR BECOMES UNENFORCEABLE DUE TO LAPSE OF TIME.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 59-31-8, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

SUBDIVISION PLATS

S.B. No. 242 *Fred W. Finlinson*

AN ACT RELATING TO REAL ESTATE; ALLOWING THE GOVERNING BODY OF A MUNICIPALITY OR COUNTY TO MAKE AMENDMENTS TO SUBDIVISION PLATS WITHOUT REQUIRING THE CONSENT OF ALL THE OWNERS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

REPEALS AND REENACTS: 57-5-7, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

UNIFORM PROBATE CODE AMENDMENTS

S.B. No. 243 *Richard J. Carling*

AN ACT RELATING TO PROBATE CODE; INCREASING THE VALUE OF THE ESTATE, AND INCREASING THE AGGREGATE VALUE OF UTAH PERSONAL PROPERTY FOR PURPOSES OF ADMINISTRATION PROCEDURES FOR SMALL ESTATES; AND PROVIDING THAT TRAILER, SEMI-TRAILER, OR BOAT REGISTRATION IN THE NAMES OF TWO OR MORE INDIVIDUALS BE CONSIDERED TO BE

HELD IN JOINT TENANCY WITH RIGHT OF SURVIVORSHIP UNLESS OTHERWISE INDICATED.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 75-3-1201, AS LAST AMENDED BY CHAPTER 226, LAWS OF UTAH 1983; 75-6-201, AS ENACTED BY CHAPTER 150, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

EXPOSITIONS APPROPRIATION

S.B. No. 244 *Lyle W. Hillyard*

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; APPROPRIATING $90,000 FROM THE GENERAL FUND TO THE DIVISION OF EXPOSITIONS FOR THE RICHMOND BLACK AND WHITE DAYS TO BE USED FOR RESTORATION PURPOSES, was read the first time and referred to Rules Committee.

PUBLIC FIREWORK SHOWS

S.B. No. 245 *Dix H. McMullin*

AN ACT RELATING TO CITIES, COUNTIES, AND LOCAL TAXING UNITS; GRANTING THE STATE FIRE PREVENTION BOARD AUTHORITY TO ADOPT RULES GOVERNING THE OPERATORS OF PUBLIC FIREWORKS SHOWS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 11-3-5, AS ENACTED BY CHAPTER 127, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

BOARD OF INDUSTRIAL PROMOTION MEMBERSHIP

S.B. No. 246 *Paul Rogers*

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; INCREASING THE MEMBERSHIP AND QUORUM REQUIREMENT OF THE BOARD OF INDUSTRIAL PROMOTION; AND CHANGING GEOGRAPHICAL REPRESENTATION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 63-31-2, AS LAST AMENDED BY CHAPTER 234, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

SUB. S.B. No. 104, PEACE OFFICER DESIGNATION, 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	Holmgren	Peterson, Chuck	Sandberg
Bangerter	Matheson	Peterson, L.	Sowards
Barton	McMullin	Pugh	Swan
Black	Money	Renstrom	Wayment
Finlinson	Overson	Rogers	Pres. Christensen
Hillyard	Peterson, C.		

Absent or not voting were: Senators

Barlow	Carling	McAllister	Williams
Bunnell	Cornaby	Stratford	

SUB. S.B. No. 104, as amended, was transmitted to the House.

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S.B. No. 115, PUBLIC WATER SUPPLY EMINENT DOMAIN, was read the third time. Senators Matheson, Finlinson and Swan commented.

On motion of Senator L. Peterson **S.B. No. 115,** was amended as follows:

> Page 1, Line 29:
> After Line 29, insert a new paragraph "(3) Any landowner whose land is subject to the exercise of eminent domain under Subsection (2), may instead require the public water system owner to purchase the property subject to eminent domain."

Senators Pugh, Matheson, Finlinson and Barlow commented.

Senator Matheson moved that at the end of the amendment by Senator L. Peterson, delete the period and add the words "in the entire parcel if rendered useless to the owner."

Senator Finlinson moved a substitute motion to add, before the period at the end of Senator L. Peterson's amendment, the word "proceedings" The substitute motion passed. The bill passed on the following roll call:

Yeas, 22; Nays, 2; Absent, 5

Voting in the affirmative were: Senators

Asay	Cornaby	Peterson, C.	Sandberg
Bangerter	Finlinson	Peterson, Chuck	Sowards
Barlow	McAllister	Peterson, L.	Swan
Barton	McMullin	Pugh	Wayment
Black	Money	Renstrom	Pres. Christensen
Bunnell	Overson		

Voting in the negative were: Senators

Hillyard	Rogers

Absent or not voting were: Senators

Carling	Matheson	Stratford	Williams
Holmgren			

S.B. No. 115, as amended, was transmitted to the House.

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SUB. S.B. No. 127, MANSLAUGHTER AMENDMENTS, was read the third time. and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Finlinson	Overson	Sandberg
Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Matheson	Peterson, Chuck	Swan
Barton	McAllister	Peterson, L.	Wayment
Black	McMullin	Pugh	Pres. Christensen
Cornaby	Money	Renstrom	

Absent or not voting were: Senators

Bunnell	Holmgren	Stratford	Williams
Carling	Rogers		

SUB. S.B. No. 127 was transmitted to the House.

• • •

S.B. No. 103, PERSONAL CHOICE AND LIVING WILL ACT, was read the third time.

Senator Renstrom again moved to delete all of 75-2-1107 on Pages 12 and 13. The motion failed on a voice vote.

Senators Bangerter, Asay and Bunnell commented. The bill passed on the following roll call:

Yeas, 19; Nays, 5; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Finlinson	Peterson, Chuck	Sowards
Barton	Hillyard	Peterson, L.	Swan
Black	Holmgren	Pugh	Wayment (exp)
Bunnell	Money	Renstrom	Pres. Christensen
Cornaby	Peterson, C.	Sandberg	

Voting in the negative were: Senators

Asay	McAllister	McMullin	Overson
Matheson			

Absent or not voting were: Senators

Barlow	Rogers	Stratford	Williams
Carling			

S.B. No. 103, as amended, was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator Pugh, and under suspension of the rules, **S.B. Nos. 113, 153, 154** and **155** were placed as a Special Order of Business at 10:30 a.m., February 7, 1985.

THIRD READING CALENDAR

S.B. No. 128, LIVESTOCK HIGHWAY DEATH REPORTING, 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	Finlinson	Overson	Sandberg
Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Peterson, L.	Wayment
Bunnell	McAllister	Pugh	Pres. Christensen
Cornaby	Money	Renstrom	

Absent or not voting were: Senators

Barton	McMullin	Stratford	Williams
Carling	Rogers		

S.B. No. 128, as amended, was transmitted to the House.

• • •

H.B. No. 173, REVISORS STATUTE, was read the third time, explained by Senator Sowards, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Sandberg
Bangerter	Holmgren	Peterson, Chuck	Sowards
Barlow	Matheson	Peterson, L.	Swan
Black	McAllister	Pugh	Wayment
Cornaby	Money	Renstrom	Pres. Christensen
Finlinson	Overson		

Absent or not voting were: Senators

Barton	Carling	Rogers	Williams
Bunnell	McMullin	Stratford	

H.B. No. 173 was signed by the President of the Senate in open session and returned to the House for further action.

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H.B. No. 86, PUBLIC ASSISTANCE FRAUD AMENDMENTS, was read the third time, explained by Senator McAllister, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, C.	Rogers
Bangerter	Hillyard	Peterson, Chuck	Sandberg
Barlow	Holmgren	Peterson, L.	Swan
Barton	McAllister	Pugh	Wayment
Black	Money	Renstrom	Pres. Christensen
Cornaby	Overson		

Absent or not voting were: Senators

Bunnell	Matheson	Sowards	Williams
Carling	McMullin	Stratford	

H.B. No. 86 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

H.B. No. 87, INTERSTATE CHILD SUPPORT COLLECTION, was read the third time, explained by Senator McAllister, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, C.	Rogers
Bangerter	Hillyard	Peterson, Chuck	Sandberg
Barlow	Holmgren	Peterson, L.	Swan
Barton	McAllister	Pugh	Wayment
Black	Money	Renstrom	Pres. Christensen
Cornaby	Overson		

Absent or not voting were: Senators

Bunnell	Matheson	Sowards	Williams
Carling	McMullin	Stratford	

H.B. No. 87 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

H.B. No. 88, CHILD SUPPORT BOND, was read the third time and explained by Senator McAllister.

On motion of Senator McAllister, **H.B. No. 88** was amended as follows:

Cherry: Page 1, Line 12:
After "AMENDMENTS" insert "AND PROVIDING AN EFFECTIVE DATE"

The bill passed, as amended, on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Rogers
Bangerter	Finlinson	Overson	Sandberg
Barlow	Hillyard	Peterson, C.	Sowards
Barton	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Pugh	Wayment
Bunnell	McAllister	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Carling	Peterson, L.	Stratford	Williams
McMullin			

H.B. No. 88, as amended, was returned to the House.

• • •

SUB. H.B. No. 89, CHILD SUPPORT STATUTE OF LIMITATION CLARIFICATION, was read the third time, explained by Senator McAllister, and passed on the following roll call:

Yeas, 19; Nays, 1; Absent, 9

Voting in the affirmative were: Senators

Bangerter	Cornaby	Money	Sandberg
Barlow	Finlinson	Peterson, C.	Sowards
Barton	Hillyard	Peterson, Chuck	Swan
Black	Holmgren	Pugh	Pres. Christensen
Bunnell	McAllister	Renstrom	

Voting in the negative was: Senator
Asay

Absent or not voting were: Senators

Carling	Overson	Rogers	Wayment
Matheson	Peterson, L.	Stratford	Williams
McMullin			

SUB. H.B. No. 89 was signed by the President of the Senate in open session and returned to the House for further action.

* * *

The Senate sauntered for a Rules Committee meeting at 11:15 a.m., and reassembled at 11:45 a.m.

SECOND READING CALENDAR

H.B. No. 90, INCOME WITHHOLDING AMENDMENTS, was before the Senate as unfinished business.

On motion of Senator Cornaby, **H.B. No. 90** was amended as follows:

Page 6, Line 29:
After "the" delete "accumulated" and insert "greater of $1,000 or the"

Page 6, Line 30:
After "support" insert "accumulated to the date of discharge which"

Cherry: Page 7a, Line 28:
After "the" delete "accumulated" and insert "greater of $1,000 or the"

Cherry: Page 7a, Line 29:
After "support" insert "accumulated to the date of discharge which"

On motion of Senator L. Peterson, **H.B. No. 90** was amended as follows:

Cherry: Page 3, Lines 21 and 22:
After "chapter" delete ", or provide other just and equitable remedies"

On motion of Senator McAllister, **H.B. No. 90** was amended as follows:

Page 1, Line 12:
After "REQUIREMENTS" insert "; AND PROVIDING AN EFFECTIVE DATE"

Cherry: Page 2, Line 28:
Delete "April 29" and insert "July 1"

Page 8, after Line 26:
Insert: "Section 3. This act takes effect July 1, 1985."

The bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Hillyard	Overson	Sandberg
Bangerter	Holmgren	Peterson, C.	Swan
Barton	Matheson	Peterson, Chuck	Wayment
Black	McAllister	Peterson, L.	Williams
Cornaby	McMullin	Renstrom	Pres. Christensen
Finlinson	Money		

Absent or not voting were: Senators

Barlow	Carling	Rogers	Stratford
Bunnell	Pugh	Sowards	

• • •

H.B. No. 91, STATE INCOME TAX INTERCEPT FOR DELINQUENT CHILD SUPPORT, was read the second time.

Mr. President: February 1, 1985

The Social Services Committee, to which was referred **H.B. No. 91,** STATE INCOME TAX INTERCEPT FOR DELINQUENT CHILD SUPPORT, by Representative Lloyd Frandsen, has carefully considered the bill and reports it out of committee with a favorable recommendation.

John P. Holmgren, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 11

Voting in the affirmative were: Senators

Asay	Hillyard	Money	Peterson, L.
Barton	Holmgren	Overson	Renstrom
Black	Matheson	Peterson, C.	Swan

Cornaby	McAllister	Peterson, Chuck	Pres. Christensen
Finlinson	McMullin		

Absent or not voting were: Senators

Bangerter	Carling	Sandberg	Wayment
Barlow	Pugh	Sowards	Williams
Bunnell	Rogers	Stratford	

• • •

H.B. No. 92, CREDIT REPORTING OF SUPPORT DELINQUENCY, was read the second time.

Mr. President: February 1, 1985

The Social Services Committee, to which was referred **H.B. No. 92,** CREDIT REPORTING OF SUPPORT DELINQUENCY, by Representative Lloyd Frandsen, has carefully considered the bill and reports it out of committee with a favorable recommendation.

John P. Holmgren, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Finlinson	McMullin	Peterson, L.
Barlow	Hillyard	Money	Renstrom
Barton	Holmgren	Overson	Rogers
Bunnell	Matheson	Peterson, C.	Sandberg
Carling	McAllister	Peterson, Chuck	Pres. Christensen
Cornaby			

Absent or not voting were: Senators

Bangerter	Pugh	Stratford	Wayment
Black	Sowards	Swan	Williams

RULES COMMITTEE REPORT

Mr. President: February 6, 1985

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 198	STATE ENGINEER APPROVAL OF APPLICATIONS (Energy, Natural Resources and Agriculture)
S.B. No. 199	REQUIREMENTS FOR ALTERING NATURAL STREAMS (Energy, Natural Resources and Agriculture)
S.B. No. 201	WOLFCREEK APPROPRIATION (Energy, Natural Resources and Agriculture)
S.B. No. 204	LICENSING REQUIREMENTS FOR DRILLING WATER WELLS (Energy, Natural Resources and Agriculture)
S.B. No. 218	ENERGY RESOURCE AND TECHNOLOGY INCENTIVES (Energy, Natural Resources and Agriculture)
S.B. No. 194	STATE LAND LAW ACT (Energy, Natural Resources and Agriculture)
S.B. No. 210	MOBILE AND MODULAR HOME ZONING (State and Local Affairs)
S.B. No. 91	POWERS OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION (Education)
S.B. No. 129	ADMINISTRATIVE SERVICES ACT AMENDMENTS (Education)
S.B. No. 184	STATE MONEY MANAGEMENT COUNCIL (State and Local Affairs)
S.B. No. 188	JOB TRAINING COORDINATION ACT (Social Services)
S.B. No. 202	UTAH CODE RECODIFICATION (State and Local Affairs)
S.B. No. 205	DISPOSITION OF UNCLAIMED PROPERTY (State and Local Affairs)
S.B. No. 178	PENALTY FOR WRONGFUL LIEN (Business, Labor and Economic Development)
S.B. No. 186	CAREER TEACHING SCHOLARSHIP AMENDMENTS (Education)
S.B. No. 109	FAIR HOUSING LAW (Business, Labor and Economic Development)

reports the same back and asks that they be printed and each assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bills to the committees indicated.

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On motion of Senator Cary Peterson, and at 12:00 noon, the Senate adjourned until 10:00 a.m., Thursday, February 8, 1985.

TWENTY FIFTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Arnold Christensen presiding.

Roll Call — All Senators present except Senator Sandberg, excused.

Prayer — Senator Wilford R. Black, Jr.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

DAILY SENATE JOURNAL

Mr. President: February 7, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the twenty fourth day and find it correct with minor amendments noted on the final copy.

William T. Barton, Committee Member

Committee report read and adopted.

COMMUNICATION FROM THE HOUSE

Mr. President: February 5, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **SUBSTITUTE H.B. No. 180,** OIL, GAS, AND MINING AMENDMENT, by Representative Christensen, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

SUB. S.B. No. 180 was read the first time and referred to Rules Committee.

PRESENTATION OF RESOLUTION

PRIMARY CHILDREN'S MEDICAL CENTER RESOLUTION

S.J.R. No. 11 *LeRay McAllister*

A JOINT RESOLUTION OF THE LEGISLATURE ACKNOWLEDGING PRIMARY CHILDREN'S MEDICAL CENTER FOR ITS VITAL ROLE IN SERVING CHILDREN; AND

URGING PUBLIC SUPPORT FOR THE HOSPITAL'S "PENNIES BY THE INCH" CAMPAIGN, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

COUNTY RECORDER ABSTRACT SEARCH REPEAL

S.B. No. 247 *K.S. Cornaby*

AN ACT RELATING TO COUNTY RECORDERS; REPEALING REQUIREMENT OF COUNTY RECORDER TO FURNISH A CERTIFIED ABSTRACT.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

REPEALS: 17-21-15, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

LEGISLATIVE AND CONGRESSIONAL LICENSE PLATES

S.B. No. 248 *K.S. Cornaby*

AN ACT RELATING TO MOTOR VEHICLES; PROVIDING FOR THE ISSUANCE AND DISPLAY OF SPECIAL LICENSE PLATES FOR MEMBERS OF THE UTAH STATE LEGISLATURE AND FOR MEMBERS OF THE UNITED STATES CONGRESS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 41-1-44.3, UTAH CODE ANNOTATED 1953; 41-1-44.4, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

REGISTRATION OF SEX OFFENDERS AMENDMENTS

S.B. No. 249 *Lyle W. Hillyard*

AN ACT RELATING TO CRIMINAL LAW; AMENDING PROVISIONS REGARDING REGISTRATION OF SEX OFFENDERS; AND PROVIDING A PENALTY FOR FAILURE TO REGISTER.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 77-27-21.5, AS LAST AMENDED BY CHAPTER 18, LAWS OF UTAH 1984, was read the first time and referred to Rules Committee.

MARTIN LUTHER KING, JR., STATE HOLIDAY

S.B. No. 250 *Terry Williams*

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; DECLARING THE ANNIVERSARY OF THE BIRTH OF DR. MARTIN LUTHER KING, JR., AS A LEGAL HOLIDAY IN THE STATE IN PLACE OF PERSONAL PREFERENCE DAY.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 63-13-2, AS LAST AMENDED BY CHAPTER 248, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B. Nos. 101, 130, 53 and 175;** and on **H.B. Nos. 96, 109, 172, 47, 48 and 46,** and the bills were placed on Second Reading Calendar.

• • •

At the request of Senators Stratford, Renstrom and Hillyard, **H.B. No. 38,** LEFT LANE TRAVEL RESTRICTIONS, was lifted from Consent Calendar, and placed at the bottom of Second Reading Calendar.

THIRD READING CALENDAR

H.B. No. 90, INCOME WITHHOLDING AMENDMENTS, was read the third time.

On motion of Senator McAllister, **H.B. No. 90** was circled.

• • •

On motion of Senator Pugh, **S.B. Nos. 113, 153, 154, 155 and 152** were rescheduled as a Special Order of Business at 10:30 a.m. tomorrow.

• • •

H.B. No. 90, INCOME WITHHOLDING AMENDMENTS, was uncircled, before the Senate and passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Cornaby	Overson	Sowards
Barlow	Finlinson	Peterson, Chuck	Stratford
Barton	Hillyard	Peterson, L.	Swan

Black	Holmgren	Pugh	Wayment
Bunnell	McAllister	Renstrom	Pres. Christensen
Carling	McMullin		

Voting in the negative was: Senator
Asay

Absent or not voting were: Senators

Matheson	Peterson, C.	Sandberg	Williams
Money	Rogers		

H.B. No. 90, as amended, was returned to the House.

• • •

H.B. No. 91, STATE INCOME TAX INTERCEPT FOR DELINQUENT CHILD SUPPORT, 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	Cornaby	Overson	Sowards
Bangerter	Finlinson	Peterson, Chuck	Stratford
Barlow	Hillyard	Peterson, L.	Swan
Barton	Holmgren	Pugh	Wayment
Bunnell	McAllister	Renstrom	Pres. Christensen
Carling	McMullin		

Absent or not voting were: Senators

Black	Money	Rogers	Williams
Matheson	Peterson, C.	Sandberg	

H.B. No. 91, was signed by the President of the Senate in open session and returned to the House for further action.

• • •

H.B. No. 92, CREDIT REPORTING OF SUPPORT DELINQUENCY, 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	McAllister	Sowards
Bangerter	Cornaby	McMullin	Stratford (exp)
Barlow	Finlinson	Overson	Swan
Barton	Hillyard	Peterson, Chuck	Wayment
Black	Holmgren	Pugh	Pres. Christensen
Bunnell	Matheson	Renstrom	

Absent or not voting were: Senators

Money	Peterson, L.	Sandberg	Williams
Peterson, C.	Rogers		

H.B. No. 92, was signed by the President of the Senate in open session and returned to the House for further action.

SECOND READING CALENDAR

On motion of Senator Pugh, and under suspension of the rules, **S.J.R. No. 6,** INTERSTATE CONSTRUCTION COMPLETION 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	Cornaby	Overson	Stratford
Barlow	Hillyard	Peterson, C.	Swan
Barton	Holmgren	Peterson, Chuck	Wayment
Black	Matheson	Pugh	Williams
Bunnell	McAllister	Renstrom	Pres. Christensen
Carling	McMullin	Sowards	

Absent or not voting were: Senators

Bangerter	Money	Rogers	Sandberg
Finlinson	Peterson, L.		

S.J.R. No. 6 was transmitted to the House.

• • •

H.B. No. 13, AUTHORIZATION FOR ASSOCIATE DEGREE AT TECHNICAL COLLEGES, was read the second time.

Senator Barton was presiding.

Mr. President: February 4, 1985

The Education Standing Committee, to which was referred **H.B. No. 13**, AUTHORIZATION FOR ASSOCIATE DEGREE AT TECHNICAL COLLEGES, by Representative James R. Moss, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

William T. Barton, Committee Chairman

Committee report read and adopted. Senator C.E. Peterson explained the bill. Senators Black, McAllister, Barton, Barlow, Hillyard, Rogers, Money and Swan commented.

On motion of Senator Pugh, **H.B. No. 13** was amended as follows:

> Page 1, Lines 28 thru 32:
> Restore the following language "The State Board of Regents is charged with the responsibility of developing evaluative criteria as a means of carefully monitoring the associate in science degree programs and any impact on the vocational mission of the colleges."

Jack C. Higbee, Executive Director of the Advisory Council for Vocational and Technical Education and Marvin Higbee, President, Provo Technical College answered questions in Committee of the Whole. Senators Cary Peterson, Rogers and Renstrom commented.

Senator Barton moved the following language be made in Section 2 of the bill: "Section 2. The Board of Regents is instructed to furnish the Legislature a recommendation to provide funding for the added role at the technical colleges to offer the Associate of Science Degree. This funding program shall include a recommendation to accommodate the added costs of vocational programs as compared to regular lower division academic programs. This funding program should cover vocational education at all the post-secondary institutions."

The motion failed.

The bill passed on the following roll call:

Yeas, 19; Nays, 6; Absent, 4

Voting in the affirmative were: Senators

Asay	Holmgren	Overson	Sowards
Bangerter	Matheson	Peterson, C.	Swan
Black	McAllister	Peterson, Chuck	Wayment
Bunnell	McMullin	Renstrom	Williams
Hillyard	Money	Rogers	

Voting in the negative were: Senators

Carling	Finlinson	Pugh	Stratford
Cornaby	Peterson, L.		

Absent or not voting were: Senators

Barlow	Barton	Sandberg	Pres. Christensen

COMMITTEE OF THE WHOLE

G. Leland Burningham, State Superintendent of Public Instruction, spoke in Committee of the Whole. He distributed copies of reports to the Senators and responded to questions asked by Senators Swan, Pugh and Barlow.

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Helen Ure with the Women's State Legislative Council, spoke in Committee of the Whole.

SECOND READING CALENDAR

H.B. No. 78, ADOPTIONS AND BIRTH CERTIFICATES - JUVENILE COURT, was read the second time.

Mr. President: February 5, 1985

The Judiciary Standing Committee, to which was referred **H.B. No. 78,** ADOPTIONS AND BIRTH CERTIFICATES - JUVENILE COURT, by Representative Olene Walker, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted. Senator Cornaby, explained the bill. The bill passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 11

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, Chuck	Stratford
Barlow	Holmgren	Peterson, L.	Swan
Barton	Matheson	Pugh	Williams
Black	Overson	Renstrom	Pres. Christensen
Cornaby	Peterson, C.		

Absent or not voting were: Senators

Bangerter	Hillyard	Money	Sowards
Bunnell	McAllister	Rogers	Wayment
Carling	McMullin	Sandberg	

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On motion of Senator Renstrom, and under suspension of the rules, **H.B. No. 96,** ADOPTION PETITION REQUIREMENTS, was read the second time.

Mr. President: February 6, 1985

The Social Services Committee, to which was referred **H.B. No.96,** ADOPTION PETITION REQUIREMENTS, by Representative Richard L. Maxfield, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 1, Line 12:
After "INVESTIGATION" insert "; AND ADJUSTING AGE REQUIREMENTS ON ADOPTION BY MARRIED COUPLES"

Page 1, Line 15:
After line 15, insert "78-30-2, UTAH CODE ANNOTATED 1953".

Page 1, Line 18:
After line 18, insert as New Section 1: "78-30-2. A person adopting a child must be at least ten years older than the child adopted, unless the petitioners for adoption are a married couple, one of which is at least ten years older than the child."

Page 1, Line 19:
Section 1 becomes Section 2.

Page 1, Line 27:
Section 2 becomes Section 3.

John P. Holmgren, Committee Chairman

Committee report, with amendments, was read and adopted. Senator Renstrom explained the bill. The bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, C.	Stratford
Barlow	Matheson	Peterson, Chuck	Swan
Barton	McMullin	Peterson, L.	Wayment
Black	Money	Renstrom	Williams
Cornaby	Overson	Rogers	Pres. Christensen
Finlinson			

Absent or not voting were: Senators

Bangerter	Carling	McAllister	Sandberg
Bunnell	Hillyard	Pugh	Sowards

PRESENTATION OF RESOLUTION

MARVIN G. JENSON HONORARY SENATOR RESOLUTION

S.R. No. 2 *All Members of the Senate*

A RESOLUTION OF THE SENATE MAKING MARVIN G. JENSON AN HONORARY SENATOR OF THE STATE OF UTAH; AND HONORING HIM FOR HIS GOOD LIFE.

On motion of Senator McMullin, and under suspension of the rules, the resolution was read the first, second and third times. Several Senators commented. Mr. Jenson spoke in Committee of the Whole. The resolution passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	McMullin	Renstrom
Bangerter	Cornaby	Money	Stratford
Barlow	Finlinson	Overson	Swan
Barton	Hillyard	Peterson, C.	Wayment
Black	Holmgren	Peterson, Chuck	Williams
Bunnell	Matheson	Pugh	Pres. Christensen

Absent or not voting were: Senators
McAllister Rogers Sandberg Sowards
Peterson, L.

S.R. No. 2 was signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and filed.

RULES COMMITTEE REPORT

Mr. President: February 7, 1985

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 150	RESTITUTION AMENDMENTS—COURT ASSESSMENT (Judiciary)
S.B. No. 151	MISDEMEANOR OFFENSES—PENALTY MODIFICATIONS (Judiciary)
S.B. No. 165	CRIMINAL PROCEDURE AMENDMENTS (Judiciary)
S.B. No. 167	ASSAULT OFFENSES AMENDMENTS (Judiciary)
S.B. No. 190	CRIMINAL THREATS AMENDMENTS (Judiciary)
S.B. No. 173	BEEF PROMOTION FEES (Energy, Natural Resources and Agriculture)
S.B. No. 187	PUBLIC PROCUREMENT OFFICER APPOINTMENT (State and Local Affairs)
S.B. No. 195	CERTIFICATE OF NEED FOR NURSING HOMES (Health)
S.B. No. 227	THERMAL POWER FACILITIES ACT AMENDMENTS (State and Local Affairs)
S.B. No. 143	MUNICIPAL JAILS (State and Local Affairs)
S.B. No. 191	AMENDMENT TO ANNEXATION PROVISION (State and Local Affairs)
S.B. No. 179	INSURANCE FOR ADOPTED CHILDREN (Business, Labor and Economic Development)
S.B. No. 236	PUBLIC INFORMATION DISCLOSURE (Transportation, and Public Safety)
S.B. No. 158	WORKERS' COMPENSATION AMENDMENTS (Business, Labor and Economic Development)
S.B. No. 176	EMINENT DOMAIN POWERS OF POLITICAL SUBDIVISIONS (State and Local Affairs)
S.B. No. 182	CATV FACILITIES PROTECTION (Business, Labor and Economic Development)
S.B. No. 214	BUSINESS OPPORTUNITY DISCLOSURE ACT (Business, Labor and Economic Development)

reports the same back and asks that they be printed and each assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bills to the committees indicated.

Mr. President: February 7, 1985

The Senate Rules Committee, to which were referred the following Senate Resolutions:

S.J.R. No. 7	UTAH HIGHWAY PATROL COMMENDATION
S.C.R. No. 4	UTAH ACADEMIC DECATHALON RESOLUTION
S.J.R. No. 10	OATH OF OFFICE AMENDMENT

reports the same back and asks that they be printed and recommends that they be placed on the Second Reading Calendar.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. The bills were placed on Second Reading Calendar.

On motion of Senator Cary Peterson, and at 12:10, the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Arnold Christensen presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 7, 1985

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. 88**, CHILD SUPPORT BOND, by Representative Frandsen, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, on Consent Calendar, **S.B. No. 28**, UTAH NOXIOUS WEED ACT

AMENDMENT, 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.

Carole E. Peterson, Acting Chief Clerk

H.B. No. 88 and S.B. No. 28 were signed by the President of the Senate in open session and the senate bill referred to the Rules Committee to be enrolled and transmitted to the Governor, and the house bill returned to the House for further action.

SECOND READING CALENDAR

S.B. No. 100, ELECTION LAW AMENDMENTS, was read the second time.

Mr. President: February 1, 1985

The State and Local Affairs Standing Committee, to which was referred **S.B. No. 100,** ELECTION LAW AMENDMENTS, by Senator Fred W. Finlinson, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 14, Line 11:
After "17-16-5," delete "20-1-77" and insert "20-1-7.7"

Page 36, Line 11:
After "within" delete "300" and insert "150"

Page 36, Line 15:
After ";" insert "or"

Page 36, Line 18:
After "place" delete the rest of the line and delete lines 19 and 20 and insert "."

K.S. Cornaby, Committee Chairman

Committee report, with amendments, was read and adopted. Senators Overson, Matheson, Renstrom and Stratford commented.

The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	McMullin	Sowards
Bangerter	Cornaby	Money	Stratford
Barlow	Finlinson	Overson	Swan
Barton	Holmgren	Peterson, Chuck	Wayment
Black	Matheson	Renstrom	Williams
Bunnell	McAllister	Rogers	Pres. Christensen

Absent or not voting were: Senators

Hillyard	Peterson, L.	Pugh	Sandberg
Peterson, C.			

THIRD READING CALENDAR

On motion of Senator McMullin, and under suspension of the rules, the Senate voted to lift **SUB. S.B. No. 29** and **S.B. Nos. 65** and **93** from Third Reading Table, and **SUB. S.B. No. 29** and **S.B. No. 65** were placed at the top of the calendar, and circled.

* * *

S.B. No. 93, PHYSICIAN ASSISTANT AMENDMENTS, was before the Senate and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Carling	McAllister	Renstrom
Barlow	Cornaby	McMullin	Rogers
Barton	Finlinson	Money	Swan
Black	Holmgren	Overson	Williams
Bunnell	Matheson	Peterson, Chuck	Pres. Christensen

Absent or not voting were: Senators

Bangerter	Peterson, L.	Sandberg	Stratford
Hillyard	Pugh	Sowards	Wayment
Peterson, C.			

S.B. No. 93 was transmitted to the House.

SECOND READING CALENDAR

S.B. No. 138, APPOINTED OFFICIALS' SALARIES, was read the second time.

Mr. President: February 1, 1985

The State and Local Affairs Standing Committee, to which was referred **S.B No. 138, APPOINTED OFFICIALS' SALARIES**, by Senator LeRay McAllister, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, delete Lines 16-18

Page 1, delete Lines 21-34

Page 2, delete Lines 1-31

Page 3, delete Lines 1-30

Page 4, delete Lines 1-15

Page 4, at the beginning of the line delete "Section 4." and insert "Section 1."

K.S. Cornaby, Committee Chairman

Committee report, with amendments, was read and adopted.

On motion of Senator McAllister, the Senate voted to adopt the following substitute bill, and it replaced the original bill:

APPOINTED OFFICIALS' SALARIES

SUBSTITUTE
S.B. No. 138 *LeRay McAllister*

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; PROVIDING FOR THE SALARIES OF CERTAIN APPOINTED STATE OFFICIALS TO BE ESTABLISHED BY THE BOARDS WHICH THEY SERVE; AND PROVIDING SALARIES OF OTHER STATE OFFICERS TO BE ESTABLISHED BY THE LEGISLATURE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 49-9-4, AS LAST AMENDED BY CHAPTER 86, LAWS OF UTAH 1965; 53-2-8, AS LAST AMENDED BY CHAPTER 8, LAWS OF UTAH 1963; 53-48-6, AS ENACTED BY CHAPTER 138, LAWS OF UTAH 1969; 63-29-8, AS ENACTED BY CHAPTER 156, LAWS OF UTAH 1963; 67-8-3, AS LAST AMENDED BY CHAPTER 331, LAWS OF UTAH 1983.

Senators McAllister, Renstrom, Swan, C.E. Peterson, Cornaby and Black commented. The substitute bill failed on the following roll call:

Yeas, 10; Nays, 12; Absent, 7

Voting in the affirmative were: Senators

Barlow	Carling	Peterson, Chuck	Rogers
Black	Cornaby	Peterson, L.	Wayment
Bunnell	Finlinson		

Voting in the negative were: Senators

Asay	Holmgren	McMullin	Stratford
Bangerter	Matheson	Overson	Swan
Barton	McAllister	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Finlinson	Peterson, C.	Sandberg	Williams
Money	Pugh	Sowards	

Senator Swan, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action tomorrow.

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On motion of Senator McMullin, **S.J.R. No. 7,** UTAH HIGHWAY PATROL, will be considered at 10:30 a.m., February 14, 1985.

THIRD READING CALENDAR

On motion of Senator Hillyard and under suspension of the rules, the circle was removed from **S.B. No. 65,** COUNTY DESIGNATION ON VEHICLE LICENSE PLATES, and the bill was before the Senate.

On motion of Senator Hillyard, the Senate voted to adopt the following substitute bill, and it replaced the original bill:

COUNTY DESIGNATION ON VEHICLE LICENSE PLATES

SUBSTITUTE
S.B. No. 65 *Lyle W. Hillyard*

AN ACT RELATING TO MOTOR VEHICLES; PROVIDING FOR COUNTY DESIGNATIONS ON VEHICLE LICENSE PLATES; DIRECTING THE STATE TAX COMMISSION TO ADMINISTER THE PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 41-1-44, AS ENACTED BY CHAPTER 164, LAWS OF UTAH 1977

ENACTS: 41-1-44.3, UTAH CODE ANNOTATED 1953.

SUB. S.B. No. 65, passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Carling	McMullin	Sowards
Bangerter	Cornaby	Overson	Stratford
Barlow	Hillyard	Peterson, Chuck	Swan
Barton	Holmgren	Peterson, L.	Wayment
Black	Matheson	Renstrom	Pres. Christensen
Bunnell	McAllister	Rogers	

Absent or not voting were: Senators

Finlinson	Peterson, C.	Sandberg	Williams
Money	Pugh		

SUB. S.B. No. 65, was transmitted to the House.

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S.B. No. 142, SOLID WASTE MANAGEMENT, was read the second time.

Mr. President: February 1, 1985

The State and Local Affairs Standing Committee, to which was referred **S.B. No. 142,** SOLID WASTE MANAGEMENT, by Senator Paul Rogers, has carefully considered the bill and reports it out of committee with a favorable recommendation.

K.S. Cornaby, Committee Secretary

Committee report read and adopted. On motion of Senator Rogers, the bill was circled.

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S.B. No. 102, PSC JURISDICTION OVER TELECOMMUNICATIONS CORPORATIONS, was read the second time.

Mr. President: February 4, 1985

The Business, Labor and Economic Development Standing Committee, to which was referred **S.B. No. 102,** PSC JURISDICTION OVER TELECOMMUNICATIONS CORPORATIONS, by Senator Lyle W. Hillyard, 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. 102** replace the original bill.

Lowell S. Peterson, Committee Chairman

Committee report read and adopted. The following substitute bill replaced the original bill:

PSC JURISDICTION OVER TELECOMMUNICATIONS CORPORATIONS

SUBSTITUTE
S.B. No. 102

Lyle W. Hillyard
Glade M. Sowards, Omar B. Bunnell

AN ACT RELATING TO THE PUBLIC SERVICE COMMISSION; CLARIFYING THE AUTHORITY OF THE PSC TO REGULATE INTRASTATE PUBLIC TELECOMMUNICATIONS SERVICES; AND PROVIDING A METHOD OF EXEMPTING CERTAIN SERVICES FROM REGULATION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: CHAPTER 8b, TITLE 54, UTAH CODE ANNOTATED 1953.

Cary B. Hinton with the Utah Division of Public Utilities, and Arthur Brothers with the Beehive Telephone Company, spoke in Committee of the Whole. Senators Bunnell, Barlow and Overson commented.

Senator Hillyard, with the aid of five senators, requested a Call of the Senate. On motion of Senator Hillyard, the Call of the Senate was lifted.

The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Carling	Overson	Sowards
Bangerter	Cornaby	Peterson, C.	Stratford

Barlow	Hillyard	Peterson, Chuck	Swan
Barton	Holmgren	Peterson, L.	Wayment
Black	Matheson	Renstrom	Pres. Christensen
Bunnell	McAllister	Rogers	

Absent or not voting were: Senators

Finlinson	Money	Sandberg	Williams
McMullin	Pugh		

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The Senate recessed at 3:50 p.m., and reassembled at 4:00 p.m.

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B Nos. 134, 74 and 152,** and on **H.B. Nos. 49, 139, 21, SUB. H.B. No. 58** and **H.B. No. 106,** and the bills were placed on Second Reading Calendar.

On motion of Senator Cornaby, **H.B. No. 139** was referred to State and Local Affairs Standing Committee.

SECOND READING CALENDAR

On motion of Senator Finlinson, **S.B. No. 97,** WATER DEVELOPMENT AND FLOOD MITIGATION G.O. BONDS, was lifted from Second Reading Table, read the second time, and before the Senate.

Mr. President: January 31, 1985

The Energy, Natural Resources & Agriculture Committee, to which was referred **S.B. No. 97,** WATER DEVELOPMENT AND FLOOD MITIGATION G.O. BONDS, 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. 97** replace the original bill.

Fred W. Finlinson, Committee Chairman

Committee report read and adopted. **SUB. S.B. No. 97** replaced the original bill.

On motion of Senator Finlinson, the Senate voted to adopt the following second substitute bill, and it replaced the substitute bill:

WATER AND FLOOD FINANCING

SECOND SUBSTITUTE
S.B. No. 97 *Fred W. Finlinson, Karl G. Swan*

AN ACT RELATING TO FLOODING; EXTENDING THE 1/8% SALES TAX INCREASE; APPROPRIATING MONEY TO PAY FOR FLOODING AND WATER DEVELOPMENT; AUTHORIZING THE ISSUANCE OF REVENUE BONDS FOR FLOODING AND WATER DEVELOPMENT; REQUIRING CERTAIN PARTICIPATION FROM LOCAL GOVERNMENT ENTITIES; PROVIDING THE DIVISION OF WATER RESOURCES THE POWER TO ACQUIRE NECESSARY LANDS; EXTENDING THE DURATION OF THE DISASTER RELIEF BOARD; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 59-15-4, AS LAST AMENDED BY CHAPTER 56, LAWS OF UTAH 1984; 59-16-3, AS LAST AMENDED BY CHAPTER 56, LAWS OF UTAH 1984; UNCODIFIED SECTION 2, CHAPTER 15, LAWS OF UTAH 1983

THIS ACT ENACTS NEW MATERIAL.

Senator Finlinson explained the second substitute bill. Senator Holmgren commented.

Larry Anderson, Director of Division of Water Resources, spoke in Committee of the Whole. Senators McAllister, Bunnell, Stratford and Cary Peterson, commented.

On motion of Senator Finlinson **SECOND SUB. S.B. No. 97** was amended as follows:

Green: Page 6, Line 20:
Delete "$102,993,000" and insert in lieu thereof "$101,868,000"

Green: Page 6, Line 23:
Delete "$50,743,000" and insert in lieu thereof "$49,618,000"

Green: Page 7, Line 16:
Delete entirely

Green: Page 7, Line 23:
Delete "$69,743,000" and insert in lieu thereof "$68,618,000"

Green: Page 8, Line 19:
After "Cross" insert "and" and after "WWTP" delete "and Airport"

Green: Page 9, Line 23:
After "fill material" insert ", owned by the county,"

Senator Renstrom moved to delete the words "Little Dell Dam, Long Park Power, or other" on Green: Page 10, Line 11. The motion failed. The bill remained as unfinished business.

RULES COMMITTEE REPORT

Mr. President: February 7, 1985

The Senate Rules Committee, to which was referred the following House Bill:

H.B. No. 132 UTAH CORRECTIONAL INDUSTRIES ACT (State and Local Affairs)

report the same back and asks that it be assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bill to the committee indicated.

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On motion of Senator Cary Peterson, and under suspension of the rules, the circles were removed from **S.B. No. 142** on Second Reading Calendar, and from **SUB. S.B. No. 29** on Third Reading Calendar.

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On motion of Senator Cary G. Peterson, and at 5:15 p.m., the Senate adjourned until 10:00 a.m., Friday, February 8, 1985.

TWENTY SIXTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Arnold Christensen presiding.

Roll Call — All Senators present, except Senator Sandberg, excused.

Prayer — Reverend Willie Dunn - World Wide Gospel Church.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

DAILY SENATE JOURNAL

Mr. President: February 8, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the twenty fifth day and find it correct with minor amendments noted on the final copy.

C.E. 'Chuck' Peterson
Committee Chairman

Committee report read and adopted.

APPOINTMENT BY THE GOVERNOR

On motion of Senator C.E. Peterson, the Senate voted to consent to the following appointment by Governor Bangerter.

Dear President Christensen: February 6, 1985

In accordance with Article XXI, Section 9, Utah Constitution (amended, 1984), I propose and transmit the following appointment:

Courts

Phillip K. Palmer, appointed as a Judge of the Fifth Circuit Court, and will stand for election at the next general election held more than three years after his appointment.

I respectfully request that the Senate take immediate action on the above appointment so that Mr. Palmer will have the constitutional and legal authority to assume his duties should the Senate advise and consent in the affirmative.

Norman H. Bangerter
Governor, state of Utah

Communication filed.

INTRODUCTION OF BILLS

GRANT FOR HOGLE ZOO

S.B. No. 251 *Paul Rogers*

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; APPROPRIATING $1,675,000 FROM THE GENERAL FUND TO THE DEPARTMENT OF NATURAL RESOURCES TO BE USED FOR THE COSTS OF MAINTENANCE AND OPERATION OF THE HOGLE ZOO; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT ENACTS NEW MATERIAL, was read the first time and referred to Rules Committee.

UTILITY FRANCHISE TAX REDUCTION

S.B. No. 252 *Haven J. Barlow*

AN ACT RELATING TO FRANCHISE TAXES; PROVIDING FOR A MAXIMUM TAX RATE OF 4%; PROVIDING FOR A GRADUAL RATE REDUCTION FOR MUNICIPALITIES WHOSE RATE NOW EXCEEDS 4%.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 11-26-1, AS ENACTED BY CHAPTER 214, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

UTAH HIGHWAY PATROL — LICENSE PLATES

S.B. No. 253 *Richard J. Carling*
Dir. H. McMullin, Arnold Christensen

AN ACT RELATING TO MOTOR VEHICLES; PROVIDING FOR HIGHWAY PATROL LICENSE PLATES TO BEAR "UHP," A LOGO, AND CAR CALL NUMBERS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 41-1-44.1, AS ENACTED BY CHAPTER 16, LAWS OF UTAH 1963, was read the first time and referred to Rules Committee.

CONTROLLED SUBSTANCE ACT

S.B. No. 254 *K.S. Cornaby*

AN ACT RELATING TO THE CONTROLLED SUBSTANCE ACT; PROVIDING THAT THE PENALTIES FOR VIOLATION OF THE ACT CONFORM TO THE PENALTIES PROVIDED FOR VIOLATION OF THE CRIMINAL CODE; AND INCREASING PENALTIES FOR POSSESSION OF CERTAIN CONTROLLED SUBSTANCES AND SALE OF CONTROLLED SUBSTANCES TO MINORS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 58-37-8, AS LAST AMENDED BY CHAPTER 12, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

TAX COMMISSION SPECIAL AGENTS

S.B. No. 255 *Dix H. McMullin, Brent C. Overson*

AN ACT RELATING TO REVENUE AND TAXATION; DESIGNATING SPECIAL AGENTS OR INVESTIGATORS OF THE STATE TAX COMMISSION AS PEACE OFFICERS; AND SPECIFYING THEIR DUTIES.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 59-5-46, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 77-1-3, AS LAST AMENDED BY CHAPTER 212, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

FORCIBLE ENTRY AND DETAINER AMENDMENTS

S.B. No. 256 *Wilford R. Black*

AN ACT RELATING TO FORCIBLE ENTRY AND DETAINER; PROVIDING THREE-DAY NOTICE REQUIREMENTS OF THE LANDLORD IN ALL UNLAWFUL DETAINER AND ABANDONMENT CIRCUMSTANCES.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 78-36-3, AS ENACTED BY CHAPTER 160, LAWS OF UTAH 1981; 78-36-6, AS ENACTED BY CHAPTER 160, LAWS OF UTAH 1981; 78-36-12.3, AS ENACTED BY CHAPTER 160, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

ATTORNEY GENERAL ACT AMENDMENTS

S.B. No. 257 *Lyle W. Hillyard*

AN ACT RELATING TO THE POWERS AND DUTIES OF THE ATTORNEY GENERAL; CLARIFYING HIS SOLE RIGHTS TO REPRESENT STATE AGENCIES BEFORE COURTS AND TRIBUNALS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTED 1953 AS FOLLOWS:

AMENDS: 67-5-5, AS LAST AMENDED BY CHAPTER 76, LAWS OF UTAH 1982,

was read the first time and referred to Rules Committee.

COMMUNICATION FROM THE HOUSE

Mr. President: February 7, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and the House, **S.B. No. 10,** SUNSET REVIEW-ATHLETIC COMMISSION, by Senator Black, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Black, the Senate concurred 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	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	Matheson	Peterson, L.	Swan
Bunnell	McAllister	Pugh	Williams
Cornaby	Money	Renstrom	Pres. Christensen
Finlinson	Overson		

Absent or not voting were: Senators

Bangerter	Carling	Rogers	Williams
Black	McMullin	Sandberg	

S.B. No. 10 was returned to the House.

Mr. President: February 7, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the House **S.B. No. 22**, SHERIFF CANDIDATE CERTIFICATION, by Senator Hillyard, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Hillyard, the Senate concurred in the House amendment, and the bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Finlinson	Money	Rogers
Barlow	Hillyard	Overson	Stratford
Barton	Holmgren	Peterson, C.	Swan
Bunnell	Matheson	Peterson, Chuck	Wayment
Carling	McAllister	Pugh	Williams
Cornaby	McMullin	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Asay	Peterson, L.	Sandberg	Sowards
Black			

S.B. No. 22 was returned to the House.

Mr. President: February 7, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the House, **S.B. No. 49**, JURY FEE AMENDMENT, by Senator Hillyard, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Hillyard, the Senate concurred in the House amendments, and the bill passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Hillyard	Money	Pugh
Barlow	Holmgren	Overson	Rogers
Barton	Matheson	Peterson, C.	Swan
Black	McAllister	Peterson, Chuck	Wayment
Bunnell	McMullin	Peterson, L.	Pres. Christensen
Cornaby			

Voting in the negative was: Senator
Stratford

Absent or not voting were: Senators

Asay	Finlinson	Sandberg	Williams
Carling	Renstrom	Sowards	

S.B. No. 49 was returned to the House.

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Mr. President: February 7, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate, **S.B. No. 21,** JUDICIAL CONDUCT COMMISSION AMENDMENTS, by Senator Cornaby, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the the Senate, **S.B. No. 35,** TITLE IN TRUST AND JOINT VENTURES, by Senator Hillyard, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 38,** CHILD ABUSE - CRIMINAL HOMICIDE, by Senator Overson, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.C.R. No. 5,** T.H. BELL COMMENDATION, by Senator Barlow, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.B. No. 90,** INCOME

WITHHOLDING AMENDMENT, by Representative Frandsen, et al, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.B. Nos. 21, 35, 38, S.C.R. No. 5 and **H.B. No. 90,** were signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor. The house bill was returned to the House for further action.

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Mr. President: February 7, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 8,** INTERMOUNTAIN POWER PROJECT EXPANSION RESOLUTION, by Representative Moody, 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.J.R. No. 18,** DEFENSE JOBS FOR UTAH RESOLUTION, by Representative Garff, 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, **SECOND SUBSTITUTE H.B. No. 97,** OWNER - RENTER RELATIONS, by Representative Pace, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 135,** FUEL CONSERVATION SPEED LIMIT, by Representative Selleneit, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 141** PROCUREMENT CODE AMENDMENT, by Representative McKeachnie, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 174** RATES FOR ELECTRIC COOPERATIVES, by Representative Myrin, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 13,** FEDERAL COMMISSION ON YOUTH SUICIDE

PREVENTION RESOLUTION, by Representative Stephens, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.C.R. No. 8, H.J.R. No. 18, SUB. H.B. No. 97 and H.B. Nos. 135, 141 and 174 and H.J.R. No. 13, were read the first time and referred to Rules Committee.

CONSENT CALENDAR

H.B. No. 3, SECURITY PERSONNEL — SUNSET REVIEW, was read the third time, explained by Senator Carling, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Finlinson	Money	Renstrom
Barton	Hillyard	Overson	Rogers
Black	Holmgren	Peterson, C.	Stratford
Bunnell	Matheson	Peterson, Chuck	Swan
Carling	McAllister	Peterson, L.	Wayment
Cornaby	McMullin	Pugh	Pres. Christensen

Absent or not voting were: Senators

Asay	Sandberg	Sowards	Williams
Bangerter			

H.B. No. 3 was signed by the President of the Senate in open session and returned to the House for further action.

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H.B. No. 71, STATE FIRE MARSHAL DIVISION, was read the third time, explained by Senator Money and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Hillyard	Overson	Rogers
Barlow	Holmgren	Peterson, C.	Sowards
Bunnell	Matheson	Peterson, Chuck	Stratford
Carling	McAllister	Peterson, L.	Swan
Cornaby	McMullin	Pugh	Wayment
Finlinson	Money	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Asay	Black	Sandberg	Williams
Barton			

H.B. No. 71 was signed by the President of the Senate in open session and returned to the House for further action.

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H.B. No. 6, WEIGHTS AND MEASURES, was read the third time, explained by Senator Money, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Finlinson	Money	Renstrom
Barlow	Hillyard	Overson	Rogers
Black	Holmgren	Peterson, C.	Stratford
Bunnell	Matheson	Peterson, Chuck	Swan
Carling	McAllister	Peterson, L.	Wayment
Cornaby	McMullin	Pugh	Pres. Christensen

Absent or not voting were: Senators

Asay	Sandberg	Sowards	Williams
Barton			

H.B. No. 6, as amended, was returned to the House.

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S.B. No. 197, WATER CONSERVANCY DISTRICT BOARD PER DIEM, was read the third time, explained by Senator Finlinson, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Hillyard	Peterson, C.	Rogers
Barlow	Holmgren	Peterson, Chuck	Sowards
Bunnell	Matheson	Peterson, L.	Stratford
Carling	McMullin	Pugh	Swan
Cornaby	Money	Renstrom	Pres. Christensen
Finlinson	Overson		

Absent or not voting were: Senators

Asay	Black	Sandberg	Williams
Barton	McAllister	Wayment	

S.B. No. 197 was transmitted to the House.

THIRD READING CALENDAR

SUB. S.B. No. 29, NEW MOTOR VEHICLE WARRANTIES, was before the Senate.

On motion of Senator L. Peterson, **SUB. S.B. No. 29** was amended as follows:

Page 1, Lines 29 through 31:
Delete all of Subsection (3) and insert new Subsection (3) as follows:

"(3) "Motor vehicle" includes a motor vehicle as defined in Section 41-1-1, which is sold in this state, but does not include (a) "motorcycle," "truck tractor," "farm tractor," or "road tractor," as defined in Section 41-1-1, (b) "mobile home" or "manufactured home" as defined in Section 41-20-1, or (c) any motor vehicle with a gross laden weight of over 12,000 pounds."

The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Hillyard	Overson	Rogers
Barlow	Holmgren	Peterson, C.	Stratford
Barton	Matheson	Peterson, Chuck	Swan
Black	McAllister	Peterson, L.	Wayment
Bunnell	McMullin	Pugh	Pres. Christensen
Cornaby	Money	Renstrom	

Absent or not voting were: Senators

Asay	Finlinson	Sowards	Williams
Carling	Sandberg		

SUB. S.B. No. 29 was transmitted to the House.

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H.B. No. 13, AUTHORIZATION FOR ASSOCIATE DEGREE AT TECHNICAL COLLEGES, was read the third time. Senator Pugh moved the following amendment:

> Goldenrod: Page 1, Lines 23 through 25:
> 53-16-19.1 to read as follows: "Utah Technical College at Provo and Utah Technical College at Salt Lake may confer terminal certificates and associate degrees in trade, vocational, technical, and industrial subjects only, except that if and when separate funding is made available through legislative appropriation to support students seeking the additional 24 hours of credit in general education classes, both colleges may also confer the associate in science degree."

Senators C.E. Peterson and McAllister commented. The motion failed. Senators C.E. Peterson and Pugh commented.

The bill passed on the following roll call:

Yeas, 18; Nays, 6; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Holmgren	Overson	Rogers
Barton	Matheson	Peterson, C.	Swan
Black	McAllister	Peterson, Chuck	Wayment
Bunnell	McMullin	Renstrom	Pres. Christensen
Hillyard	Money		

Voting in the negative were: Senators

Barlow	Cornaby	Pugh	Stratford
Carling	Finlinson		

Absent or not voting were: Senators

Asay	Sandberg	Sowards	Williams
Peterson, L.			

H.B. No. 13, as amended, was returned to the House.

COMMUNICATION FROM THE HOUSE

Mr. President: February 8, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 20,** WORLD CUP COMPETITION RESOLUTION, by Representative Brown, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Finlinson, and under suspension of the rules, the resolution was read the first, second and third times, and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Bangerter	Finlinson	Money	Renstrom
Barlow	Hillyard	Overson	Rogers
Barton	Holmgren	Peterson, C.	Swan
Black	Matheson	Peterson, Chuck	Wayment
Bunnell	McMullin	Peterson, L.	Pres. Christensen

Absent or not voting were: Senators

Asay	McAllister	Sandberg	Stratford
Carling	Pugh	Sowards	Williams
Cornaby			

H.J.R. No. 20 was signed by the President of the Senate in open session and returned to the House for further action.

SECOND READING CALENDAR

Under suspension of the rules, Senator Swan, having served notice that he might ask the Senate to reconsider its action on **SUB. S.B. No. 138,** APPOINTED OFFICIALS SALARIES, on this day, now asked that it be placed at the top of Second Reading Calendar for reconsideration.

THIRD READING CALENDAR

H.B. No. 78, ADOPTIONS AND BIRTH CERTIFICATES — JUVENILE COURT, was read the third time, and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barlow	Holmgren	Peterson, C.	Stratford
Black	Matheson	Peterson, Chuck	Swan
Bunnell	McMullin	Peterson, L.	Wayment
Cornaby	Money	Pugh	Williams
Hillyard	Overson	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Asay	Carling	McAllister	Sandberg
Bangerter	Finlinson	Rogers	Sowards
Barton			

H.B. No. 78 was signed by the President of the Senate in open session and returned to the House for further action.

MEDICAL MALPRACTICE BILLS

On motion of Senator Pugh, and under suspension of the rules, the Senate voted to consider **S.B. Nos. 113, 153, 154, 155 and 152** as a Special Order of Business.

•

S.B. No. 113, LIMITATION OF ATTORNEY FEES IN MEDICAL MALPRACTICE ACTIONS, was read the second time.

Mr. President: February 4, 1985

The Health Standing Committee, to which was referred **S.B. No. 113,** LIMITATION OF ATTORNEY FEES IN MEDICAL MALPRACTICE ACTIONS, by Senator Warren E. Pugh, et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 27:
After "first" delete "$100,000" and insert "$200,000"

Page 1, Line 27:
After "recovered" delete ";" and insert "and"

Page 1, Line 28:
Delete the entire line.

Page 1, Line 29:
Delete "(c)" and insert "(b)"

Ivan M. Matheson, Committee Chairman

Committee report read and adopted.

On motion of Senator Pugh **S.B. No. 113** was amended as follows:

Page 1, Line 24:
Delete "the following limits:" and insert "33 1/3% of the amount recovered.".

Page 1, Lines 25 through 27:
Delete Subsections "(a)", "(b)", and "(c)".

Senators Matheson, Black, Hillyard, Overson and Bunnell, commented.

The bill, as amended, passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barlow	Finlinson	Money	Renstrom
Barton	Hillyard	Peterson, C.	Stratford
Bunnell	Holmgren	Peterson, Chuck	Swan (exp)
Carling	Matheson (exp)	Peterson, L.	Wayment
Cornaby	McMullin	Pugh	Pres. Christensen

Absent or not voting were: Senators

Asay	McAllister	Rogers	Sowards
Bangerter	Overson	Sandberg	Williams
Black			

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S.B. No. 153, PRELITIGATION PANEL REQUIREMENT FOR MEDICAL MALPRACTICE CLAIMS, was read the second time.

Mr. President: February 4, 1985

The Health Standing Committee, to which was referred **S.B. No. 153,** PRELITIGATION PANEL REQUIREMENT FOR MEDICAL MALPRACTICE CLAIMS, by Senator Warren E. Pugh, et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 30:
After "are" delete "practicing within the state" and insert "filed after July 1, 1985"

Page 2, Line 6:
After "Regulation," insert "within"

Page 2, Line 8:
After "request" delete "is" and insert "shall include"

Page 2, Line 23:
After "state" and before the semi-colon, insert "who shall serve as chairman of the panel"

Page 2, Line 24:
After "(b)" delete the rest of line 24, line 25 and line 26 and insert "one member who is licensed under Section 78-14-3, who is practicing in the same speciality as the proposed defendant, appointed from a list provided by the professional association representing the same area of practice as the health care provider, or in claims against only hospitals or their employees, one member who is an individual currently serving in hospital administration and appointed from a list submitted by the Utah Hospital Association; and"

Page 2, Lines 27, 28, 29 and 30:
Delete Lines 27, 28, 29 and 30

Page 3, Lines 1, 2, 3, 4 and 5:
Delete Lines 1, 2, 3, 4 and 5

Page 3, Line 6:
Delete "(e)" and insert "(c)"

Page 3, Lines 9 and 10:
After "panel." delete rest of line 9 and line 10 and insert the following: "(5) Each person selected as a panel member shall certify, under oath, that he or she is without bias or conflict of interest with respect to any matter under consideration.

(6) Members of the prelitigation hearing panels shall receive per diem compensation and travel expenses for attending panel hearings as established by rules of the Department of Business Regulation.

(7) In addition to the actual cost of administering the licensure of health care providers, the Division of Registration of the Department of Business Regulation is authorized to set fees of health care providers for the costs of administering prelitigation panels. Each licensure group shall bear their proportionate share of the total cost of administering the prelitigation panels. None of the costs of administering the prelitigation panel shall be borne by the claimant."

Page 3, Line 19:
After "including" insert ","

Page 3, Lines 25 and 26:
Delete Lines 25 and 26 and insert the following: "(2) A party is entitled to attend, personally or with counsel, and participate in the proceedings, except upon special order of the panel and unanimous agreement of the parties."

Page 3, Line 27:
After "public" insert ":"

Page 3, Line 28:
Delete Lines 28, 29, 30 and through "proceedings." on page 4, Line 1

Page 4, Line 4:
After "except" insert "the"

Page 4, Line 17:
After "opinion" insert "in writing"

Page 4, Line 18:
After "proceedings." delete the rest of line 18 and through line 29 and insert "The panel shall determine on the basis of the evidence whether each claim against each health care provider has merit or has no merit and, if meritorious, whether the conduct complained of resulted in harm to the claimant."

Page 5, Line 5:
After "78-14-15." delete "Any report of the opinion reached by the medical review panel is" and insert "Evidence of the proceedings conducted by the medical review panel and its results, opinions, findings and determinations are"

Page 5, Line 19:
After "Title" delete "38" and insert "78"

Ivan M. Matheson, Committee Chairman

Committee report, with amendments, was read and adopted. The committee amendments were incorporated into the substitute bill.

On motion of Senator Pugh, the Senate voted to adopt the following substitute bill, and it replaced the original bill.

PRELITIGATION PANEL REQUIREMENT FOR MEDICAL MALPRACTICE CLAIMS

SUBSTITUTE
S.B. No. 153 *Warren E. Pugh, Omar B. Bunnell*

AN ACT RELATING TO HEALTH CARE MALPRACTICE ACTIONS; ESTABLISHING A PRELITIGATION PANEL APPOINTED BY THE DEPARTMENT OF BUSINESS REGULATION FOR PRELITIGATION CONSIDERATION OF PERSONAL INJURY AND WRONGFUL DEATH CLAIMS; ESTABLISHING PROCEDURES; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 78-14-12, UTAH CODE ANNOTATED 1953; 78-14-13, UTAH CODE ANNOTATED 1953; 78-14-14, UTAH CODE ANNOTATED 1953; 78-14-15, UTAH CODE ANNOTATED 1953; 78-14-16, UTAH CODE ANNOTATED 1953

On motion of Senator Pugh, **SUB. S.B. No. 153,** was amended as follows:

Page 2, Line 1:
After "nonbinding," delete "and" and insert "but".

Page 2, Line 11:
Delete "served upon" and insert "mailed to".

Page 3, Line 23:
Following "claimant" delete "." and insert "except as provided under Section 78-14-16."

The substitute bill passed, as amended, on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Rogers
Barlow	Finlinson	Peterson, C.	Stratford
Barton	Hillyard	Peterson, Chuck	Swan
Black	Holmgren	Peterson, L.	Wayment
Bunnell	Matheson	Pugh	Pres. Christensen
Carling	McMullin	Renstrom	

Absent or not voting were: Senators

Bangerter	Overson	Sowards	Williams
McAllister	Sandberg		

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S.B. No. 154, DEFERRED PERIODIC PAYMENTS FOR MEDICAL MALPRACTICE, was read the second time.

Mr. President: February 4, 1985

The Health Standing Committee, to which was referred **S.B. No. 154,** DEFERRED PERIODIC PAYMENTS FOR MEDICAL MALPRACTICE, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 25:
After "court" delete "shall" and insert "may"

Page 2, Line 3:
After "entered" delete "." and insert "; and"

Page 2, Line 3:
After line 3 and before line 4 insert "(c) Any amout that the plaintiff is required to pay for plaintiff's attorney fees."

Ivan M. Matheson, Committee Chairman

Committee report, with amendments, was read and adopted. On motion of Senator Cornaby, the bill was placed on Second Reading Table.

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S.B. No. 155, HOSPITAL DISCIPLINARY PROCEEDINGS AMENDMENTS, was read the second time.

Mr. President: February 4, 1985

The Health Standing Committee, to which was referred **S.B. No. 155,** HOSPITAL DISCIPLINARY PROCEEDINGS AMENDMENTS, by K.S. Cornaby, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 10:
After "HOSPITALS" insert "AND OTHER HEALTH CARE PROVIDERS"

Page 1, Line 12:
After "PARTICIPANTS" delete "IN" and insert "WHO"

Page 1, Line 12:
After "REVIEW" delete "OF" and insert "A"

Ivan M. Matheson, Committee Chairman

Committee report, with amendments, was read and adopted.

On motion of Senator Cornaby, **S.B. No. 155,** was amended as follows:

Page 3, Line 5:
Delete "obtained or taken" and insert "prepared in anticipation of, preparation for, or".

The bill passed, as amended, on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Rogers
Barlow	Finlinson	Peterson, C.	Swan
Barton	Hillyard	Peterson, Chuck	Wayment
Black	Holmgren	Peterson, L.	Williams
Bunnell	Matheson	Pugh	Pres. Christensen
Carling	McMullin	Renstrom	

Absent or not voting were: Senators

Bangerter	Overson	Sowards	Stratford
McAllister	Sandberg		

• • •

S.B. No. 152, COLLATERAL SOURCE RULE FOR MEDICAL MALPRACTICE DAMAGES, was read the second time.

Mr. President: February 7, 1985

The Health Standing Committee, to which was referred **S.B. No. 152,** COLLATERAL SOURCE RULE FOR MEDICAL MALPRACTICE DAMAGES, by Senator Warren E. Pugh, et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 25:
Before "in" delete "as defined" and insert "except as provided"

Page 1, Line 25:
After "section." delete the rest of line 25, and lines 26, 27, 28 and 29

Page 2, Line 19:
After "plaintiff" delete "for" and insert "or"

Page 3, Lines 18 and 19:
After "(4)." delete "The provider of collateral sources shall not be subrogated to the rights of the plaintiff."

Ivan M. Matheson, Committee Chairman

Committee report, with amendments, was read and adopted. Senators Hillyard, Bunnell, Matheson and Stratford commented. The bill will remain as unfinished business to be considered at 10:30 a.m., February 11, 1985.

COMMITTEE OF THE WHOLE

Appearing before the Committee of the Whole was the Honorable Howard C. Nielsen, U.S. Congressman from Utah's Third District. Senators Renstrom, Swan, Asay and Pugh commented.

On motion of Senator McMullin, the Committee was dissolved.

PRESENTATION OF RESOLUTION

AFGHANI FREEDOM FIGHTERS RESOLUTION

S.J.R. No. 12 *Ivan M. Matheson*

A JOINT RESOLUTION OF THE LEGISLATURE DRAWING ATTENTION TO THE PLIGHT OF THE AFGHANI PEOPLE; RECOGNIZING THE COURAGEOUS EFFORTS OF THE AFGHANI FREEDOM FIGHTERS; AND CALLING FOR AID ON THEIR BEHALF.

On motion of Senator Williams, and under suspension of the rules, the resolution was read the first, second and third times.

A delegation from the Islamic Unity of Afghan Mujahadeen spoke in Committee of the Whole. Members of the delegation were Zabuillah Mojadedi, Mohammad Adal,

Nazar Khan and Mohammad Nisim. The delegation was escorted by Andrew L. Eiva of the Federation for Afghan American Action. Mr. Eiva is a West Point graduate who served with distinction in the U.S. Army both as Green Beret and as an airborne ranger. He has visited Afghanistan four times since the Soviet invasion.

The delegation is being sponsored locally by the Association for Free Afghanistan of Salt Lake City.

The resolution passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Swan
Barlow	Hillyard	Overson	Wayment
Barton	Holmgren	Peterson, Chuck	Williams
Black	Matheson	Peterson, L.	Pres. Christensen
Bunnell	McMullin	Pugh	

Absent or not voting were: Senators

Bangerter	McAllister	Rogers	Sowards
Carling	Peterson, C.	Sandberg	Stratford
Finlinson	Renstrom		

S.J.R. No. 12, was transmitted to the House.

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On motion of Cary G. Peterson, and at 12:00 noon, the Senate adjourned until 10:00 a.m., Monday, February 11, 1985.

TWENTY NINTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Arnold Christensen presiding.

Roll Call — All Senators present except Senator Matheson, excused.

Prayer — Senator Eldon A. Money

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

DAILY SENATE JOURNAL

Mr. President: February 11, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the twenty sixth day and find it correct with minor amendments noted on the final copy.

Darrell G. Renstrom, Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 7, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 41,** JUDICIAL DUI REPORTING, 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, as amended, **H.B. No. 52,** VIDEOTAPING OF CHILDREN'S TESTIMONY, by Representative Skousen, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 82,** INFORMED CONSENT FOR ABORTION AMENDMENTS, by Representative Moss, 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. 95,** CAREER TEACHING SCHOLARSHIP FUND TAX CREDITS,

by Representative Moss, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, **H.B. No. 163,** DEPOSIT OF FINES AND PENALTIES COLLECTED BY THE DIVISION OF OIL, GAS, AND MINING, 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, as amended, **H.B. No. 164,** VOTED LEEWAY MODIFICATION, 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, as amended, **H.B. No. 171,** JUROR COMPETENCY IN CASES INVOLVING ORDINANCES, 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, as amended, **H.B. No. 191,** ACCOUNTS RECEIVABLE COLLECTION, 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, as amended, **H.B. No. 202,** HOMEOWNER ASSOCIATION CORPORATE TAX, by Representative Schmutz, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, **SUBSTITUTE H.B. No. 219,** REAL ESTATE DEFICIENCY JUDGMENTS, by Representative Jenkins, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.B. Nos. 41, 52, 82, 95, 163, 164, 171, 191, 202 and **SUB. H.B. No. 219** were read the first time and referred to Rules Committee.

• • •

Mr. President: February 7, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and the House, **S.B. No. 20,** WATER

RESOURCES AMENDMENTS, by Senator Stratford, et al, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Stratford, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, Chuck	Sowards
Bangerter	Holmgren	Peterson, L.	Stratford
Barlow	McAllister	Pugh	Swan
Barton	McMullin	Renstrom	Wayment
Black	Overson	Rogers	Williams
Carling	Peterson, C.	Sandberg	Pres. Christensen
Cornaby			

Absent or not voting were: Senators

Bunnell	Finlinson	Matheson	Money

S.B. No. 20 was transmitted to the House.

• • •

Mr. President: February 7, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, **S.C.R. No. 7,** DON LIND RESOLUTION, by Senator McMullin, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.C.R. No. 7, was signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

PRESENTATION OF RESOLUTION

PUBLIC SERVICE COMMISSION STUDY RESOLUTION

S.J.R. No. 13 *Darrell G. Renstrom*

A JOINT RESOLUTION OF THE LEGISLATURE ASKING THE MANAGEMENT COMMITTEE TO REQUEST THE APPROPRIATE INERIM STUDY COMMITTEE TO

STUDY THE PUBLIC SERVICE COMMISSION, ITS ORGANIZATION, FUNCTIONS, AND THE METHOD OF SELECTION OF COMMISSIONERS; AND REQUIRING A REPORT TO THE 1986 GENERAL SESSION OF THE LEGISLATURE, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

UTAH FINANCIAL ASSISTANCE ACT FOR NONPUBLIC INSTITUTIONS

S.B. No. 258 *Richard J. Carling*

AN ACT RELATING TO POST SECONDARY EDUCATION; INDICATING LEGISLATIVE INTENT TO PROVIDE FINANCIAL ASSISTANCE TO NONPUBLIC INSTITUTIONS OF HIGHER EDUCATION WHICH PROVIDE EDUCATIONAL OPPORTUNITIES FOR RESIDENTS OF THE STATE; ESTABLISHING THE UTAH FINANCIAL ASSISTANCE ACT FOR NONPUBLIC INSTITUTIONS OF HIGHER EDUCATION WHICH PROVIDES INSTITUTIONAL GRANTS TO NONPUBLIC COLLEGES; PROVIDING A $1,000,000 APPROPRIATION FOR FUNDING; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 53-47d-1, UTAH CODE ANNOTATED 1953; 53-47d-2, UTAH CODE ANNOTATED 1953; 53-47d-3, UTAH CODE ANNOTATED 1953; 53-47d-4, UTAH CODE ANNOTATED 1953; 53-47d-5, UTAH CODE ANNOTATED 1953; 53-47d-6, UTAH CODE ANNOTATED 1953; 53-47d-7, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

IRRIGATION DISTRICT ELECTRIC POWER PLANTS

S.B. No. 259 *Fred W. Finlinson*

AN ACT RELATING TO IRRIGATION DISTRICTS; PROVIDING AUTHORITY FOR IRRIGATION DISTRICTS TO ACQUIRE, CONSTRUCT, IMPROVE, ENLARGE, AND OPERATE OR CONTRACT FOR THE ACQUISITION, CONSTRUCTION, IMPROVEMENT, ENLARGEMENT, AND OPERATION OF ELECTRIC POWER PLANTS AND TRANSMISSION LINES AND RELATED WORKS; PROVIDING FOR ISSUANCE OF REVENUE BONDS; PROVIDING AUTHORITY FOR SALE OF ELECTRIC POWER AND TO ENTER INTO POWER SALE CONTRACTS; PROVIDING AN EXEMPTION FROM UTAH TAXATION FOR IRRIGATION DISTRICT BONDS, PROPERTY, AND BOND INTEREST; PROVIDING FOR THE VALIDATION OF THE CREATION AND ORGANIZATION OF IRRIGATION DISTRICTS AND IRRIGATION DISTRICT ELECTIONS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTION OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 11-14-1, AS LAST AMENDED BY CHAPTER 45, LAWS OF UTAH 1977; 11-14-14.5, AS LAST AMENDED BY CHAPTER 61, LAWS OF UTAH 1984; 73-7-12, UTAH CODE ANNOTATED 1953.

ENACTS: 73-7-11.5, UTAH CODE ANNOTATED 1953; 73-7-68, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

TAX COMMISSION ADMINISTRATIVE SUBPOENAS

S.B. No. 260 *Dix H. McMullin, Brent C. Overson*

AN ACT RELATING TO FINANCIAL INFORMATION PRIVACY; PROVIDING THAT THE TAX COMMISSION IS EXEMPT FROM RESTRICTIONS ON THE EXAMINATION OF FINANCIAL RECORDS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 78-27-50, AS ENACTED BY CHAPTER 143, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

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On motion of Senator Overson, **S.B. No. 214,** BUSINESS OPPORTUNITY DISCLOSURE ACT, was lifted from Business, Labor and Economic Development Committee and transferred to Social Service Committee.

THIRD READING CALENDAR

H.B. No. 96, ADOPTION PETITION REQUIREMENTS, 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	Holmgren	Peterson, Chuck	Sowards
Barlow	McAllister	Peterson, L.	Stratford
Barton	McMullin	Pugh	Swan
Carling	Money	Renstrom	Wayment
Cornaby	Overson	Rogers	Williams
Finlinson	Peterson, C	Sandberg	Pres. Christensen
Hillyard			

Absent or not voting were: Senators

Bangerter	Black	Bunnell	Matheson

H.B. No. 96, as amended, was returned to the House.

• • •

S.B. No. 100, ELECTION LAW AMENDMENTS, was read the third time, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, L.	Stratford
Bangerter	Holmgren	Pugh	Swan
Barlow	Money	Renstrom	Wayment
Bunnell	Overson	Rogers	Williams
Cornaby	Peterson, C.	Sandberg	Pres. Christensen
Finlinson	Peterson, Chuck	Sowards	

Absent or not voting were: Senators

Barton	Carling	McAllister	McMullin
Black	Matheson		

S.B. No. 100, as amended, was transmitted to the House.

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SUB. S.B. No. 102, PSC JURISDICTION OVER TELECOMMUNICATIONS, 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	Hillyard	Peterson, Chuck	Sowards
Bangerter	Holmgren	Peterson, L.	Stratford
Barlow	McMullin	Pugh	Swan
Bunnell	Money	Renstrom	Wayment
Carling	Overson	Rogers	Williams
Cornaby	Peterson, C.	Sandberg	Pres. Christensen
Finlinson			

Absent or not voting were: Senators

Barton	Black	Matheson	McAllister

SUB. S.B. No. 102 was transmitted to the House.

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On motion of Senator McAllister, the Senate voted to lift **S.J.R. No. 11**, PRIMARY CHILDREN'S MEDICAL CENTER, from Rules Committee and adopt the following substitute resolution.

PRIMARY CHILDREN'S MEDICAL CENTER RESOLUTION

SUBSTITUTE
S.J.R. No. 11 *LeRay McAllister*

A JOINT RESOLUTION OF THE LEGISLATURE ACKNOWLEDGING PRIMARY CHILDREN'S MEDICAL CENTER FOR ITS VITAL ROLE IN SERVING CHILDREN; URGING PUBLIC SUPPORT FOR THE HOSPITAL'S "PENNIES BY THE INCH" CAMPAIGN; AND TO KSL FOR THEIR ONGOING PUBLIC SERVICE COMMITMENT TO THE PRIMARY CHILDREN'S MEDICAL CENTER.

Appearing before the Senate in Committee of the Whole were several parents and children who are being helped by doctors and staff at the Center. Senators Holmgren, Williams, Black and McAllister commented.

On motion of Senator McAllister, and under suspension of the rules, the resolution was read the second and third times, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Sandberg
Bangerter	Finlinson	Peterson, C.	Stratford
Barlow	Hillyard	Peterson, Chuck	Swan
Barton	Holmgren	Peterson, L.	Wayment
Black	McAllister	Pugh (exp)	Williams
Bunnell	McMullin	Renstrom	Pres. Christensen
Carling	Money	Rogers	

Absent or not voting were: Senators

Matheson	Sowards

SUB. S.J.R. No. 11 was transmitted to the House.

MEDICAL MALPRACTICE BILLS

On motion of Senator Pugh, **S.B. No. 113, SUB. S.B. No. 153,** and **S.B. No. 155** were circled on Third Reading Calendar.

SECOND READING CALENDAR

On motion of Senator Pugh, the Senate voted to adopt the following substitute bill, and it replaced the original bill.

COLLATERAL SOURCE RULE FOR MEDICAL MALPRACTICE DAMAGES

SUBSTITUTE
S.B. No. 152 *Warren E. Pugh, Omar B. Bunnell*

AN ACT RELATING TO HEALTH CARE MALPRACTICE ACTIONS; PROHIBITING COMPENSATION TO PLAINTIFF FOR COSTS OR EXPENSES THAT WERE PAID FROM A COLLATERAL SOURCE IN THE ABSENCE OF SUBROGATION RIGHTS; REQUIRING NOTICE OF SUBROGATION RIGHTS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 78-14-4.5, UTAH CODE ANNOTATED 1953.

The substitute bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Sandberg
Barlow	Holmgren	Peterson, Chuck	Stratford
Bunnell	McAllister	Peterson, L.	Swan
Carling	McMullin	Pugh	Wayment
Cornaby	Money	Renstrom	Williams
Finlinson	Overson	Rogers	Pres. Christensen

Absent or not voting were: Senators

Bangerter	Black	Matheson	Sowards
Barton			

THIRD READING CALENDAR

On motion of Senator Pugh, and under suspension of the rules, the circles were removed from **S.B. No. 113, SUB. S.B. No. 153** and **S.B. No. 155.**

•

S.B. No. 113, LIMITATION OF ATTORNEY FEES IN MEDICAL MALPRACTICE ACTIONS, 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	Holmgren	Peterson, Chuck	Sowards
Barlow	McAllister	Peterson, L.	Stratford
Barton	McMullin	Pugh	Swan
Bunnell	Money	Renstrom	Wayment
Cornaby	Overson	Rogers	Williams
Finlinson	Peterson, C.	Sandberg	Pres. Christensen
Hillyard			

Absent or not voting were: Senators

Bangerter	Black	Carling	Matheson

S.B. No. 113, as amended, was transmitted to the House.

• • •

SUB. S.B. No. 153, PRELITIGATION PANEL REQUIREMENT FOR MEDICAL MALPRACTICE CLAIMS, 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	Holmgren	Peterson, Chuck	Sowards
Barlow	McAllister	Peterson, L.	Stratford
Barton	McMullin	Pugh	Swan
Bunnell	Money	Renstrom	Wayment
Cornaby	Overson	Rogers	Williams
Finlinson	Peterson, C.	Sandberg	Pres. Christensen
Hillyard			

Absent or not voting were: Senators

Bangerter	Black	Carling	Matheson

SUB. S.B. No. 153, as amended, was transmitted to the House.

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S.B. No. 155, HOSPITAL DISCIPLINARY PROCEEDINGS AMENDMENT, was read the third time.

On motion of Senator Cornaby, **S.B. No. 155** was amended as follows:

Goldenrod: Page 3, Line 9:
After "except" delete "to the extent that a report to the board may be" and insert "as"

The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, C.	Sowards
Bangerter	Hillyard	Peterson, Chuck	Stratford
Barlow	Holmgren	Peterson, L.	Swan
Barton	McAllister	Pugh	Wayment
Bunnell	McMullin	Renstrom	Pres. Christensen
Cornaby	Overson	Rogers	

Absent or not voting were: Senators

Black	Matheson	Sandberg	Williams
Carling	Money		

S.B. No. 155, as amended, was transmitted to the House.

• • •

On motion of Senator Pugh, and under suspension of the rules, the Senate voted to consider **SUB. S.B. No. 152,** COLLATERAL SOURCE RULE FOR MEDICAL MALPRACTICE DAMAGES, and the substitute bill was read the third time. Senators Bunnell and Stratford commented. The bill passed on the following roll call:

Yeas, 22; Nays, 3; Absent, 4

Voting in the affirmative were: Senators

Asay	Cornaby	Peterson, L.	Sowards
Bangerter	Hillyard	Pugh	Swan
Barlow	Holmgren	Renstrom	Wayment

Barton	McAllister	Rogers	Williams
Black	Overson	Sandberg	Pres. Christensen
Bunnell	Peterson, Chuck		

Voting in the negative were: Senators

McMullin	Peterson, C.	Stratford

Absent or not voting were: Senators

Carling	Finlinson	Matheson	Money

SUB. S.B. No. 152 was transmitted to the House.

STANDING COMMITTEE REPORTS

Mr. President: February 7, 1985

The Business, Labor and Economic Development Standing Committee, to which was referred **H.B. No. 56,** SIMPLIFIED MECHANICS LIEN NOTICE, by Representative Scott W. Holt, 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.

Lowell S. Peterson, Committee Chairman

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Mr. President: February 8, 1985

The Energy, Natural Resources and Agriculture Committee, to which was referred **S.B. No. 218,** ENERGY RESOURCE AND TECHNOLOGY INCENTIVES, by Senator Glade M. Sowards, has carefully considered the bill and reports it out of committee favorably with the following amendments and asks that it be placed on the Consent Calendar:

Page 1, Line 11:
After "AUTHORITY" insert "ALLOWING THE ENERGY COUNCIL TO RECEIVE FEDERAL FUNDS UNDER CERTAIN CONDITIONS;", and

The Energy, Natural Resources and Agriculture Standing Committee, to which was referred **H.B. No. 129,** PUBLICATION OF WILDLIFE RULES, by Representative W. Robert Phelps, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The Energy, Natural Resources and Agriculture Standing Committee, to which was referred **H.B. No. 136,** GOVERNMENTAL PLANNING COORDINATION, by Representative Tom Christensen, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The Energy, Natural Resources and Agriculture Standing Committee, to which was referred **SUB. H.B. No. 181,** REGULATION OF OIL TREATMENT PLANTS, by Representative Alarik Myrin, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The Energy, Natural Resources and Agriculture Standing Committee, to which was referred **H.B. No. 162,** UGMS AMENDMENTS, by Representative W. Robert Phelps, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The Energy, Natural Resources and Agriculture Standing Committee, to which was referred **H.B. No. 189,** RESOURCE DEVELOPMENT COORDINATING COMMITTEE AMENDMENTS, by Representative Tom Christensen, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Fred W. Finlinson, Committee Chairman

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Mr. President: February 8, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 133,** NOTARY PUBLIC AMENDMENTS, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The Judiciary Standing Committee, to which was referred **S.B. No. 137,** UTAH FOREIGN JUDGMENT TECHNICAL AMENDMENTS, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

E. Verl Asay, Committee Chairman

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Mr. President: February 8, 1985

The Senate Transportation and Public Safety Standing Committee, to which was referred **S.B. No. 193,** INTERFERENCE WITH ARRESTING OFFICER AMENDMENT, 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.

Jack M. Bangerter, Committee Chairman

H.B. No. 56, S.B. No. 218, H.B. Nos. 129, 136, SUB. H.B. No 181 and **H.B. Nos. 162, 189** and **S.B. Nos. 133, 137** and **193** were read the second time, and placed on Consent Calendar.

RULES COMMITTEE REPORT

Mr. President: February 11, 1985

The Senate Rules Committee, to which was referred the following Senate Bill:

S.B. No. 232 INSURANCE LAW RECODIFICATION (Business, Labor and Economic Development)

reports the same back and asks that it be printed and assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bill to the committee indicated.

SECOND READING CALENDAR

On motion of Senator Finlinson, the Senate voted to consider **SECOND SUB. S.B. No. 97,** WATER AND FLOOD FINANCING.

On motion of Senator Finlinson, the Senate voted to adopt the following third substitute bill and it replaced the second substitute bill.

WATER AND FLOOD FINANCING

THIRD SUBSTITUTE
S.B. No. 97 *Fred W. Finlinson, Karl G. Sunn*

AN ACT RELATING TO FLOODING; EXTENDING THE ¼% SALES TAX INCREASE; APPROPRIATING $101,868,000 TO PAY FOR FLOOD MITIGATION AND WATER DEVELOPMENT PROJECTS; AUTHORIZING THE ISSUANCE OF REVENUE BONDS IN THE AMOUNT OF $35,000,000 FOR FLOOD MITIGATION AND WATER DEVELOPMENT PROJECTS; REQUIRING CERTAIN PARTICIPATION FROM LOCAL GOVERNMENT ENTITIES; PROVIDING THE DIVISION OF WATER RESOURCES THE POWER TO ACQUIRE NECESSARY PROPERTY INTERESTS AND EXPEND MONEY FOR NECESSARY LEGAL SERVICES; EXTENDING THE DURATION OF THE DISASTER RELIEF BOARD; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 59-15-4, AS LAST AMENDED BY CHAPTER 56, LAWS OF UTAH 1984; 59-16-3, AS LAST AMENDED BY CHAPTER 56, LAWS OF UTAH 1984; UNCODIFIED SECTION 2, CHAPTER 15, LAWS OF UTAH 1983.

THIS ACT ENACTS NEW MATERIAL.

On motion of Senator Finlinson, **THIRD SUB. S.B. No. 97** was amended as follows:

Green: Page 1, Line 12:
Delete "$101,868,000" and insert in lieu thereof "$95,168,000"

Green: Page 6, Line 20:
Delete "$101,868,000" and insert in lieu thereof "$95,168,000"

Senator Black moved that the date "1987" be restored throughout the third substitute and "199_" be deleted.

Senator Overson moved a substitute motion to delete on Green, Page 1, Lines 11 and 12 the words "EXTENDING THE ¼% SALES TAX INCREASE;" and to delete lines 24, 25 and 26 and all of sections 1 and 2.

The substitute motion remained before the Senate.

On motion of Senator Finlinson, the bill was circled.

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Senator McAllister, moved that the Senate reject **SUB. S.B. No. 138, APPOINTED OFFICIALS' SALARIES** and consider the original bill without committee amendments and as it was introduced. The motion failed on a voice vote.

SUB. S.B. No. 138 passed on the following roll call:

Yeas, 21; Nays, 5; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Money	Rogers
Bangerter	Cornaby	Overson	Sandberg
Barlow	Hillyard	Peterson, C.	Sowards
Barton	McAllister	Peterson, Chuck	Swan

Black	McMullin	Pugh	Wayment
Bunnell			

Voting in the negative were: Senators

Holmgren	Stratford	Williams	Pres. Christensen
Renstrom			

Absent or not voting were: Senators

Finlinson	Matheson	Peterson, L.

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B. Nos. 173, 198, 201, 84, 86, 136, 196, 105** and **192, S.J.R. No. 4** and **H.B. No. 124,** and the bills were placed on Second Reading Calendar.

SECOND READING CALENDAR

On motion of Senator McMullin, **S.B. No. 142** was circled.

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S.B. No. 90, SALES TAX ON SCHOOL SALES, was read the second time.

Mr. President: February 4, 1985

The Education Standing Committee, to which was referred **S.B. No. 90,** SALES TAX ON SCHOOL SALES, by Senator Ivan M. Matheson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

William T. Barton, Committee Chairman

Committee report read and adopted. On motion of Senator McMullin, the bill was circled.

• • •

S.B. No. 163, UTAH EMERGENCY MEDICAL SERVICES SYSTEM ACT AMENDMENT, was read the second time.

Mr. President: February 4, 1985

The Health Standing Committee, to which was referred **S.B. No. 163,** UTAH EMERGENCY MEDICAL SERVICES SYSTEM ACT AMENDMENT, by Senator Eldon A. Money, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Carling	Money	Sandberg
Bangerter	Cornaby	Overson	Stratford
Barlow	Hillyard	Peterson, C.	Swan
Barton	Holmgren	Peterson, Chuck	Wayment
Black	McAllister	Pugh	Pres. Christensen
Bunnell	McMullin	Renstrom	

Absent or not voting were: Senators

Finlinson	Peterson, L.	Sowards	Williams
Matheson	Rogers		

• • •

S.B. No. 132, TRANSFER OF FOREIGN NATIONALS CONVICTED OF A CRIME, was read the second time.

Mr. President: February 5, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 132,** TRANSFER OF FOREIGN NATIONALS CONVICTED OF A CRIME, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Vert Asay, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Carling	Money	Sandberg
Bangerter	Cornaby	Overson	Stratford
Barlow	Hillyard	Peterson, C.	Swan
Barton	Holmgren	Peterson, Chuck	Wayment
Black	McAllister	Pugh	Pres. Christensen
Bunnell	McMullin	Renstrom	

Absent or not voting were: Senators

Finlinson	Peterson, L.	Sowards	Williams
Matheson	Rogers		

• • •

On motion of Senator McMullin, the circles were removed from **THIRD SUB. S.B. No. 97,** and **S.B. Nos. 142** and **90.**

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On motion of Senator Barlow, the Senate voted to consider **S.C.R. No. 5,** T.H. BELL COMMENDATION at 10:30 a.m., Tuesday, February 12, 1985.

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On motion of Senator McMullin, and at 12:00 noon, the Senate adjourned until 10:00 a.m., Tuesday, February 12, 1985.

THIRTIETH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Arnold Christensen presiding.

Roll Call — All Senators present except Senators Pugh and Renstrom, excused.

Prayer — Marion Wittwer, Sr. Legislative Fiscal Analyst.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

DAILY SENATE JOURNAL

Mr. President: February 12, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the twenty ninth day and find it correct with minor amendments noted on the final copy.

C.E. 'Chuck' Peterson
Committee Chairman

Committee report read and adopted.

COMMUNICATION FROM THE HOUSE

Mr. President: February 8, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 74**, DEPARTMENT OF CORRECTIONS — ORGANIZATION, by Representative Karras, and the same is transmitted herewith for Senate consideration.

Mr. President: February 11, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 247**, DEPARTMENT OF CORRECTIONS — ORGANIZATION AND FUNCTIONS, by Representative Karras, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.B. Nos. 74 and **247** were read the first time and referred to Rules Committee.

Mr. President: February 11, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **S.J.R. No. 11,** PRIMARY CHILDREN'S MEDICAL CENTER RESOLUTION, by Senator McAllister, which as been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 10,** SUNSET REVIEW — ATHLETIC COMMISSION, by Senator Black, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 22,** SHERIFF CANDIDATE CERTIFICATION, by Senator Hillyard, 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. 49,** JURY FEE AMENDMENT, by Senator Hillyard, 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. 6,** WEIGHTS AND MEASURES AMENDMENTS, by Representative Schmutz, 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. 13,** AUTHORIZATION FOR ASSOCIATE DEGREE AT TECHNICAL COLLEGES, by Representative Moss, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.J.R. No. 11, S.B. Nos. 10, 22, 49 and H.B. Nos. 6 and 13 were signed by the President of the Senate in open session and the senate bills were referred to the Rules Committee to be enrolled and transmitted to the Governor. The resolution to be transmitted to the Lieutenant Governor, and the house bills to the House for further action.

STANDING COMMITTEE REPORTS

Mr. President: February 11, 1985

The Social Services Committee, to which was referred **H.B. No. 67,** LICENSURE AUTHORITY FOR ADULT DAY CARE, by Representative Ervin M. Skousen, has carefully considered the bill and reports it out of committee favorably and asks that it be placed on the Consent Calendar.

John P. Holmgren, Committee Chairman

Mr. President: February 11, 1985

The State and Local Affairs Standing Committee, to which was referred **S.J.R. No. 5,** AGENCY COOPERATION FOR EFFICIENCY RESOLUTION, by Senator William T. Barton, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

K.S. Cornaby, Committee Chairman

Committee report read and adopted.

H.B. No. 67 and **S.J.R. No. 5** were read the second time, and placed on Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been filed on **S.B. Nos. 121, 188, 76, 172, S.B. No. 184** and **H.B. No. 195** and **SUB. H.B. No. 1** and **106.** the bills were placed on Second Reading Calendar.

INTRODUCTION OF BILLS

SPECIAL FUEL PERMIT EXEMPTION

S.B. No. 261 *Brent C. Overson*

AN ACT RELATING TO MOTOR FUELS; PROVIDING THAT USERS OF MOTOR VEHICLES POWERED BY SPECIAL FUELS AND HAVING A GROSS VEHICLE WEIGHT OF LESS THAN 16,000 POUNDS ARE EXEMPT FROM PERMIT REQUIREMENTS OF UTAH USE FUEL TAX; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 41-11-53, AS LAST AMENDED BY CHAPTER 173, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

FINANCIAL INSTITUTION AMENDMENTS

S.B. No. 262 *K.S. Cornaby*

AN ACT RELATING TO FINANCIAL INSTITUTIONS; PROVIDING DEFINITIONS FOR THE TERMS BANK, INDUSTRIAL LOAN CORPORATION, LIQUIDATION, LIQUIDATOR, RECEIVER, RECEIVERSHIP, AND SAVINGS AND LOAN ASSOCIA-

TION; AMENDING THE DEFINITION OF THE TERM BANKING BUSINESS; AMENDING THE SCHEDULE OF FEES PAYABLE TO THE COMMISSIONER FOR SUPERVISION AND EXAMINATION OF FINANCIAL INSTITUTIONS; CLARIFYING THE LIMITATIONS ON JURISDICTION OF THE DEPARTMENT; PROVIDING FOR DISCLOSURE OF INFORMATION IN LEGAL PROCEEDINGS; CLARIFYING CONDITIONS UNDER WHICH THE COMMISSIONER MAY TAKE POSSESSION; CLARIFYING OBLIGATIONS OF TRANSFEREES OF ASSETS, BUSINESS, AND PROPERTY TAKEN BY THE COMMISSIONER; CLARIFYING THE COMMISSIONER'S DUTIES UPON POSSESSION OF THE DEPOSITORY INSTITUTIONS; PROVIDING FOR THE APPOINTMENT OF A RECEIVER FOR DEPOSITORY INSTITUTIONS IN POSSESSION OF THE COMMISSIONER; PROVIDING SEPARATE NOTICE REQUIREMENTS FOR MEETINGS OF STOCKHOLDERS AND MEMBERS OF CAPITAL STOCK AND MUTUAL ASSOCIATIONS; ESTABLISHING THE LIMITS OF SUPERVISION OF CONSUMER FUNDS TRANSFER FACILITIES; REPEALING AND REVISING CERTAIN OVER LAPPING OR UNNECESSARY PROVISIONS; AND MAKING CERTAIN TECHNICAL AMENDMENTS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 7-1-103, AS LAST AMENDED BY CHAPTER 5, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 7-1-401, AS LAST AMENDED BY CHAPTER 8, LAWS OF UTAH 1983; 7-1-501, AS LAST AMENDED BY CHAPTER 5, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 7-1-502, AS LAST AMENDED BY CHAPTER 29, LAWS OF UTAH 1984; 7-1-802, AS LAST AMENDED BY CHAPTER 5, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 7-2-1, AS ENACTED BY CHAPTER 8, LAWS OF UTAH 1983; 7-2-9, AS ENACTED BY CHAPTER 8, LAWS OF UTAH 1983; 7-2-15, AS ENACTED BY CHAPTER 8, LAWS OF UTAH 1983; 7-3-2, AS LAST AMENDED BY CHAPTER 5, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 7-3-3, AS LAST AMENDED BY CHAPTER 8, LAWS OF UTAH 1983; 7-7-3, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1984; 7-7-10, AS ENACTED BY CHAPTER 16, LAWS OF UTAH 1981; 7-7-11, AS ENACTED BY CHAPTER 16, LAWS OF UTAH 1981; 7-7-21, AS LAST AMENDED BY CHAPTER 8, LAWS OF UTAH 1983; 7-8-4, AS ENACTED BY CHAPTER 8, LAWS OF UTAH 1983; 7-9-46, AS LAST AMENDED BY CHAPTER 8, LAWS OF UTAH 1983; 7-16-2, AS ENACTED BY CHAPTER 7, LAWS OF UTAH 1979; 7-16-10, AS ENACTED BY CHAPTER 7, LAWS OF UTAH 1979

ENACTS: 7-16-19, UTAH CODE ANNOTATED 1953

REPEALS: 7-3-27, AS ENACTED BY CHAPTER 16, LAWS OF UTAH 1981; 7-16-1, AS ENACTED BY CHAPTER 7, LAWS OF UTAH 1979; 7-16-4, AS LAST AMENDED BY CHAPTER 67, LAWS OF UTAH 1984; 7-16-5, AS ENACTED BY CHAPTER 7, LAWS OF UTAH 1979; 7-16-6, AS ENACTED BY CHAPTER 7, LAWS OF UTAH 1979; 7-16-7, AS ENACTED BY CHAPTER 7, LAWS OF UTAH 1979; 7-16-8, AS ENACTED BY CHAPTER 7, LAWS OF UTAH 1979; 7-16-11, AS ENACTED BY CHAPTER 7, LAWS OF UTAH 1979; 7-16-12, AS ENACTED BY CHAPTER 7, LAWS OF UTAH 1979; 7-16-13, AS ENACTED BY

CHAPTER 7, LAWS OF UTAH 1979; 7-16-14, AS ENACTED BY CHAPTER 7, LAWS OF UTAH 1979; 7-16-15, AS ENACTED BY CHAPTER 7, LAWS OF UTAH 1979; 7-16-16, AS ENACTED BY CHAPTER 7, LAWS OF UTAH 1979; 7-16-17, AS ENACTED BY CHAPTER 7, LAWS OF UTAH 1979; 7-16-18, AS ENACTED BY CHAPTER 7, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

PER DIEM AMENDMENTS FOR REGISTRATION DIVISION

S.B. No. 263 *Karl G. Swan*

AN ACT RELATING TO THE DIVISION OF REGISTRATION; INCREASING THE PER DIEM FOR MEMBERS OF THE REPRESENTATIVE COMMITTEES SET UP TO ADVISE THE DIRECTOR OF THE DIVISION OF REGISTRATION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 58-1-6, AS LAST AMENDED BY CHAPTER 34, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

JURY LIST AMENDMENTS

S.B. No. 264 *Lyle W. Hillyard*

AN ACT RELATING TO JUDICIAL PROCEDURE; PROVIDING FOR MORE FREQUENT COMPILATION OF JURY LISTS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 78-46-4, AS ENACTED BY CHAPTER 130, LAWS OF UTAH 1979; 78-46-9, AS ENACTED BY CHAPTER 130, LAWS OF UTAH 1979; 78-46-11, AS ENACTED BY CHAPTER 130, LAWS OF UTAH 1979; 78-46-13, AS ENACTED BY CHAPTER 130, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

MOTOR FUEL SALES

S.B. No. 265 *Dir H. McMullin, Jack M. Bangerter*

AN ACT RELATING TO MOTOR FUELS; ALLOWING A PURCHASER OF MOTOR FUELS THE OPTION OF BUYING EITHER BY GROSS GALLONS OR BY THE GALLON WITH THE TEMPERATURE OF THE PRODUCT CORRECTED TO 60 FARENHEIT OR THE CENTIGRADE EQUIVALENT; ESTABLISHING CERTAIN STANDARDS AND CONDITIONS; ALLOWING PURCHASE AND USE OF A MEASURING DEVICE; AND REQUIRING PERSONS DELIVERING FUEL OVER A CERTAIN AMOUNT TO PROVE THE QUANTITY OF THE DELIVERY.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 4-33-9.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

FINAL INTRODUCTION OF BILLS

President Christensen reminded the senators of **Joint Rule 4.37** as follows:

"No bill may be introduced in either house after the thirtieth day of the Annual General Session without the approving vote of a constitutional two-thirds of the members of the House of Representatives, if the bill is to be introduced in the House, or two-thirds of the members of the Senate, if the bill is to be introduced in the Senate."

THIRD READING CALENDAR

On motion of Senator McAllister, **SUB. S.B. No. 138**, APPOINTED OFFICIALS SALARIES, was read the third time and circled.

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S.B. No. 132, TRANSFER OF FOREIGN NATIONALS CONVICTED OF A CRIME, 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	Cornaby	McMullin	Sowards
Bangerter	Finlinson	Overson	Stratford
Barlow	Hillyard	Peterson, C.	Swan
Barton	Holmgren	Peterson, Chuck	Wayment
Black	Matheson	Rogers	Williams
Bunnell	McAllister	Sandberg	Pres. Christensen
Carling			

Absent or not voting were: Senators

Money	Peterson, L.	Pugh	Renstrom

S.B. No. 132 was transmitted to the House.

• • •

S.B. No. 163, UTAH EMERGENCY MEDICAL SERVICES SYSTEM ACT, was read the third time, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Sowards
Bangerter	Hillyard	Overson	Stratford
Barlow	Holmgren	Peterson, C.	Swan
Barton	Matheson	Peterson, Chuck	Wayment
Black	McAllister	Rogers	Williams
Bunnell	McMullin	Sandberg	Pres. Christensen
Carling			

Absent or not voting were: Senators

Finlinson	Peterson, L.	Pugh	Renstrom

S.B. No. 163 was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator Rogers, the Senate voted to strike the enacting clause on **S.B. No. 142,** SOLID WASTE MANAGEMENT, and the bill was filed.

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S.B. No. 90, SALES TAX ON SCHOOL TAX, was before the Senate. Senators Matheson, Bunnell, Stratford and McMullin, commented. On motion of Senator Matheson, the bill was circled.

COMMITTEE OF THE WHOLE

Appearing before the Committee of the Whole was former United States Secretary of Education, T.H. Bell.

Senator Barlow presented Dr. Bell with copies of **S.C.R. No. 5,** T.H. BELL COMMENDATION. Senators Bunnell and Barlow, commented.

On motion of Senator McMullin, the Committee was dissolved.

SECOND READING CALENDAR

S.B. No. 200, FILING APPLICATIONS TO EXCHANGE WATER, was read the second time.

Mr. President: February 5, 1985

The Energy, Natural Resources and Agriculture Standing Committee, to which was referred **S.B. No. 200,** FILING APPLICATIONS TO EXCHANGE WATER, by Senator Fred W. Finlinson, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Lines 12 and 13:
After "occurred," delete "expenditures to date,"

Fred W. Finlinson, Committee Chairman

Committee report, with amendments, was read and adopted. On motion of Senator Finlinson, the bill was circled.

• • •

Senators Swan, Matheson and Cary Peterson, spoke regarding the district each represents.

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S.B. No. 101, UNEMPLOYMENT COMPENSATION MODIFICATIONS, was read the second time.

Mr. President: February 6, 1985

The Revenue & Taxation Committee, to which was referred **S.B. No. 101,** UNEMPLOYMENT COMPENSATION MODIFICATIONS, by Senator Lowell S. Peterson, has carefully considered the bill and reports it out of committee favorably and with the following amendment:

Page 38, Line 5:
After "provisions of" delete "subsection" and insert in lieu thereof "Subsections (1) or"

Lyle W. Hillyard, Committee Chairman

Committee report, with amendment, was read and adopted. The bill passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Hillyard	Money	Sandberg
Barlow	Holmgren	Overson	Stratford
Bunnell	Matheson	Peterson, C.	Wayment
Carling	McAllister	Peterson, Chuck	Williams
Cornaby	McMullin	Peterson, L.	Pres. Christensen

Absent or not voting were: Senators

Bangerter	Finlinson	Renstrom	Sowards
Barton	Pugh	Rogers	Swan
Black			

• • •

On motion of Senator L. Peterson, the Senate voted to lift **S.B. No. 109,** FAIR HOUSING LAW, from Business, Labor and Economic Development Committee and transfer it to State and Local Affairs Committee, and to lift **S.B. No. 179,** INSURANCE FOR ADOPTED CHILDREN from Business, Labor and Economic Development Committee and transfer it to Social Services Committee.

SECOND READING CALENDAR

S.B. No. 130, SALES OF SECURITIES INVOLVING REAL ESTATE, was read the second time.

Mr. President: February 6, 1985

The State and Local Affairs Standing Committee, to which was referred **S.B. No. 130,** SALES OF SECURITIES INVOLVING REAL ESTATE, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee favorably and with the following amendment:

> Page 2, Line 12:
> After "1934" delete "." and insert "and which security is registered for sale pursuant to the Securities Act of 1933 or by the Utah Uniform Securities Act. This exemption does not apply to exempt or resale transactions."

K.S. Cornaby, Committee Chairman

Committee report, with amendments, was read and adopted, the bill passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Hillyard	Money	Sandberg
Barlow	Holmgren	Overson	Stratford
Barton	Matheson	Peterson, C.	Swan
Carling	McAllister	Peterson, Chuck	Wayment
Cornaby	McMullin	Peterson, L.	Pres. Christensen

Absent or not voting were: Senators

Bangerter	Finlinson	Renstrom	Sowards
Black	Pugh	Rogers	Williams
Bunnell			

• • •

S.B. No. 53, MUNICIPAL FISCAL PROCEDURES AMENDMENT, was read the second time.

Mr. President: February 6, 1985

The State and Local Affairs Standing committee, to which was referred **S.B. No. 53,** MUNICIPAL FISCAL PROCEDURES AMENDMENT, by Senator Brent C. Overson, has carefully considered the bill and reports it out of committee favorably with the recommendation that the original bill be deleted in body and title and that **SUBSTITUTE S.B. No. 53,** replace the original bill.

K.S. Cornaby, Committee Chairman

Committee report read and adopted. The following substitute bill replaced the original bill:

MUNICIPAL FISCAL PROCEDURES AMENDMENT

SUBSTITUTE
S.B. No. 53 *Brent C. Overson*

AN ACT RELATING TO CITIES AND TOWNS; ALLOWING CITIES TO ACCUMULATE A FUND BALANCE IN THEIR GENERAL FUND IN AN AMOUNT UP TO 18% OF ESTIMATED REVENUE; ALLOWING THEM TO APPROPRIATE ANY AMOUNT IN THE FUND BALANCE IN EXCESS OF 5%; REPEALING THE REQUIREMENT THAT CITIES USE THE ENCUMBRANCE SYSTEM IN EACH FUND, AND THAT THERE BE QUARTERLY ACCOUNTING IN EACH DEPARTMENTAL BUDGET; REPEALING THE REQUIREMENT THAT THE STATE AUDITOR MAKE AVAILABLE A CENTRAL ACCOUNTING SERVICE; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 10-6-106, AS ENACTED BY CHAPTER 26, LAWS OF UTAH 1979; 10-6-116, AS LAST AMENDED BY CHAPTER 52, LAWS OF UTAH 1981; 10-6-121, AS ENACTED BY CHAPTER 26, LAWS OF UTAH 1979; 10-6-130, AS ENACTED BY CHAPTER 26, LAWS OF UTAH 1979; 10-6-141, AS ENACTED BY CHAPTER 26, LAWS OF UTAH 1979; 10-6-150, AS ENACTED BY CHAPTER 26, LAWS OF UTAH 1979; 10-6-157, AS ENACTED BY CHAPTER 26, LAWS OF UTAH 1979; 10-6-158, AS ENACTED BY CHAPTER 26, LAWS OF UTAH 1979

REPEALS: 10-6-149, AS ENACTED BY CHAPTER 26, LAWS OF UTAH 1979; 10-6-155, AS ENACTED BY CHAPTER 26, LAWS OF UTAH 1979.

The substitute bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Finlinson	Money	Sandberg
Barlow	Hillyard	Overson	Stratford
Barton	Holmgren	Peterson, C.	Swan
Black	Matheson	Peterson, Chuck	Wayment
Carling	McAllister	Peterson, L.	Pres. Christensen
Cornaby	McMullin		

Absent or not voting were: Senators

Bangerter	Pugh	Rogers	Williams
Bunnell	Renstrom	Sowards	

• • •

On motion of Senator Finlinson, the circle was removed from **S.B. No. 200,** FILING APPLICATIONS TO EXCHANGE WATER, was before the Senate. Senator Matheson commented. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Cornaby	McMullin	Stratford
Bangerter	Finlinson	Overson	Swan
Barlow	Hillyard	Peterson, C.	Wayment
Barton	Holmgren	Peterson, Chuck	Williams
Black	Matheson	Peterson, L.	Pres. Christensen
Bunnell	McAllister	Sandberg	

Absent or not voting were: Senators

Carling	Pugh	Rogers	Sowards
Money	Renstrom		

• • •

S.B. No. 175, NORTHERN MICROWAVE SYSTEM APPROPRIATION, was read the second time.

Mr. President: February 6, 1985

The State and Local Affairs Standing Committee, to which was referred **S.B. No. 175,** NORTHERN MICROWAVE SYSTEM APPROPRIATION, by Senator Lyle W. Hillyard, has carefully considered the bill and reports it out of committee with a favorable recommendation.

K.S. Cornaby, Committee Chairman

Committee report read and adopted. On motion of Senator Hillyard, the bill was circled.

• • •

S.C.R. No. 4, UTAH ACADEMIC DECATHLON RESOLUTION, was read the second time, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Finlinson	McMullin	Stratford
Bangerter	Hillyard	Money	Swan
Barlow	Holmgren	Peterson, C.	Wayment
Black	Matheson	Peterson, Chuck	Williams
Bunnell	McAllister	Sandberg	Pres. Christensen
Cornaby			

Absent or not voting were: Senators

Barton	Overson	Pugh	Rogers
Carling	Peterson, L.	Renstrom	Sowards

• • •

On motion of Senator Matheson, the circle was removed from **S.B. No. 90,** SALES TAX ON SCHOOL SALES, was before the Senate.

On motion of Senator Matheson, **S.B. No. 90,** was amended as follows:

Page 2, Lines 21, 22 and 23:
Delete "the first $1,000 in", and after "receipts" insert "which do not exceed $1,000" and after "refreshments," add "and" and after "programs" delete ", and other items"

The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Cornaby	McMullin	Stratford
Barlow	Finlinson	Money	Swan
Barton	Hillyard	Peterson, C.	Wayment
Black	Holmgren	Peterson, Chuck	Williams
Bunnell	Matheson	Peterson, L.	Pres. Christensen
Carling	McAllister	Sandberg	

Absent or not voting were: Senators

Bangerter	Pugh	Rogers	Sowards
Overson	Renstrom		

• • •

S.J.R. No. 10, OATH OF OFFICE AMENDMENT, was read the second time, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Carling	McMullin	Stratford
Bangerter	Cornaby	Money	Swan
Barlow	Finlinson	Peterson, C.	Wayment
Barton	Hillyard	Peterson, Chuck	Williams
Black	Holmgren	Peterson, L.	Pres. Christensen
Bunnell	Matheson	Sandberg	

Absent or not voting were: Senators

McAllister	Pugh	Rogers	Sowards
Overson	Renstrom		

• • •

S.B. No. 134, CORPORATE AND COMMERCIAL FILING AMENDMENTS, was read the second time.

Mr. President: February 7, 1985

The Business, Labor and Economic Development Standing Committee, to which was referred **S.B. No. 134,** CORPORATE AND COMMERCIAL FILING AMENDMENTS, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lowell S. Peterson, Committee Chairman

Committee report read and adopted. On motion of Senator Cornaby, the bill was circled.

• • •

S.B. No. 74, OPTOMETRY AMENDMENTS, was read the second time.

Mr. President: February 7, 1985

The Health Standing Committee, to which was referred **S.B. No. 74,** OPTOMETRY AMENDMENTS, by Senator Haven J. Barlow, et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 9:
After "lenses," delete "lasers,"

Page 2, Lines 10 and 11:
After "agents," delete "or other means" and insert "other than surgery"

Ivan M. Matheson, Committee Chairman

Committee report, with amendments, was read and adopted. On motion of Senator Barlow, the bill was circled.

• • •

S.B. No. 173, BEEF PROMOTION FEES, was read the second time.

Mr. President: February 8, 1985

The Energy, Natural Resources & Agriculture Committee, to which was referred **S.B. No. 173,** BEEF PROMOTION FEES, by Senator Lowell S. Peterson, has carefully

considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 9:
After "the" delete "registered" and insert "voting"

Page 2, Line 22:
After "than" delete "30" and insert "60"

Fred W. Finlinson, Committee Chairman

Committee report, with amendments, was read and adopted. On motion of Senator L. Peterson, the bill was circled.

• • •

S.B. No. 198, STATE ENGINEER APPROVAL OF APPLICATIONS, was read the second time.

Mr. President: February 8, 1985

The Energy, Natural Resources & Agriculture Committee, to which was referred **S.B. No. 198,** STATE ENGINEER APPROVAL OF APPLICATIONS, by Senator Fred W. Finlinson, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 24:
After "satisfied" delete "and" and insert ","

Page 2, Line 26:
After "applicant," delete "or" and insert "and"

Fred W. Finlinson, Committee Chairman

Committee report, with amendments, was read and adopted. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Cornaby	McMullin	Sandberg
Bangerter	Finlinson	Overson	Stratford
Barlow	Hillyard	Peterson, C.	Swan
Black	Holmgren	Peterson, Chuck	Wayment
Bunnell	Matheson	Peterson, L.	Pres. Christensen
Carling	McAllister	Rogers	

Absent or not voting were: Senators

Barton	Pugh	Sowards	Williams
Money	Renstrom		

COMMUNICATION FROM THE HOUSE

Mr. President: February 12, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 18,** DAN LAWRENCE COMMENDATION, by Representative Christensen, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Cary Peterson, and under suspension of the rules, the resolution was read the first, second and third times, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Stratford
Bangerter	Finlinson	Peterson, C.	Swan
Barlow	Hillyard	Peterson, Chuck	Wayment
Black	Holmgren	Peterson, L.	Williams
Bunnell	Matheson	Renstrom	Pres. Christensen
Carling	McMullin	Sandberg	

Absent or not voting were: Senators

Barton	Money	Rogers	Sowards
McAllister	Pugh		

H.C.R. No. 18 was signed by the President of the Senate in open session and returned to the House for further action.

SECOND READING CALENDAR

On motion of Senator McMullin, **S.B. No. 201** was circled.

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S.J.R. No. 4, NATIONAL PARK BUFFER ZONE RESTRICTION RESOLUTION, was read the second time.

Mr. President: February 8, 1985

The Energy, Natural Resources & Agriculture Committee, to which was referred **S.J.R. No. 4,** NATIONAL PARK BUFFER ZONE RESTRICTION RESOLUTION, by Senator Ivan M. Matheson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Fred W. Finlinson, Committee Chairman

Committee report read and adopted. Senator Swan commented. On motion of Senator Matheson, and under suspension of the rules, the resolution was read the third time, and passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	Overson	Sandberg
Bangerter	Cornaby	Peterson, C.	Sowards
Barlow	Hillyard	Peterson, Chuck	Stratford
Barton	Holmgren	Peterson, L.	Wayment
Black	Matheson	Renstrom	Williams
Bunnell	McMullin	Rogers	Pres. Christensen

Voting in the negative was: Senator
Swan

Absent or not voting were: Senators

Finlinson	McAllister	Money	Pugh

S.J.R. No. 4 was transmitted to the House.

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On motion of Senator Barlow, **S.B. No. 74,** OPTOMETRY AMENDMENTS, will be considered tomorrow at 11:00 a.m.

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On motion of Senator Cary Peterson, and at 12:10, the Senate recessed.

AFTERNOON SESSION

The Senate reconvened at 2:40 p.m. with President Arnold Christensen presiding. All Senators present.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 12, 1985

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 20,** WATER RESOURCES AMENDMENTS, by Senator Stratford, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.B. No. 20 was signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

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Mr. President: February 12, 1985

I am directed to inform the Senate that the House of Representatives, on reconsideration, has this day concurred in the Senate amendments and passed **H.B. No. 96,** ADOPTION PETITION REQUIREMENTS, by Representative Maxfield, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

H.B. No. 96 was signed by the President of the Senate in open session and returned to the House for further action.

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Mr. President: February 11, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 215,** COMMUNICATIONS FRAUD, by Representative McKeachnie, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 245,** UNIFORM CONSUMER CREDIT CODE, 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. 248,** DEPARTMENT OF CORRECTIONS — ORGANIZATION AND FUNCTIONS TECHNICAL AMENDMENTS, by Representative Karras, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 249**, BOARD OF PARDONS AMENDMENTS, by Representative Karras, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.B. Nos. 215, 245, 248 and **249** were read the first time and referred to Rules Committee.

SECOND READING CALENDAR

S.B. No. 84, INCREASED PENALTY FOR DEALING IN HARMFUL MATTER, was read the second time.

Mr. President: February 8, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 84**, INCREASED PENALTY FOR DEALING IN HARMFUL MATTER, by Senator E. Verl Asay, has carefully considered the bill and reports it out of committee with the recommendation that the original bill be deleted in body and title and that **SUBSTITUTE S.B. No. 84** replace the original bill.

SUBSTITUTE S.B. No. 84 to be amended as follows:

Page 2, Lines 10, 11, 12, 13, 14, 15, 16, and 17:
Delete "The exemptions for a parent or legal guardian in this subsection apply only to offenses of dealing in material "harmful to minors" under Section 76-10-1206, and does not apply to the distribution of pornographic material under Section 76-10-1204, inducing acceptance of pornographic material under Section 76-10-1205, sexual abuse of a child under Sections 76-5-401 through 76-5-407, or sexual exploitation of a child under Chapter 5a, Title 76."

E. Verl Asay, Committee Chairman

Committee report, with amendments, was read and adopted. The following substitute bill replaced the original bill and the committee amendments were incorporated into the substitute bill.

INCREASED PENALTY FOR DEALING IN HARMFUL MATTER

SUBSTITUTE
S.B. No. 84 *E. Verl Asay*

AN ACT RELATING TO CRIMINAL LAW; AMENDING THE PROVISION PROHIBITING DISTRIBUTION OF HARMFUL MATERIAL TO MINORS; INCREASING PENALTIES; AND DELETING AN EXCEPTION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 76-10-1206, AS LAST AMENDED BY CHAPTER 49, LAWS OF UTAH 1975

SUB. S.B. No. 84, as amended, passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Asay	Holmgren	Overson	Sandberg
Bangerter	Matheson	Peterson, Chuck	Stratford
Black	McAllister	Peterson, L.	Wayment
Bunnell	McMullin	Pugh	Williams
Cornaby	Money	Renstrom	Pres. Christensen
Hillyard			

Voting in the negative was: Senator
Barton

Absent or not voting were: Senators

Barlow	Finlinson	Rogers	Swan
Carling	Peterson, C.	Sowards	

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On motion of Senator L. Peterson, the circle was removed from **S.B. No. 173, BEEF PROMOTION FEES,** and the bill was before the Senate.

On motion of Senator L. Peterson, **S.B. No. 173** was amended as follows:

Page 2, Lines 5 through 11:
Delete all of Subsection (2) and replace it with the following new language:

"(2) Before a fee assessed under Subsection (1) becomes effective, the department shall give notice of the proposed fee to all known beef and dairy cattle producers in the state, invite all beef and dairy cattle producers to register to vote in a referendum, conduct a hearing on the

proposed fee change, and conduct a referendum where at least 50 percent of the registered producers cast a vote with a majority of those voting casting an affirmative vote on the proposed fee level. The fee shall not exceed $1 or be less than 25 cents as provided in Subsection (1)."

Page 2, Line 13:
Delete "increased" and insert "modified"

Page 2, Lines 20 and 21:
Delete "receipt of the account of sale showing the total fees deducted" and insert in its place "the fee is collected"

Page 2, Lines 22 and 23:
Delete "receipt of the account of sale" and insert in its place "the date the fee is collected"

Page 3, Line 6:
After "council" and before the "," insert "or appointed agency"

Page 3, Line 7:
Delete "administration of"

Page 3, Line 8:
After "Council" insert "or appointed agency"

Page 3, Line 14:
After "published" insert "by the Council or appointed agency"

The bill passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Hillyard	Overson	Sandberg
Barton	Holmgren	Peterson, Chuck	Stratford
Black	McAllister	Peterson, L.	Swan
Bunnell	McMullin	Renstrom	Wayment
Cornaby	Money	Rogers	Pres. Christensen

Absent or not voting were: Senators

Bangerter	Finlinson	Peterson, C.	Sowards
Barlow	Matheson	Pugh	Williams
Carling			

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S.B. No. 86, COURT AUTHORITY FOR CUSTODIAL PARENT'S TRAVEL, was read the second time.

Mr. President: February 8, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 86,** COURT AUTHORITY FOR CUSTODIAL PARENT'S TRAVEL, by Senator Dale E. Stratford, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 11:
After "to provide" delete "60 days" and insert "30 days"

Page 2, Line 14:
After "visitation rights." delete "." and insert ", giving the address and phone number where the child may be contacted."

Page 2, Line 18:
After "this state," insert "or the address or telephone number is incorrect,"

E. Verl Asay, Committee Chairman

Committee report, with amendments, was read and adopted. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, Chuck	Stratford
Barton	McAllister	Peterson, L.	Swan
Black	McMullin	Pugh	Wayment
Bunnell	Money	Rogers	Williams
Cornaby	Overson	Sandberg	Pres. Christensen
Hillyard	Peterson, C.	Sowards	

Absent or not voting were: Senators

Bangerter	Carling	Matheson	Renstrom
Barlow	Finlinson		

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S.B. No. 136, TERRORISTIC THREAT AMENDMENTS, was read the second time.

Mr. President: February 8, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 136,** TERRORISTIC THREAT AMENDMENTS, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 11:
After "OF" delete "A TERRORISTIC THREAT." and insert "AN OFFENSE OF THREATS AGAINST LIFE OR PROPERTY."

Page 1, Line 19:
After "person commits" delete "terroristic threat" and insert "the offense of threats against life and property"

Page 1, Line 29:
Delete "Terroristic threat" and insert "Threats against life and property"

Page 1, Line 33:
After "event" delete "terroristic threat" and insert "threats against life and property"

E. Vert Asay, Committee Chairman

Committee report, with amendments, was read and adopted. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Sowards
Bangerter	Hillyard	Peterson, C.	Stratford
Barton	Holmgren	Peterson, Chuck	Swan
Black	McAllister	Pugh	Wayment
Bunnell	McMullin	Rogers	Williams
Carling	Money	Sandberg	Pres. Christensen

Absent or not voting were: Senators

Barlow	Matheson	Peterson, L.	Renstrom
Finlinson			

THIRD READING CALENDAR

On motion of Senator McMullin, and under suspension of the rules, **SUB. S.B. No. 138,** APPOINTED OFFICIALS SALARIES, was uncircled and before the Senate. Senators Swan, Cary Peterson and McMullin commented.

Senator McMullin moved the following amendments:

Page 3, Line 5:
After "67-8-3" insert ", but shall not exceed the compensation paid to the governor"

Page 3, Line 19:
After "67-8-3" insert ", but shall not exceed the compensation paid to the governor"

Page 4, Line 7:
After "67-8-3" insert ", but shall not exceed the compensation paid to the governor"

Page 5:
After line 27 insert a new section as follows: "Section 6. The salaries presently paid to the officers enumerated in this act shall not be affected by this act, except their salaries shall not be increased until the salary of the governor matches their salaries. This act applies to each successor appointed to these offices pursuant to law."

The motion failed.

SUB. S.B. No. 138 passed on the following roll call:

Yeas, 22; Nays, 5; Absent, 2

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Sandberg
Bangerter	Holmgren	Peterson, Chuck	Sowards
Black	Matheson	Peterson, L.	Swan
Bunnell	McAllister	Pugh	Wayment
Carling	Money	Rogers	Williams
Cornaby	Overson		

Voting in the negative were: Senators

Barton	Renstrom	Stratford	Pres. Christensen
McMullin			

Absent or not voting were: Senators

Barlow	Finlinson

SUB. S.B. No. 138 was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator Stratford, the Senate voted to reconsider **SUB. S.B. No. 84,** INCREASED PENALTY FOR DEALING IN HARMFUL MATTER, and the bill was placed at the top of Second Reading Calendar, and circled.

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S.B. No. 196, INFORMED CONSENT REQUIREMENTS, was read the second time.

Mr. President: February 8, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 196,** INFORMED CONSENT REQUIREMENTS, by Senator E. Verl Asay, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted.

On motion of Senator Cornaby, **S.B. No. 196** was amended as follows:

Page 1, Line 24:
Delete "78-14-5" and insert in lieu thereof "76-7-305.5"

Senators Asay, Rogers and Swan commented. The bill passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, C.	Stratford
Bangerter	Matheson	Peterson, Chuck	Swan
Black	McAllister	Renstrom	Wayment

Carling	McMullin	Rogers	Williams
Cornaby	Money	Sandberg	Pres. Christensen
Hillyard	Overson	Sowards	

Voting in the negative was: Senator Bunnell

Absent or not voting were: Senators

Barlow	Finlinson	Peterson, L.	Pugh
Barton			

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On motion of Senator Bangerter, **S.B. No. 105** was circled.

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On motion of Senator Cornaby, the circle was removed from **S.B. No. 134, CORPORATE AND COMMERCIAL FILING AMENDMENTS**, and the bill was before the Senate.

On motion of Senator Cornaby, **S.B. No. 134** was amended as follows:

Page 4, Lines 28 and 29:
Reinsert the bracketed original language "may not be the same as, or deceptively similar to" and delete the inserted language "shall be distinguishable from"

Page 7, Line 14:
Delete "shall be distinguishable"

Page 7, Line 15:
After the words "Commercial Code" delete "from" and insert "shall not be the same as or deceptively similar to"

Page 8, Lines 17 and 18:
After the words "that is not" delete "distinguishable upon the division's records from" and insert in its place "the same as or deceptively similar to" and after the words "Subsection (1)(b)" insert "which names are on the division's records"

Page 40, Line 18:
Delete "shall be distinguishable"

Page 40, Line 19:
After the words "Commercial Code" delete "from" and insert "shall not be the same as or deceptively similar to"

Page 41, Lines 4 and 5:
After the words "that is not" delete "distinguishable upon the division's records from" and insert in its place "the same as or deceptively similar to" and after the words "Subsection (2)(b)" insert "which names are on the division's records"

Page 92, Line 24:
Delete "shall be distinguishable"

Page 92, Line 25:
After the words "Commercial Code" delete "from" and insert "shall not be the same as or deceptively similar to"

Page 93, Line 10:
Delete "distinguishable upon the division's records from" and insert in its place "the same as or deceptively similar to"

Page 93, Line 11:
After the words "Subsection (1)(b)" insert "which names are on the division's records"

The bill passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Bangerter	Matheson	Peterson, L.	Stratford
Carling	McAllister	Renstrom	Swan
Cornaby	McMullin	Rogers	Wayment
Hillyard	Overson	Sandberg	Pres. Christensen
Holmgren	Peterson, Chuck	Sowards	

Absent or not voting were: Senators

Asay	Black	Money	Pugh
Barlow	Bunnell	Peterson, C.	Williams
Barton	Finlinson		

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The Senate recessed for a Rules Committee meeting at 3:45 p.m., and reassembled at 4:45 p.m.

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B. Nos. 232, 119** and **131** and **H.B. No. 20** and **SUB. H.B. No. 102,** and the bills were placed on Second Reading Calendar.

PRESENTATION OF RESOLUTION

DAN VALENTINE COMMENDATION

S.J.R. No. 14 *Warren E. Pugh*

A JOINT RESOLUTION OF THE LEGISLATURE HONORING DAN VALENTINE, FORMER COLUMNIST FOR THE SALT LAKE TRIBUNE, ON VALENTINE'S DAY 1985.

On motion of Senator Pugh, and under suspension of the rules, the resolution was read the first, second and third times, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, Chuck	Sowards
Black	McAllister	Peterson, L.	Stratford
Bunnell	McMullin	Pugh	Swan
Carling	Money	Renstrom	Wayment
Cornaby	Overson	Rogers	Pres. Christensen
Finlinson	Peterson, C.	Sandberg	

Absent or not voting were: Senators

Bangerter	Barton	Matheson	Williams
Barlow	Holmgren		

S.J.R. No. 14 was transmitted to the House.

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On motion of Senator Asay, the Senate voted to remove the circle from **SUB. S.B. No. 84,** INCREASED PENALTY FOR DEALING IN HARMFUL MATTER, and to adopt

the following second substitute bill, with the Judiciary Standing Committee report amendments incorporated in the second substitute bill:

INCREASED PENALTY FOR DEALING IN HARMFUL MATTER

SECOND SUBSTITUTE
S.B. No. 84 *E. Verl Asay*

AN ACT RELATING TO CRIMINAL LAW; AMENDING THE PROVISION PROHIBITING DISTRIBUTION OF HARMFUL MATERIAL TO MINORS; INCREASING PENALTIES; AND QUALIFYING AN EXCEPTION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 76-10-1206, AS LAST AMENDED BY CHAPTER 49, LAWS OF UTAH 1975

Senator Asay's motion to have the second substitute read the third time was withdrawn.

SECOND SUB. S.B. No. 84, as amended, and on reconsideration passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, Chuck	Sowards
Black	McAllister	Peterson, L.	Stratford
Bunnell	McMullin	Renstrom	Swan
Carling	Money	Rogers	Wayment
Cornaby	Overson	Sandberg	Pres. Christensen
Finlinson	Peterson, C.		

Absent or not voting were: Senators

Bangerter	Barton	Matheson	Williams
Barlow	Holmgren	Pugh	

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S.B. No. 192, IMPERSONATING A PEACE OFFICER, was read the second time.

Mr. President: February 8, 1985

The Senate Transportation and Public Safety Standing Committee, to which was referred **S.B. No. 192,** IMPERSONATING A PEACE OFFICER, by Senator Richard

J. Carling, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Jack M. Bangerter, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 20; Nays, 2; Absent, 7

Voting in the affirmative were: Senators

Asay	Matheson	Peterson, C.	Sandberg
Black	McAllister	Peterson, Chuck	Sowards
Bunnell	McMullin	Peterson, L.	Swan
Carling	Money	Renstrom	Wayment
Finlinson	Overson	Rogers	Pres. Christensen

Voting in the negative were: Senators

Hillyard	Stratford

Absent or not voting were: Senators

Bangerter	Barton	Holmgren	Williams
Barlow	Cornaby	Pugh	

RULES COMMITTEE REPORTS

Mr. President: February 12, 1985

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 116	PUBLIC SALE OF BONDS (Revenue and Taxation)
S.B. No. 160	STUDENT MEMBERS OF SCHOOL BOARD (Education)
S.B. No. 240	WATER DISTRICT INDEBTEDNESS AMENDMENTS (Energy, Natural Resources and Agriculture)
S.B. No. 170	LIMITATIONS ON INSURANCE FOR ABORTION (Health)
S.B. No. 180	MISSING CHILDREN REGISTRY AMENDMENTS (Judiciary)
S.B. No. 233	DUI PENALTIES (Transportation, and Public Safety)
S.B. No. 209	DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING (State and Local Affairs)
S.B. No. 246	BOARD OF INDUSTRIAL PROMOTION MEMBERSHIP (Business, Labor and Economic Development)
S.B. No. 107	DFCM AMENDMENTS (State and Local Affairs)
S.B. No. 243	UNIFORM PROBATE CODE AMENDMENTS (Judiciary)
S.B. No. 183	SERVICE RETIREMENT CREDIT BENEFIT TO SPOUSE (State and Local Affairs)

S.B. No. 189	CHILD-CARE EMPLOYEE BACKGROUND INVESTIGATIONS (Social Services)
S.B. No. 114	LOCAL OPTION SCHOOL DISTRICT SALES TAX (Education)
S.B. No. 238	PAGING DEFINITION (Business, Labor and Economic Development)
S.B. No. 135	PROPERTY ASSESSMENT APPEAL (Revenue and Taxation)
S.B. No. 213	INDUSTRIAL REHABILITATION (Business, Labor and Economic Development)
S.B. No. 228	MOTOR VEHICLE AMENDMENTS (Transportation, and Public Safety)

reports the same back and asks that they be printed and each assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bills to the committees indicated.

Mr. President: February 12, 1985

The Senate Rules Committee, to which were referred the following House Bills:

H.B. No. 74	DEPARTMENT OF CORRECTIONS - ORGANIZATION (State and Local Affairs)
H.B. No. 247	DEPARTMENT OF CORRECTIONS - ORGANIZATION AND FUNCTIONS (State and Local Affairs)
H.B. No. 248	DEPARTMENT OF CORRECTIONS - ORGANIZATION AND FUNCTIONS (State and Local Affairs)
H.B. No. 249	BOARD OF PARDONS AMENDMENTS (State and Local Affairs)
H.B. No. 132	UTAH CORRECTIONAL INDUSTRIES ACT (State and Local Affairs)

reports the same back and asks that they be assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bills to the committees indicated.

Mr. President: February 12, 1985

The Senate Rules Committee, to which was referred the following Senate Resolutions:

S.J.R. No. 8 CLASS SIZE REDUCTION

reports the same back, asks that they be printed and recommends that it be placed at the bottom of the Second Reading Calendar.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. **S.J.R. No. 8** was placed on Second Reading Calendar.

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On motion of Senator Cary Peterson, the circles were removed from **SUB. S.B. No. 97 and S.B. Nos. 175, 201 and 105.**

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On motion of Cary Peterson, and at 5:10 p.m., the Senate adjourned until 10:00 a.m., Wednesday, February 13, 1985.

THIRTY-FIRST DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Arnold Christensen presiding.

Roll Call — All Senators present

Prayer — Senator C.E. 'Chuck' Peterson

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

Mr. President: February 13, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the thirtieth day and find it correct with minor amendments noted on the final copy.

William T. Barton, Committee Member

Committee report read and adopted.

COMMUNICATION FROM THE GOVERNOR

Dear President Christensen and Speaker Garff: February 12, 1985

This is to inform you that on February 12, 1985, I signed into law the following bill which has been forwarded to the Lieutenant Governor's Office for filing:

S.C.R. No. 6 Rural Electrification Administration.

Norman H. Bangerter
Governor, State of Utah

Communication filed.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 12, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 11,** INTERIM INCREASE AMENDMENTS, by Representative Taylor, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 15,** STATE JURISDICTION OVER SPEED LIMIT RESOLUTION,

by Representative Tomlinson, 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. 22,** CONDITIONAL CIGARETTE TAX INCREASE, by Representative Browning, 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. 118,** EMERGENCY MEDICAL SERVICES GRANTS PROGRAM, by Representative DeMann, 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. 154,** SCHOOL RESIDENCY AMENDMENTS, by Representative Walker, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 155,** FILLING VACANCIES ON THE STATE BOARD OF EDUCATION, by Representative Walker, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 157,** TRESPASS ON SCHOOL PROPERTY, by Representative Walker, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 193,** WARRANTLESS DUI ARRESTS, 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 **H.B. No. 210,** UNFAIR COMPETITION IN RIDESHARING, by Representative Bishop, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 251,** APPROPRIATIONS ACT DISTRIBUTION, by Representative Merrill, 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. 320,** RADIO TELEPHONE EXEMPTION, by Representative McKeachnie, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.B. No. 11, H.J.R. No. 15 and **H.B. Nos. 22, 118, 154, 155, 157, 193, 210, 251** and **320** were read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

UTAH PRIVATIZATION ACT AMENDMENTS

S.B. No. 266 *Fred W. Finlinson*

AN ACT RELATING TO PRIVATIZATION; GIVING AUTHORITY TO THE STATE AND ITS POLITICAL SUBDIVISIONS TO ENTER INTO AGREEMENTS WITH PRIVATE OWNER/OPERATORS WITH REGARD TO DRINKING WATER, WATER, AND WASTEWATER FACILITIES; AUTHORIZING THE ISSUANCE OF INDUSTRIAL DEVELOPMENT REVENUE BONDS BY CITIES, TOWNS, AND COUNTIES TO FINANCE THE ACQUISITION OR CONSTRUCTION OF DRINKING WATER, WATER, AND WASTEWATER FACILITIES; PROVIDING THAT PRIVATIZATION PROJECTS ARE NOT PUBLIC UTILITIES; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 73-10d-1, AS ENACTED BY CHAPTER 19, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 73-10d-3, AS ENACTED BY CHAPTER 19, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 73-10d-4, AS ENACTED BY CHAPTER 19, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 73-10d-5, AS ENACTED BY CHAPTER 19, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 73-10d-6, AS ENACTED BY CHAPTER 19, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 73-10d-7, AS ENACTED BY CHAPTER 19, LAWS OF UTAH 1984, SECOND SPECIAL SESSION, was read the first time and referred to Rules Committee.

LOGO ADVERTISING ON HIGHWAY SIGNS AUTHORIZATION

S.B. No. 267 *Cary G. Peterson*

AN ACT RELATING TO HIGHWAYS; PERMITTING PLACEMENT OF LOGOS OF PRIVATE BUSINESSES PROVIDING SERVICES ON HIGHWAY SIGNS WHICH INDICATE WHICH SERVICES ARE AVAILABLE IN A MUNICIPALITY, was read the first time and referred to Rules Committee.

MOTOR VEHICLE REGISTRATION AMENDMENTS

S.B. No. 268 *C.S. Peterson*

AN ACT RELATING TO MOTOR VEHICLES; ELIMINATING THE REQUIREMENT TO PREPAY REGISTRATION FEES TO RECEIVE A TEMPORARY PERMIT; ESTABLISHING A FIXED REGISTRATION EXPIRATION MONTH; PROVIDING FOR TRANSFER OF OWNERSHIP WITHOUT DUPLICATE TITLE CERTIFICATE; CLARIFYING THE TRAILER REGISTRATION FEE; INCREASING THE LIFETIME TRAILER REGISTRATION FEE; AND REPEALING OR AMENDING OUTDATED LANGUAGE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 41-1-24, AS LAST AMENDED BY CHAPTER 150, LAWS OF UTAH 1979; 41-1-49, AS LAST AMENDED BY CHAPTER 149, LAWS OF UTAH 1979; 41-1-52, UTAH CODE ANNOTATED 1953; 41-1-56, AS LAST AMENDED BY CHAPTER 150, LAWS OF UTAH 1979; 41-1-127, AS LAST AMENDED BY CHAPTER 195, LAWS OF UTAH 1983; 41-11-63, AS LAST AMENDED BY CHAPTER 86, LAWS OF UTAH 1973

REPEALS: 41-1-69, AS LAST AMENDED BY CHAPTER 80, LAWS OF UTAH 1961, was read the first time and referred to Rules Committee.

SOUTH AFRICA INVESTMENT TRANSFER ACT

S.B. No. 269 *Terry Williams*

AN ACT RELATING TO PUBLIC PENSION FUNDS; PROHIBITING THE INVESTMENT OF PUBLIC PENSION FUNDS TO COMPANIES WITH OUTSTANDING LOANS TO THE REPUBLIC OF SOUTH AFRICA, was read the first time and referred to Rules Committee.

VEHICLE LENGTH, WIDTH, AND AXLE AMENDMENTS

S.B. No. 270 *Glade M. Sowards*

AN ACT RELATING TO MOTOR VEHICLES; PROVIDING CHANGES TO LENGTH, WIDTH, AND AXLE LAWS TO CONFORM TO FEDERAL LAW.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 27-12-149, AS LAST AMENDED BY CHAPTER 78, LAWS OF UTAH 1975; 27-12-151, AS LAST AMENDED BY CHAPTER 43, LAWS OF UTAH 1982, was read the first time and referred to Rules Committee.

RECREATION VEHICLE TITLES

S.B. No. 271 *Dir H. McMullin*

AN ACT RELATING TO THE MOTOR VEHICLE DIVISION AND RECREATION VEHICLES; PROVIDING THAT CERTIFICATES OF TITLE BE ISSUED FOR RECREATION VEHICLES THROUGH THE MOTOR VEHICLE DIVISION; PROVIDING AUTHORITY TO THE MOTOR VEHICLE DIVISION TO PROMULGATE RULES FOR THE ADMINISTRATION AND ENFORCEMENT OF THE ACT; PROVIDING THAT EVIDENCE OF SECURITY INTERESTS APPEAR ON CERTIFICATES OF TITLE; PROVIDING FOR FEES; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: CHAPTER 22a, TITLE 41, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

MOTOR CARRIERS AMENDMENTS TO REGULATIONS

S.B. No. 272 *Jack M. Bangerter*

AN ACT RELATING TO MOTOR CARRIER REGULATION; SIMPLIFYING HEARING PROCEDURES; CHANGING THE STANDARD FOR GRANTING AUTHORITY, INCLUDING PROVIDING AUTHORITY IN CERTAIN AREAS BY A TEST OF FITNESS ONLY, EXEMPTING WATER, SAND, DIRT, SLAG, AND GRAVEL; AND PROVIDING A ZONE OF RATE FLEXIBILITY.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

REPEALS AND REENACTS: CHAPTER 6, TITLE 54, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

PEST CONTROL COMPACT

S.B. No. 273 *Dale E. Stratford*

AN ACT RELATING TO PEST CONTROL; ENACTING THE PEST CONTROL COMPACT; PROVIDING A UNIFORM COOPERATIVE METHOD OF PEST ERADICATION AND CONTROL; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: CHAPTER 35, TITLE 4, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

SALARIES IN MUNICIPALITIES

S.B. No. 274 *Wilford R. Black*

AN ACT RELATING TO SALARIES IN MUNICIPALITIES; PROVIDING FOR ESTABLISHMENT OF EMPLOYMENT COMPENSATION, was read the first time and referred to Rules Committee.

TRANSPORTATION FUND DISTRIBUTION

S.B. No. 275 *Wilford R. Black*

AN ACT RELATING TO HIGHWAYS; PROVIDING FOR A CHANGE IN THE DISTRIBUTION FORMULA FOR REVENUE APPROPRIATION TO CITIES, TOWNS, AND COUNTIES; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 27-12-128, AS ENACTED BY CHAPTER 135, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

MOTOR CARRIERS — REGULATION AMENDMENTS

S.B. No. 276 *Warren E. Pugh*

AN ACT RELATING TO MOTOR CARRIER REGULATION; PROVIDING CHANGES IN HEARING PROCEDURES AND IN STANDARDS FOR GRANTING CARRIER AUTHORITY TO EASE ENTRY INTO THE MARKET; AND PROVIDING A ZONE OF RATE FLEXIBILITY.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

REPEALS AND REENACTS: CHAPTER 6, TITLE 54, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

PEACE OFFICER POWER TO ARREST

S.B. No. 277 *Glade M. Sowards*

AN ACT RELATING TO CRIMINAL LAW; ALLOWING PEACE OFFICERS TO MAKE WARRANTLESS MISDEMEANOR ARRESTS; AND PROVIDING INCLUSION OF THE "POLICE TEAM CONCEPT" IN STATE LAW.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 77-7-2, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

HEALTH INSURANCE BENEFITS

S.B. No. 278 *Wilford R. Black, Karl G. Swan, Richard J. Carling Cary G. Peterson, Dix H. McMullin, Darrell G. Renstrom C.E. 'Chuck' Peterson, Lyle W. Hillyard, LeRay McAllister*

AN ACT RELATING TO THE HEALTH CODE; EXEMPTING THE UTAH STATE PUBLIC EMPLOYEES HEALTH PROGRAM FROM THE REQUIREMENTS OF REIMBURSING ANY AGENCY OF STATE GOVERNMENT FOR CUSTODIAL CARE RENDERED TO MEMBERS OF THE PROGRAM, was read the first time and referred to Rules Committee.

FIRST LADY DUTIES

S.B. No. 279 *Paul Rogers*

AN ACT RELATING TO THE GOVERNOR; CLARIFYING THE DUTIES OF THE FIRST LADY FOR PURPOSES OF FEDERAL INCOME TAX; AND PROVIDING RETROSPECTIVE OPERATION, was read the first time and referred to Rules Committee.

NONCONTRIBUTORY RETIREMENT PLAN

S.B. No. 280 *Wayne L. Sandberg*

AN ACT RELATING TO PENSIONS; ENACTING AN ALTERNATIVE NON-CONTRIBUTORY RETIREMENT PLAN FOR PUBLIC EMPLOYEES IN WHICH THE STATE MAKES ALL CONTRIBUTIONS, was read the first time and referred to Rules Committee.

LONG TERM DISABILITY HEALTH BENEFITS

S.B. No. 281 *Glade M. Sowards*

AN ACT RELATING TO THE UTAH STATE RETIREMENT OFFICE; PROVIDING FOR COVERAGE OF A DISABLED EMPLOYEE FOR THE FIRST TWO YEARS OF EMPLOYMENT; AND PROVIDING AN EFFECTIVE DATE, was read the first time and referred to Rules Committee.

BAIL BOND FORFEITURE

S.B. No. 282 *Haven J. Barlow*

AN ACT RELATING TO CRIMINAL PROCEDURE; REPEALING CURRENT BAIL BOND FORFEITURE LAW; AND ENACTING ALTERNATE BAIL BOND FORFEITURE PROVISIONS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: CHAPTER 20b, TITLE 77, UTAH CODE ANNOTATED 1953

REPEALS: CHAPTER 20, TITLE 77, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

MOTOR FUEL BONDS AND FEES

S.B. No. 283 *Glade M. Sowards*

AN ACT RELATING TO MOTOR FUELS; INCREASING MINIMUM AND MAXIMUM BOND AMOUNTS; INCREASING FEE FOR SPECIAL USER CERTIFICATES; ELIMINATING REQUIREMENT THAT SPECIAL FUEL PERMIT APPLICATION BE MADE UNDER OATH; AND PROVIDING AN EFFECTIVE DATE. was read the first time and referred to Rules Committee.

FLOOD MITIGATION FINANCING

S.B. No. 284 *Haven J. Barlow, John P. Holmgren*

AN ACT RELATING TO FLOODING; ALLOWING THE STATE ENGINEER TO ASSIST IN THE MANAGEMENT OF FLOOD WATERS PURSUANT TO COURT JUDGMENTS AND DECREES; EXTENDING THE DURATION OF THE DISASTER RELIEF BOARD; APPROPRIATING $23,050,000 FROM THE GENERAL FUND FOR FLOOD MITIGATION; REQUIRING CERTAIN PARTICIPATION FROM LOCAL GOVERNMENT ENTITIES; ALLOWING THE DIVISION OF WATER RESOURCES TO ACQUIRE NECESSARY PROPERTY INTERESTS, EXPEND MONEY FOR NECESSARY LEGAL SERVICES, AND TRANSFER NECESSARY MONEY TO THE DEPARTMENT OF TRANSPORTATION AND THE ARMY CORPS OF ENGINEERS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: UNCODIFIED SECTION 2, CHAPTER 15, LAWS OF UTAH 1983

ENACTS: 73-2-22.1, UTAH CODE ANNOTATED 1953

THIS ACT ENACTS NEW MATERIAL, was read the first time and referred to Rules Committee.

DELINQUENT MOTOR FUEL TAX COLLECTION

S.B. No. 285 *William T. Barton*

AN ACT RELATING TO MOTOR FUEL TAXES; PROVIDING THAT THE TAX COMMISSION MAY ISSUE WARRANTS FOR THE COLLECTION OF DELINQUENT TAXES; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

REPEALS AND REENACTS: 41-11-14, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

USE TAX PENALTY AMENDMENTS

S.B. No. 286 *Dix H. McMullin*

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING FOR AN INCREASE IN CIVIL PENALTY TO $50 OR 10%, WHICHEVER IS GREATER; PROVIDING FOR PENALTY OF $100 OR 100% FOR FRAUD OR INTENT TO EVADE; AND PROVIDING AN EFFECTIVE DATE, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

S.B. No. 101, UNEMPLOYMENT COMPENSATION MODIFICATIONS, was read the third time, and passed on the following roll call:

Yeas, 19; Nays, 2; Absent, 8

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, Chuck	Swan
Barton	McAllister	Peterson, L.	Wayment
Black	McMullin	Renstrom	Williams
Cornaby	Money	Rogers	Pres. Christensen
Hillyard	Overson	Sandberg	

Voting in the negative were: Senators

Carling	Matheson

Absent or not voting were: Senators

Bangerter	Bunnell	Peterson, C.	Sowards
Barlow	Finlinson	Pugh	Stratford

S.B. No. 101, as amended, was transmitted to the House.

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S.B. No. 130, SALE OF SECURITIES INVOLVING REAL ESTATE, was read the third time, and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Hillyard	Money	Sandberg
Barton	Holmgren	Overson	Swan
Black	Matheson	Peterson, Chuck	Wayment
Carling	McAllister	Peterson, L.	Williams
Cornaby	McMullin	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Bangerter	Finlinson	Pugh	Sowards
Barlow	Peterson, C.	Rogers	Stratford
Bunnell			

S.B. No. 130, as amended, was transmitted to the House.

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SUB. S.B. No. 53, MUNICIPAL FISCAL PROCEDURES AMENDMENT, 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	Matheson	Peterson, L.	Stratford
Barton	McAllister	Renstrom	Swan
Carling	McMullin	Rogers	Wayment
Cornaby	Money	Sandberg	Williams
Hillyard	Overson	Sowards	Pres. Christensen
Holmgren	Peterson, Chuck		

Absent or not voting were: Senators

Bangerter	Black	Finlinson	Pugh
Barlow	Bunnell	Peterson, C.	

SUB. S.B. No. 53 was transmitted to the House.

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S.B. No. 200, FILING APPLICATIONS TO EXCHANGE WATER, 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	Hillyard	Overson	Sowards
Barton	Holmgren	Peterson, Chuck	Stratford
Black	Matheson	Peterson, L.	Swan
Bunnell	McAllister	Renstrom	Wayment
Carling	McMullin	Rogers	Williams
Cornaby	Money	Sandberg	Pres. Christensen
Finlinson			

Absent or not voting were: Senators

Bangerter	Barlow	Peterson, C.	Pugh

S.B. No. 200 was transmitted to the House.

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S.C.R. No. 4, UTAH ACADEMIC DECATHLON 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	Holmgren	Peterson, C.	Sowards
Black	Matheson	Peterson, Chuck	Stratford
Bunnell	McAllister	Peterson, L.	Swan
Cornaby	McMullin	Renstrom	Wayment
Finlinson	Money	Rogers	Williams
Hillyard	Overson	Sandberg	Pres. Christensen

Absent or not voting were: Senators

Bangerter	Barton	Carling	Pugh
Barlow			

S.C.R. No. 4 was transmitted to the House.

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S.B. No. 90, SALES TAX ON SCHOOL SALES, 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	Hillyard	Money	Sandberg
Black	Holmgren	Overson	Sowards
Bunnell	Matheson	Peterson, C.	Swan
Cornaby	McAllister	Peterson, Chuck	Wayment
Finlinson	McMullin	Renstrom	Williams

Voting in the negative were: Senators

Rogers	Stratford	Pres. Christensen

Absent or not voting were: Senators

Bangerter	Barton	Peterson, L.	Pugh
Barlow	Carling		

S.B. No. 90, as amended, was transmitted to the House.

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S.J.R. No. 10, OATH OF OFFICE 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	Hillyard	Overson	Sowards
Barton	Holmgren	Peterson, C.	Stratford
Black	Matheson	Peterson, Chuck	Swan
Bunnell	McAllister	Renstrom	Wayment
Cornaby	McMullin	Rogers	Williams
Finlinson	Money	Sandberg	Pres. Christensen

Absent or not voting were: Senators

Bangerter	Carling	Peterson, L.	Pugh
Barlow			

S.J.R. No. 10 was transmitted to the House.

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S.B. No. 198, STATE ENGINEER APPROVAL OF APPLICATIONS, was read the third time, Senators Matheson and Cary Peterson commented. The bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, C.	Sowards
Barton	Matheson	Peterson, Chuck	Stratford
Black	McAllister	Renstrom	Swan
Cornaby	McMullin	Rogers	Wayment
Finlinson	Money	Sandberg	Pres. Christensen
Hillyard	Overson		

Absent or not voting were: Senators

Bangerter	Bunnell	Peterson, L.	Williams
Barlow	Carling	Pugh	

S.B. No. 198, as amended, was transmitted to the House.

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S.B. No. 173, BEEF PROMOTION FEES, was read the third time. Senators Cary Peterson and Rogers commented. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Hillyard	Overson	Sandberg
Barlow	Holmgren	Peterson, C.	Stratford
Barton	Matheson	Peterson, Chuck	Swan
Black	McAllister	Peterson, L.	Wayment
Carling	McMullin	Renstrom	Williams
Cornaby	Money	Rogers	Pres. Christensen

Absent or not voting were: Senators

Bangerter	Finlinson	Pugh	Sowards
Bunnell			

S.B. No. 173, as amended, was transmitted to the House.

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S.B. No. 86, COURT AUTHORITY FOR CUSTODIAL PARENT'S TRAVEL, was read the third time. Senator Cornaby commented.

Senator Finlinson moved to delete on Goldenrod: Page 2, the following langauage.

> "(b) Upon motion by the parent having visitation rights, and a finding by the court that it is against the best interest of the child for the custodial parent to remove the child from this state, or the address or telephone number is incorrect, the court may deny permission to the custodial parent."

Senators Renstrom, Wayment and Stratford commented. The motion failed.

The bill passed on the following roll call:

Yeas, 21; Nays, 5; Absent, 3

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, C.	Sandberg
Barlow	Matheson	Peterson, Chuck	Stratford
Barton	McAllister	Peterson, L.	Swan
Black	Money	Pugh	Williams
Bunnell	Overson	Renstrom	Pres. Christensen
Hillyard			

Voting in the negative were: Senators

Cornaby	McMullin	Rogers	Wayment
Finlinson			

Absent or not voting were: Senators

Bangerter	Carling	Sowards

S.B. No. 86, as amended, was transmitted to the House.

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S.B. No. 136, TERRORISTIC THREAT AMENDMENTS, was read the third time.

On motion of Senator Cornaby, **S.B. No. 136** was amended as follows:

Goldenrod: Page 1, Line 11:
Delete "THREATS" and insert in lieu thereof "A THREAT"

Goldenrod: Page 1, Line 19a:
After "OF" insert "A" delete "THREATS" and insert in lieu thereof "THREAT" and delete "AND" and insert in lieu thereof "OR"

Goldenrod: Page 1, Line 29:
Delete "AND" and insert "OR"

Goldenrod: Page 1, Line 33:
Delete "AND" and insert "OR"

The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Finlinson	Money	Renstrom
Barlow	Hillyard	Overson	Rogers
Barton	Holmgren	Peterson, C.	Sandberg
Black	Matheson	Peterson, Chuck	Stratford
Carling	McAllister	Peterson, L.	Wayment
Cornaby	McMullin	Pugh	Pres. Christensen

Absent or not voting were: Senators

Bangerter	Sowards	Swan	Williams
Bunnell			

S.B. No. 136, as amended, was transmitted to the House.

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S.B. No. 196, INFORMED CONSENT REQUIREMENTS, was read the third time, and circled.

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S.B. No. 134, CORPORATE AND COMMERCIAL FILING AMENDMENTS, was read the third time.

On motion of Senator Hillyard, **S.B. No. 134** was amended as follows:

Page 9, Line 29:
After the word "agent" delete ":" and insert "on the articles or on an attached acknowledgement."

Page 42, Line 15:
After the word "agent" delete ":" and insert "on the articles or on an attached acknowledgement."

Page 12, Line 19:
After the word "agent" delete ":" and insert "on the articles or on an attached acknowledgement."

Page 48, Line 6:
After the word "agent" delete ":" and insert "on the articles or on an attached acknowledgement."

The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Finlinson	Money	Rogers
Bangerter	Hillyard	Overson	Sandberg
Barlow	Holmgren	Peterson, C.	Stratford
Barton	Matheson	Peterson, Chuck	Swan
Black	McAllister	Peterson, L.	Wayment
Bunnell	McMullin	Renstrom	Pres. Christensen
Cornaby			

Absent or not voting were: Senators

Carling	Pugh	Sowards	Williams

S.B. No. 134, as amended, was transmitted to the House.

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SECOND SUB. S.B. No. 84, INCREASED PENALTY FOR DEALING IN HARMFUL MATTER, 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	Hillyard	Peterson, C.	Sandberg
Bangerter	Holmgren	Peterson, Chuck	Sowards
Barlow	Matheson	Peterson, L.	Stratford
Black	McAllister	Pugh	Swan
Bunnell	McMullin	Renstrom	Wayment
Cornaby	Money	Rogers	Pres. Christensen
Finlinson	Overson		

Absent or not voting were: Senators

Barton	Carling	Williams

SECOND SUB. S.B. No. 84 was transmitted to the House.

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S.B. No. 192, IMPERSONATING A PEACE OFFICER, 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	Finlinson	Overson	Sandberg
Barlow	Holmgren	Peterson, C.	Sowards
Barton	Matheson	Peterson, Chuck	Stratford
Black	McAllister	Pugh	Swan
Bunnell	McMullin	Renstrom	Wayment
Carling	Money	Rogers	Pres. Christensen
Cornaby			

Absent or not voting were: Senators

Asay	Hillyard	Peterson, L.	Williams

S.B. No. 192 was transmitted to the House.

SECOND READING CALENDAR

S.B. No. 74, OPTOMETRY AMENDMENTS, was before the Senate. Senator Barlow explained the bill.

Senator Overson moved to delete on Page 1, Lines 21 and 22 the words "and may be carried out only by a licensed optometrist"

Senator Renstrom's substitute motion to delete on Page 1, Line 22 the word "only" passed.

Appearing before the Senate in Committee of the Whole were G. Richard Lee, M.D., former Dean and now Professor, University of Utah School of Medicine, and Dr. Jeffrey T. Keller, Optometrist.

Senators Swan, Matheson, Overson, Cornaby and Barlow commented.

Senator Overson moved amendments. The bill will remain as unfinished business.

RULES COMMITTEE REPORT

Mr. President: February 13, 1985

The Senate Rules Committee, to which was referred the following Senate Bill:

S.B. No. 216 ANTI-DISCRIMINATION ACT AMENDMENTS (Business, Labor and Economic Development)

reports the same back and asks that it be printed and assigned to a committee, and

The Senate Rules Committee, to which were referred the following House Bills:

H.B. No. 52 VIDEOTAPING OF CHILDREN'S TESTIMONY (Social Services)

H.B. No. 82 INFORMED CONSENT FOR ABORTION AMENDMENTS (Health)

H.B. No. 95 CAREER TEACHING SCHOLARSHIP FUND TAX CREDITS (Education)

H.B. No. 163 DEPOSIT OF FINES AND PENALTIES COLLECTED BY THE DIVISION OF OIL, GAS, AND MINING (Energy, Natural Resources and Agriculture)

H.B. No. 164 VOTED LEEWAY MODIFICATION (Education)

H.B. No. 171 JUROR COMPETENCY IN CASES INVOLVING ORDINANCES (Judiciary)

H.B. No. 191 ACCOUNTS RECEIVABLE COLLECTION (Revenue and Taxation)

H.B. No. 202 HOMEOWNER ASSOCIATION CORPORATE TAX (Revenue and Taxation)

H.B. No. 22	CONDITIONAL CIGARETTE TAX INCREASE (Revenue and Taxation)
H.B. No. 157	TRESPASS ON SCHOOL PROPERTY (Education)
H.B. No. 193	WARRANTLESS DUI ARRESTS (Transportation, and Public Safety)

reports the same back and asks that they be assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bills to the committees indicated.

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Mr. President: February 13, 1985

The Senate Rules Committee, to which were referred the following House Concurrent Resolution:

H.C.R. No. 16 YEAR OF THE TEACHER RESOLUTION

be considered, read for the second time and placed at the bottom of the Consent Calenar.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. **H.C.R. No. 16** was read the second time, and placed on Consent Calendar.

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On motion of Senator Cary Peterson, **S.B. No. 196** was uncircled.

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On motion of Senator Cary Peterson, and at 12:10 p.m., the Senate adjourned until 10:00 a.m., Thursday, February 14, 1985.

THIRTY-SECOND DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Arnold Christensen presiding.

Roll Call — All Senators present.

Prayer — Senator Karl G. Swan.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

DAILY SENATE JOURNAL

Mr. President: February 14, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the thirty first day and find it correct with minor amendments noted on the final copy.

Darrell G. Renstrom, Committee Member

Committee report read and adopted.

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On motion of Senator Sowards, **S.B. No. 253,** UTAH HIGHWAY PATROL — LICENSE PLATES, was lifted from Rules Committee and placed with **S.J.R. No. 7,** UTAH HIGHWAY PATROL RESOLUTION, to be considered at 10:30 a.m.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 13, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **S.J.R. No. 6,** INTERSTATE CONSTRUCTION COMPLETION RESOLUTION, by Senator Pugh, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.J.R. No. 12,** AFGHANI FREEDOM FIGHTERS RESOLUTION, by Senator Matheson, which as been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 2,** SUNSET REVIEW — OCCUPATIONAL THERAPY, by Senator Carling, which as been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, **S.B. No. 7,** SUNSET REVIEW — RECREATIONAL THERAPY, by Senator Carling, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, **S.B. No. 8,** NURSE PRACTICE ACT — SUNSET REAUTHORIZATION, by Senator Carling, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, **S.B. No. 13,** CREDIT SERVICED ORGANIZATIONS, by Senator Carling, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, **S.B. No. 18,** AGRICULTURAL ADVISORY BOARD, 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, **SUBSTITUTE S.B. No. 26,** PRODUCE DEALERS' ACT 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, **S.B. No. 31,** TITLE 53 REPEALERS, by Senator Hillyard, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, **S.B. No. 32,** TITLE 53 REVISION — VOCATIONAL EDUCATION, by Senator Hillyard, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, **S.B. No. 34,** TITLE 53 REVISION — PROFESSIONAL PRACTICES, by Senator Hillyard, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, **S.B. No. 37**, CHILD ABUSE REPORTING ACT AMENDMENTS, by Senator Overson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.J.R. Nos. 6 and **12**, and **S.B. Nos. 2, 7, 8, 13, 18, 26, 31, 32, 34** and **37** were signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor. The resolutions to be transmitted to the Lieutenant Governor.

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Mr. President: February 13, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and the House, **S.B. No. 1**, SUNSET REVIEW — HEALTH FACILITY ADMINISTRATION, by Senator Carling, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Cary Peterson, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 12

Voting in the affirmative were: Senators

Barton	McAllister	Peterson, C.	Sowards
Bunnell	McMullin	Peterson, Chuck	Stratford
Hillyard	Money	Peterson, L.	Swan
Holmgren	Overson	Renstrom	Pres. Christensen
Matheson			

Absent or not voting were: Senators

Asay	Black	Finlinson	Sandberg
Bangerter	Carling	Pugh	Wayment
Barlow	Cornaby	Rogers	Williams

S.B. No. 1 was returned to the House.

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Mr. President: February 13, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, by the Senate and the House, **S.B. No. 3**, SUNSET REVIEW — DENTISTS AND DENTAL HYGIENISTS ACT, by Senator Carling, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Carling, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Barlow	Matheson	Peterson, Chuck	Sandberg
Bunnell	McAllister	Peterson, L.	Sowards
Carling	McMullin	Pugh	Stratford
Finlinson	Money	Renstrom	Swan
Hillyard	Overson	Rogers	Pres. Christensen
Holmgren	Peterson, C.		

Absent or not voting were: Senators

Asay	Barton	Cornaby	Williams
Bangerter	Black	Wayment	

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

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Mr. President: February 13, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and the House, **S.B. No. 17**, BOARD OF EDUCATION POWERS, by Senator Barton, et al, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Barton, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Holmgren	Overson	Renstrom
Barlow	Matheson	Peterson, C.	Rogers

Carling	McAllister	Peterson, Chuck	Sandberg
Cornaby	McMullin	Peterson, L.	Swan
Finlinson	Money	Pugh	Pres. Christensen
Hillyard			

Absent or not voting were: Senators

Asay	Black	Sowards	Wayment
Barton	Bunnell	Stratford	Williams

S.B. No. 17 was returned to the House.

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Mr. President: February 13, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and the House, **S.B. No. 33**, TITLE 53 REVISION — SCHOOL BUILDINGS, by Senator Hillyard, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Hillyard, the Senate voted to refuse to concur in the House amendments and to ask the House to recede from its amendments.

S.B. No. 33 was returned to the House.

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Mr. President: February 13, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the House, **SUBSTITUTE S.B. No. 72**, AMENDMENTS —SEXUAL EXPLOITATION OF MINORS, by Senator Wayment, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Wayment, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Hillyard	Overson	Sandberg
Barlow	Holmgren	Peterson, C.	Stratford

Barton	Matheson	Peterson, Chuck	Swan
Carling	McAllister	Peterson, L.	Wayment
Cornaby	McMullin	Pugh	Pres. Christensen
Finlinson	Money	Renstrom	

Absent or not voting were: Senators

Asay	Bunnell	Sowards	Williams
Black	Rogers		

SUB. S.B. No. 72 was returned to the House.

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Mr. President: February 13, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the House, **S.B. No. 5,** SUNSET ACT AMENDMENTS, by Senator Carling, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Carling, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, C.	Sandberg
Bangerter	Holmgren	Peterson, Chuck	Sowards
Barlow	Matheson	Peterson, L.	Stratford
Barton	McAllister	Pugh	Swan
Black	McMullin	Renstrom	Wayment
Carling	Money	Rogers	Pres. Christensen
Cornaby	Overson		

Absent or not voting were: Senators

Bunnell	Hillyard	Williams

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

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Mr. President: February 13, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 244**, POST-RETIREMENT EMPLOYMENT, by Representative Jenkins, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.B. No. 244 was read the first time and referred to Rules Committee.

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Mr. President: February 13, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, **S.J.R. No. 14**, DAN VALENTINE COMMENDATION, 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.

Carole E. Peterson, Acting Chief Clerk

S.J.R. No. 14 was signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Lieutenant Governor.

SPECIAL ORDER OF BUSINESS

S.J.R. No. 7, UTAH HIGHWAY PATROL RESOLUTION, was read the second time. Senator Carling explained the resolution. Colonel Dennis J. Nordfelt, Superintendent, Utah Highway Patrol, spoke in Committee of the Whole.

Each Senator was presented with a 50th Anniversary Commemorative pin.

Senators Black, Finlinson, Asay and Wayment commented.

On motion of Senator Carling, the resolution 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	Finlinson	Peterson, C.	Sandberg
Bangerter (exp)	Hillyard	Peterson, Chuck	Stratford
Barlow	Holmgren	Peterson, L.	Swan
Barton	Matheson (exp)	Pugh	Wayment

Black	McAllister	Renstrom	Williams
Carling	Money	Rogers	Pres. Christensen
Cornaby	Overson		

Absent or not voting were: Senators

Bunnell	McMullin	Sowards

S.J.R. No. 7 was transmitted to the House.

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On motion of Senator Carling, and under suspension of the rule, **S.B. No. 253,** UTAH HIGHWAY PATROL — LICENSE PLATES, was lifted from Rules Committee, 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	Finlinson	Overson	Rogers
Bangerter	Hillyard	Peterson, C.	Sandberg
Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	Matheson	Peterson, L.	Wayment
Black	McAllister	Pugh	Williams
Carling	McMullin	Renstrom	Pres. Christensen
Cornaby	Money		

Absent or not voting were: Senators

Bunnell	Sowards	Swan

S.B. No. 253 was transmitted to the House

CONSENT CALENDAR

H.B. No. 56, SIMPLIFIED MECHANICS LIEN NOTICE, 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	Hillyard	Peterson, C.	Sandberg
Barlow	Holmgren	Peterson, Chuck	Sowards
Barton	Matheson	Peterson, L.	Stratford

Black	McAllister	Pugh	Swan
Carling	McMullin	Renstrom	Wayment
Cornaby	Money	Rogers	Pres. Christensen
Finlinson	Overson		

Absent or not voting were: Senators

Asay	Bunnell	Williams

H.B. No. 56 was signed by the President of the Senate in open session and returned to the House for further action.

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S.B. No. 218, ENERGY RESOURCE AND TECHNOLOGY INCENTIVES, was read the third time, explained by Senator Sowards, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Hillyard	Overson	Sandberg
Barlow	Holmgren	Peterson, C.	Sowards
Barton	Matheson	Peterson, Chuck	Stratford
Black	McAllister	Peterson, L.	Swan
Carling	McMullin	Renstrom	Wayment
Cornaby	Money	Rogers	Pres. Christensen
Finlinson			

Absent or not voting were: Senators

Asay	Bunnell	Pugh	Williams

S.B. No. 218, as amended, was transmitted to the House.

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H.B. No. 129, PUBLICATION OF WILDLIFE RULES, was read the third time, explained by Senator Money, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Holmgren	Peterson, C.	Sowards
Barlow	Matheson	Peterson, Chuck	Stratford

Barton	McAllister	Peterson, L.	Swan
Black	McMullin	Pugh	Williams
Finlinson	Money	Sandberg	Pres. Christensen
Hillyard	Overson		

Absent or not voting were: Senators

Asay	Carling	Renstrom	Wayment
Bunnell	Cornaby	Rogers	

H.B. No. 129 was signed by the President of the Senate in open session and returned to the House for further action.

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H.B. No. 136, GOVERNMENTAL PLANNING COORDINATOR, was read the third time, explained by Senator Cary Peterson, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Barlow	Hillyard	Overson	Sandberg
Barton	Holmgren	Peterson, C.	Sowards
Black	Matheson	Peterson, Chuck	Stratford
Bunnell	McAllister	Peterson, L.	Swan
Carling	McMullin	Pugh	Pres. Christensen
Finlinson	Money		

Absent or not voting were: Senators

Asay	Cornaby	Rogers	Williams
Bangerter	Renstrom	Wayment	

H.B. No. 136 was signed by the President of the Senate in open session and returned to the House for further action.

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H.B. No. 162, UGMS AMENDMENTS, was read the third time and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Holmgren	Overson	Rogers
Barlow	Matheson	Peterson, C.	Sandberg
Barton	McAllister	Peterson, Chuck	Stratford
Black	McMullin	Peterson, L.	Swan
Finlinson	Money	Pugh	Pres. Christensen
Hillyard			

Absent or not voting were: Senators

Asay	Carling	Renstrom	Wayment
Bunnell	Cornaby	Sowards	Williams

H.B. No. 162 was signed by the President of the Senate in open session and returned to the House for further action.

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SUB. H.B. No. 181, REGULATION OF OIL TREATMENT PLANTS, was read the third time, explained by Senator Finlinson, and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Bangerter	Finlinson	Money	Rogers
Barlow	Holmgren	Overson	Sandberg
Barton	Matheson	Peterson, C.	Stratford
Black	McAllister	Peterson, Chuck	Swan
Bunnell	McMullin	Pugh	Pres. Christensen

Absent or not voting were: Senators

Asay	Hillyard	Renstrom	Wayment
Carling	Peterson, L.	Sowards	Williams
Cornaby			

SUB. H.B. No. 181 was signed by the President of the Senate in open session and returned to the House for further action.

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H.B. No. 189, RESOURCE DEVELOPMENT COORDINATING COMMITTEE, was read the third time, explained by Senator Finlinson, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Holmgren	Overson	Sandberg
Barlow	Matheson	Peterson, C.	Sowards
Barton	McAllister	Peterson, Chuck	Stratford
Black	McMullin	Pugh	Swan
Bunnell	Money	Rogers	Pres. Christensen
Finlinson			

Absent or not voting were: Senators

Asay	Cornaby	Peterson, L.	Wayment
Carling	Hillyard	Renstrom	Williams

H.B. No. 189 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

S.B. No. 133, NOTARY PUBLIC AMENDMENTS, was read the third time, explained by Senator Cornaby, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Finlinson	Money	Rogers
Barlow	Hillyard	Overson	Sandberg
Barton	Holmgren	Peterson, C.	Stratford
Black	Matheson	Peterson, Chuck	Swan
Bunnell	McAllister	Pugh	Pres. Christensen
Cornaby	McMullin		

Absent or not voting were: Senators

Asay	Peterson, L.	Sowards	Williams
Carling	Renstrom	Wayment	

S.B. No. 133 was transmitted to the House.

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On motion of Senator Cary Peterson, **S.B. No. 137,** UTAH FOREIGN JUDGMENT TECHNICAL AMENDMENTS, was read the third time and circled.

On motion of Senator Cary Peterson, **S.B. No. 193**, INTERFERENCE WITH ARRESTING OFFICER AMENDMENT, was read the third time and circled.

THIRD READING CALENDAR

On motion of Cary Peterson, **S.B. No. 196** was circled.

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On motion of Senator Money, **SUB. S.B. No. 171**, INSECT INFESTATION EMERGENCY CONTROL ACT, was lifted from Third Reading Table, placed at the top of the calendar, and read the third time.

On motion of Senator Money, the following second substitute bill replaced the substitute bill:

INSECT INFESTATION EMERGENCY CONTROL ACT

SECOND SUBSTITUTE
S.B. No. 171 *Eldon A. Money*

AN ACT RELATING TO AGRICULTURE; ESTABLISHING THE INSECT INFESTATION EMERGENCY CONTROL ACT; AUTHORIZING COMMISSIONER OF AGRICULTURE TO DECLARE AN INSECT INFESTATION EMERGENCY AND TAKE APPROPRIATE ACTION; CREATING AN AD HOC DECISION AND ACTION COMMITTEE WITHIN THE DEPARTMENT; PROVIDING THAT MONEY RECEIVED BY THE DEPARTMENT IS DEPOSITED AS DEDICATED CREDITS; AND PROVIDING AND EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: CHAPTER 35, TITLE 4, UTAH CODE ANNOTATED 1953.

Senators Money, McAllister and Swan commented.

SECOND SUB. S.B. No. 171 passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Bangerter	Matheson	Peterson, C.	Sandberg
Barlow	McAllister	Peterson, Chuck	Sowards
Black	McMullin	Peterson, L.	Stratford

Hillyard	Money	Pugh	Swan
Holmgren	Overson	Rogers	Pres. Christensen

Absent or not voting were: Senators

Asay	Carling	Finlinson	Wayment
Barton	Cornaby	Renstrom	Williams
Bunnell			

SECOND SUB. S.B. No. 171 was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator Cary Peterson, **S.B. No. 74** was circled.

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H.B. No. 109, INTERSTATE COMPACT ON ADOPTION AND MEDICAL ASSISTANCE, was read the second time, and explained by Senator Overson.

Mr. President: February 6, 1985

The Social Services Committee, to which was referred **H.B. No. 109** INTERSTATE COMPACT ON ADOPTION AND MEDICAL ASSISTANCE, by Representative Ervin M. Skousen, has carefully considered the bill and reports it out of committee with a favorable recommendation.

John P. Holmgren, Committee Chairman

Committee report read and adopted. Senator Hillyard commented. The bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barton	Matheson	Peterson, C.	Sandberg
Black	McAllister	Peterson, Chuck	Sowards
Bunnell	McMullin	Peterson, L.	Swan
Carling	Money	Pugh	Williams
Hillyard	Overson	Rogers	Pres. Christensen
Holmgren			

Absent or not voting were: Senators

Asay	Barlow	Finlinson	Stratford
Bangerter	Cornaby	Renstrom	Wayment

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H.B. No. 172, LEGISLATIVE COMMITTEE MEMBERSHIP, was read the second time, and explained by Senator Sowards.

Mr. President: February 6, 1985

The State and Local Affairs Standing committee, to which was referred **H.B. No. 172,** LEGISLATIVE COMMITTEE MEMBERSHIP, by Representative James R. Moss, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

K.S. Cornaby, Committee Chairman

Committee report read and adopted. Senator McAllister, Barton, Matheson, Barlow and Swan commented.

Senator Black moved that on Page 2, Lines 29 and 30 the words "The vice chairman shall be a member of the committee of the opposite party from the chairman" be restored. The motion failed on a voice vote.

The bill passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Barlow	Hillyard	Money	Sowards
Barton	Holmgren	Peterson, C.	Stratford
Black	Matheson	Peterson, Chuck	Swan
Bunnell	McAllister	Rogers	Pres. Christensen
Carling	McMullin	Sandberg	

Absent or not voting were: Senators

Asay	Finlinson	Pugh	Wayment
Bangerter	Overson	Renstrom	Williams
Cornaby	Peterson, L.		

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H.B. No. 47, FIREMEN MINIMUM MONTHLY RETIREMENT ALLOWANCE, was read the second time, and explained by Senator Money.

Mr. President: February 6, 1985

The State and Local Affairs Standing Committee, to which was referred **H.B. No. 47,** FIREMEN MINIMUM MONTHLY RETIREMENT ALLOWANCE, by Represen-

tative R. Lee Ellertson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

K.S. Cornaby, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Bangerter	Hillyard	Money	Pugh
Barlow	Holmgren	Overson	Rogers
Barton	Matheson	Peterson, C.	Sowards
Black	McAllister	Peterson, Chuck	Pres. Christensen
Carling	McMullin	Peterson, L.	

Absent or not voting were: Senators

Asay	Finlinson	Stratford	Wayment
Bunnell	Renstrom	Swan	Williams
Cornaby	Sandberg		

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On motion of Senator Carling, the circle was removed from **S.B. No. 137,** UTAH FOREIGN JUDGMENT TECHNICAL AMENDMENTS, and the bill passed on the following roll call:

Yeas, 16; Nays, 0; Absent 13

Voting in the affirmative were: Senators

Barlow	Carling	McMullin	Sandberg
Barton	Holmgren	Money	Sowards
Black	Matheson	Peterson, C.	Stratford
Bunnell	McAllister	Peterson, Chuck	Pres. Christensen

Absent or not voting were: Senators

Asay	Hillyard	Pugh	Swan
Bangerter	Overson	Renstrom	Wayment
Cornaby	Peterson, L.	Rogers	Williams
Finlinson			

S.B. No. 137 was transmitted to the House.

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On motion of Senator Carling, the circle was removed from **S.B. No. 193**, INTERFERENCE WITH ARRESTING OFFICER AMENDMENT, and the bill passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 12

Voting in the affirmative were: Senators

Barlow	Hillyard	McMullin	Peterson, Chuck
Barton	Holmgren	Money	Sandberg
Black	Matheson	Overson	Sowards
Bunnell	McAllister	Peterson, C.	Pres. Christensen
Carling			

Absent or not voting were: Senators

Asay	Finlinson	Renstrom	Swan
Bangerter	Peterson, L.	Rogers	Wayment
Cornaby	Pugh	Stratford	Williams

S.B. No. 193 was transmitted to the House.

SECOND READING CALENDAR

H.B. No. 48, INTEREST PAYMENTS FROM FIREMEN RETIRED RESERVE FUND, was read the second time, and explained by Senator Black.

Mr. President: February 6, 1985

The State and Local Affairs Standing Committee, to which was referred **H.B. No. 48**, INTEREST PAYMENTS FROM FIREMEN RETIRED RESERVE FUND, by Representative R. Lee Ellertson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

K.S. Cornaby, Committee Chairman

Committee report read and adopted. Senators McMullin 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.

The bill passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Finlinson	Money	Sowards
Barlow	Hillyard	Overson	Stratford
Barton	Holmgren	Peterson, C.	Swan
Black	Matheson	Peterson, Chuck	Williams
Bunnell	McAllister	Sandberg	Pres. Christensen
Carling	McMullin (exp)		

Voting in the negative was: Senator
Rogers

Absent or not voting were: Senators

Asay	Peterson, L.	Renstrom	Wayment
Cornaby	Pugh		

On motion of Senator Cary Peterson, and at 12:00 noon, the Senate recessed.

AFTERNOON SESSION

The Senate reconvened at 2:00 p.m., with President Arnold Christensen presiding.

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B. Nos. 199, 204, 150, 161** and **145**, and **H.B. Nos. 77, 122** and **40**, and the bills were placed on Second Reading Calendar. **S.B. No. 227**, was returned to Rules Committee.

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S.B. Nos. 149, 156, 92, 112, 146, 47, 51 and **122**, and **H.B. Nos. 2** and **70**, having been Tabled in Standing Committees, were returned to Rules Committee.

STANDING COMMITTEE REPORTS

Mr. President: February 13, 1985

The Senate Transportation and Public Safety Standing Committee, to which was referred **S.B. No. 236**, PUBLIC INFORMATION DISCLOSURE, by Senator Ivan M. Matheson, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The Senate Transportation and Public Safety Standing Committee, to which was referred **H.B. No. 134,** SCHOOL BUS FLASHING LIGHTS MODIFICATION, by Representative Boyd Warnick, 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.

Jack M. Bangerter, Committee Chairman

Committee reports read and adopted. **S.B. No. 236** and **H.B. No. 134** were read the second time and placed on Consent Calendar.

SECOND READING CALENDAR

H.B. No. 46, INDIAN AFFAIRS MEMBERSHIP, was read the second time and explained by Senator Rogers.

Mr. President: February 6, 1985

The State and Local Affairs Standing Committee, to which was referred **H.B. No. 46,** INDIAN AFFAIRS MEMBERSHIP, by Representative James F. Yardley, et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 27:
After "board" insert ", unless the Governor deems an additional term necessary due to exceptional circumstances in the public interest"

Page 1, Line 31:
After "Indians" delete "residing" and insert "at least two of whom shall reside"

K.S. Cornaby, Committee Chairman

Committee report, with amendments, was read and adopted. The bill passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Stratford
Bangerter	Holmgren	Peterson, Chuck	Swan
Barlow	Matheson	Renstrom	Wayment
Barton	McMullin	Rogers	Pres. Christensen
Black	Overson	Sandberg	

Absent or not voting were: Senators

Bunnell	Finlinson	Peterson, L.	Sowards
Carling	McAllister	Pugh	Williams
Cornaby	Money		

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H.B. No. 38, LEFT LANE TRAVEL RESTRICTIONS, was before the Senate.

On motion of Senator McMullin, **H.B. No. 38** was amended as follows:

Page 1, Line 10:
Delete "MOTOR VEHICLE" and insert "TRAFFIC"

Page 1, Line 11:
After "REGARDING" insert "VEHICLE"

Page 1, Line 11:
Delete rest of line after "LANE" and insert "." after "LANE"

Page 1, Line 12:
Delete entire line.

Senator Stratford commented. The bill passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 6

Voting in the affirmative were: Senators

Asay	Hillyard	Overson	Sowards
Bangerter	Holmgren	Peterson, C.	Stratford
Barlow	Matheson	Peterson, Chuck	Swan
Barton	McAllister	Renstrom	Wayment
Black	McMullin	Sandberg	Pres. Christensen
Cornaby	Money		

Voting in the negative was: Senator
Rogers

Absent or not voting were: Senators

Bunnell	Finlinson	Pugh	Williams
Carling	Peterson, L.		

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H.B. No. 49, VETERAN'S PREFERRED EMPLOYMENT, was read the second time and explained by Senator Sowards.

Mr. President: February 7, 1985

The Business, Labor and Economic Development Standing Committee, to which was referred **H.B. No. 49**, VETERAN'S PREFERRED EMPLOYMENT, by Representative Tom Christensen, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

On motion of Senator Hillyard, **H.B. No. 49** was amended as follows:

Page 1, Line 27:
Restore "such"

On motion of Senator Renstrom, **H.B. No. 49** was amended as follows:

Page 1, Line 26:
After "conflict" insert ", was or other national emergencies"

The bill passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, C.	Stratford
Barton	Matheson	Peterson, Chuck	Swan
Black	McAllister	Peterson, L.	Wayment
Carling	McMullin	Renstrom	Williams
Cornaby	Money	Rogers	Pres. Christensen
Hillyard	Overson	Sowards	

Voting in the negative was: Senator
Sandberg

Absent or not voting were: Senators

Bangerter	Bunnell	Finlinson	Pugh
Barlow			

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H.B. No. 21, EDUCATION RESPONSIBILITY AT THE STATE TRAINING SCHOOL, was read the second time.

Mr. President: February 7, 1985

The Education Committee, to which was referred **H.B. No. 21,** EDUCATION RESPONSIBILITY AT THE STATE TRAINING SCHOOL, by Representative Kim R. Burningham, has carefully considered the bill and reports it out of committee with a favorable recommendation.

William T. Barton, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, C.	Sowards
Barlow	Matheson	Peterson, Chuck	Stratford
Barton	McAllister	Pugh	Swan
Black	McMullin	Renstrom	Wayment
Cornaby	Money	Rogers	Williams
Finlinson	Overson	Sandberg	Pres. Christensen
Hillyard			

Absent or not voting were: Senators

Bangerter	Bunnell	Carling	Peterson, L.

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SUB. H.B. No. 58, EDUCATIONAL PROFESSIONAL PRACTICES AMENDMENTS, was read the second time and explained by Senator Hillyard.

Mr. President: February 7, 1985

The Education committee, to which was referred **SUBSTITUTE H.B. No. 58,** EDUCATIONAL PROFESSIONAL PRACTICES AMENDMENTS, by Representative Kim R. Burningham, et al, has carefully considered the bill and reports is out of committee with a favorable recommendation.

William T. Barton, Committee Chairman

Committee report read and adopted.

On motion of Senator Renstrom **SUB. H.B. No. 58** was amended as follows:

Cherry: Page 1, Line 31:
After "law" insert "and due process"

Cherry: Page 1, Line 34:
After "witnesses" delete the semi-colon and insert ", to subpoena witnesses"

The bill passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Assay	Holmgren	Peterson, C.	Stratford
Barton	Matheson	Peterson, Chuck	Swan
Black	McAllister	Renstrom	Wayment
Cornaby	Money	Rogers	Williams
Hillyard	Overson	Sandberg	Pres. Christensen

Absent or not voting were: Senators

Bangerter	Carling	McMullin	Pugh
Barlow	Finlinson	Peterson, L.	Sowards
Bunnell			

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SUB. H.B. No. 106, PROHIBITION OF ALCOHOLIC BEVERAGES IN PUBLIC SCHOOLS, was read the second time, and explained by Senator Renstrom.

Mr. President: February 7, 1985

The Education Committee, to which was referred **SUBSTITUTE H.B. No. 106,** PROHIBITION OF ALCOHOLIC BEVERAGES IN PUBLIC SCHOOLS, by Representative Ronald L. Stephens, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 25:
After "in" insert "those portions of"

William T. Barton, Committee Chairman

Committee report, with amendment, was read and adopted. The bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, Chuck	Sowards
Bangerter	Matheson	Peterson, L.	Stratford
Barton	McAllister	Renstrom	Swan
Black	McMullin	Rogers	Williams
Cornaby	Overson	Sandberg	Pres. Christensen
Hillyard	Peterson, C.		

Absent or not voting were: Senators

Barlow	Carling	Money	Wayment
Bunnell	Finlinson	Pugh	

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H.B. No. 139, ATTORNEY GENERAL CAREER SERVICE AMENDMENTS, was read the second time, and explained by Senator Hillyard.

Mr. President: February 7, 1985

The State and Local Affairs Standing Committee, to which was referred **H.B. No. 139,** ATTORNEY GENERAL CAREER SERVICE AMENDMENTS, by Representative James R. Moss, has carefully considered the bill and reports it out of committee with a favorable recommendation.

K.S. Cornaby, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Hillyard	Overson	Sandberg
Bangerter	Holmgren	Peterson, C.	Swan
Barlow	Matheson	Peterson, Chuck	Wayment
Barton	McAllister	Peterson, L.	Williams
Black	McMullin	Renstrom	Pres. Christensen
Cornaby	Money	Rogers	

Absent or not voting were: Senators

Bunnell	Finlinson	Sowards	Stratford
Carling	Pugh		

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H.B. No. 124, DUI VICTIM RESTITUTION AMENDMENTS, was read the second time, and explained by Senator McAllister.

Mr. President: February 8, 1985

The Senate Transportation and Public Safety Standing Committee, to which was referred **H.B. No. 124,** DUI VICTIM RESTITUTION AMENDMENTS, by Representative Stephen J. Rees, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 33:
After "restricted" delete "and non-lapsing."

Page 2, Lines 1 and 2:
After "account" delete ", to be administered by the Department of Public Safety solely" and insert on Line 4 after "account." "Appropriations from this account shall be administered by the Department of Public Safety."

Jack M. Bangerter, Committee Chairman

Committee report, with amendments, was read and adopted.

On motion of Senator McAllister **H.B. No. 124** was amended as follows:

Page 1, Line 32:
Delete (2) in its entirety and replace with new subsection: "41-25-1 (2) The funds generated by fees collected under this section shall be deposited as dedicated credits, to be administered by the Department of Public Safety solely for the purposes specified in this chapter. The unexpended funds at the end of the fiscal year under this section shall not lapse."

The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Hillyard	Overson	Sandberg
Bangerter	Holmgren	Peterson, C.	Stratford
Barlow	Matheson	Peterson, Chuck	Swan
Barton	McAllister	Peterson, L.	Wayment

Black	McMullin	Renstrom	Williams
Cornaby	Money	Rogers	Pres. Christensen

Absent or not voting were: Senators

Bunnell	Finlinson	Pugh	Sowards
Carling			

UNFINISHED BUSINESS

On motion of Senator Finlinson, THIRD SUB. S.B. No. 97, WATER AND FLOOD FINANCING, was before the Senate as unfinished business.

On motion of Senator Finlinson, the following fourth substitute bill replaced the third substitute bill.

WATER AND FLOOD FINANCING

FOURTH SUBSTITUTE
S.B. No. 97 *Fred W. Finlinson, Karl G. Swan*

AN ACT RELATING TO FLOODING; CHANGING THE SALES TAX DISTRIBUTION; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS IN THE AMOUNT OF $96,500,000 FOR FLOOD MITIGATION AND WATER DEVELOPMENT PROJECTS; AUTHORIZING THE ISSUANCE OF REVENUE BONDS IN THE AMOUNT OF $35,000,000 FOR FLOOD MITIGATION AND WATER DEVELOPMENT PROJECTS; REQUIRING CERTAIN PARTICIPATION FROM LOCAL GOVERNMENT ENTITIES; EXEMPTING DEDICATED FLOOD MILL LEVIES FROM THE 106% PROPERTY TAX LIMITATION; ALLOWING THE STATE ENGINEER TO ASSIST IN MANAGING FLOOD WATERS PURSUANT TO COURT JUDGMENTS AND DECREES; PROVIDING THE DIVISION OF WATER RESOURCES THE POWER TO ACQUIRE NECESSARY PROPERTY INTERESTS AND EXPEND MONEY FOR NECESSARY LEGAL SERVICES; EXTENDING THE DURATION OF THE DISASTER RELIEF BOARD; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 11-9-5, AS LAST AMENDED BY CHAPTER 258, LAWS OF UTAH 1983; 59-15-4, AS LAST AMENDED BY CHAPTER 56, LAWS OF UTAH 1984; 59-16-3, AS LAST AMENDED BY CHAPTER 56, LAWS OF UTAH 1984; UNCODIFIED SECTION 2, CHAPTER 15, LAWS OF UTAH 1983

ENACTS: 73-2-22.1, UTAH CODE ANNOTATED 1953

Appearing before the Senate in Committee of the Whole were Robert A. Hunter, Chairman of the Six County Task Force on Flooding, Bart Barker, Salt Lake County

Commissioner, Jon Memmott, Governor's Chief of Staff, Edward T. Alter, State Treasurer and Herschel Hester, Executive Director of Utah's League of Cities and Towns.

Senators Hillyard, Holmgren and Swan commented. On motion of Senator Finlinson, the bill was circled.

COMMUNICATION FROM THE HOUSE

Mr. President: February 14, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, **H.J.R. No. 22**, JOSEPH LENNOX FEDERAL COMMENDATION RESOLUTION, by Representative Wharton, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Black, and under suspension of the rules, the resolution was read the first, second and third times. Bishop Federal spoke in Committee of the Whole. The resolution passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Carling	Money	Sandberg
Bangerter	Finlinson	Overson	Stratford
Barlow	Hillyard	Peterson, C.	Swan
Barton	Holmgren	Peterson, Chuck	Williams
Black	Matheson	Peterson, L.	Pres. Christensen
Bunnell	McMullin	Rogers	

Absent or not voting were: Senators

Cornaby	Pugh	Sowards	Wayment
McAllister	Renstrom		

H.J.R. No. 22 was signed by the President of the Senate in open session and returned to the House for further action.

UNFINISHED BUSINESS

FOURTH SUB. S.B. No. 97, WATER AND FLOOD FINANCING, was before the Senate.

Senator Renstrom moved that on Page 13, between Lines 15 and 16 insert "(E) potential public health hazards"

Senator Bangerter moved the following substitute amendment:

> Page 13, Line 15:
> After "control" remove "." and insert ", tourism, recreation, long-term second use, new access to Antelope Island, marsh lands, impact on roads during construction and esthetic land features during construction and cost of pumping shoreline dike facilities on Plan A."

Senator Bangerter's substitute motion passed.

Senator Stratford was presiding.

Senator Bangerter moved the following amendment:

> Page 13, Line 10:
> After "completed" delete "." and insert "by consultants other than those who prepared the original report."

Dee C. Hansen, Executive Director of Natural Resources, spoke in Committee of the Whole.

Senator Bangerter's motion passed.

Senators Finlinson, McAllister, Swan and Renstrom commented. The bill passed on the following roll call:

Yeas, 17; Nays, 7; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Carling	Overson	Sandberg
Barlow	Finlinson	Peterson, Chuck	Sowards
Barton	Holmgren	Peterson, L.	Swan
Black	Money	Renstrom	Wayment
Bunnell			

Voting in the negative were: Senators

Asay	Matheson	McMullin	Stratford
Hillyard	McAllister	Peterson, C. (exp)	

Absent or not voting were: Senators
Cornaby Rogers Williams Pres. Christensen
Pugh

SECOND READING CALENDAR

H.B. No. 195, UTAH PRIVATE ACTIVITY BOND CEILING ALLOCATION ACT, was read the second time.

Mr. President: February 11, 1985

The Revenue and Taxation Standing Committee, to which was referred **H.B. No. 195,** UTAH PRIVATE ACTIVITY BOND CEILING ALLOCATION ACT, by Representative Jack F. DeMann, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 1:
Delete lines 1 through 6 and insert the following: "(4) "Allotment numerator" means, for each entitled political subdivision for each year, the yearly average of the total amount of bonds issued by that entitled political subdivision in the four most recent calendar years.

(5) "Allotment quotient" means, for each entitled political subdivision for each year, the allotment numerator for the entitled political subdivision divided by the allotment denominator."

Renumber all definitions beginning with "Board"

Page 5, Line 13:
Delete lines 13 through 20 and insert the following: "(d) Each entitled political subdivision is entitled to a reserved allocation of allotment dollars equal to the amount computed by the executive director in accordance with the following formula:

(i) 75 times the population of the entitled political subdivision; plus

(ii) the allotment quotient multiplied by the difference between the total allotment dollars in the Entitlement Account and 75 times the total population of all entitled political subdivisions."

Lyle W. Hillyard, Committee Chairman

Committee report, with amendments, was read and adopted. On motion of Senator McMullin, the bill was circled.

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SUB. H.B. No. 1, LOCAL RENT CONTROL PROHIBITION, was read the second time and explained by Senator Barlow.

Mr. President: February 11, 1985

The State and Local Affairs Standing Committee, to which was referred **SUBSTITUTE H.B. No. 1**, LOCAL RENT CONTROL PROHIBITION, by Representative H. Craig Moody, has carefully considered the bill and reports it out of committee with a favorable recommendation.

K.S. Cornaby, Committee Chairman

Committee report read and adopted. Senators Barlow, Williams, Overson, Renstrom, Bunnell, Black and L. Peterson commented.

The bill failed on the following roll call:

Yeas, 6; Nays, 18; Absent, 5

Voting in the affirmative were: Senators

Barlow	Matheson	Pugh	Rogers
Barton	Overson		

Voting in the negative were: Senators

Asay	Hillyard	Peterson, Chuck	Stratford
Black	McAllister	Peterson, L.	Swan
Bunnell	McMullin	Renstrom	Wayment
Carling	Money	Sandberg	Williams
Finlinson	Peterson, C.		

Absent or not voting were: Senators

Bangerter	Holmgren	Sowards	Pres. Christensen
Cornaby			

SUB. H.B. No. 1 was returned to the House for filing.

COMMITTEE OF THE WHOLE

On motion of Senator Cary Peterson, the Senate resolved itself into a Committee of the Whole. Appearing before the Committee of the Whole was the Honorable Orrin Hatch, United States Senator - Utah.

Senators Bangerter, Bunnell and Wayment commented.

On motion of Senator Cary Peterson, the Committee of the Whole was dissolved.

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On motion of Senator Hillyard, **H.B. No. 20,** PUBLIC ACCOUNTANTS EDUCATION REQUIREMENTS, will be considered tomorrow at 10:30 a.m.

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On motion of Senator L. Peterson, **S.B. No. 232,** INSURANCE LAW RECODIFICATION, will be considered Monday, February 18, 1985 at 10:30 a.m.

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On motion of Senator Cary Peterson, the circles were removed from **S.B. Nos. 74** and **196** and from **H.B. No. 195.**

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B. Nos. 135, 179** and **214** and **H.B. Nos. 105, 218, 51, 74, 132, 247, 248** and **249** and the bills were placed on Second Reading Calendar.

STANDING COMMITTEE REPORT

Mr. President: February 14, 1985

The State and Local Affairs Standing Committee, to which was referred **S.B. No. 209,** DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

K.S. Cornaby, Committee Chairman

Committee report read and adopted. **S.B. No. 209** was read the second time, and placed on Consent Calendar.

On motion of Senator Cary Peterson, and at 5:00 p.m., the Senate adjourned until 10:00 a.m., Friday, February 15, 1985.

THIRTY THIRD DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Arnold Christensen presiding.

Roll Call — All Senators present.

Prayer — Senator Wayne L. Sandberg.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

Mr. President: February 15, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the thirty second day and find it correct with minor amendments noted on the final copy.

C.E. 'Chuck' Peterson
Committee Chairman

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 14, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, **SUBSTITUTE H.B. No. 50**, LEASE-PURCHASE AMENDMENTS, by Representative Lewis, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

SUB. H.B. No. 50 was read the first time and referred to Rules Committee.

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Mr. President: February 14, 1985

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**, UTAH HIGHWAY PATROL COMMENDATION, by Senator Carling, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 1,** SUNSET REVIEW — HEALTH FACILITY ADMINISTRATORS, by Senator Carling, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 3,** SUNSET REVIEW — DENTISTS AND DENTAL HYGIENISTS ACT, by Senator Carling, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, **S.B. No. 6,** NURSE PRACTITIONER'S PRESCRIPTIVE PRACTICE ACT, by Senator Carling, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, **S.B. No. 15,** CONTRACTOR'S BOND LAW AMENDMENTS, by Senator Carling, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 17,** BOARD OF EDUCATION POWERS, by Senator Barton, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, **S.B. No. 30,** PUBLIC EMPLOYEE RETIREMENT CREDIT PURCHASE, by Senator Swan, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate, **S.B. No. 58,** GOVERNMENTAL IMMUNITY, 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, **S.B. No. 71,** LOCAL BOARD POWERS, by Senator Stratford, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **SUBSTITUTE S.B. No. 72,** AMENDMENTS — SEXUAL EXPLOITATION OF MINORS, by Senator Wayment, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **S.B. No. 253,** UTAH HIGHWAY PATROL — LICENSE PLATES, 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.

Carole E. Peterson, Acting Chief Clerk

SUB. H.B. No. 50, S.J.R. No. 7 and **S.B. Nos. 1, 3, 6, 15, 17, 30, 58, 71** and **253,** and **SUB. S.B. No. 72** were signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor. The house bill to the House for further action, and the resolution to the Lieutenant Governor.

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Mr. President: February 14, 1985

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. 33,** TITLE 53 REVISION —SCHOOL BUILDINGS, by Senator Hillyard, and has appointed a Conference Committee consisting of Representatives Rees, Stephens and Tomlinson, to act with a like Committee from the Senate on this bill.

Carole E. Peterson, Acting Chief Clerk

President Christensen appointed a committee comprised of Senators Hillyard, McMullin and Bunnell to meet with a committee from the House to consider the bill.

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Mr. President: February 14, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the House, **S.B. No. 62,** UTAH ARBITRATION ACT, by Senator Stratford, et al, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Stratford, the Senate voted to not concur in the House amendments, and to ask the House to recede from its amendments.

S.B. No. 62 was returned to the House.

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Mr. President: February 14, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the House **S.B. No. 4**, SUNSET REVIEW — PHYSICAL THERAPY PRACTICE ACT, by Senator Carling, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Carling, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Hillyard	Peterson, C.	Sandberg
Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	Matheson	Peterson, L.	Wayment
Carling	McAllister	Pugh	Williams
Cornaby	McMullin	Renstrom	Pres. Christensen
Finlinson	Overson	Rogers	

Absent or not voting were: Senators

Asay	Bunnell	Sowards	Swan
Black	Money		

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

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Mr. President: February 14, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the House, **S.B. No. 12**, PAWNBROKER REDEMPTION CHARGE REPEAL, by Senator Carling, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Carling, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Finlinson	Peterson, C.	Rogers
Barlow	Hillyard	Peterson, Chuck	Sandberg
Barton	Holmgren	Peterson, L.	Wayment
Bunnell	Matheson	Pugh	Williams
Carling	McMullin	Renstrom	Pres. Christensen
Cornaby	Overson		

Absent or not voting were: Senators

Asay	McAllister	Sowards	Swan
Black	Money	Stratford	

S.B. No. 12 was returned to the House.

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Mr. President: February 14, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and the House, **S.B. No. 80,** MUNICIPAL INITIATIVE AND REFERENDUM PROVISIONS, by Senator Black, et al, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Black, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 11

Voting in the affirmative were: Senators

Barlow	Hillyard	Overson	Renstrom
Barton	Holmgren	Peterson, C.	Sandberg
Black	Matheson	Peterson, Chuck	Wayment
Bunnell	McAllister	Pugh	Pres. Christensen
Cornaby	McMullin		

Absent or not voting were: Senators

Asay	Finlinson	Rogers	Swan
Bangerter	Money	Sowards	Williams
Carling	Peterson, L.	Stratford	

S.B. No. 80 was transmitted to the House.

CONSENT CALENDAR

H.B. No. 67, LICENSURE AUTHORITY FOR ADULT DAY CARE, was read the third time, and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barlow	Hillyard	Overson	Sandberg
Barton	Holmgren	Peterson, C.	Swan
Bunnell	Matheson	Peterson, Chuck	Wayment
Carling	McAllister	Peterson, L.	Williams
Cornaby	McMullin	Pugh	Pres. Christensen

Absent or not voting were: Senators

Asay	Finlinson	Renstrom	Sowards
Bangerter	Money	Rogers	Stratford
Black			

H.B. No. 67 was signed by the President of the Senate in open session and returned to the House for further action.

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S.J.R. No. 5, AGENCY COOPERATION FOR EFFICIENCY RESOLUTION, was read the third time, and passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Barlow	Hillyard	Overson	Renstrom
Barton	Holmgren	Peterson, C.	Wayment
Bunnell	Matheson	Peterson, Chuck	Williams
Carling	McAllister	Peterson, L.	Pres. Christensen
Cornaby	McMullin	Pugh	

Absent or not voting were: Senators

Asay	Finlinson	Sandberg	Stratford
Bangerter	Money	Sowards	Swan
Black	Rogers		

S.J.R. No. 5 was transmitted to the House.

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Senators McAllister, Money, C.E. 'Chuck' Peterson and Rogers spoke regarding the district each represents.

SPECIAL ORDER OF BUSINESS

On motion of Senator Hillyard, and under suspension of the rules, **H.B. No. 20,** PUBLIC ACCOUNTANTS EDUCATION REQUIREMENTS, was read the second and third times, and explained by Senator Hillyard.

Mr. President: February 12, 1985

The Education Standing Committee, to which was referred **H.B. No. 20,** PUBLIC ACCOUNTANTS EDUCATION REQUIREMENTS, by Representative Stephen J. Rees, has carefully considered the bill and reports it out of committee with a favorable recommendation.

William T. Barton, Committee Chairman

Committee report read and adopted.

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COMMITTEE OF THE WHOLE

On motion of Senator Cary Peterson, the Senate resolved into Committee of the Whole. Appearing before the committee was the Honorable James V. Hansen, United States Congressman - Utah.

On motion of Senator Cary Peterson, the Committee was dissolved.

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Senator Hillyard continued discussing **H.B. No. 20.** Senators Sandberg, Cornaby and Black commented. Senator Black's motion to circle failed. Senator McAllister commented. Senators Rogers, Matheson and Cary Peterson commented.

The bill failed on the following roll call:

Yeas, 10; Nays, 17; Absent, 2

Voting in the affirmative were: Senators

Barlow	Hillyard	Peterson, C.	Wayment
Barton	Matheson	Stratford	Pres. Christensen
Bunnell	McMullin		

Voting in the negative were: Senators

Asay	Finlinson	Peterson, Chuck	Rogers
Bangerter	Holmgren	Peterson, L.	Sandberg
Black (exp)	McAllister	Pugh	Sowards
Carling	Money	Renstrom	Williams
Cornaby			

Absent or not voting were: Senators

Overson	Swan

H.B. No. 20 was returned to the House for filing.

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The Senate sauntered at 11:20, and reassembled at 12:15 p.m.

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On motion of Senator Holmgren, the Senate voted to ask the House to return **H.B. No. 20,** PUBLIC ACCOUNTANTS EDUCATION REQUIREMENT, to the Senate for reconsideration.

RULES COMMITTEE REPORT

Mr. President: February 15, 1985

The Senate Rules Committee, to which were referred the following House Bills:

H.B. No. 135	FUEL CONSERVATION SPEED LIMIT (Transportation and Public Safety)
SUB. H.B. No. 24	WORKING WOMEN CHILD CARE COSTS (Social Services)

reports the same back and asks that they be assigned each to a committee, and

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 50	FRANCHISE TAX EXEMPTION FOR HOMEOWNERS AND CONDOMINIUM ASSOCIATIONS (Revenue and Taxation)

S.B. No. 206	BUSINESS AND ENERGY CREDIT AMENDMENTS (Energy, Natural Resources and Agriculture)
S.B. No. 212	DEREGULATION OF TELECOMMUNICATION DISTRIBUTORS AND INDEPENDENT ENERGY PRODUCERS (Energy, Natural Resources and Agriculture)
S.B. No. 227	THERMAL POWER FACILITIES ACT AMENDMENTS (Energy, Natural Resources and Agriculture)
S.B. No. 239	AMENDMENTS TO INTERLOCAL COOPERATION ACT (Energy, Natural Resources and Agriculture)
S.B. No. 245	PUBLIC FIREWORKS SHOW (Transportation and Public Safety)

reports the same back and asks that they be printed and each assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee reports read and adopted. President Christensen assigned the bills to the committees indicated.

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On motion of Senator Cary Peterson, and at 12:20 p.m., the Senate adjourned until 10:00 a.m., Monday, February 18, 1985.

THIRTY-SIXTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Arnold Christensen presiding.

Roll Call — All Senators present.

Prayer — Senator Fred W. Finlinson

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

DAILY SENATE JOURNAL

Mr. President: February 18, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the thirty third day and find it correct with minor amendments noted on the final copy.

Darell G. Renstrom, Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 15, 1985

I am directed to inform the Senate that the House of Representatives has corrected the amendments on page 4 of **S.B. No. 5,** SUNSET ACT AMENDMENTS, by Senator Carling, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Carling, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Rogers
Bangerter	Finlinson	Peterson, C.	Sandberg
Barlow	Hillyard	Peterson, Chuck	Sowards
Barton	Matheson	Peterson, L.	Stratford
Black	McAllister	Pugh	Wayment
Bunnell	McMullin	Renstrom	Pres. Christensen
Carling	Money		

Absent or not voting were: Senators
Holmgren Swan Williams

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

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Mr. President: February 14, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 123,** RETIREMENT EXEMPTION AMENDMENTS, by Senator Rogers, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.B. No. 123 was signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

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Mr. President: February 15, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **SUBSTITUTE H.B. No. 266,** AGRICULTURAL CODE CIVIL PENALTY 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, as amended, **H.B. No. 145,** ZONING, 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, as amended, **SUBSTITUTE H.B. No. 140,** INFORMATION PRACTICES AMENDMENTS, by Representative Moss, 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. 120,** GOVERNMENTAL IMMUNITY ACT MODIFICATIONS, by Representative McKeachnie, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.J.R. No. 17,** PRESIDENTIAL LINE ITEM VETO RESOLUTION, by Representative Sellenelt, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, **H.C.R. No. 19,** GRACE COMMISSION RESOLUTION, by Representative Tomlinson, and the same is transmitted herewith for Senate consideration.

Mr. President: February 14, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, **H.J.R. No. 12,** VICTIMS RIGHTS RESOLUTION, by Representative Karras, 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. 101,** MUNICIPAL BOND ACT AMENDMENTS, 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, as amended, **H.B. No. 252,** NONCUSTODIAL PARENT VISITATION, by Representative Merrill, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 286,** LOCAL ALCOHOL AND DRUG AUTHORITY, by Representative Karras, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

SUB. H.B. No. 266, H.B. Nos. 145, 140, 120, H.J.R. No. 17, H.C.R. No. 19, H.J.R. No. 12, H.B. Nos. 101, 252 and **286** were read the first time and referred to Rules Committee.

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Mr. President: February 14, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and the House, **S.B. No. 57,** FIRE CHIEF RETIREMENT EXEMPTION, by Senator Barlow, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Barlow, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, C.	Sowards
Bangerter	Holmgren	Peterson, Chuck	Stratford
Barlow	Matheson	Peterson, L.	Swan
Black	McAllister	Pugh	Wayment
Bunnell	McMullin	Renstrom	Williams
Carling	Money	Rogers	Pres. Christensen
Cornaby	Overson	Sandberg	

Absent or not voting were: Senators

Barton	Hillyard

S.B. No. 57 was returned to the House.

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Mr. President: February 14, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the House **S.B. No. 78, MOSQUITO ABATEMENT DISTRICTS**, by Senator Black, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Black, the Senate voted to not concur in the House amendments, and to ask the House to recede from its amendments.

S.B. No. 78 was returned to the House.

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Mr. President: February 14, 1985

I am directed to inform the Senate that the House of Representatives has this day rejected **S.B. No. 44, COMPUTER CRIMES ACT**, by Senator Carling, and the same is transmitted herewith.

Carole E. Peterson, Acting Chief Clerk

S.B. No. 44 was filed.

CONSENT CALENDAR

H.C.R. No. 16, YEAR OF THE TEACHER RESOLUTION, 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	Hillyard	Peterson, C.	Sandberg
Bangerter	Holmgren	Peterson, Chuck	Sowards
Barlow	Matheson	Peterson, L.	Swan
Barton	McAllister	Pugh	Wayment
Black	McMullin	Renstrom	Williams
Cornaby	Money	Rogers	Pres. Christensen
Finlinson	Overson		

Absent or not voting were: Senators

Bunnell	Carling	Stratford

H.C.R. No. 16 was signed by the President of the Senate in open session and returned to the House for further action.

THIRD READING CALENDAR

On motion of Senator Asay, **S.B. No. 196** was circled.

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H.B. No. 109, INTERSTATE COMPACT ON ADOPTION AND MEDICAL ASSISTANCE, was read the third time.

On motion of Senator Hillyard, **H.B. No. 109** was amended as follows:

> Page 2, of the House Cherry copy, Lines 17-19:
> After "as" on line 17, delete the remainder of the line, and insert "a third degree felony."
>
> Delete all of lines 17a, 18 and 19.

The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Finlinson	Overson	Sandberg
Bangerter	Hillyard	Peterson, C.	Stratford
Barlow	Holmgren	Peterson, Chuck	Swan

Barton	Matheson	Peterson, L.	Wayment
Black	McAllister	Pugh	Williams
Bunnell	McMullin	Rogers	Pres. Christensen
Cornaby	Money		

Absent or not voting were: Senators

Carling	Renstrom	Sowards

H.B. No. 109, as amended, was returned to the House.

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H.B. No. 47, FIREMEN MINIMUM MONTHLY RETIREMENT ALLOWANCE, was read the third time, and explained by Senator Black.

The bill passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	McMullin	Sowards
Bangerter	Cornaby	Money	Stratford
Barlow	Finlinson	Overson	Swan
Barton	Holmgren	Peterson, C.	Wayment
Black	Matheson	Peterson, Chuck	Williams
Bunnell	McAllister	Renstrom	Pres. Christensen

Voting in the negative was: Senator

Rogers

Absent or not voting were: Senators

Hillyard	Peterson, L.	Pugh	Sandberg

H.B. No. 47 was signed by the President of the Senate in open session and returned to the House for further action.

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H.B. No. 172, LEGISLATIVE COMMITTEE MEMBERSHIP, was read the third time, and explained by Senator Sowards.

The bill passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Rogers
Bangerter	Finlinson	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	Matheson	Peterson, L.	Swan
Black	McMullin	Pugh	Wayment
Bunnell	Money	Renstrom	Pres. Christensen
Carling			

Voting in the negative was: Senator
McAllister

Absent or not voting were: Senators

Hillyard	Sandberg	Williams

H.B. No. 172 was signed by the President of the Senate in open session and returned to the House for further action.

COMMITTEE OF THE WHOLE

On motion of Senator L. Peterson, the Senate resolved into Committee of the Whole. Appearing before the committee were Robert Madsen, Mayor of Ogden, Utah, and members of the "Spikers", Ogden Chamber of Commerce.

On motion of Senator L. Peterson, the Committee was dissolved.

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H.B. No. 48, INTEREST PAYMENTS FROM FIREMEN RETIRED RESERVE FUND, was read the third time and explained by Senator Holmgren.

The bill passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Cornaby	McMullin	Pugh
Barlow	Finlinson	Money	Renstrom
Barton	Hillyard	Overson	Sandberg
Black	Holmgren	Peterson, C.	Stratford

Bunnell	Matheson	Peterson, Chuck	Pres. Christensen
Carling	McAllister		

Voting in the negative was: Senator Rogers

Absent or not voting were: Senators

Asay	Sowards	Wayment	Williams
Peterson, L.	Swan		

H.B. No. 48 was signed by the President of the Senate in open session and returned to the House for further action.

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H.B. No. 46, INDIAN AFFAIRS MEMBERSHIP, was read the third time and explained by Senator Rogers.

The bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Finlinson	Overson	Sandberg
Barlow	Hillyard	Peterson, C.	Sowards
Black	Matheson	Peterson, Chuck	Stratford
Bunnell	McAllister	Peterson, L.	Wayment
Carling	Money	Rogers	Pres. Christensen
Cornaby			

Absent or not voting were: Senators

Asay	Holmgren	Pugh	Swan
Barton	McMullin	Renstrom	Williams

H.B. No. 46, as amended, was returned to the House.

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H.B. No. 49, VETERAN'S PREFERRED, was read the third time and explained by Senator Black.

The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, C.	Sandberg
Bangerter	Matheson	Peterson, Chuck	Stratford
Barlow	McAllister	Peterson, L.	Swan
Black	McMullin	Pugh	Wayment
Carling	Money	Renstrom	Williams
Cornaby	Overson	Rogers	Pres. Christensen
Hillyard			

Absent or not voting were: Senators

Barton	Bunnell	Finlinson	Sowards

H.B. No. 49, as amended, was returned to the House.

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H.B. No. 21, EDUCATION RESPONSIBILITY AT THE STATE TRAINING SCHOOL, was read the third time and explained by Senator Barlow.

The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Finlinson	Money	Rogers
Barlow	Hillyard	Overson	Sandberg
Black	Holmgren	Peterson, C.	Stratford
Bunnell	Matheson	Peterson, Chuck	Wayment
Carling	McAllister	Peterson, L.	Pres. Christensen
Cornaby	McMullin	Renstrom	

Absent or not voting were: Senators

Asay	Pugh	Swan	Williams
Barton	Sowards		

H.B. No. 21 was signed by the President of the Senate in open session and returned to the House for further action.

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H.B. No. 38, LEFT-LANE TRAVEL RESTRICTION, was read the third time and explained by Senator McMullin.

The bill passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Asay	Hillyard	Overson	Rogers
Barlow	Holmgren	Peterson, C.	Sandberg
Black	Matheson	Peterson, Chuck	Stratford
Bunnell	McAllister	Peterson, L.	Swan
Carling	McMullin	Pugh	Wayment
Finlinson	Money	Renstrom	Pres. Christensen

Voting in the negative was: Senator
Williams

Absent or not voting were: Senators

Bangerter	Barton	Cornaby	Sowards

H.B. No. 38, as amended, was returned to the House.

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SUB. H.B. No. 58, EDUCATIONAL PROFESSIONAL PRACTICE AMENDMENTS, was read the third time.

The bill passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Renstrom
Bangerter	Finlinson	Overson	Rogers
Barlow	Hillyard	Peterson, C.	Stratford
Barton	Holmgren	Peterson, Chuck	Swan
Black	McAllister	Peterson, L.	Williams
Bunnell	McMullin	Pugh	Pres. Christensen
Carling			

Voting in the negative was: Senator
Matheson

Absent or not voting were: Senators
Sandberg Sowards Wayment

SUB. H.B. No. 58, as amended, was returned to the House.

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H.B. No. 139, ATTORNEY GENERAL CAREER SERVICE AMENDMENTS, was read the third time and explained by Senator Hillyard.

The bill passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Asay	Finlinson	Overson	Rogers
Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	McAllister	Peterson, L.	Swan
Bunnell	McMullin	Pugh	Wayment
Carling	Money	Renstrom	Pres. Christensen
Cornaby			

Voting in the negative was: Senator
Matheson

Absent or not voting were: Senators
Black Sandberg Williams

H.B. No. 139 was signed by the President of the Senate in open session and returned to the House for further action.

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SUB. H.B. No. 106, PROHIBITION OF ALCOHOLIC BEVERAGES IN PUBLIC SCHOOLS, was read the third time and explained by Senator Renstrom.

The bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, C.	Sowards
Barlow	Matheson	Peterson, Chuck	Stratford
Bunnell	McAllister	Pugh	Wayment
Cornaby	McMullin	Renstrom	Williams
Finlinson	Money	Rogers	Pres. Christensen
Hillyard	Overson		

Absent or not voting were: Senators

Bangerter	Black	Peterson, L.	Swan
Barton	Carling	Sandberg	

SUB. H.B. No. 106, as amended, was returned to the House.

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H.B. No. 124, DUI VICTIM RESTITUTION AMENDMENTS, was read the third time, and explained by Senator McMullin. Senators McAllister, Pugh, Matheson, Renstrom, Black and Bunnell commented.

On motion of Senator Matheson, the bill was placed on Third Reading Table.

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FOURTH SUB. S.B. No. 97, WATER AND FLOOD FINANCING, was read the third time and before the Senate. Senators Finlinson, Swan and Pugh commented.

On motion of Senator Finlinson, and under suspension of the rules, **FOURTH SUB. No. 97** was amended as follows:

Green: Page 1, Line 12:
After "DISTRIBUTION" insert "APPROPRIATING $56,500,000 for flood mitigation and water development projects;"

Green: Page 1, Line 13:
Delete "$96,500,000" and insert in lieu thereof "$40,000,000"

Green: Page 11, Line 1:
Delete "$96,500,000" and insert in lieu thereof "$40,000,000" and after the inserted "$40,000,000." insert the following sentence "There is appropriated $56,500,000 from the General Fund."

Green: Page 11, Line 2:
After "bonds" insert "and General Fund appropriation"

Page 3, Line 8:
Delete "1986" and reinsert "1985"

Page 3, Line 22:
After "July 1," delete "1986" and insert "1985"

Page 3, Line 23:
At the beginning of the sentence, delete "January 1, 1990" and insert "December 31, 1989"

Page 4, Line 6:
After "From" delete "and after"

Page 4, Line 15:
After "From" delete "and after"

Page 5, Line 9:
After "1986" delete "to" and insert "through"

Page 11, Line 5:
After "$50,743,000" insert "to the Division of Water Resources"

Page 12, Line 7:
Delete "appropriated" and insert "provided"

Page 12, Line 16:
After "32,000,000" insert "to the Division of Water Resources"

Page 12, Line 24:
After "$500,000" insert "to the Division of Water Resources"

Goldenrod: Page 13, Line 1:
After "$750,000" insert "to the Division of Water Resources"

Goldenrod: Page 13, Line 10:
After "completed" insert ". The final design reports for option B shall be completed"

Goldenrod: Page 13, Line 10a:
After "reports" insert "for both Option A and Option B"

Goldenrod: Page 13, Line 13:
After "costs of" delete "operator" and insert "operation"

Goldenrod: Page 13, Line 14:
After "completion;" delete "and"

Goldenrod: Page 13, Line 15a:
After "use" delete the comma and insert "and"

Goldenrod: Page 13, Line 15a:
After "ISLAND," delete "," and insert "and"

Goldenrod: Page 13, Line 15b:
After "LANDS" delete the "," and insert "; and (E)" to make a new subsection. After "ROADS" delete "DURING CONSTRUCTION"

Goldenrod: Page 13, Lines 15c and d:
After "CONSTRUCTION" delete "AND COST" on line 15c through "PLAN A" on line 15d

Senators Cary Peterson, Renstrom, McMullin, Holmgren, Black, Barton, Rogers and Bunnell commented.

On motion of Senator Finlinson, and under suspension of the rules, **FOURTH SUB. No. 97** was amended as follows:

Green: Page 19 Line 31:
After "highways" and before the period insert "or to study or construct Option B set forth in Subsection 6 (d) (i) (B)"

The bill passed on the following roll call:

Yeas, 23; Nays, 6; Absent, 0

Voting in the affirmative were: Senators

Asay	Cornaby	Peterson, Chuck	Stratford
Bangerter (exp)	Finlinson	Peterson, L.	Swan
Barlow	McMullin	Pugh	Wayment (exp)
Barton (exp)	Money	Rogers	Williams

Black (exp)	Overson	Sandberg	Pres. Christensen
Carling	Peterson, C.	Sowards (exp)	

Voting in the negative were: Senators

Bunnell	Holmgren	McAllister	Renstrom
Hillyard	Matheson		

FOURTH SUB. No. 97, as amended, was transmitted to the House.

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B. No. 129** and **H.B. No. 95,** and the bills were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President: February 15, 1985

The Health Standing Committee, to which was referred **SUBSTITUTE H.B. No. 59,** PHARMACY PRACTICE ACT, by Representative Carl D. Anderson, has carefully considered the bill and reports it out of committee favorably with the following amendments and asks that it be placed on the Consent Calendar:

Cherry: Page 21, Line 5:
After "capsule" insert ", unless waived by the division,"

Cherry: Page 21, Line 6:
After "monogram" delete ", and" and insert ". And", and

The Health Standing Committee, to which was referred **S.B. No. 141,** AGRICULTURAL FEE STRUCTURE AMENDMENTS, by Senator Eldon A. Money, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Ivan M. Matheson, Committee Chairman

Committee report, with amendments, was read and adopted. **SUB. H.B. No. 59** and **S.B. No. 141** were read the second time, and placed on Consent Calendar.

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Mr. President: February 15, 1985

The Education Standing Committee, to which was referred **S.B. No. 91,** POWERS OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION, by Senator

Paul Rogers, has carefully considered the bill and reports it out of committee favorably with the following amendments and asked that it be placed on the Consent Calendar:

Page 1, Line 32:
After "procedure" delete the rest of lines 32 through 34

Page 2, Line 1:
Delete Lines 1 through 5

Page 2, after Line 5:
Insert: "but not upon questions of law. Upon request by the state superintendent, the attorney general shall issue written opinions on questions of law. Opinions issued under this section shall be held to be correct and final unless set aside by a court of competent jurisdiction or by subsequent legislation."

William T. Barton, Committee Chairman

Committee report, with amendments, was read and adopted. **S.B. No. 91,** as amended, was read the second time and placed on Consent Calendar.

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Mr. President: February 13, 1985

The Transportation and Public Safety Standing Committee, to which was referred **SUBSTITUTE H.B. No. 170,** CLASS C ROAD FUNDS, by Representative Don R. Strong, has carefully considered the bill and reports it out of committee favorably with the following amendments and asks that it be placed on the Consent Calendar.

Page 1, Line 4:
After "CLASS" insert "B AND"

Page 1, Line 13:
After "CLASS" insert "B AND"

Jack M. Bangerter, Committee Chairman

Committee report, with amendments, was read and adopted. **SUB. H.B. No. 170,** as amended, was read the second time, and placed on Consent Calendar.

The Senate recessed for a Rules Committee meeting at 12:15, and reassembled at 12:20.

RULES COMMITTEE REPORTS

Mr. President: February 18, 1985

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 249	REGISTRATION OF SEX OFFENDERS AMENDMENTS (Transportation, and Public Safety)
S.B. No. 254	CONTROLLED SUBSTANCE ACT (Transportation, and Public Safety)
S.B. No. 159	SMALL POWER PRODUCTION AND COGENERATION (Energy, Natural Resources and Agriculture)
S.B. No. 211	WAGE, HOUR, AND WORKING CONDITION AMENDMENTS (Business, Labor and Economic Development)
S.B. No. 256	FORCIBLE ENTRY AND DETAINER AMENDMENTS (Business, Labor and Economic Development)

reports the same back and asks that they be printed and each assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bills to the committees indicated.

On motion of Senator McMullin, and at 12:20, the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Arnold Christensen presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 18, 1985

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 4,** SUNSET REVIEW — PHYSICAL THERAPY PRACTICE ACT, by Senator Carling, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 12,** PAWNBROKER REDEMPTION CHARGE REPEAL, by Senator Carling, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, on Consent Calendar, **S.B. No. 19,** LIVESTOCK INSPECTION AND QUARANTINE 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, and

I am directed to inform the Senate that the House of Representatives has this day passed, on Consent Calendar, **S.B. No. 60,** DELAYED DISTRIBUTION OF ESTATE TO MINORS, by Senator Hillyard, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, on Consent Calendar, **S.B. No. 111,** CONCURRENT JURISDICTION OF DEFENSE DEPOT — OGDEN, by Senator Peterson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 125,** TRUST DEED CHANGES, by Senator Carling, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 80,** MUNICIPAL INITIATIVE AND REFERENDUM PROVISIONS, by Senator Black, et al, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.B. Nos. 4, 12, 19, 60, 111, 125 and 80 were signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

JOINT CONFERENCE COMMITTEE REPORT
(S.B. No. 33, TITLE 53 REVISION — SCHOOL BUILDING)

Mr. President: February 18, 1985

I am directed to inform the Senate that the House of Representatives has this day adopted the Joint Conference Committee Report as of February 18, 1985, and passed **S.B. No. 33,** TITLE 53 REVISION — SCHOOL BUILDING, by Senator Hillyard, and the same is transmitted herewith for the Senate's further consideration.

Mr. Speaker and Mr. President: February 15, 1985

Your Conference Committee, consisting of Representatives Rees, Stephens, and Tomlinson, and Senators Hillyard, McMullin and Bunnell to which was referred **S.B.**

No. 33, TITLE 53 REVISION — SCHOOL BUILDING, by Senator Hillyard has agreed to recede from the amendments.

Stephen J. Rees
Chairman, House Committee
Lyle W. Hillyard
Chairman, Senate Committee

The Senate, at the request of Senator Hillyard, did not consider the Joint Conference Committee Report at this time.

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Mr. President: February 18, 1985

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. 62,** UTAH ARBITRATION ACT. by Senator Stratford, et al, and has appointed a Conference Committee consisting of Representatives Karras, Selleneit and Jenkins, to act with a like Committee from the Senate on this bill.

Carole E. Peterson, Acting Chief Clerk

President Christensen appointed a committee comprised of Senators Stratford. Hillyard and Money to meet with a like Committee from the House to consider the bill.

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Mr. President: February 18, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 207,** UTAH TECHNICAL COLLEGE AT SALT LAKE REVENUE BONDS, by Representative Goodfellow, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, on Consent Calendar, **H.B. No. 272,** GOVERNMENTAL IMMUNITY ACT CORRECTION, by Representative McKeachnie, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 8,** INSTRUCTION IN THE TRAITS OF GOOD CITIZENSHIP, by Representative Wasden, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, on Consent Calendar, **H.C.R. No. 11**, SURFACE MINING COOPERATION AGREEMENT RESOLUTION, by Representative Dmitrich, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.B. Nos. 207 and **272** and **H.J.R. No. 8** and **H.C.R. No. 11** were read the first time and referred to Rules Committee.

STANDING COMMITTEE REPORTS

Mr. President: February 18, 1985

The Energy, Natural Resources & Agriculture Standing Committee, to which was referred **S.B. No. 239**, AMENDMENTS TO INTERLOCAL COOPERATION ACT, 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, and

The Energy, Natural Resources & Agriculture Standing Committee, to which was referred **S.B. No. 227**, THERMAL POWER FACILITIES ACT AMENDMENTS, by Senator Eldon A. Money, has carefully considered the bill and reports it out of committee favorably and asks that it be placed on the Consent Calendar with the recommendation that the original bill be deleted in body and title and that **SUBSTITUTE S.B. No. 227** replace the original bill.

Fred W. Finlinson, Committee Chairman

Committee report read and adopted. **S.B. No. 239** and the following **SUBSTITUTE S.B. No. 227** were read the second time, and placed on Consent Calendar.

THERMAL POWER FACILITIES ACT AMENDMENTS

SUBSTITUTE
S.B. No. 227 *Eldon A. Money*

AN ACT RELATING TO THERMAL POWER FACILITIES; PROVIDING FOR JOINT PARTICIPATION BETWEEN UTAH CITIES, TOWNS, AND POWER UTILITIES IN PLANNING, FINANCING, CONSTRUCTION, ACQUISITION, OWNERSHIP, OPERATION, OR MAINTENANCE OF THERMAL POWER FACILITIES; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 54-9-1, AS LAST AMENDED BY CHAPTER 189, LAWS OF UTAH 1979; 54-9-1.5, AS LAST AMENDED BY CHAPTER 189, LAWS OF UTAH 1979; 54-9-2, AS LAST AMENDED BY CHAPTER 189, LAWS OF UTAH 1979; 54-9-4, AS ENACTED BY CHAPTER 21, LAWS OF UTAH 1975; 54-9-5, AS LAST AMENDED BY CHAPTER 54, LAWS OF UTAH 1980; 54-9-6, AS LAST AMENDED BY CHAPTER 21, LAWS OF UTAH 1975

SECOND READING CALENDAR

S.B. No. 232, INSURANCE LAW RECODIFICATION, was read the second time. Senator Overson was presiding.

Mr. President: February 12, 1985

The Business, Labor and Economic Development Standing Committee, to which was referred **S.B. No. 232,** INSURANCE LAW RECODIFICATION, by Senator Fred W. Finlinson, has carefully considered the bill and reports it out of committee favorably and with the following amendment:

Page 89, Line 19:
After "taxes," delete "premium taxes on health care insurance,"

Lowell S. Peterson, Committee Chairman

Committee report, with amendments, was read and adopted.

On motion of Senator Finlinson, the Senate resolved into Committee of the Whole. Appearing before the committee were John F. Piercey, Chairman of the Utah Insurance Law Revision Commission, Michael Leavitt, Dane O. Leavitt, Council for the Utah Insurance Law Revision Commission, Gordon Strachan, General Counsel for Allied Health Care Providers, Douglas Hammer, General Counsel for Intermountain Health Care.

Senators Hillyard, Bunnell, C.E. Peterson, Matheson, Holmgren, Swan and Barlow commented.

On motion of Senator Finlinson, the Committee was dissolved.

On motion of Senator Finlinson, **S.B. No. 232** was amended as follows:

Page 767, Line 10:
Delete the word "ten" and insert "thirteen"

Page 767, Line 12:
Delete the word "nine" and insert "twelve"

Page 767, Line 20:
Delete the word "four" and insert "seven"

Page 769, Line 2:
After the words "revolving fund;" delete the word "and"

Page 769, Line 3:
After "(o)" insert "any items submitted to the Office of Legislative Research and General Counsel prior to May 1, 1985 will be priortized for consideration by the task force; and"

Page 769, Line 3:
After the above insertion, insert "(p)"

Senator McMullin moved the following amendments:

Page 477, Lines 27 through 29:
After the word "contract," delete the remainder of line 27 and delete all of lines 28 and 29

Page 477, Line 30:
Delete "members of the same class of health care providers." and insert in its place "unless the illnesses or injuries treated by the health care provider are not within the scope of the insurance contract, as set forth in Subsections (2)(b) through (e)."

Page 478, Line 22:
After the word "exceed", delete "$200" and insert "$100"

Page 478, Line 23:
After the word "and", delete "$600" and insert "300"

Page 478, After Line 25:
Insert the following: "(e) An insurer cannot discriminate between classes of health care providers when selecting health care providers with whom to contract under Subsection (1), but it can discriminate within a class of health care provider, subject to Subsection (7)."

Page 480, Line 6:
After the word "provider", delete "under Subsection (1)" and insert in its place "for treatment of illness or injuries"

Page 480, Lines 7 through 9:
After the words "perform the" delete the remainder of line 7 and delete all of lines 8 and 9 and insert in its place the word "treatment"

Page 480, After Line 9:
Insert the following: "(7) No health care provider or insurer may discriminate against a preferred health care provider for agreeing to a contract under Subsection (1). Any health care provider licensed to treat any illness or injury within the scope of their practice, who is willing and able to meet the terms and conditions established by the insurer for designation as a preferred health care provider, shall be able to apply for and receive the designation as a preferred health care provider."

Page 480, Lines 12 through 13:
After the words "benefits for" on line 12, delete "health care services" and insert "the treatment of illnesses or injuries"

Page 480, Line 14:
After the word "optometrist," delete "chiropodist" and insert in its place the word "podiatrist"

Page 480, Line 15:
After the word "chiropractor," insert "psychologist, social worker,"

Page 480, Lines 15 through 16:
After the words "healing arts," on line 15, delete the remainder of line 15 and delete all of line 16

Page 480, Line 18:
After the word "practice." insert "An insurer's refusal under this section entitles the insured to request a hearing before the commissioner under Sections 31A-2-301 through 31A-2-311, in order to pursue any of the remedies provided for therein."

Senators Swan and Black commented.

The Senate sauntered at 3:35 p.m., and reassembled at 4:00 p.m.

Senator L. Peterson and Finlinson commented.

Senator McMullin's motion to amend passed on the following roll call:

Yeas, 16; Nays, 7; Absent, 6

Voting in the affirmative were: Senators

Asay (exp)	Black	Overson	Stratford
Bangerter	Holmgren	Peterson, Chuck	Swan
Barlow	Matheson	Renstrom	Wayment
Barton (exp)	McMullin	Sowards	Pres. Christensen

Voting in the negative were: Senators

Bunnell	Cornaby	McAllister	Rogers
Carling	Finlinson	Peterson, L.	

Absent or not voting were: Senators

Hillyard	Peterson, C.	Sandberg	Williams
Money	Pugh		

The McMullin amendments were incorporated into the bill.

Senator Matheson's motion to table the bill failed on a voice vote.

The bill passed on the following roll call:

Yeas, 24; Nays, 5; Absent, 0

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, C.	Sowards
Barlow	Hillyard	Peterson, Chuck	Stratford
Barton	McAllister	Peterson, L.	Swan
Black	McMullin (exp)	Pugh	Wayment
Bunnell	Money	Renstrom	Williams
Carling	Overson	Sandberg	Pres. Christensen

Voting in the negative were: Senators

Bangerter (exp)	Holmgren	Matheson	Rogers (exp)
Cornaby			

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S.B. No. 175, NORTHERN MICROWAVE SYSTEM APPROPRIATION, was before the Senate.

On motion of Senator Hillyard, **S.B. No. 175** was amended as follows:

Page 1, Line 10:
After "APPROPRIATING" delete "$1,166,300" and insert "$1,202,300"

Page 1, Line 13:
After "LOGAN;" insert "PROVIDE A DROP-CIRCUIT FROM THE BROADBAND SYSTEM INTO RICHFIELD;"

Page 1, Line 18:
After "County" delete "and" and insert ";"

Page 1, Line 22:
After "Peak" insert "; and a grant matching fund for a drop-circuit from the broadband system into Richfield $36,000"

The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	Matheson	Peterson, L.	Swan
Black	McAllister	Pugh	Wayment
Bunnell	McMullin	Renstrom	Williams
Carling	Money	Rogers	Pres. Christensen
Cornaby	Overson	Sandberg	

Absent or not voting were: Senators

Asay	Finlinson

On motion of Senator McMullin, the bill was placed on Third Reading Table.

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S.B. No. 201, WOLFCREEK APPROPRIATION, was read the second time.

Mr. President: February 8, 1985

The Energy, Natural Resources & Agriculture Committee, to which was referred **S.B. No. 201,** WOLFCREEK APPROPRIATION, by Senator Lowell S. Peterson, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 4:
Delete "WOLFCREEK" and insert "MIDDLE FORK OGDEN RIVER"

Page 1, Line 11:
After "PAYMENT FOR THE" delete "WOLFCREEK" and insert "MIDDLE FORK OGDEN RIVER"

Page 1, Line 20:
After "for the" delete "Wolfcreek" and insert "Middle Fork Ogden River"

Page 1, Line 25:
After "equal" delete "acreage" and insert "value" and after "to the" delete "Wolfcreek" and insert "Middle Fork Ogden River"

Fred W. Finlinson, Committee Chairman

Committee report, with amendments, was read and adopted.

On motion of Senator Black, **S.B. No. 201** was amended as follows:

Page 1, Line 25:
Delete "value" and restore "acreage"

On motion of Senator L. Peterson, **S.B. No. 201** was amended as follows:

Page 1, Line 22:
After "habitat." insert "This property shall be designated as mitigation land for future water development."

The bill passed on the following roll call:

Yeas, 24; Nays, 3; Absent, 2

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Sowards
Bangerter	Holmgren	Peterson, Chuck	Stratford
Barlow	Matheson (exp)	Peterson, L.	Swan
Barton	McAllister	Pugh (exp)	Wayment
Bunnell	McMullin	Renstrom	Williams
Finlinson	Overson	Sandberg	Pres. Christensen

Voting in the negative were: Senators

Black (exp)	Cornaby	Rogers

Absent or not voting were: Senators
Carling Money

On motion of Senator L. Peterson, the bill was placed on the Third Reading Table.

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S.B. No. 105, ALCOHOL MOTOR FUEL AMENDMENT, was read the second time.

Mr. President: February 8, 1985

The Senate Transportation and Public Safety Standing Committee, to which was referred **S.B. No. 105,** ALCOHOL MOTOR FUEL AMENDMENT, by Senator Dix H. McMullin, 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. 105** replaced the original bill.

Jack M. Bangerter, Committee Chairman

Committee report read and adopted. The following substitute bill replaced the original bill.

ALCOHOL MOTOR FUEL AMENDMENT

SUBSTITUTE
S.B. No. 105 *Dix H. McMullin, Wilford R. Black*

AN ACT RELATING TO MOTOR FUELS; PROVIDING FOR THE REPEAL OF PROVISIONS IN THE MOTOR FUEL CHAPTERS FOR ALCOHOL FUEL LABELLING; REPEALING MOTOR FUEL TAX REDUCTION FOR METHANOL; AMENDING PROCEDURAL REQUIREMENTS TO FACILITATE USE OF THE ALCOHOL PRODUCER'S INCENTIVE; APPROPRIATING $1,000,000; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 41-11-6, AS LAST AMENDED BY CHAPTER 8, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 41-11a-2, AS ENACTED BY CHAPTER 8, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 41-11a-4, AS ENACTED BY CHAPTER 8, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 41-11a-5, AS ENACTED BY CHAPTER 8, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 41-11a-8, AS ENACTED BY CHAPTER 8, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 41-11a-11, AS ENACTED BY CHAPTER 8, LAWS OF UTAH 1984, SECOND SPECIAL SESSION

ENACTS: 41-11a-14, UTAH CODE ANNOTATED 1953

On motion of Senator Cary Peterson, the substitute bill was circled.

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S.B. No. 121, AMENDMENTS TO UNIFORM COMMERCIAL CODE, was read the second time.

Mr. President: February 11, 1985

The Revenue and Taxation Standing Committee, to which was referred **S.B. No. 121,** AMENDMENTS TO UNIFORM COMMERCIAL CODE, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lyle W. Hillyard, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Finlinson	Overson	Sandberg
Barlow	Hillyard	Peterson, C.	Stratford
Barton	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Peterson, L.	Williams
Carling	McAllister	Pugh	Pres. Christensen

Absent or not voting were: Senators

Bangerter	McMullin	Renstrom	Sowards
Bunnell	Money	Rogers	Wayment
Cornaby			

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S.B. No. 188, JOB TRAINING COORDINATION ACT, was read the second time.

Mr. President: February 11, 1985

The Social Services Committee, to which was referred **S.B. No. 188,** JOB TRAINING COORDINATION ACT, by Senator Haven J. Barlow, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 30:
After "shall be", delete the remainder of the line and insert "a member of the Utah Legislature;"

Page 2, Line 31:
Delete the line in its entirety.

Page 3, Line 2:
After "(c)", delete the remainder of the line in its entirety and insert "the president of the Utah Association of Private Industry Councils;"

Page 3, Line 11:
Delete the ";" and insert "."

Page 3, Line 12:
Delete the line in its entirety.

John P. Holmgren, Committee Chairman

Committee report, with amendments, was read and adopted. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Sandberg
Bangerter	Finlinson	Peterson, C.	Sowards
Barlow	Hillyard	Peterson, Chuck	Stratford
Barton	Holmgren	Peterson, L.	Swan
Black	McAllister	Pugh	Wayment
Bunnell	McMullin	Rogers	Pres. Christensen
Carling	Money		

Absent or not voting were: Senators

Matheson	Renstrom	Williams

COMMUNICATION FROM THE HOUSE

Mr. President: February 18, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and the House **S.B. No. 98,** WILDLIFE LICENSE AMENDMENTS, by Senator Finlinson, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Finlinson, the Senate voted to concur in the House amendments, the bill passed on the following roll call:

Yeas, 23; Nays, 5; Absent, 1

Voting in the affirmative were: Senators

Asay	Carling	Overson	Sandberg
Bangerter	Cornaby	Peterson, Chuck	Sowards
Barlow	Finlinson	Peterson, L.	Stratford
Barton	Holmgren	Pugh	Swan
Black	Matheson	Renstrom	Wayment
Bunnell	McAllister	Rogers	

Voting in the negative were: Senators

Hillyard	Money	Peterson, C.	Pres. Christensen
McMullin			

Absent or not voting was: Senator
Williams

S.B. No. 98 was returned to the House.

RULES COMMITTEE REPORT

Mr. President: February 18, 1985

The Senate Rules Committee, to which were referred the following House Bills:

H.B. No. 73	PROBATE - GUARDIAN APPOINTMENT AMENDMENTS (Judiciary)
H.B. No. 76	JUVENILE COURT - PERMANENT DEPRIVATION AMENDMENTS (Judiciary)
SUB. S.B. No. 118	EMERGENCY MEDICAL SERVICES GRANTS PROGRAM (Health)

reports the same back and asks that they be assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bills to the committees indicated.

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On motion of Senator Cary Peterson, the circles were removed from **S.B. No. 196** and **SUB. S.B. No. 105.**

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SUB. H.B. No. 170, CLASS C. ROAD FUNDS, having been placed on Consent Calendar, was objected to its being there by Senators McAllister, Bangerter and Overson and was placed on Second Reading Calendar.

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On motion of Senator Cary Peterson, and at 5:10, the Senate adjourned until 10:00 a.m., Tuesday, February 19, 1985.

THIRTY-SEVENTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Arnold Christensen presiding.

Roll Call — All Senators present except Senator McAllister, excused.

Prayer — Golden Barratt, Stake President Sandy Hillcrest Stake, Church of Jesus Christ of Latter-day Saints

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

DAILY SENATE JOURNAL

Mr. President: February 19, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the thirty sixth day and find it correct with minor amendments noted on the final copy.

William T. Barton, Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 18, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, **H.C.R. No. 24,** GENERAL MOTORS SATURN PLANT RESOLUTION, by Representative Moody, 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. 176,** CHEESE PROCESSING USE TAX EXEMPTION, by Representative Bodily, 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. 254,** CONFISCATION AND FORFEITURE 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, **H.B. No. 309,** EXPANSION OF INTERSTATE BANKING, by Representative Garbett, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.C.R. No. 24, H.B. Nos. 176, 254 and 309 were read the first time and referred to Rules Committee.

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Mr. President: February 18, 1985

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 5,** SUNSET ACT AMENDMENTS, by Senator Carling, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.B. No. 5 was signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

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Mr. President: February 18, 1985

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. 38,** LEFT-LANE TRAVEL RESTRICTIONS, by Representative Browning, 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. 46,** INDIAN AFFAIRS MEMBERSHIP, by Representative Yardley, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed, **H.B. No. 49,** VETERAN'S PREFERRED EMPLOYMENT, by Representative Christensen, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed, **SUBSTITUTE H.B. No. 58,** EDUCATIONAL PROFESSIONAL PRACTICES AMENDMENTS, by Representative Burningham, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed, **H.B. No. 106,** PROHIBITION OF ALCOHOLIC BEVERAGES IN PUBLIC SCHOOLS, by Representative Stephens, 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. 109,** INTERSTATE COMPACT ON ADOPTION AND MEDICAL ASSISTANCE, by Representative Skousen, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

H.B. Nos. 38, 46, 49, 106 and **109** and **SUB. H.B. Nos. 58** were signed by the President of the Senate in open session and returned to the House for further action.

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Mr. President: February 18, 1985

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 57,** FIRE CHIEF AND PUBLIC SAFETY RETIREMENT EXEMPTION, by Senator Barlow, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.B. No. 57 was signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B. Nos. 206, 212, 240, 167, 180, 243, 233** and **245,** and on **H.B. Nos. 25, 79** and **193,** and the bills were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President: February 15, 1985

The Education Standing Committee, to which was referred **H.B. No. 157,** TRESPASS ON SCHOOL PROPERTY, by Representative Olene S. Walker, 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 T. Barton, Committee Chairman

Committee report read and adopted. **H.B. No. 157** was read the second time, and placed on Consent Calendar.

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Mr. President: February 18, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 190**, CRIMINAL THREATS AMENDMENTS, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

E. Verl Asay, Committee Chairman

Committee report read and adopted. **S.B. No. 190** was read the second time, and placed on Consent Calendar.

INTRODUCTION OF BILL

WATER AND SEWAGE DISTRICT TRUSTEES AMENDMENT

S.B. No. 287 *Brent C. Overson*

AN ACT RELATING TO WATER AND SEWAGE DISTRICTS; PROVIDING ADDITIONAL COMPENSATION FOR TRUSTEES OF WATER AND SEWAGE DISTRICTS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 17-6-3.4, AS LAST AMENDED BY CHAPTER 35, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

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On motion of Senator Hillyard, the Senate voted to adopt the Joint Conference Committee Report on **S.B. No. 33**, TITLE 53 REVISION — SCHOOL BUILDING. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Sandberg
Bangerter	Finlinson	Peterson, C.	Sowards
Barlow	Hillyard	Peterson, Chuck	Swan
Barton	Holmgren	Peterson, L.	Wayment
Black	Matheson	Pugh	Williams
Bunnell	McMullin	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Carling	Money	Rogers	Stratford
McAllister			

S.B. No. 33 was returned to the House.

CONSENT CALENDAR

S.B. No. 236, PUBLIC INFORMATION DISCLOSURE, 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	Hillyard	Overson	Sandberg
Bangerter	Holmgren	Peterson, C.	Sowards
Barlow	Matheson	Peterson, Chuck	Swan
Barton	McMullin	Peterson, L.	Williams
Black	Money	Renstrom	Pres. Christensen
Finlinson			

Absent or not voting were: Senators

Bunnell	Cornaby	Pugh	Stratford
Carling	McAllister	Rogers	Wayment

S.B. No. 236 was transmitted to the House.

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H.B. No. 134, SCHOOL BUS FLASHING LIGHTS MODIFICATION, was read the third time and explained by Senator McMullin. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, C.	Sowards
Bangerter	Hillyard	Peterson, Chuck	Stratford
Barlow	Holmgren	Peterson, L.	Swan
Barton	Matheson	Pugh	Wayment
Black	McMullin	Renstrom	Williams
Bunnell	Overson	Sandberg	Pres. Christensen

Absent or not voting were: Senators

Carling	McAllister	Money	Rogers
Cornaby			

H.B. No. 134 was signed by the President of the Senate in open session and returned to the House for further action.

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S.B. No. 209, DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING, 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	Cornaby	Overson	Sowards
Bangerter	Hillyard	Peterson, C.	Stratford
Barlow	Holmgren	Peterson, L.	Swan
Barton	Matheson	Pugh	Wayment
Black	McMullin	Renstrom	Williams
Bunnell	Money	Rogers	Pres. Christensen

Absent or not voting were: Senators

Carling	McAllister	Peterson, Chuck	Sandberg
Finlinson			

S.B. No. 209 was transmitted to the House.

THIRD READING CALENDAR

On motion of Senator Asay, **S.B. No. 196** was circled.

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On motion of Senator McMullin **S.B. No. 232**, INSURANCE LAW RECODIFICATION, was read the third time and circled.

• • •

S.B. No. 121, AMENDMENTS TO THE UNIFORM COMMERCIAL CODE, 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	Hillyard	Peterson, Chuck	Sowards
Bangerter	Holmgren	Peterson, L.	Stratford
Barlow	Matheson	Pugh	Swan
Barton	McMullin	Renstrom	Wayment
Black	Money	Rogers	Williams
Cornaby	Overson	Sandberg	Pres. Christensen
Finlinson	Peterson, C.		

Absent or not voting were: Senators

Bunnell	Carling	McAllister

S.B. No. 121 was transmitted to the House.

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S.B. No. 188, JOB TRAINING COORDINATION ACT, 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	Finlinson	Peterson, C.	Sowards
Bangerter	Hillyard	Peterson, Chuck	Stratford
Barlow	Holmgren	Peterson, L.	Swan
Barton	Matheson	Pugh	Wayment
Black	McMullin	Renstrom	Williams
Carling	Money	Rogers	Pres. Christensen
Cornaby	Overson	Sandberg	

Absent or not voting were: Senators

Bunnell	McAllister

S.B. No. 188 was transmitted to the House.

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On motion of Senator Finlinson, the circle was removed from **S.B. No. 232,** INSURANCE LAW RECODIFICATION, and the bill was before the Senate.

On motion of Senator McMullin **S.B. No. 232** was amended as follows:

Page 195, Line 12:
Delete "31A-22-619" and insert "31A-22-618"

Goldenrod: Page 477, Line 25:
After "(2) (a)" delete "An" and insert "Subject to subsections (2) (b) through (2) (e), an"

On the February 18, 1985 Senate Floor Amendment, by Senator Dix McMullin, make the following changes:

In the reference to:

Goldenrod: Page 477, Line 30:
After the inserted word "contract" insert "." and delete ", as set forth in Subsections (2) (b) through (e)."

Goldenrod: Page 480, Line 18:
Delete the insertion and insert in its place "Upon the written request of an insured alleging an insurer has violated this section, the commissioner shall hold a hearing to determine if the violation exists. The commissioner may consolidate two or more related alleged violations into a single hearing."

The bill passed on the following roll call:

Yeas, 24; Nays, 2; Absent, 3

Voting in the affirmative were: Senators

Asay	Finlinson	Overson	Sandberg
Barlow	Hillyard	Peterson, C.	Sowards
Barton	Holmgren	Peterson, Chuck	Stratford
Black	Matheson	Peterson, L.	Wayment
Bunnell	McMullin	Pugh	Williams
Carling	Money	Renstrom	Pres. Christensen

Voting in the negative were: Senators

Bangerter	Rogers

Absent or not voting were: Senators

Cornaby	McAllister	Swan

S.B. No. 232, as amended, was transmitted to the House.

SECOND READING CALENDAR

SUB. S.B. No. 105, ALCOHOL MOTOR FUEL AMENDMENT, was before the Senate. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Sandberg
Bangerter	Holmgren	Peterson, Chuck	Sowards
Barlow	Matheson	Peterson, L.	Stratford
Black	McMullin	Pugh	Wayment
Bunnell	Money	Renstrom	Williams
Cornaby	Overson	Rogers	Pres. Christensen

Absent or not voting were: Senators

Barton	Finlinson	McAllister	Swan
Carling			

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S.B. No. 76, FUNDING OF MUNICIPAL SERVICES, was read the second time.

Mr. President: February 11, 1985

The Senate and Local Affairs Standing Committee, to which was referred **S.B. No. 76,** FUNDING OF MUNICIPAL SERVICES, by Senator Dix H. McMullin, has carefully considered the bill and reports it out of committee favorably with the recommendation that the original bill be deleted in body and title and that **SUBSTITUTE S.B. No. 76,** replace the original bill.

K.S. Cornaby, Committee Chairman

Committee report read and adopted. The following substitute bill replaced the original bill.

FUNDING OF MUNICIPAL SERVICES

SUBSTITUTE
S.B. No. 76 *Dix H. McMullin*

AN ACT RELATING TO COUNTIES; ALLOWING COUNTIES OF THE FIRST AND SECOND CLASS TO PROVIDE ADDITIONAL SERVICES OR FUNCTIONS TO

UNINCORPORATED AREAS OF THE COUNTY WITHOUT PROVIDING THE SAME SERVICES TO INCORPORATED CITIES OR TOWNS; AND PROHIBITING REVENUES FROM FEES, TAXES, OR OTHER SOURCES WHICH ARE BASED ON COUNTY ASSESSMENTS OR SERVICES FROM BEING PLACED IN EITHER A MUNICIPAL SERVICES FUND OR A MUNICIPAL CAPITAL PROJECTS FUND; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 17-34-2, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1971, FIRST SPECIAL SESSION; 17-34-3, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1971, FIRST SPECIAL SESSION; 17-36-9, AS LAST AMENDED BY CHAPTER 71, LAWS OF UTAH 1983.

Senator Matheson moved the following amendments:

Green: Page 1, Lines 11 and 12:
Delete "OF THE FIRST AND SECOND CLASS"

Green: Page 1, Lines 32 and 33:
Delete "OF THE FIRST AND SECOND CLASS"

Green: Page 2, Lines 12 and 13:
Delete "OF THE FIRST AND SECOND CLASS"

Green: Page 3, Lines 22 and 23:
Delete "of the first class with a total budget of $150,000,000"

Senator Matheson's motion to amend failed on a voice vote.

The substitute bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Sowards
Bangerter	Hillyard	Peterson, Chuck	Stratford
Barlow	Holmgren	Peterson, L.	Swan
Barton	Matheson	Pugh	Wayment
Black	McMullin	Renstrom	Pres. Christensen
Carling	Money	Sandberg	

Absent or not voting were: Senators

Bunnell	McAllister	Rogers	Williams
Finlinson	Peterson, C.		

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S.B. No. 172, UTAH TRAVEL COUNCIL BOARD, was read the second time.

Mr. President: February 11, 1985

The State and Local Affairs Standing Committee, to which was referred **S.B. No. 172,** UTAH TRAVEL COUNCIL BOARD, by Senator Fred W. Finlinson, 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. 172** replace the original bill.

K.S. Cornaby, Committee Chairman

Committee report read and adopted. The following substitute bill replaced the original bill:

UTAH TRAVEL COUNCIL BOARD

SUBSTITUTE
S.B. No. 172 *Fred W. Finlinson*

AN ACT RELATING TO TRAVEL DEVELOPMENT: MODIFYING REQUIREMENTS REGARDING APPOINTMENTS TO THE BOARD OF TRAVEL DEVELOPMENT.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 63-16-2, AS LAST AMENDED BY CHAPTER 320, LAWS OF UTAH 1983

On motion of Senator Finlinson, the substitute bill was circled.

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The Senate recessed for a Rules Committee meeting at 11:05 a.m., and reassembled at 11:40 a.m.

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S.B. No. 184, STATE MONEY MANAGEMENT COUNCIL, was read the second time.

Mr. President: February 11, 1985

The State and Local Affairs Standing Committee, to which was referred **S.B. No. 184**, STATE MONEY MANAGEMENT COUNCIL, by Senator Lowell S. Peterson, has carefully considered the bill and reports it out of committee favorably and with the following amendment:

Page 1, Line 29:
After "be" delete "an elected and acting county" and insert "a public"

K.S. Cornaby, Committee Chairman

Committee report, with amendment, was read and adopted.

On motion of Senator Hillyard, **S.B. No. 184** was amended as follows:

Page 1, Line 29:
Amended to read: "member shall be an elected and acting treasurer, and"

The bill passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Sowards
Bangerter	Finlinson	Peterson, C.	Stratford
Barlow	Hillyard	Peterson, Chuck	Swan
Barton	Holmgren	Peterson, L.	Wayment
Black	McMullin	Renstrom	Williams
Bunnell	Money	Sandberg	Pres. Christensen
Carling			

Voting in the negative was: Senator
Rogers

Absent or not voting were: Senators

Matheson	McAllister	Pugh

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S.B. No. 119, HAZARDOUS MATERIALS INVESTIGATION AND RESPONSE ACT, was read the second time.

Mr. President: February 12, 1985

The Health Standing Committee, to which was referred **S.B. No. 119,** HAZARDOUS MATERIALS INVESTIGATION AND RESPONSE ACT, by Senator Fred W. Finlinson has carefully considered the bill and reports it out of committee with the recommendation that the original bill be deleted in body and title and that **SUBSTITUTE S.B. No. 119** replace the original bill.

SUBSTITUTE S.B. No. 119 to be amended as follows:

Page 1, Line 27:
After "hazardous waste" insert ", PCB, dioxin, or asbestos"

Page 2, Line 3:
After "may" insert "take reasonable actions to"

Page 2, Line 6:
After "(1) (a)" insert "or determinations or actions of the director under Subsection (1) (b)"

Page 2, Lines 17 through 27:
Delete Lines 17 through 27 and insert the following: "The court shall apportion liability among responsible persons proportionate to their respective contributions to the spill, and shall not impose joint and several liability on such persons. The burden of proving proportionate contribution shall be borne by each responsible person, and is met if the person establishes the approximate quantity of its waste contributed to or contained in the vessel, container, tank, or other facility from which the spill occurred. If a responsible person does not prove its proportionate contribution, the court shall apportion liability to the person based on fairness, equity, and available evidence. The failure of the director to name all responsible parties shall not constitute a defense to an action under this section."

Page 3, Line 1:
After "activity" insert "(a)"

Page 3, Line 3:
After "or" delete "the activity" and insert "(b) which"

Ivan M. Matheson, Committee Chairman

Committee report, with amendments, was read and adopted.

The following substitute bill replaced the original bill, and the Health Standing Committee amendments were incorporated in the substitute bill.

HAZARDOUS MATERIALS INVESTIGATION AND RESPONSE ACT

SUBSTITUTE
S.B. No. 119 *Fred W. Finlinson*

AN ACT RELATING TO HAZARDOUS WASTE; AUTHORIZING THE DIRECTOR OF THE DIVISION OF ENVIRONMENTAL HEALTH TO TAKE ACTION AS NECESSARY TO PROTECT PUBLIC HEALTH AND THE ENVIRONMENT AND TO RECOVER COSTS FROM RESPONSIBLE PARTIES; PROVIDING FOR DEDICATED CREDITS TO BE USED BY THE DIVISION; APPROPRIATING $500,000 TO THE DIVISION OF ENVIRONMENTAL HEALTH; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 26-14-19, UTAH CODE ANNOTATED 1953; 26-14-20, UTAH CODE ANNOTATED 1953

On motion of Senator Finlinson, the substitute bill was circled.

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S.B. No. 131, INDUSTRIAL FACILITIES DEVELOPMENT ACT AMENDMENTS, was read the second time.

Mr. President February 12, 1985

The Health Standing Committee, to which was referred **S.B. No. 131,** INDUSTRIAL FACILITIES DEVELOPMENT ACT AMENDMENTS, by Senator Glade M. Sowards, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted. On motion of Senator McMullin the bill was circled.

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S.J.R. No. 8, CLASS SIZE REDUCTION, was read the second time. Senators L. Peterson, Asay, Swan, Bunnell, Barlow, Renstrom and Bangerter commented.

The resolution passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Finlinson	Overson	Stratford
Bangerter	Hillyard	Peterson, C.	Swan
Barlow	Holmgren	Peterson, Chuck	Wayment
Black	Matheson	Peterson, L.	Williams
Bunnell	McMullin	Renstrom	Pres. Christensen
Cornaby	Money	Rogers	

Absent or not voting were: Senators

Barton	McAllister	Sandberg	Sowards
Carling	Pugh		

RULES COMMITTEE REPORTS

Mr. President: February 19, 1985

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 241	TAX COMMISSION CONTINUOUS GARNISHMENTS (Revenue and Taxation)
S.B. No. 224	STATUTE OF LIMITATIONS FOR CIVIL RIGHTS CASES (Judiciary)
S.B. No. 94	SALARY ADJUSTMENT AMENDMENTS (State and Local Affairs)
S.B. No. 237	ACTIONS TO RESOLVE OUTSTANDING WARRANTS AMENDMENTS (Judiciary)
S.B.No. 264	JURY LIST AMENDMENTS (Judiciary)
S.B.No. 169	NONRESIDENT PARTIAL TUITION SCHOLARSHIPS (Education)
S.B.No. 273	PEST CONTROL COMPACT (Energy, Natural Resources and Agriculture)

reports the same back and asks that they be printed and each assigned to a committee, and

The Senate Rules Committee, to which were referred the following House Bills:

H.B. No. 101	MUNICIPAL BOND ACT AMENDMENT (State and Local Affairs)
H.B. No. 120	GOVERNMENTAL IMMUNITY ACT MODIFICATIONS (State and Local Affairs)

SUB. H.B. No. 140	INFORMATION PRACTICES AMENDMENTS (State and Local Affairs)
H.B. No. 145	ZONING State and Local Affairs)
H.B. No. 245	UNIFORM CONSUMER CREDIT CODE (Business, Labor and Economic Development)
SUB. HB. No. 50	LEASE-PURCHASE AMENDMENTS (State and Local Affairs)

reports the same back and asks that they be assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bills to the committees indicated.

On motion of Senator McMullin, and at 12:00 noon, the Senate recessed.

AFTERNOON SESSION

The Senate reconvened at 2:15 p.m. with President Arnold Christensen presiding. Senator McAllister was present.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 18, 1985

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. 78**, MOSQUITO ABATEMENT DISTRICTS, by Senator Black, et al, and has appointed a Conference Committee consisting of Representatives Maxfield, Schmutz and Moran, to act with a like Committee from the Senate on this bill.

Carole E. Peterson, Acting Chief Clerk

President Christensen appointed a committee consisting of Senators Black, Cornaby and Barton to meet with a like committee from the House to consider the bill.

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Mr. President: February 19, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, on Consent Calendar, **S.B. No. 46**, PUBLIC SAFETY RETIREMENT CREDIT PURCHASE, by Senator Swan, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 98,** WILDLIFE LICENSE AMENDMENTS, by Senator Finlinson, et al, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.B. Nos. 46 and **98** were signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

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Mr. President: February 18, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, **H.J.R. No. 9,** PURCHASING POLICIES OF LOCAL SCHOOL DISTRICTS RESOLUTION, by Representative Tomlinson, 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. 72,** COMPENSATION FOR PROBATE PERSONAL REPRESENTATIVES, by Representative Lewis, 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. 116,** DETECTION OF UNINSURED MOTORISTS, by Representative Browning, and the same is transmitted herewith for Senate consideration.

Mr. President: February 19, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, on Consent Calendar, as amended, **SUBSTITUTE H.B. No. 274,** MINING AMENDMENTS, 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, as amended, **H.B. No. 276,** AMENDMENTS TO OSHA, by Representative Stephens, 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. 289,** REPEAL OF MUNICIPALLY OWNED WATER SYSTEM APPLICATION LIABILITY REQUIREMENTS, 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, as amended, **H.B. No. 330,** COMMITTEE ON WATER POLLUTION AMENDMENTS, by Representative Schmutz, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.J.R. No. 9, H.B. Nos. 72, 116, SUB. H.B. No. 274, H.B. No. 276, 289 and **330** were read the first time and referred to Rules Committee.

THIRD READING CALENDAR

On motion of Senator Asay, and under suspension of the rules, the circle was removed from **S.B. No. 196,** INFORMED CONSENT REQUIREMENTS, and the bill was before the Senate.

On motion of Senator Cornaby, **S.B. No. 196** was amended as follows:

Page 1, Line 23:
After "administers" delete all the balance of the material on line 23, and delete lines 24 through 28 and insert "non-emergency health care to a legally incompetent person, without first obtaining consent of the person's parent, legal gaurdian, or a person standing in loco parentis, or an order of a district court pursuant to Section 78-3a-26(5), is guilty of unprofessional conduct and is subject to disciplinary action, including license revocation or suspension, by the health care provider's licensure board.

As used in this part:

(1) "Legally incompetent person" means a person who is under 18 years of age and who has never been married, and who resides with a parent, guardian or person standing in loco parentis, or a person who has reached the age of 18 years and who is under the constant care and supervision of a parent, guardian or person standing in loco parentis by reason of the legally incompetent person's mental incapacity.

(2) "Non-emergency health care" means health care administered under circumstances where, in the opinion of the health care provider, the health care to be administered is not immediately or imminently necessary to protect health, and any delay occasioned by an attempt to obtain consent will not jeopardize the life, health, or welfare of the patient or would not result in the disfigurement or impairment of

faculties of the patient. The implantation, distribution or prescription of prescription drugs or prescription devices for the purpose of preventing conception or pregnancy is the administration of non-emergency health care.

"Person standing in loco parentis" means: (a) a person to whom a parent or legal guardian has entrusted the care of a legally incompetent person under circumstances where it can be reasonably inferred that the parent or legal guardian would expect the entrusted party to make required medical decisions, or (b) a governmental agency which has taken temporary or permanent physical custody of a legally incompetent person, or (c) a person who has assumed the role of a parent or legal guardian on a relatively permanent basis for a legally incompetent person, including the establishment of a relationship to provide for the care and necessaries of the person usually provided by a parent or legal guardian.

When a parent, legal guardian, or person standing in loco parentis has once given consent for the administration of health care by a health care provider to a legally incompetent person, the consent shall remain in force and be applicable to all other health care providers who administer health care at the time of or subsequent to the granting of consent during the person's continuing course of treatment for that condition or other conditions resulting from the illness, injury or course of treatment for which the consent to administer health care was given, so long as such consent is not withdrawn by the parent, legal guardian or person standing in loco parentis.

When a legally incompetent person is brought to the place of business of a health care provider, or to a place where health care may legally be administered, or where the appointment for health care administration is made, by one representing himself or herself to be a parent, legal guardian or person standing in loco parentis on behalf of a legally incompetent person, the health care provider may infer that consent has been given for the administration of health care to the legally incompetent person. A parent, legal guardian, or person standing in loco parentis may withdraw the consent to administer health care at any time by notifying the health care provider or providers in writing, by telephone, or in person that the consent is withdrawn."

The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Finlinson	Overson	Sandberg
Bangerter	Hillyard	Peterson, C.	Stratford
Barlow	Holmgren	Peterson, Chuck	Swan
Barton	Matheson	Peterson, L.	Wayment
Black	McAllister	Renstrom	Williams
Carling	McMullin	Rogers	Pres. Christensen
Cornaby	Money		

Absent or not voting were: Senators

Bunnell	Pugh	Sowards

S.B. No. 196, as amended, was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator Finlinson, the circle was removed from **SUB. S.B. No. 172,** UTAH TRAVEL COUNCIL BOARD, and the bill was before the Senate. Senators Renstrom, Matheson and Sowards commented.

On motion of Senator Renstrom, **SUB. S.B. No. 172** was amended as follows:

Green: Page 1, Line 22:
After "Composed of" delete "nine" and insert in lieu thereof "seven"

Green: Page 1, Lines 27, 28 and 29:
Restore deleted language

Green: Page 1, Lines 29, 30 and 31:
Delete the underlined language

The bill failed on the following roll call:

Yeas, 12; Nays, 14; Absent, 3

Voting in the affirmative were: Senators

Black	Hillyard	Peterson, L.	Rogers
Cornaby	McMullin	Pugh	Sandberg
Finlinson	Overson	Renstrom	Sowards

Voting in the negative were: Senators

Asay	Holmgren	Peterson, C.	Swan
Bangerter	Matheson	Peterson, Chuck	Wayment
Barlow	McAllister	Stratford	Pres. Christensen
Bunnell	Money		

Absent or not voting were: Senators

Barton	Carling	Williams

SUB. S.B. No. 172 was filed.

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On motion of Senator Sowards, the circle was removed from **S.B. No. 131,** INDUSTRIAL FACILITIES DEVELOPMENT ACT AMENDMENTS, and the bill was before the Senate. Robert P. Haight, Vice President, Sherson Lehman Brothers/ American Express, spoke in Committee of the Whole.

Senators Matheson, Rogers and Sowards commented.

The bill passed on the following roll call:

Yeas, 21; Nays, 3; Absent, 5

Voting in the affirmative were: Senators

Barlow	Holmgren	Peterson, L.	Stratford
Bunnell	McAllister	Renstrom	Swan
Carling	McMullin	Rogers	Wayment
Cornaby	Overson	Sandberg	Williams
Finlinson	Peterson, Chuck	Sowards	Pres. Christensen
Hillyard			

Voting in the negative were: Senators

Bangerter	Matheson	Money

Absent or not voting were: Senators

Asay	Black	Peterson, C.	Pugh
Barton			

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On motion of Senator Barlow, and under suspension of the rules, the Senate voted to ask Legislative Research and General Counsel to return **S.B. No. 57**, FIRE CHIEF AND PUBLIC SAFETY RETIREMENT AMENDMENTS, to the Senate for reconsideration.

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On motion of Senator Finlinson, the circle was removed from **SUB. S.B. No. 119**, HAZARDOUS MATERIALS INVESTIGATION AND RESPONSE ACT, and the bill was before the Senate. Kenneth Lee Alkema, Director of the Division of Environmental Health, spoke in Committee of the Whole.

Senators Stratford, Matheson, Barton and McAllister commented. The bill passed on the following roll call:

Yeas, 18; Nays, 8; Absent, 3

Voting in the affirmative were: Senators

Barlow	Hillyard	Peterson, Chuck	Sowards
Black	Holmgren	Pugh	Swan
Carling	Matheson	Renstrom	Wayment
Cornaby	McAllister	Rogers	Williams
Finlinson	Money		

Voting in the negative were: Senators

Barton	Overson	Peterson, L.	Stratford
McMullin	Peterson, C.	Sandberg	Pres. Christensen

Absent or not voting were: Senators

Asay	Bangerter	Bunnell

On motion of Senator McMullin, **SUB. S.B. No. 119** was placed on Third Reading Table.

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S.B. No. 57, FIRE CHIEF AND PUBLIC SAFETY RETIREMENT AMENDMENTS, having been returned to the Senate from Legislative Research and General Counsel, was before the Senate on reconsideration.

On motion of Senator Barlow, and under suspension of the rules, the Senate voted to not concur in the House amendments, and to ask the House to recede from its amendments.

S.B. No. 57 was returned to the House.

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S.B. No. 199, REQUIREMENTS FOR ALTERING NATURAL STREAMS, was read the second time.

Mr. President: February 13, 1985

The Energy, Natural Resources & Agriculture Standing Committee, to which was referred **S.B. No. 199**, REQUIREMENTS FOR ALTERING NATURAL STREAMS, by Senator Fred W. Finlinson, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 16:
After "(iii)" insert "unreasonably or unnecessarily"

Page 2, Line 17:
After "(iv)" insert "unreasonably or unnecessarily"

Page 2, Line 23:
After "(iii)" insert "unreasonably or unnecessarily"

Page 2, Line 24:
After "(iv)" insert "unreasonably or unnecessarily"

Fred W. Finlinson, Committee Chairman

Committee report, with amendments, was read and adopted.

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S.B. No. 204, LICENSING REQUIREMENTS FOR DRILLING WATER WELLS, was read the second time.

Mr. President: February 13, 1985

The Energy, Natural Resources & Agriculture Standing Committee, to which was referred **S.B. No. 204**, LICENSING REQUIREMENTS FOR DRILLING WATER WELLS, by Senator Fred W. Finlinson, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 4, Line 3:
After "engineer" insert ", conditioned upon the proper" and after that language insert the following language: "compliance with the provisions of this section and the rules promulgated under this section"

Page 4, Lines 5 through 8:
After "engineer." delete "Proper" through line 8 ending with "license."

Fred W. Finlinson, Committee Chairman

Committee report, with amendments, was read and adopted. Earl Staker. Deputy Director, State Engineers Office discussed **S.B. Nos. 199** and **204** in Committee of the Whole. Senators Stratford and Matheson commented.

S.B. No. 199 passed on the following roll call:

Yeas, 21; Nays, 3; Absent, 5

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, Chuck	Stratford
Barlow	Holmgren	Renstrom	Swan
Barton	Matheson	Rogers	Wayment
Bunnell	Money	Sandberg	Williams
Carling	Peterson, C.	Sowards	Pres. Christensen
Cornaby			

Voting in the negative were: Senators

Bangerter	McMullin	Overson

Absent or not voting were: Senators

Black	McAllister	Peterson, L.	Pugh
Hillyard			

• • •

S.B. No. 204 passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 6

Voting in the affirmative were: Senators

Asay	Cornaby	Peterson, C.	Stratford
Bangerter	Finlinson	Peterson, Chuck	Swan
Barlow	Holmgren	Renstrom	Wayment
Barton	Matheson	Rogers	Williams
Bunnell	McMullin	Sandberg	Pres. Christensen
Carling	Overson		

Voting in the negative was: Senator

Money

Absent or not voting were: Senators

Black	McAllister	Pugh	Sowards
Hillyard	Peterson, L.		

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S.B. No. 150, RESTITUTION AMENDMENTS — COURT ASSESSMENT, was read the second time.

Mr. President: February 13, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 150,** RESTITUTION AMENDMENTS — COURT ASSESSMENT, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee favorably and with the following amendment:

Page 2, Lines 20, 21, 22, and 23:
After "Chapter 30," delete "or who has been transported at governmental expense from one county to another county within the state for the purpose of resolving pending criminal charges."

E. Verl Asay, Committee Chairman

Committee report, with amendment, was read and adopted. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Sowards
Bangerter	Finlinson	Peterson, C.	Stratford
Barlow	Hillyard	Peterson, Chuck	Swan
Barton	Holmgren	Renstrom	Wayment
Black	Matheson	Rogers	Williams
Bunnell	McMullin	Sandberg	Pres. Christensen
Carling	Money		

Absent or not voting were: Senators

McAllister	Peterson, L.	Pugh

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S.B. No. 161, INSANITY DEFENSE AMENDMENTS, was read the second time.

Mr. President: February 13, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 161,** INSANITY DEFENSE AMENDMENTS, by Senator Lyle W. Hillyard, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted. On motion of Senator Hillyard, the following substitute bill replaced the original bill.

INSANITY DEFENSE AMENDMENTS

SUBSTITUTE
S.B. No. 161 *Lyle W. Hillyard*

AN ACT RELATING TO CRIMINAL LAW; PROVIDING DEFINITION FOR "MENTAL ILLNESS"; AMENDING DEFINITION OF "GUILTY AND MENTALLY ILL"; PROVIDING FEES, EXPENSES, AND TIME LIMITATIONS FOR EXAMINATIONS; ALLOCATING RESPONSIBILITY FOR PAYMENT OF FEES AND EXPENSES TO APPROPRIATE GOVERNMENT ENTITY; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 76-2-305, AS ENACTED BY CHAPTER 49, LAWS OF UTAH 1983; 77-14-3, AS LAST AMENDED BY CHAPTER 49, LAWS OF UTAH 1983; 77-14-4, AS LAST AMENDED BY CHAPTER 49, LAWS OF UTAH 1983; 77-15-9, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-35-21.5, AS ENACTED BY CHAPTER 49, LAWS OF UTAH 1983.

Senators Hillyard, Stratford, Black and Matheson commented.

The substitute bill passed on the following roll call:

Yeas, 19; Nays, 2; Absent, 8

Voting in the affirmative were: Senators

Asay	Cornaby	McMullin	Sandberg
Bangerter	Hillyard	Money	Sowards
Barlow	Holmgren	Overson	Stratford
Barton	Matheson	Peterson, C.	Swan
Carling	McAllister	Renstrom	Williams

Voting in the negative were: Senators

Stratford	Pres. Christensen

Absent or not voting were: Senators

Black	Finlinson	Peterson, L.	Rogers
Bunnell	Peterson, Chuck	Pugh	Wayment

On motion of Senator McMullin, **SUB. S.B. No. 161** was placed on Third Reading Table.

RULES COMMITTEE REPORT

Mr. President: February 19, 1985

The Senate Rules Committee, to which was referred the following Senate Bill:

S.B. No. 258 UTAH FINANCIAL ASSISTANCE ACT FOR NONPUBLIC INSTITUTIONS (Education)

reports the same back and asks that it be printed and assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bill to the committee indicated.

COMMUNICATION FROM THE GOVERNOR

Dear President Christensen and Speaker Garff: February 18, 1985

This is to inform you that on February 18, 1985, I signed into law the following bills which have been forwarded to the Lieutenant Governor's Office for filing:

S.B. No. 9	SUNSET REVIEW - VETERINARY PRACTICE ACT
S.B. No. 11	SUNSET REVIEW - PODIATRISTS
S.B. No. 63	STATE ROAD DESIGNATIONS

Norman H. Bangerter
Governor, State of Utah

Communication filed.

SECOND READING CALENDAR

S.B. No. 145, TRAFFIC-RELATED CRIMINAL OFFENSES-AMENDMENTS, was read the second time.

Mr. President: February 13, 1985

The Senate Transportation and Public Safety Standing committee, to which was referred **S.B. No. 145,** TRAFFIC-RELATED CRIMINAL OFFENSES-AMENDMENTS,

by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 15:
After "of" delete rest of line 15 through 16 and 17 and insert "criminal" negligence as defined in 76 2-103 (2)."

Jack M. Bangerter, Committee Chairman

Committee report, with amendments, was read and adopted. On motion of Senator Carling, the bill was circled.

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S.B. No. 135, PROPERTY ASSESSMENT APPEAL, was read the second time.

Mr. President: February 14, 1985

The Revenue and Taxation Committee, to which was referred **S.B. No. 135,** PROPERTY ASSESSMENT APPEAL, by Senator Brent C. Overson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lyle W. Hillyard, Committee Chairman

Committee report read and adopted. Senators Christensen and Matheson commented. R. Milton Yorgason, Salt Lake County Assessor's Office spoke in Committee of the Whole.

Senators Christensen, Bunnell, Matheson and Overson commented. The bill passed on the following roll call:

Yeas, 19; Nays, 4; Absent, 6

Voting in the affirmative were: Senators

Asay	Carling	Overson	Sandberg
Barlow	Cornaby	Peterson, C.	Sowards
Barton	Hillyard	Peterson, Chuck	Stratford
Black	McAllister	Renstrom	Swan
Bunnell	McMullin	Rogers	

Voting in the negative were: Senators

Bangerter	Matheson	Money	Pres. Christensen

Absent or not voting were: Senators

Finlinson	Peterson, L.	Wayment	Williams
Holmgren	Pugh		

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S.B. No. 179, INSURANCE FOR ADOPTED CHILDREN, was read the second time.

Mr. President: February 14, 1985

The Social Services Committee, to which was referred **S.B. No. 179,** INSURANCE FOR ADOPTED CHILDREN, by K.S. Cornaby, has carefully considered the bill and reports it out of committee with a favorable recommendation.

John P. Holmgren, Committee Chairman

Committee report read and adopted. Senator Asay commented. The bill passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Carling	Money	Sandberg
Bangerter	Cornaby	Overson	Sowards
Barlow	Hillyard	Peterson, C.	Stratford
Barton	McAllister	Peterson, Chuck	Swan
Bunnell	McMullin	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Black	Matheson	Pugh	Wayment
Finlinson	Peterson, L.	Rogers	Williams
Holmgren			

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S.B. No. 214, BUSINESS OPPORTUNITY DISCLOSURE ACT, was read the second time.

Mr. President: February 14, 1985

The Social Services Committee, to which was referred **S.B. No. 214,** BUSINESS OPPORTUNITY DISCLOSURE ACT, by Senator Brent C. Overson, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 5, Line 15:
After "division;" delete "and (2)" and insert "or (b)"

John P. Holmgren, Committee Chairman

Committee report, with amendments, was read and adopted. Senators Renstrom and Stratford commented.

On motion of Senator Overson **S.B. No. 214** was amended as follows:

Page 4, Line 15:
After "Utah;" insert "or"

Page 4, Lines 16, 17, 18 and 19:
After "$50,000" delete the semi-colon, insert a period, and delete all of Lines 17, 18 and 19.

Page 5, Line 11:
After "and" delete "three times"

Page 5, Lines 12, 13, 14, 15, 16 and 17:
Delete all underlined and inserted language.

The bill failed on the following roll call:

Yeas, 14; Nays, 6; Absent, 9

Voting in the affirmative were: Senators

Asay	Black	McMullin	Peterson, Chuck
Bangerter	Bunnell	Overson	Sandberg
Barlow	Hillyard	Peterson, C.	Swan
Barton	McAllister		

Voting in the negative were: Senators

Cornaby	Renstrom	Williams	Pres. Christensen
Money	Stratford		

Absent or not voting were: Senators

Carling	Matheson	Pugh	Sowards
Finlinson	Peterson, L.	Rogers	Wayment
Holmgren			

Senator Money, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action tomorrow.

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S.B. No. 129, ADMINISTRATIVE SERVICES ACT AMENDMENTS, was read the second time.

Mr. President: February 15, 1985

The Education Standing Committee, to which was referred **S.B.No. 129,** ADMINISTRATIVE SERVICES ACT AMENDMENTS, by Senator Lyle W. Hillyard, 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. 129** replace the original bill.

William T. Barton, Committee Chairman.

Committee report read and adopted, and **SUBSTITUTE S.B. No. 129** replaced the original bill. The following second substitute bill replaced the substitute bill:

ADMINISTRATIVE SERVICES ACT AMENDMENTS

SECOND SUBSTITUTE
S.B. No. 129 *Lyle W. Hillyard*

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; PROVIDING FOR TITLE TO REAL PROPERTY UNDER THE CONTROL OF AREA VOCATIONAL CENTERS OR INSTITUTIONS ADMINISTERED BY THE STATE BOARD OF EDUCATION TO REMAIN WITH THOSE ENTITIES; ALLOWING THE BOARD TO RETAIN AND HOLD TITLE TO SPECIFIC REAL PROPERTY ASSOCIATED WITH PUBLIC EDUCATION; AND PROVIDING FOR THE TRANSFER OF RESPONSIBILITY FROM THE STATE BUILDING BOARD AND DFCM TO THE STATE BOARD OF EDUCATION IN MATTERS RELATING TO INSTITUTIONS ADMINISTERED BY THE STATE BOARD.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 63-1-38.8, AS LAST AMENDED BY CHAPTER 294, LAWS OF UTAH 1983; 63-1-38.9, UTAH CODE ANNOTATED 1953; 63-1-44.5, UTAH CODE ANNOTATED 1953.

ENACTS: 63-1-38.9, UTAH CODE ANNOTATED 1953; 63-1-44.5, UTAH CODE ANNOTATED 1953.

Senators Hillyard, Bunnell and McMullin commented. W. Val Overson, Lieutenant Governor and Kent L. Worthington, Associate Superintendent for Vocational Education, Office of Education, spoke in Committee of the Whole. Senator Hillyard, with the aid of five Senators, requested a call of the Senate. On motion of Senator Hillyard, the call of the Senate was lifted. The bill passed on the following roll call:

Yeas, 23; Nays, 2; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Cornaby	Overson	Sowards
Barlow	Finlinson	Peterson, C.	Stratford
Barton	Hillyard	Peterson, Chuck	Swan
Black	Holmgren	Renstrom	Williams
Bunnell	Matheson	Rogers	Pres. Christensen
Carling	Money	Sandberg	

Voting in the negative were: Senators

McAllister	McMullin (exp)

Absent or not voting were: Senators

Asay	Peterson, L.	Pugh	Wayment

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On motion of Senator Carling, the circle was removed from **S.B. No. 145,** TRAFFIC RELATED CRIMINAL OFFENSES AMENDMENTS, and the bill was before the Senate.

On motion of Senator Carling, **S.B. No. 145** was amended as follows:

Page 2:
Return Section 3 and Section 4 to the language of the current law.

The bill passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	McMullin	Rogers
Bangerter	Cornaby	Money	Sandberg
Barlow	Hillyard	Overson	Sowards
Barton	Holmgren	Peterson, C.	Swan
Black	Matheson	Peterson, Chuck	Williams
Bunnell	McAllister	Renstrom	Pres. Christensen

Voting in the negative was: Senator
Stratford

Absent or not voting were: Senators

Finlinson	Peterson, L.	Pugh	Wayment

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On motion of Senator McMullin, and at 5:15 p.m., the Senate adjourned until 10:00 a.m., Wednesday, February 20, 1985.

THIRTY-EIGHTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Arnold Christensen presiding.

Roll Call — All Senators present.

Prayer — Senator Dix H. McMullin

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

DAILY SENATE JOURNAL

Mr. President: February 20, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the thirty seventh day and find it correct with minor amendments noted on the final copy.

Darrell G. Renstrom, Committee Member

Committee report read and adopted.

COMMUNICATION FROM THE HOUSE

Mr. President: February 19, 1985

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 33**, TITLE 53 REVISION — SCHOOL BUILDING, by Senator Hillyard, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.B. No. 33 was signed by the President of the Senate in open session and returned to the House for further action.

STANDING COMMITTEE REPORTS

Mr. President: February 19, 1985

The Business, Labor and Economic Development Standing Committee, to which was referred **S.B. No. 246**, BOARD OF ECONOMIC DEVELOPMENT MEMBERSHIP, by Senator Paul Rogers, has carefully considered the bill and reports it out of committee favorably and asks that it be placed on the Consent Calendar with the recommendation that the original bill be deleted in body and title and that **SUBSTITUTE S.B. No. 246** replace the original bill.

SUBSTITUTE S.B. No. 246 to be amended as follows:

Page 1, Line 26:
After line 26 insert "63-33-3, AS LAST AMENDED BY CHAPTER 320, LAWS OF UTAH 1983."

Page 2, Line 19:
After "terms" insert "except where the governor determines that an additional term is in the best interest of the state."

Page 5, line 18:
After line 18 insert the following: "The chief administrative officer of each division within the Department of Community and Economic Development shall be a director appointed by the executive director of the department. Each division director shall sherve at the pleasure of the executive director and may be removed by the executive director (with cause) after consultation with the board. Each director shall receive compensation as provided in Chapter 19, Title 67.

The executive director may organize the department in such fashion as he deems appropriate, provided, however, that the following divisions and their policy boards will be maintained: (industrial promotion) economic development; travel development; expositions; fine arts; history; state library; and Indian affairs.

The executive director of the department of community and economic development shall have administrative jurisdiction over each division director for the purpose of implementing the policy promulgated by the policy-making board of each division. The executive director may make consolidations of personnel and service functions in the respective divisions to effectuate efficiency and economy within the department and may for such purpose create a departmental services division."

Lowell S. Peterson, Committee Chairman

Committee report, with amendments, was read and adopted. The following substitute bill replaced the original bill and the committee amendments were placed in the substitute bill, and it was read the second time and placed on Consent Calendar.

BOARD OF ECONOMIC DEVELOPMENT MEMBERSHIP

SUBSTITUTE
S.B. No. 246 *Paul Rogers*

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; CHANGING THE NAMES OF THE BOARD AND DIVISION OF INDUSTRIAL PROMOTION TO THE BOARD AND DIVISION OF ECONOMIC DEVELOPMENT; INCREASING THE MEMBERSHIP AND QUORUM REQUIREMENTS OF THE BOARD OF ECONOMIC DEVELOPMENT; AND CHANGING GEOGRAPHICAL REPRESENTATION.

THIS ACT AFFECTS SECIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOW:

AMENDS: 63-31-1, AS LAST AMENDED BY CHAPTER 199, LAWS OF UTAH 1969; 63-31-1.1, AS LAST AMENDED BY CHAPTER 234, LAWS OF UTAH 1979; 63-31-2, AS LAST AMENDED BY CHAPTER 234, LAWS OF UTAH 1979; 63-31-4, AS LAST AMENDED BY CHAPTER 199, LAWS OF UTAH 1969; 63-31-8, AS LAST AMENDED BY CHAPTER 234, LAWS OF UTAH 1979; 63-31-9, AS LAST AMENDED BY CHAPTER 234, LAWS OF UTAH 1979; 63-33-1, AS ENACTED BY CHAPTER 234, LAWS OF UTAH 1979.

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Mr. President: February 29, 1985

The Education Standing Committee, to which was referred **S.B. No. 160,** STUDENT MEMBERS OF SCHOOL BOARDS, by Senator Karl G. Swan, 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 T. Barton, Committee Chairman

Committee report read and adopted. **S.B. No. 160** was read the second time and placed on Consent Calendar.

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Mr. President: February 18, 1985

The State and Local Affairs Standing Committee, to which was referred **S.B. No. 187,** PUBLIC PROCUREMENT OFFICER APPOINTMENT, by Senator Paul Rogers, has carefully considered the bill and reports it out of committee favorably and asks that it be placed on the Consent Calendar, and

The State and Local Affairs Standing Committee, to which was referred **S.B. No. 205,** DISPOSITION OF UNCLAIMED PROPERTY, by Senator Lyle W. Hillyard, has carefully considered the bill and reports it out of committee favorably and asks that it be placed on the Consent Calendar.

K.S. Cornaby, Committee Chairman

Committee reports read and adopted. **S.B. Nos. 187** and **205** were read the second time, and placed on Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B. Nos. 94, 210, 211, 256, 238, 158, 178, 182, 213, 216, 114, 116, 107, 191, 202, 241** and **228**, and **H.B. Nos. 145, 164, 82** and **135**, and **SUB. H.B. No. 52**, and the bills were placed on Second Reading Calendar. **H.B. No. 101**, without committee report, was returned to Rules Committee.

THIRD READING CALENDAR

On motion of Senator McMullin, **SUB. S.B. No. 105**, ALCOHOL MOTOR FUEL AMENDMENT, was read the third time, and circled.

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On motion of Senator McMullin, **SUB. S.B. No. 76**, FUNDING OF MUNICIPAL SERVICES, was read the third time, and circled.

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S.B. No. 184, STATE MONEY MANAGEMENT COUNCIL, was read the third time. Senators Rogers, Hillyard and L. Peterson commented. Senator Rogers moved amendments that failed.

The bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, Chuck	Sandberg
Bangerter	Holmgren	Peterson, L.	Sowards
Barlow	Matheson	Pugh	Swan
Black	McAllister	Renstrom	Wayment
Bunnell	McMullin	Rogers	Pres. Christensen
Cornaby	Money		

Absent or not voting were: Senators

Barton	Finlinson	Peterson, C.	Williams
Carling	Overson	Stratford	

S.B. No. 184, as amended, was transmitted to the House.

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S.J.R. No. 8, CLASS SIZE REDUCTION, 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	Cornaby	Peterson, C.	Sandberg
Bangerter	Finlinson	Peterson, Chuck	Sowards
Barlow	Hillyard	Peterson, L.	Swan (exp)
Barton	Holmgren	Pugh	Wayment
Black	Matheson	Renstrom	Williams
Bunnell	Money	Rogers	Pres. Christensen
Carling	Overson		

Voting in the negative was: Senator
McAllister

Absent or not voting were: Senators

McMullin	Stratford

S.J.R. No. 8 was transmitted to the House.

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S.B. No. 131, INDUSTRIAL FACILITIES DEVELOPMENT ACT AMENDMENTS, was read the third time, and passed on the following roll call:

Yeas, 18; Nays, 9; Absent, 2

Voting in the affirmative were: Senators

Asay	Cornaby	Peterson, C.	Sowards
Barlow	Hillyard	Pugh	Stratford
Black	McMullin	Renstrom	Swan
Bunnell	Money	Rogers	Williams
Carling	Overson		

Voting in the negative were: Senators

Bangerter	Matheson	Peterson, Chuck	Wayment
Barton	McAllister	Sandberg	Pres. Christensen
Holmgren			

Absent or not voting were: Senators
Finlinson Peterson, L.

S.B. No. 131 was transmitted to the House.

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S.B. No. 199, REQUIREMENTS FOR ALTERING NATURAL STREAMS, 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	Finlinson	Money	Rogers
Bangerter	Hillyard	Overson	Sandberg
Barlow	Holmgren	Peterson, C. (exp)	Stratford
Barton	Matheson	Peterson, Chuck	Swan
Black	McAllister	Pugh	Williams
Carling	McMullin	Renstrom	Pres. Christensen
Cornaby			

Absent or not voting were: Senators

Bunnell	Peterson, L.	Sowards	Wayment

S.B. No. 199, as amended, was transmitted to the House.

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S.B. No. 204, LICENSING REQUIREMENTS FOR DRILLING WATER WELLS, 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	Finlinson	Overson	Stratford
Barlow	Hillyard	Peterson, C.	Swan
Barton	Holmgren	Peterson, Chuck	Wayment
Black	Matheson	Renstrom	Williams
Carling	McAllister	Rogers	Pres. Christensen
Cornaby	McMullin	Sandberg	

Voting in the negative was: Senator
Money

Absent or not voting were: Senators

Bangerter	Peterson, L.	Pugh	Sowards
Bunnell			

S.B. No. 204, as amended, was transmitted to the House.

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S.B. No. 150, RESTITUTION AMENDMENTS — COURT ASSESSMENT, 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	Cornaby	Money	Sandberg
Bangerter	Hillyard	Overson	Stratford
Barlow	Holmgren	Peterson, C.	Swan
Barton	Matheson	Peterson, Chuck	Williams
Black	McAllister	Renstrom	Pres. Christensen
Carling	McMullin	Rogers	

Absent or not voting were: Senators

Bunnell	Peterson, L.	Sowards	Wayment
Finlinson	Pugh		

S.B. No. 150, as amended, was transmitted to the House.

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S.B. No. 135, PROPERTY ASSESSMENT APPEAL, was read the third time. Senators Christensen, McMullin, Overson, Matheson and Swan commented.

On motion of Senator Overson, the bill was circled.

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S.B. No. 179, INSURANCE FOR ADOPTED CHILDREN, 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	Cornaby	Overson	Rogers
Bangerter	Hillyard	Peterson, C.	Stratford
Barlow	Holmgren	Peterson, Chuck	Swan
Black	McAllister	Peterson, L.	Wayment
Bunnell	McMullin	Pugh	Pres. Christensen
Carling	Money	Renstrom	

Voting in the negative was: Senator
Matheson

Absent or not voting were: Senators

Barton	Sandberg	Sowards	Williams
Finlinson			

S.B. No. 179, was transmitted to the House.

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SUB. S.B No. 246, BOARD OF INDUSTRIAL PROMOTION MEMBERSHIP, having been placed on Consent Calendar was objected to its being there by Senators Bunnell, Black and Money, and was placed on Second Reading Calendar.

COMMUNICATION FROM THE HOUSE

Mr. President: February 19, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the House and Senate, House Substitute to **FOURTH SUBSTITUTE S.B. No. 97,** WATER AND FLOOD FINANCING, by Senator Finlinson, et al, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Finlinson, the Senate voted to refuse to concur in the House substitute and to ask the House to recede from its substitute.

FIFTH SUB. S.B. No. 97 was returned to the House.

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On motion of Senator Stratford, **SECOND SUB. S.B. No. 129,** ADMINISTRATIVE SERVICES ACT AMENDMENTS, was read the third time, and circled.

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Senator Williams, having voted on the prevailing side, now asked that the Senate reconsider its action on **S.B. No. 214,** BUSINESS OPPORTUNITY DISCLOSURE ACT, and under suspension of the rules, it was placed at the top of Second Reading Calendar.

THIRD READING TABLE

On motion of Senator McMullin, and under suspension of the rules, bills on Third Reading Table were considered. The following was distributed.

BILLS ON SENATE THIRD READING TABLE

S.B. No. 48	UTAH VETERANS MEMORIAL PARK (Rogers)	$257,500
S.B. No. 56	TRAPPER'S LOOP ROAD AMENDMENT AND APPROPRIATION (Stratford)	$5,000,000
S.B. No. 23	PROSTHESIS SALES TAX EXEMPTION (Money) Before amended	$111,000
S.B. No. 24	BOULDER TO BULLFROG SCENIC ROAD APPROPRIATION (Matheson)	$4,500,000
S.B. No. 87	SUPERVISED PROBATION AMENDMENTS (Stratford)	$0
S.B. No. 43	BUSINESS INFORMATION OFFICE AND CONSUMER PROTECTION ADVISORY COUNCIL (Carling)	$54,000
S.B. No. 162	HILL AIR FORCE MUSEUM APPROPRIATION (L. Peterson)	$500,000
S.B. No. 164	INCENTIVES FOR EXCELLENCE IN PUBLIC SCHOOL DISTRICTS (L. Peterson)	$1,000,000
S.B. No. 68	LIQUOR LAW ENFORCEMENT AMENDMENTS (Finlinson)	$82,500
H.B. No. 124	DUI VICTIM RESTITUTION AMENDMENTS (Rees)	$515,000
S.B. No. 175	NORTHERN MICROWAVE SYSTEM APPROPRIATION (Hillyard)	$1,202,300
S.B. No. 201	MIDDLE FORK OGDEN RIVER APPROPRIATION (L. Peterson) First Payment	$950,000
SUB. S.B. No. 119	HAZARDOUS MATERIALS INVESTIGATION AND RESPONSE ACT (Finlinson)	$500,000
SUB. S.B. No. 161	INSANITY DEFENSE AMENDMENTS (Hillyard)	$600,000

The sponsor of each bill was given three minutes to explain his bill. Senator McMullin explained **H.B. No. 124.**

Senator Pugh, Executive Appropriation Chairman, distributed the following priority list.

H.B. No. 62 SUB.	STATE ZOO AMENDMENTS (Walker)	$1,500,000
S.B. No. 171	INSECT INFESTATION EMERGENCY CONTROL ACT (Money)	$1,000,000
S.B. No. 56	TRAPPER'S LOOP ROAD AMENDMENT AND APPROPRIATION (Stratford)	$1,000,000
S.B. No. 43	BUSINESS INFORMATION OFFICE AND CONSUMER PROTECTION ADVISORY COUNCIL (Carling)	$50,900
S.B. No. 232	INSURANCE LAW RECODIFICATION (Finlinson)	$25,000
S.B. No. 231	SALES TAX EXEMPTION FOR POLLUTION CONTROL (Pugh)	$5,000,000
S.B. No. 175	NORTHERN MICROWAVE SYSTEM APPROPRIATION (Hillyard)	$1,200,000
S.B. No. 24	BOULDER TO BULLFROG ROAD APPROPRIATION (Matheson)	$600,000
S.B. No. 153	MEDICAL MALPRACTICE (Pugh)	$89,300
	TOTAL	$10,465,200

Senator Pugh moved to lift **S.B. Nos. 56, 43, 175** and **24** to the top of Third Reading Calendar.

Senator Overson's substitute motion to lift **S.B. No. 48,** from Third Reading Table to the top of Third Reading Calendar passed on the following roll call:

Yeas, 17; Nays, 12; Absent, 0

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Sowards
Barlow	Finlinson	Peterson, L.	Swan
Barton	McMullin	Renstrom	Wayment
Black	Money	Rogers	Williams
Bunnell			

Voting in the negative were: Senators

Bangerter	Holmgren	Peterson, C.	Sandberg
Carling	Matheson	Peterson, Chuck	Stratford
Hillyard	McAllister	Pugh	Pres. Christensen

S.B. No. 48, UTAH VETERANS' MEMORIAL PARK, was read the third time. Senators Rogers, McMullin, Overson, Black and McAllister commented.

The bill passed on the following roll call:

Yeas, 16; Nays, 13; Absent, 0

Voting in the affirmative were: Senators

Bangerter	Bunnell	Money	Sowards
Barlow	Carling	Overson	Swan
Barton	Cornaby	Renstrom	Wayment
Black	Finlinson	Rogers	Williams

Voting in the negative were: Senators

Asay	McAllister	Peterson, Chuck	Sandberg
Hillyard	McMullin	Peterson, L.	Stratford (exp)
Holmgren	Peterson, C.	Pugh	Pres. Christensen
Matheson			

S.B. No. 48 was transmitted to the House.

• • •

On motion of Senator Pugh, the Senate voted to lift **S.B. No. 56,** TRAPPER'S LOOP ROAD AMENDMENT AND APPROPRIATION, from Third Reading Table and place it at the top of Third Reading Calendar. The bill was read the third time.

On motion of Senator Stratford, **S.B. No. 56** was amended as follows:

Page 1, Line 12:
Delete "$5,000,000" and insert "$1,000,000"

Page 2, Line 9:
Delete "$5,000,000" and insert "$1,000,000"

Senators Sowards, Finlinson, Stratford, Swan and McMullin commented.

The bill passed on the following roll call:

Yeas, 23; Nays, 5; Absent, 1

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, L.	Stratford
Bangerter	Matheson	Pugh	Swan
Barlow	McMullin	Renstrom	Wayment
Black	Money	Rogers	Williams
Bunnell	Peterson, C.	Sandberg	Pres. Christensen
Finlinson	Peterson, Chuck	Sowards	

Voting in the negative were: Senators

Barton	Hillyard	McAllister	Overson
Cornaby			

Absent or not voting was: Senator
Carling

S.B. No. 56, as amended, was transmitted to the House.

RULES COMMITTEE REPORTS

Mr. President: February 20, 1985

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 270	VEHICLE LENGTH, WIDTH AND AXLE AMENDMENTS (Transportation, and Public Safety)
S.B. No. 277	PEACE OFFICER POWER TO ARREST (Transportation, and Public Safety)

reports the same back and asks that they be printed and each assigned to a committee.

The Senate Rules Committee, to which were referred the following House Bills:

H.B. No. 177	GOVERNMENTAL IMMUNITY FOR GEOLOGIC HAZARDS (Energy, Natural Resources and Agriculture)
H.B. No. 180	OIL, GAS AND MINING AMENDMENT (Energy, Natural Resources and Agriculture)

reports the same back and asks that they be assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee reports read and adopted. President Christensen assigned the bills to the Committees indicated.

On motion of Senator McMullin, and at 12:00 noon, the Senate recessed.

AFTERNOON SESSION

The Senate reconvened at 2:00 p.m. with President Arnold Christensen presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 20, 1985

I am directed to inform the Senate that the House of Representatives has this day passed on Consent Calendar **S.B. No. 61,** JUVENILE AND DISTRICT COURT, by Senator Hillyard, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.B. No. 61 was signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

•

Mr. President: February 20, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 142,** NOTICE OF POLITICAL SUBDIVISION BOUNDARY CHANGE, by Representative McKeachnie and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, **H.B. No. 238,** RETIREMENT PARTICIPATION AMENDMENT, by Representative Tomlinson, 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. 294,** DISTRIBUTION OF LEGISLATIVE PUBLICATIONS, by Representative Moss, 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. 265,** IMPROVEMENT DISTRICT CONTRACTS, 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, as amended, **SUBSTITUTE H.B. No. 308,** DEFENSE OF RESIDENCE, by Representative Selleneit, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 315,** ENERGY CONSERVATION AND ALTERNATIVE FINANCING FOR STATE BUILDINGS, by Representative McKeachnie, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.B. Nos. 142, 238, 294, 265, 315 and **SUB. H.B. No. 308** were read the first time and referred to Rules Committee.

•

Mr. President: February 20, 1985

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. 57,** FIRE CHIEF AND PUBLIC SAFETY RETIREMENT EXEMPTION, by Senator Barlow, and has appointed a Conference Committee consisting of Representatives Jenkins, Bishop and Lewis, to act with a like Committee from the Senate on this bill.

Carole E. Peterson, Acting Chief Clerk

President Christensen appointed a Committee consisting of Senators Barlow, Overson and Renstrom to meet with a like Committee from the House to consider the bill.

THIRD READING CALENDAR

On motion of Senator Pugh, **S.B. No. 43,** BUSINESS INFORMATION OFFICE AND CONSUMER PROTECTION ADVISORY COUNCIL, was lifted from Third Reading Table and placed at the top of Third Reading Calendar.

S.B. No. 43 was read the third time, and passed on the following roll call:

Yeas, 20; Nays, 1; Absent, 8

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, Chuck	Sandberg
Barlow	Matheson	Peterson, L.	Sowards
Barton	McMullin	Pugh	Swan

Bunnell	Money	Renstrom	Wayment
Carling	Overson	Rogers	Pres. Christensen

Voting in the negative was: Senator McAllister

Absent or not voting were: Senators

Bangerter	Cornaby	Holmgren	Stratford
Black	Finlinson	Peterson, C.	Williams

S.B. No. 43, as amended, was transmitted to the House.

• • •

On motion of Senator Pugh, **S.B. No. 175,** NORTHERN MICROWAVE SYSTEM APPROPRIATION, was lifted from Third Reading Table and placed at the top of Third Reading Calendar.

S.B. No. 175 was read the third time, and passed on the following roll call:

Yeas, 21; Nays, 3; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Holmgren	Peterson, C.	Rogers
Barlow	Matheson	Peterson, Chuck	Sandberg
Black	McMullin	Peterson, L.	Sowards
Carling	Money	Pugh	Swan
Cornaby	Overson	Renstrom	Wayment
Hillyard			

Voting in the negative were: Senators

Asay	McAllister	Pres. Christensen

Absent or not voting were: Senators

Barton	Finlinson	Stratford	Williams
Bunnell			

S.B. No. 175, as amended, was transmitted to the House.

• • •

On motion of Senator Pugh, **S.B. No. 24**, BOULDER TO BULLFROG SCENIC ROAD APPROPRIATION, was lifted from Third Reading Table and placed at the top of Third Reading Calendar and was read the third time.

On motion of Senator Matheson, **S.B. No. 24** was amended as follows:

Page 1, Line 11:
After "FUND" delete "TO PAVE" and insert in lieu thereof "FOR PLANNING AND ENGINEERING COSTS IN ORDER TO FACILITATE THE PAVING OF"

Page 1, Line 15:
After "Section 1." delete "There" and insert in lieu thereof "In order to facilitate paving of the road from Boulder to Bullfrog, there"

Page 1, Line 15:
After "appropriated" delete "$4,500,000" and insert in lieu thereof "$600,000"

Page 1, Line 17:
After "share of" delete "paving" and insert in lieu thereof "planning and engineering costs for"

Page 1, Line 18:
Delete lines 18 and 19

Senators Matheson, Cary Peterson, Bunnell and Swan commented.

The bill passed on the following roll call:

Yeas, 23; Nays, 2; Absent, 4

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, Chuck	Sowards
Bangerter	Holmgren	Peterson, L.	Stratford
Barlow	Matheson	Pugh	Swan
Black	McMullin	Renstrom	Wayment
Bunnell	Overson	Rogers	Pres. Christensen
Carling	Peterson, C.	Sandberg	

Voting in the negative were: Senators

Cornaby	McAllister

Absent or not voting were: Senators

Barton	Finlinson	Money	Williams

S.B. No. 24 was transmitted to the House.

• • •

On motion of Senator Stratford, **S.B. No. 87,** SUPERVISED PROBATION AMENDMENTS, was lifted from Third Reading Table and placed at the top of Third Reading Calendar and was read the third time.

On motion of Senator Stratford, the Senate voted to adopt the following substitute bill, and it replaced the original bill.

SUPERVISED PROBATION AMENDMENTS

SUBSTITUTE
S.B. No. 87 *Dale E. Stratford*

AN ACT RELATING TO CRIMINAL PROCEDURE; OMITTING SUPERVISED PROBATION FOR CLASS C MISDEMEANORS; SPECIFYING PROBATION PROCEDURES; AND PLACING RESTITUTION OBLIGATIONS OUTSTANDING AT THE END OF PROBATION UNDER THE COURTS' JURISDICTION FOR COLLECTION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 77-18-1, AS LAST AMENDED BY CHAPTER 20, LAWS OF UTAH 1984

The substitute bill passed on the following roll call:

Yeas, 21; Nays, 2; Absent, 6

Voting in the affirmative were: Senators

Barlow	Finlinson	McMullin	Sowards
Barton	Hillyard	Overson	Stratford
Black	Holmgren	Peterson, Chuck	Swan
Bunnell	Matheson	Peterson, L.	Wayment
Carling	McAllister	Renstrom	Pres. Christensen
Cornaby			

Voting in the negative were: Senators

Money	Rogers

Absent or not voting were: Senators

Asay	Peterson, C.	Sandberg	Williams
Bangerter	Pugh		

SUB S.B. No. 87 was transmitted to the House.

• • •

On motion of Senator Money, **S.B. No. 23,** PROSTHESIS SALES TAX EXEMPTION, was lifted from Third Reading Table and placed at the top of Third Reading Calendar.

S.B. No. 23 was read the third time, and failed on the following roll call:

Yeas, 12; Nays, 11; Absent, 6

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, L.	Swan
Barton	Holmgren	Renstrom	Wayment
Black	Money	Sowards	Williams

Voting in the negative were: Senators

Barlow	Matheson	Overson	Rogers
Bunnell	McAllister	Peterson, C.	Stratford
Hillyard	McMullin	Peterson, Chuck	

Absent or not voting were: Senators

Bangerter	Cornaby	Sandberg	Pres. Christensen
Carling	Pugh		

• • •

On motion of Senator L. Peterson, **S.B. No. 164,** INCENTIVES FOR EXCELLENCE IN PUBLIC SCHOOL DISTRICTS, was lifted from Third Reading Table and placed at the top of Third Reading Calendar, read the third time, and circled.

• • •

On motion of Senator Hillyard, **SUB. S.B. No. 161,** INSANITY DEFENSE AMENDMENTS, was lifted from Third Reading Table and placed at the top of Third Reading Calendar on the following roll call:

Yeas, 18; Nays, 6; Absent, 5

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Sowards
Barlow	Finlinson	Peterson, Chuck	Swan
Barton	Hillyard	Peterson, L.	Wayment
Black	Holmgren	Renstrom	Williams
Bunnell	McAllister		

Voting in the negative were: Senators

Matheson	Money	Rogers	Stratford
McMullin	Peterson, C.		

Absent or not voting were: Senators

Bangerter	Pugh	Sandberg	Pres. Christensen
Carling			

SUB. S.B. No. 161 was read the third time. Senators McMullin, Renstrom and Stratford commented.

The bill passed on the following roll call:

Yeas, 17; Nays, 7; Absent, 5

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, Chuck	Sowards
Barlow (exp)	Hillyard	Peterson, L.	Swan
Barton	Holmgren	Pugh	Wayment
Black	Overson	Renstrom	Williams
Bunnell			

Voting in the negative were: Senators

Cornaby	McMullin (exp)	Peterson, C.	Pres. Christensen
Matheson	Money	Stratford	

Absent or not voting were: Senators

Bangerter	McAllister	Rogers	Sandberg
Carling			

SUB. S.B. No. 161 was transmitted to the House.

• • •

On motion of Senator Finlinson, **S.B. No. 68,** LIQUOR LAW ENFORCEMENT AMENDMENTS, was lifted from Third Reading Table, placed at the top of Third Reading Calendar, and before the Senate on reconsideration.

Senators Bunnell and Holmgren commented. The bill failed on the following roll call:

Yeas, 12; Nays, 13; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	McMullin	Renstrom
Barlow	Cornaby	Peterson, L.	Sowards
Barton	Finlinson	Pugh	Williams

Voting in the negative were: Senators

Black	McAllister	Peterson, Chuck	Swan
Bunnell	Money	Sandberg	Wayment
Holmgren	Peterson, C.	Stratford	Pres. Christensen
Matheson			

Absent or not voting were: Senators

Bangerter	Hillyard	Overson	Rogers

S.B. No. 68 was filed.

• • •

On motion of Senator L. Peterson, **S.B. No. 201,** MIDDLE FORK OGDEN RIVER APPROPRIATION, was lifted from Third Reading Table, placed at the top of Third Reading Calendar, read the third time, and passed on the following roll call:

Yeas, 17; Nays, 7; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Finlinson	Peterson, L.	Stratford
Barlow (exp)	Money	Renstrom	Swan (exp)
Black	Overson	Rogers	Wayment (exp)
Bunnell	Peterson, Chuck	Sowards (exp)	Williams
Cornaby			

Voting in the negative were: Senators

Holmgren	McMullin	Pugh	Pres. Christensen
McAllister	Peterson, C.	Sandberg	

Absent or not voting were: Senators

Asay	Carling	Hillyard	Matheson
Barton			

S.B. No. 201, as amended, was transmitted, to the House.

• • •

On motion of Senator Sowards, and under suspension of the rules, **H.C.R. No. 24**, GENERAL MOTORS SATURN PLANT, was lifted from Rules Committee, read the second and third times, and passed on the following roll call:

Yeas, 20; Nays, 2; Absent, 7

Voting in the affirmative were: Senators

Barlow	Holmgren	Peterson, Chuck	Sandberg
Black	McAllister	Peterson, L.	Sowards
Cornaby	McMullin	Pugh	Stratford
Finlinson	Money	Renstrom	Swan
Hillyard	Peterson, C.	Rogers	Pres. Christensen

Voting in the negative were: Senators

Asay	Barton

Absent or not voting were: Senators

Bangerter	Carling	Overson	Williams
Bunnell	Matheson	Wayment	

H.C.R. No. 24 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator Finlinson, **SUB. S.B. No. 119**, HAZARDOUS MATERIALS INVESTIGATION AND RESPONSE ACT, was lifted from Third Reading Table, placed at the top of Third Reading Calendar, and read the third time.

On motion of Senator Rogers, **SUB. S.B. No. 119** was amended as follows:

Green: Page 1, Line 16:
Delete "$500,000" and insert in lieu thereof "$250,000"

Green: Page 3, Line 21:
Delete "$500,000" and insert in lieu thereof "$250,000"

The substitute bill passed on the following roll call:

Yeas, 16; Nays, 6; Absent, 7

Voting in the affirmative were: Senators

Barton	McAllister	Peterson, Chuck	Rogers
Black	McMullin	Peterson, L.	Sandberg
Finlinson	Money	Pugh	Sowards
Holmgren	Peterson, C.	Renstrom	Swan

Voting in the negative were: Senators

Asay	Cornaby	Stratford	Pres. Christensen
Bunnell	Overson		

Absent or not voting were: Senators

Bangerter	Carling	Matheson	Williams
Barlow	Hillyard	Wayment	

SUB. S.B. No. 119, as amended, was transmitted to the House.

• • •

On motion of Senator McMullin, the circle was removed from **S.B. No. 135,** PROPERTY ASSESSMENT APPEAL, and the bill was returned to Rules Committee.

• • •

On motion of Senator McMullin, the circle was removed from **SUB. S.B. No. 76,** FUNDING OF MUNICIPAL SERVICES, and the bill was before the Senate.

On motion of Senator Matheson, **SUB. S.B. No. 76** was amended as follows:

Green: Page 1, Lines 11 and 12:
Delete "ALLOWING COUNTIES OF THE FIRST AND SECOND CLASS"

Green: Page 1, Line 32:
Delete "of the first and second class"

Green: Page 2, Lines 12 and 13:
Delete "of the first or second class"

Green: Page 3, Line 23:
Delete "a county" and insert in lieu thereof "all counties"

The substitute bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Finlinson	Overson	Renstrom
Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Peterson, L.	Wayment
Carling	McAllister	Pugh	Pres. Christensen
Cornaby	McMullin		

Absent or not voting were: Senators

Barton	Money	Sandberg	Williams
Bunnell	Rogers	Stratford	

SUB. S.B. No. 76, as amended, was transmitted to the House.

• • •

The Senate recessed for a Rules Committee meeting at 3:45 p.m., and reassembled at 4:20 p.m.

SECOND READING CALENDAR

On motion of Senator Overson, **S.B. No. 214,** BUSINESS OPPORTUNITY DISCLOSURE ACT, was circled.

• • •

S.B. No. 206, BUSINESS AND ENERGY CREDIT AMENDMENTS, was read the second time.

Mr. President: February 18, 1985

The Energy, Natural Resources, & Agriculture Standing Committee, to which was referred **S.B. No. 206,** BUSINESS AND ENERGY CREDIT AMENDMENTS, by

Senator Glade M. Sowards, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Fred W. Finlinson, Committee Chairman

Committee report read and adopted. On motion of Senator Finlinson, the bill was circled.

• • •

S.B. No. 212, DEREGULATION OF TELECOMMUNICATION DISTRIBUTORS AND INDEPENDENT ENERGY PRODUCERS, was read the second time.

Mr. President: February 18, 1985

The Energy, Natural Resources & Agriculture Standing Committee, to which was referred **S.B. No. 212, DEREGULATION OF TELECOMMUNICATION DISTRIBUTORS AND INDEPENDENT ENERGY PRODUCERS**, by Senator Fred W. Finlinson, et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 5, Line 16:
After "every corporation" insert ", cooperative association,"

Page 6, Line 18:
After "distributers" insert "which meets the requirements of both Subsections (34) (e) (i) and (ii)"

Page 11, Line 4:
After "if" insert "it meets the requirements of both (i) and (ii), or meets the requirements of (iii)"

Page 11, Line 9:
Delete "; and" and insert ":"

Page 11, Line 14:
After line 14 insert the following as a new paragraph: "(iii) The commodity is sold to an electrical corporation by an independent energy producers."

Fred W. Finlinson
Committee Chairman

Committee report, with amendments, was read and adopted. Willard Hale Gardener, Executive Director, Information Systems Services at Brigham Young

University; Robert J. Augenstein, Senior Project Director, Hercules, Inc., Cary B. Hinton, Economist, Utah Division of Public Utilities and F. Robert Reeder, Lawyer. Parson, Behle and Latemer spoke in Committee of the Whole.

Senators Finlinson, Matheson, Bunnell, Hillyard, Barton, Pugh, Williams and Christensen commented.

On motion of Senator Hillyard, **S.B. No. 212** was amended as follows:

Page 6, Line 18:
After "state" delete "," and insert ":" and delete the rest of the line

Page 8, Lines 19 through 24:
Delete paragraph (30)

Page 10, Line 1:
Delete "telecommunications distributor"

Page 10, Line 13:
Delete "telecommunications distributor"

Page 11, Lines 1 and 2:
Delete ", or telecommunications distributor"

Page 1, Line 12:
Delete entirely

Page 1, Lines 4 and 5:
Delete "TELECOMMUNICATION DISTRIBUTORS AND"

Senator Hillyard's motion to amend passed on the following roll call:

Yeas, 16; Nays, 13; Absent, 0

Voting in the affirmative were: Senators

Bangerter	Cornaby	McMullin	Rogers
Barlow	Hillyard	Money	Swan
Black	Holmgren	Overson	Williams
Bunnell	Matheson	Pugh	Pres. Christensen

Voting in the negative were: Senators

Asay	McAllister	Peterson, L.	Sowards
Barton	Peterson, C.	Renstrom	Stratford

Carling	Peterson, Chuck	Sandberg	Wayment
Finlinson			

The bill passed on the following roll call:

Yeas, 27; Nays, 1; Absent, 1

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Sowards
Bangerter	Finlinson	Peterson, C.	Stratford
Barlow	Hillyard	Peterson, Chuck	Swan
Barton	Holmgren	Peterson, L.	Wayment
Black	Matheson	Pugh	Williams
Bunnell	McAllister	Renstrom	Pres. Christensen
Carling	McMullin	Sandberg	

Voting in the negative was: Senator
Money

Absent or not voting was: Senator
Rogers

RULES COMMITTEE REPORTS

Mr. President: February 20, 1985

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 257	ATTORNEY GENERAL ACT AMENDMENTS (Revenue and Taxation)
S.B. No. 262	FINANCIAL INSTITUTION AMENDMENTS (Revenue and Taxation)
S.B. No. 274	SALARIES IN MUNICIPALITIES (State and Local Affairs)
S.B. No. 139	NEIGHBORHOOD REDEVELOPMENT (Revenue and Taxation)

reports the same back and asks that they be printed and each assigned to a committee, and

The Senate Rules Committee, to which were referred the following House Bills:

H.B. No. 37	WATER CONDITIONER INSTALLERS (Business, Labor and Economic Development)

H.B. No. 65	EXEMPTION FROM WORKMEN'S COMPENSATION (Business, Labor and Economic Development)
SUB. H.B. No. 266	AGRICULTURAL CODE CIVIL PENALTY AMENDMENTS (Energy, Natural Resources and Agriculture)
H.B. No. 138	PAYMENT AND PERFORMANCE BONDS (Business, Labor and Economic Development)
H.B. No. 174	RATES FOR ELECTRIC COOPERATIVES (Business, Labor and Economic Development)
H.B. No. 198	REPORTING OF PRIVATE TELECOMMUNICATIONS SYSTEM (Business, Labor and Economic Development)
H.B. No. 199	TELEPHONE CORPORATION DEFINITION (Business, Labor and Economic Development)

reports the same back and asks that they be assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee reports read and adopted. President Christensen assigned the bills to the committees indicated.

• • •

Senator Barlow, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action on **S.B. No. 23**, PROSTHESIS SALES TAX EXEMPTION, tomorrow.

INTRODUCTION OF BILL

STATE CONTRACTING FOR SERVICES

S.B. No. 288 *Paul Rogers*

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; PROVIDING FOR THE DISMISSAL OF CAREER SERVICE EMPLOYEES WHERE SAVINGS MAY BE REALIZED BY THE STATE IN CONTRACTING FOR EMPLOYEE SERVICES.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 67-19-18, AS LAST AMENDED BY CHAPTER 332, LAWS OF UTAH 1983.
was read February 21, 1985 the first time and referred to Rules Committee.

• • •

On motion of Senator Barlow, **S.B. No. 74**, OPTOMETRY AMENDMENTS, will be considered at 11:00 a.m. tomorrow.

* * *

On motion of Senator McMullin, the circles were removed from **S.B. Nos. 214** and **206** on Second Reading Calendar, and from **S.B. Nos. 164, 129, 145** and **SUB. S.B. No. 105** on Third Reading Calendar.

* * *

On motion of Senator McMullin, and at 5:20 p.m., the Senate adjourned until 10:00 a.m., Thursday, February 21, 1985.

THIRTY NINTH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Arnold Christensen presiding.

Roll Call — All Senators present except Senator Asay, excused.

Prayer — Senator Darrell G. Renstrom

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 22

DAILY SENATE JOURNAL

Mr. President: February 21, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the thirty eighth day and find it correct with minor amendments noted on the final copy.

C.E. 'Chuck' Peterson
Committee Chairman

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 20, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 2,** SALT LAKE CITY AND COUNTY BUILDING RESTORATION, by Representative Richards, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.C.R. No. 22,** REFORMS FOR EDUCATIONAL EXCELLENCE RESOLUTION, by Representative Frandsen, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 23,** UTAH TECHNOLOGY FINANCE CORPORATION RESOLUTION, by Representative Richards, et al and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 23,** DATA PROCESSING STUDY COMMITTEE RESOLUTION, by Representative Cromar, 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.J.R. No. 24,** HIRING PRACTICES 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.J.R. No. 27,** JON M. MEMMOTT COMMENDATION, by Representative Lewis, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **SUBSTITUTE H.B. No. 217,** ADMINISTRATIVE RULEMAKING ACT, 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, **SUBSTITUTE H.B. No. 220,** COSMETOLOGISTS AND BARBERS, by Representative Goodfellow, 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. 225,** EDUCATION JOINT LIAISON COMMITTEE, by Representative Moss, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 227,** NOTICE OF BUYER'S RIGHT TO CANCEL, by Representative Tomlinson, 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. 333,** MUNICIPAL BUILDING AUTHORITY LEASES, 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 **H.B. No. 242,** STREET LIGHTING SPECIAL SERVICE DISTRICTS, by Representative Walker and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.C.R. Nos. 2, 22 and 23 and H.J.R. Nos. 23, 24 and 27, SUB. H.B. Nos. 217 and 220 and H.B. Nos. 225, 227 242 and 333 were read the first time and referred to Rules Committee.

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JOINT CONFERENCE COMMITTEE REPORT
(S.B. No. 78, MOSQUITO ABATEMENT DISTRICTS)

Mr. President: February 20, 1985

I am directed to inform the Senate that the House of Representatives has this day adopted the Joint Conference Committee Report as of February 20, 1985, and passed **S.B. No. 78,** MOSQUITO ABATEMENT DISTRICTS, by Senator Black, et al, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Acting Chief Clerk

Mr. Speaker and Mr. President: February 19, 1985

Your Conference Committee, consisting of Senators Wilford R. Black, William T. Barton and K.S. Cornaby and Representatives Richard L. Maxfield, Tim Moran, and Ray S. Schmutz to which was referred **S.B. No. 78,** MOSQUITO ABATEMENT DISTRICTS, by Sen. Wilford R. Black reports as follows:

On page 2 line 14 delete "10%" and insert "30%"

Sen. Wilford R. Black
Chairman, Senate Committee
Rep. Richard L. Maxfield
Chairman, House Committee

On motion of Senator Black, the Senate voted to adopt the Joint Conference Committee Report. The bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Bunnell	McMullin	Pugh	Stratford
Cornaby	Money	Renstrom	Swan
Finlinson	Overson	Rogers	Wayment
Holmgren	Peterson, C.	Sandberg	Williams
Matheson	Peterson, Chuck	Sowards	Pres. Christensen
McAllister	Peterson, L.		

Absent or not voting were: Senators

Asay	Barlow	Black	Hillyard
Bangerter	Barton	Carling	

S.B. No. 78 was returned to the House.

CONSENT CALENDAR

On motion of Senator McMullin, **S.B. No. 91**, POWERS OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION, was read the third time, and circled.

• • •

S.B. No. 141, AGRICULTURAL FEE STRUCTURE 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	Hillyard	Peterson, C.	Sandberg
Bangerter	Holmgren	Peterson, Chuck	Stratford
Barlow	Matheson	Peterson, L.	Swan
Barton	McAllister	Pugh	Wayment
Bunnell	McMullin	Renstrom	Williams
Cornaby	Money	Rogers	Pres. Christensen
Finlinson	Overson		

Absent or not voting were: Senators

Black	Carling	Sowards

S.B. No. 141 was transmitted to the House.

• • •

SUB. H.B. No. 59, PHARMACY PRACTICE ACT, 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	Hillyard	Peterson, C.	Sandberg
Barlow	Holmgren	Peterson, Chuck	Stratford

Barton	Matheson	Peterson, L.	Swan
Black	McMullin	Pugh	Wayment
Bunnell	Money	Renstrom	Williams
Cornaby	Overson	Rogers	Pres. Christensen

Absent or not voting were: Senators

Bangerter	Finlinson	McAllister	Sowards
Carling			

SUB. H.B. No. 59, as amended, was returned to the House.

• • •

On motion of Senator Rogers, the circle was removed from **S.B. No. 91,** POWERS OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION, and the bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Hillyard	Overson	Sandberg
Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	Matheson	Peterson, L.	Swan
Black	McAllister	Pugh	Wayment
Bunnell	McMullin	Renstrom	Williams
Cornaby	Money	Rogers	Pres. Christensen

Absent or not voting were: Senators

Asay	Finlinson	Peterson, C.	Sowards
Carling			

S.B. No. 91, as amended, was transmitted to the House.

• • •

SUB. S.B. No. 227, THERMAL POWER FACILITIES ACT, was read the third time, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barlow	Holmgren	Peterson, C.	Stratford
Barton	Matheson	Peterson, Chuck	Swan

Black	McAllister	Peterson, L.	Wayment
Bunnell	McMullin	Pugh	Williams
Cornaby	Money	Renstrom	Pres. Christensen
Hillyard	Overson	Sandberg	

Absent or not voting were: Senators

Asay	Carling	Rogers	Sowards
Bangerter	Finlinson		

SUB. S.B. No. 227 was transmitted to the House.

• • •

S.B. No. 239, AMENDMENTS TO INTERLOCAL COOPERATION ACT, 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	Holmgren	Peterson, C.	Sandberg
Barton	Matheson	Peterson, Chuck	Stratford
Black	McAllister	Peterson, L.	Swan
Bunnell	McMullin	Pugh	Wayment
Cornaby	Money	Renstrom	Williams
Hillyard	Overson	Rogers	Pres. Christensen

Absent or not voting were: Senators

Asay	Carling	Finlinson	Sowards
Barlow			

S.B. No. 239 was transmitted to the House.

• • •

On motion of Senator McMullin, **S.B. No. 164,** INCENTIVES FOR EXCELLENCE IN PUBLIC SCHOOL DISTRICTS, was circled.

• • •

SUB. S.B. No. 105, ALCOHOL MOTOR FUEL AMENDMENT, was before the Senate.

On motion of Senator McMullin, the following second substitute bill replaced the original bill:

ALCOHOL MOTOR FUEL AMENDMENT

SECOND SUBSTITUTE
S.B. No. 105 *Dix H. McMullin, Wilford R. Black*

AN ACT RELATING TO MOTOR FUELS; PROVIDING FOR THE REPEAL OF PROVISIONS IN THE MOTOR FUEL CHAPTER FOR ALCOHOL FUEL LABELLING; REPEALING MOTOR FUEL TAX REDUCTION FOR METHANOL; AMENDING PROCEDURAL REQUIREMENTS TO FACILITATE USE OF THE ALCOHOL PRODUCER'S INCENTIVE; APPROPRIATING $1,000,000; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 41-11-6, AS LAST AMENDED BY CHAPTER 8, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 41-11a-2, AS ENACTED BY CHAPTER 8, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 41-11a-4, AS ENACTED BY CHAPTER 8, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 41-11a-5, AS ENACTED BY CHAPTER 8, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 41-11a-8, AS ENACTED BY CHAPTER 8, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 41-11a-11, AS ENACTED BY CHAPTER 8, LAWS OF UTAH 1984, SECOND SPECIAL SESSION

ENACTS: 41-11a-14, UTAH CODE ANNOTATED 1953

REPEALS: 41-11a-6, AS ENACTED BY CHAPTER 8, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 41-11a-7, AS ENACTED BY CHAPTER 8, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 41-11a-12, AS ENACTED BY CHAPTER 8, LAWS OF UTAH 1984, SECOND SPECIAL SESSION

On motion of Senator McMullin, **SECOND SUB. S.B. No. 105** was amended as follows:

Page 1, Line 16:
Delete "$1,000,000" and insert "$500,000"

Page 11, Line 10:
Delete "$1,000,000" and insert "$500,000"

Page 10, Line 18:
After "10" insert "cents"

On motion of Senator McMullin, the bill was circled.

• • •

On motion of Senator Hillyard, **SECOND SUB. S.B. No. 129,** ADMINISTRATIVE SERVICE ACT AMENDMENT, was read the third time, and circled.

• • •

On motion of Senator McMullin, **S.B. No. 145,** TRAFFIC-RELATED CRIMINAL OFFENSES AMENDMENTS, was read the third time and circled.

• • •

On motion of Senator Finlinson, **S.B. No. 212,** DEREGULATION OF TELECOMMUNICATION DISTRIBUTORS AND INDEPENDENT ENERGY PRODUCERS, was read the third time, and circled.

SECOND READING CALENDAR

S.B. No. 214, BUSINESS OPPORTUNITY DISCLOSURE ACT, was before the Senate on reconsideration, and failed on the following roll call:

Yeas, 10; Nays, 16; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Hillyard	Peterson, L.	Wayment
Barlow	Matheson	Sowards	Williams
Barton	McAllister		

Voting in the negative were: Senators

Black	Holmgren	Peterson, C.	Sandberg
Bunnell	McMullin	Peterson, Chuck	Stratford
Cornaby	Money	Pugh	Swan
Finlinson	Overson	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Asay	Carling	Rogers

• • •

On motion of Senator Barlow, **S.B. No. 23,** PROSTHESIS SALES TAX EXEMPTION, was lifted to Third Reading Calendar for reconsideration.

• • •

S.B. No. 206, BUSINESS AND ENERGY CREDIT AMENDMENTS, was before the Senate. Senator McAllister was presiding.

On motion of Senator Sowards, **S.B. No. 206** was amended as follows:

Page 4, Line 18:
Delete "1980" and insert "1986"

Page 4, Line 21:
Delete "1985" and insert "1986"

Page 4, Line 22:
Delete "1984" and insert "1985"

Page 4, Line 24:
Delete "January 1, 1985" and insert "July 1, 1985"

Page 4, Line 27:
Delete "January 1, 1985" and insert "July 1, 1985"

Page 6, Line 29:
Delete "1980" and insert "1986"

Page 7, Line 1:
Delete "1984" and insert "1986"

Page 7, Line 3:
Delete "1984" and insert "1985"

Page 7, Line 5:
Delete "January 1, 1985" and insert "July 1, 1985"

Page 7, Line 8:
Delete "January 1, 1985" and insert "July 1, 1985"

Page 8, Line 11:
Delete "1980" and insert "1986"

Page 8, Line 13:
Delete "1985" and insert "1986"

Page 8, Line 15:
Delete "1984" and insert "1985"

Page 8, Line 16:
Delete "January" and insert "July"

Page 8, Line 21:
Delete "January 1, 1985" and insert "July 1, 1985"

The bill passed on the following roll call:

Yeas, 20; Nays, 1; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Finlinson	Money	Sowards
Barlow	Hillyard	Peterson, C.	Stratford
Barton	Matheson	Peterson, Chuck	Swan
Black	McAllister	Peterson, L.	Wayment
Bunnell	McMullin	Sandberg	Williams

Voting in the negative was: Senator
Overson

Absent or not voting were: Senators

Asay	Cornaby	Pugh	Rogers
Carling	Holmgren	Renstrom	Pres. Christensen

COMMUNICATION FROM THE HOUSE

Mr. President: February 21, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 20,** GEORGE E. WAHLEN COMMENDATION, by Representative Karras, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator L. Peterson, and under suspension of the rules, the resolution was read the first, second and third times. Senator Renstrom commented.

The resolution passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Bangerter	Cornaby	Peterson, Chuck	Sandberg
Barlow	Hillyard	Peterson, L.	Stratford
Barton	McAllister	Pugh	Swan
Black	McMullin	Renstrom	Wayment
Bunnell	Money	Rogers	Williams

Absent or not voting were: Senators

Asay	Holmgren	Overson	Sowards
Carling	Matheson	Peterson, C.	Pres. Christensen
Finlinson			

H.C.R. No. 20 was signed by the President of the Senate in open session and returned to the House for further action.

SECOND READING CALENDAR

S.B. No. 240, WATER DISTRICT INDEBTEDNESS, was read the second time.

Mr. President: February 18, 1985

The Energy, Natural Resources & Agriculture Standing Committee, to which was referred **S.B. No. 240,** WATER DISTRICT INDEBTEDNESS, by Senator Fred W. Finlinson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Fred. W. Finlinson, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 19; Nays, 1; Absent, 9

Voting in the affirmative were: Senators

Bangerter	Finlinson	Overson	Swan
Barlow	Holmgren	Peterson, C.	Wayment
Barton	McAllister	Peterson, L.	Williams
Black	McMullin	Sandberg	Pres. Christensen
Cornaby	Money	Stratford	

Voting in the negative was: Senator

Matheson

Absent or not voting were: Senators

Asay	Hillyard	Pugh	Rogers
Bunnell	Peterson, Chuck	Renstrom	Sowards
Carling			

* * *

S.B. No. 74, OPTOMETRY AMENDMENTS, was before the Senate as a special order of business.

Senator Barlow moved the following amendments:

Page 1, Line 21:
Delete the word "and"

Page 1, Line 22:
Delete "may be carried out only by a licensed optometrist"

Page 3, Lines 23 through 29:
Delete all of the language on lines 23 through 29 and insert: "(4)(a) The Utah Optometric Committee and the Division of Occupational and Professional Licensing shall determine the educational training and competency of each applicant and practicing optometrist.

(b) No optometrist may be certified to use pharmaceutical agents or to practice optometry in this state if such use or practice is determined to be beyond the scope of his educational training. This determination shall be made by the Utah Optometric Committee and the Division of Occupational and Professional Licensing, in consultation with a licensed physician and a licensed pharmacologist, both appointed by the division.

(c) The division shall provide a list of approved pharmaceutical agents which may be used by qualified optometrists who are licensed under this chapter."

Senator Sandberg moved a substitute motion to refer the bill to an interim committee for futher study.

The substitute motion passed on the following roll call:

Yeas, 13; Nays, 10; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Hillyard	McMullin	Sandberg
Black	Holmgren	Peterson, C.	Williams
Cornaby	McAllister	Peterson, Chuck	Pres. Christensen
Finlinson			

Voting in the negative were: Senators

Barlow	Money	Renstrom	Swan
Barton	Overson	Stratford	Wayment
Matheson	Peterson, L.		

Absent or not voting were: Senators

Asay	Carling	Rogers	Sowards
Bunnell	Pugh		

S.B. No. 74 will be referred to an interim committee.

• • •

The Senate sauntered at 11:15 a.m., and reassembled at 11:30 a.m.

PRESENTATION OF RESOLUTION

WESTON E. HAMILTON COMMENDATION

S.J.R. No. 15 *C.E. 'Chuck' Peterson, Omar B. Bunnell*

A JOINT RESOLUTION OF THE LEGISLATURE HONORING WESTON E. HAMILTON FOR HIS MANY ACCOMPLISHMENTS.

On motion of Senator C.E. Peterson, and under suspension of the rules, **S.J.R. No. 15**, was read the first, second and third times and passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 12

Voting in the affirmative were: Senators

Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	Matheson	Peterson, L.	Swan
Black	McAllister	Renstrom	Williams
Carling	Overson	Sandberg	Pres. Christensen
Cornaby			

Absent or not voting were: Senators

Asay	Finlinson	Money	Rogers
Bangerter	Hillyard	Peterson, C.	Sowards
Bunnell	McMullin	Pugh	Wayment

S.J.R. No. 15 was transmitted to the House.

• • •

S.B. No. 167, ASSAULT OFFENSES AMENDMENTS, was read the second time.

Mr. President: February 18, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 167,** ASSAULT OFFENSES AMENDMENTS, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 9:
After "agency" insert "or"

Page 2, Line 11:
After "officer;" delete "and" and insert "or"

E. Verl Asay, Committee Chairman

Committee report, with amendments, was read and adopted. The bill passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 13

Voting in the affirmative were: Senators

Barlow	Cornaby	Overson	Sandberg
Barton	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Peterson, L.	Williams
Carling	McAllister	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Asay	Hillyard	Peterson, C.	Sowards
Bangerter	McMullin	Pugh	Stratford
Bunnell	Money	Rogers	Wayment
Finlinson			

• • •

S.B. No. 180, MISSING CHILDREN REGISTRY AMENDMENTS, was read the second time.

Mr. President: February 18, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 180,** MISSING CHILDREN REGISTRY AMENDMENTS, by Senator K.S. Cornaby, has carefully considered the bill and reports it out favorably and with the recommendation that the original bill be deleted in body and title and that **SUBSTITUTE S.B. No. 180** replace the original bill.

E. Verl Asay, Committee Chairman

Committee report read and adopted. The following substitute bill replaced the original bill.

MISSING CHILDREN REGISTRY AMENDMENTS

SUBSTITUTE
S.B. No. 180 *K.S. Cornaby*

AN ACT RELATING TO THE MISSING CHILDREN REGISTRY; PROVIDING THAT ONLY PERSONS NOT EMPLOYED BY A LICENSED PUBLIC OR PRIVATE CHILD PLACEMENT AGENCY OR AN AGENCY WHICH CANNOT DOCUMENT CHILD'S PARENTAGE ARE REQUIRED TO FINGERPRINT OR FOOTPRINT CHILDREN AND SEARCH CENTRAL REGISTER FOR MISSING CHILDREN BEFORE PLACING CHILDREN; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 77-26a-5, AS ENACTED BY CHAPTER 121, LAWS OF UTAH 1983

SUB. S.B. No. 180 passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 13

Voting in the affirmative were: Senators

Barlow	Cornaby	Peterson, Chuck	Stratford
Barton	Matheson	Peterson, L.	Swan
Black	McAllister	Renstrom	Williams
Carling	Overson	Sandberg	Pres. Christensen

Absent or not voting were: Senators

Asay	Hillyard	Money	Rogers
Bangerter	Holmgren	Peterson, C.	Sowards

Bunnell	McMullin	Pugh	Wayment
Finlinson			

• • •

S.B. No. 243, UNIFORM PROBATE CODE AMENDMENTS, was read the second time.

Mr. President: February 18, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 243,** UNIFORM PROBATE CODE AMENDMENTS, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 11

Voting in the affirmative were: Senators

Bangerter	Cornaby	Money	Sandberg
Barlow	Hillyard	Peterson, C.	Stratford
Barton	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Peterson, L. (exp)	Pres. Christensen
Carling (exp)	McMullin		

Absent or not voting were: Senators

Asay	McAllister	Renstrom	Wayment
Bunnell	Overson	Rogers	Williams
Finlinson	Pugh	Sowards	

• • •

S.B. No. 233, DUI PENALTIES, was read the second time.

Mr. President: February 18, 1985

The Senate Transportation and Public Safety Standing Committee, to which was referred **S.B. No. 233,** DUI PENALTIES, by Senator Lyle W. Hillyard, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 20:
Delete "48" and insert "16" after "than" delete "240" and insert "80"

Page 3, Line 3:
After "than" delete "240" and insert "80" after "than" delete "720" and insert "240"

Page 3, Line 17:
After "than" delete "720" and insert "240"

Page 3, Line 18:
Delete "2,160" and insert "720"

Jack M. Bangerter, Committee Chairman

Committee report, with amendments, was read and adopted. The bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Hillyard	Money	Rogers
Barlow	Holmgren	Overson	Sandberg
Barton	Matheson	Peterson, C.	Stratford
Black	McAllister	Peterson, Chuck	Swan
Carling	McMullin	Renstrom	Pres. Christensen
Cornaby			

Absent or not voting were: Senators

Asay	Finlinson	Pugh	Wayment
Bunnell	Peterson, L.	Sowards	Williams

• • •

S.B. No. 245, PUBLIC FIREWORK SHOWS, was read the second time.

Mr. President: February 18, 1985

The Transportation and Public Safety Standing Committee, to which was referred **S.B. No. 245,** PUBLIC FIREWORK SHOWS, by Senator Dix H. McMullin, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Jack M. Bangerter, Committee Chairman

Committee report read and adopted.

On motion of Senator McAllister, **S.B. No. 245** was amended as follows:

Page 1, Line 27:
Delete the period after "shows" and delete the remainder of the line.

Page 1, Line 28:
Delete "reasonable fees," and after "enforce" insert "such"

Page 1, Line 29:
After "rules" add a period and delete the remainder of line.

The bill failed on the following roll call:

Yeas, 11; Nays, 12; Absent, 6

Voting in the affirmative were: Senators

Barlow	Carling	Overson	Peterson, L.
Black	McAllister	Peterson, C.	Sandberg
Bunnell	McMullin	Peterson, Chuck	

Voting in the negative were: Senators

Bangerter	Holmgren	Renstrom	Swan
Cornaby	Matheson	Rogers	Williams
Hillyard	Money	Stratford	Pres. Christensen

Absent or not voting were: Senators

Asay	Finlinson	Sowards	Wayment
Barton	Pugh		

• • •

S.B. No. 23, PROSTHESIS SALES TAX EXEMPTION, was before the Senate on reconsideration, and passed on the following roll call:

Yeas, 18; Nays, 3; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Cornaby	Overson	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Black	McAllister	Renstrom	Swan
Bunnell	McMullin	Sandberg	Williams
Carling (exp)	Money		

Voting in the negative were: Senators

Hillyard	Rogers	Pres. Christensen	

Absent or not voting were: Senators

Asay	Finlinson	Peterson, C.	Pugh
Barton	Matheson	Peterson, L.	Wayment

S.B. No. 23 was transmitted to the House.

RULES COMMITTEE REPORT

Mr. President: February 21, 1985

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 229	NOTICE OF EXCESS LEVY (Revenue and Taxation)
S.B. No. 271	RECREATION VEHICLE TITLES (Transportation and Public Safety)
S.B. No. 219	MINIMUM BASIC TAX LEVY ADJUSTMENT (Revenue and Taxation)
S.B. No. 259	IRRIGATION DISTRICT ELECTRIC POWER PLANTS (Energy, Natural Resources and Agriculture)
S.B. No. 266	UTAH PRIVATIZATION ACT AMENDMENTS (Health)
S.B. No. 55	TEMPORARY SALES TAX REMOVAL (Revenue and Taxation)

reports the same back and asks that they be printed and each assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bills to the committees indicated, and

Mr. President: February 21, 1985

The Senate Rules Committee, to which was referred the following Senate Bill:

S.B. No. 94	SALARY ADJUSTMENT AMENDMENTS

reports the same back and asks that it be printed and placed on the Second Reading Calendar.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. The bill was placed on Second Reading Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B. Nos. 169, 186, 258, 237 274, 247** and **264** and **SUB. H.B. Nos. 24, 131, 140, 118** and **H.B. Nos. 14, 22, 73, 76, 120, 163 171** and the bills were placed on Second Reading Calendar.

• • •

Senator Cornaby, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action on **S.B. No. 245,** PUBLIC FIREWORK SHOWS.

• • •

Senator Overson, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action on **S.B. No. 214,** BUSINESS OPPORTUNITY DISCLOSURE ACT.

• • •

Senator Bangerter, having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action on **S.B. No. 74,** OPTOMETRY AMENDMENTS.

• • •

On motion of Senator McMullin, and at 12:00 noon, the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Arnold Christensen presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 21, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 28,** SUMMUM FARM COMMENDATION, 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 **H.B. No. 75,** COURT COMMISSIONER-DOMESTIC MATTERS, 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 **SUBSTITUTE H.B. No. 255,** CENTERS FOR TECHNOLOGICAL EXCELLENCE, by Representative LeBaron, 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. 341,** VOTE RECOUNT COSTS, by Representative Sykes, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.J.R. No. 28, H.B. No. 75 and **SUB. H.B. Nos. 225** and **341** were read the first time and referred to Rules Committee.

SECOND READING CALENDAR

Mr. President: February 21, 1985

The Energy, Natural Resources & Agriculture Standing Committee, to which was referred **S.B. No. 273,** PEST CONTROL COMPACT, by Senator Dale E. Stratford, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The Energy, Natural Resources & Agriculture Standing Committee, to which was referred **H.B. No. 177,** GOVERNMENTAL IMMUNITY FOR NATURAL DISASTERS, by Representative Kaye Browning, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The Energy, Natural Resources & Agriculture Standing Committee, to which was referred **SUBSTITUTE H.B. No. 180,** OIL, GAS, AND MINING AMENDMENT, by Representative Tom Christensen, has carefully considered the bill and reports it out of committee favorably and with the following amendment and asks that it be placed on the Consent Calendar:

Page 7, Line 29:
After "additional evidence" delete "if"

Fred W. Finlinson, Committee Chairman

Committee report read and adopted. **S.B. No. 273, H.B. No. 177** and **SUB. H.B. No. 180** were read the second time, and placed on Consent Calendar.

• • •

S.B. No. 158, WORKERS' COMPENSATION AMENDMENTS, was read the second time.

Mr. President: February 19, 1985

The Business, Labor and Economic Development Standing Committee, to which was referred **S.B. No. 158,** WORKERS' COMPENSATION AMENDMENTS, by Senator Dale E. Stratford, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lowell S. Peterson, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 18; Nays, 1; Absent, 10

Voting in the affirmative were: Senators

Bangerter	Holmgren	Peterson, C.	Rogers
Barton	Matheson	Peterson, Chuck	Sandberg
Bunnell	McAllister	Peterson, L.	Stratford
Carling	McMullin	Renstrom	Swan
Finlinson	Money		

Voting in the negative was: Senator

Hillyard

Absent or not voting were: Senators

Asay	Cornaby	Sowards	Williams
Barlow	Overson	Wayment	Pres. Christensen
Black	Pugh		

• • •

S.B. No. 178, PENALTY FOR WRONGFUL LIEN, was read the second time.

Mr. President: February 19, 1985

The Business, Labor & Economic Development Standing Committee, to which was referred **S.B. No. 178,** PENALTY FOR WRONGFUL LIEN, by Senator Ivan M.

Matheson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

On motion of Senator Carling, **S.B. No. 178,** was amended as follows:

Page 1, Line 27:
After "claim," delete "or is otherwise invalid"

On motion of Senator Matheson, the bill was circled.

• • •

S.B. No. 182, CATV FACILITIES PROTECTION, was read the second time.

Mr. President: February 19, 1985

The Business, Labor and Economic Development Standing Committee, to which was referred **S.B. No. 182,** CATV FACILITIES PROTECTION, by Senator Omar B. Bunnell, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 3, Line 8:
After "way" delete the rest of the line and lines 9 and 10 and insert "."

Lowell S. Peterson, Committee Chairman

Committee report, with amendments, was read and adopted. The bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Cornaby	McMullin	Renstrom
Barlow	Hillyard	Money	Sowards
Barton	Holmgren	Peterson, C.	Stratford
Black	Matheson	Peterson, Chuck	Swan
Bunnell	McAllister	Peterson, L.	Wayment
Carling			

Absent or not voting were: Senators

Asay	Overson	Rogers	Williams
Finlinson	Pugh	Sandberg	Pres. Christensen

• • •

S.B. No. 213, INDUSTRIAL REHABILITATION, was read the second time.

Mr. President: February 19, 1985

The Business, Labor and Economic Development Standing Committee, to which was referred **S.B. No. 213,** INDUSTRIAL REHABILITATION, by Senator Dale E. Stratford, et al, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 4, Line 9:
After "(2)" insert "(a)"

Page 4, between Lines 15 and 16:
Insert: "(b) The Industrial Commission is authorized to fund the necessary administrative costs of the industrial rehabilitation coordinator and staff from the Second Injury Fund created in Section 35-1-68."

Lowell S. Peterson, Committee Chairman

Committee report, with amendments, was read and adopted. The bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Holmgren	Peterson, C.	Stratford
Barlow	Matheson	Peterson, Chuck	Swan
Barton	McAllister	Pugh	Wayment
Black	McMullin	Renstrom	Williams
Carling	Money	Sowards	Pres. Christensen
Cornaby	Overson		

Absent or not voting were: Senators

Asay	Finlinson	Peterson, L.	Sandberg
Bunnell	Hillyard	Rogers	

• • •

S.B. No. 216, ANTIDISCRIMINATION ACT AMENDMENTS, was read the second time.

Mr. President: February 19, 1985

The Business, Labor and Economic Development Standing Committee, to which was referred **S.B. No. 216,** ANTIDISCRIMINATION ACT AMENDMENTS, by Senator Dale E. Stratford, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

On motion of Senator Stratford, **S.B. No. 216** was amended as follows:

Page 1, Line 21:
Delete the entire line

Page 1, Line 24:
Delete the entire line

Page 14, Lines 7-10:
On line 7, after the words "is 40" insert "to 70 years of age." and delete the remainder of the sentence through line 10

Page 20, Line 9:
After line 9, insert a new subsection: "(15) The procedures contained in this section and Section 34-35-8 are the exclusive remedy under state law for employment discrimination because of race, color, sex, age, religion, national origin, or handicap."

Page 20, Lines 10-30:
Delete all of lines 10 through 30

Page 21, Lines 1-2:
Delete all of lines 1 and 2

Page 21, Line 4:
Delete the words "and Section"

Page 21, Line 5:
Delete the entire line

Page 21, Line 6:
Delete "Laws of Utah 1969, are" and insert "is"

The bill passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barlow	Hillyard	Overson	Stratford
Barton	Matheson	Peterson, C.	Swan
Carling	McAllister	Peterson, Chuck	Wayment
Cornaby	McMullin	Pugh	Williams
Finlinson	Money	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Asay	Bunnell	Peterson, L.	Sandberg
Bangerter	Holmgren	Rogers	Sowards
Black			

• • •

On motion of Senator Matheson, the circle was removed from **S.B. No. 178,** PENALTY FOR WRONGFUL LIEN, and the bill was before the Senate.

On motion of Senator Matheson, **S.B. No. 178** was amended as follows:

> Page 1, Line 33:
> After "real property." insert "this act is not intended to be applicable to mechanics or materialmen's liens."

The bill passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Barlow	Hillyard	Peterson, C.	Swan
Barton	Matheson	Peterson, Chuck	Wayment
Bunnell	McAllister	Peterson, L.	Williams
Carling	McMullin	Pugh	Pres. Christensen
Cornaby	Money	Stratford	

Absent or not voting were: Senators

Asay	Finlinson	Renstrom	Sandberg
Bangerter	Holmgren	Rogers	Sowards
Black	Overson		

• • •

S.B. No. 114, LOCAL OPTION SCHOOL DISTRICT SALES TAX, was read the second time.

Mr. President: February 19, 1985

The Education Standing Committee, to which was referred **S.B. No. 114.** LOCAL OPTION SCHOOL DISTRICT SALES TAX, by Senator Paul Rogers, has carefully considered the bill and reports it out of committee with a favorable recommendation.

William T. Barton, Committee Chairman

Committee report read and adopted. On motion of Senator Rogers, the bill was circled.

THIRD READING CALENDAR

On motion of Senator Finlinson, the circle was removed from **S.B. No. 212.** DEREGULATION OF TELECOMMUNICATION DISTRIBUTORS AND INDEPENDENT ENERGY PROCEDURE, and was before the Senate.

Senator Finlinson's motion to delete the Hillyard amendments placed in the bill yesterday, passed on the following roll call:

Yeas, 16; Nays, 11; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Finlinson	Peterson, C.	Rogers
Barton	Holmgren	Peterson, Chuck	Sandberg
Carling	McAllister	Pugh	Sowards
Cornaby	McMullin	Renstrom	Pres. Christensen

Voting in the negative were: Senators

Barlow	Hillyard	Overson	Swan
Black	Matheson (exp)	Peterson, L.	Williams
Bunnell	Money	Stratford	

Absent or not voting were: Senators

Asay	Wayment

Senator Overson moved the following amendments:

Page 5, Line 24:
After "producer" delete "through private property alone,"

Page 5, Line 25:
Delete "[i.e.,] which is property not dedicated to public use,"

Page 11, Line 4a:
After "REQUIREMENTS OF" delete "BOTH". After "(i)" delete "AND" and insert "or". After "(ii)" delete ", OR MEETS THE REQUIREMENTS OF"

Page 11, Line 4b:
Delete "(iii)"

Page 11, Line 10:
Delete "(ii)" and insert "(i)"

Page 11, Line 11:
After "owned" delete ", managed or controlled" After "by" delete "a"

Page 11, Line 12:
Delete entire line.

Page 11, Line 13:
Delete "controls, is controlled by, or affiliated with"

Page 11, Line 14a:
Delete "(iii)" and insert "(ii)"

Thus it would read, begining on line 4, following the word "if"
"the real property occupied by the recipient of the commodity or service is owned by the provider of the commodity or service."

Senator Overson's motion to amend failed on the following roll call:

Yeas, 11; Nays, 16; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Bunnell	Holmgren	Peterson, L.
Barlow	Cornaby	Money	Williams
Black	Hillyard	Overson	

Voting in the negative were: Senators

Barton	McAllister	Pugh	Stratford
Carling	McMullin	Renstrom	Swan
Finlinson	Peterson, C.	Rogers	Wayment
Matheson	Peterson, Chuck	Sandberg	Pres. Christensen

Absent or not voting were: Senators

Asay	Sowards

On motion of Senator C.E. Peterson, the bill was circled.

• • •

On motion of Senator McMullin, and under suspension of the rules, **SECOND SUB. S.B. No. 105,** ALCOHOL MOTOR FUEL AMENDMENT, was uncircled and before the Senate, and passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Finlinson	Peterson, Chuck	Stratford
Barlow	Hillyard	Peterson, L.	Swan
Barton	Holmgren	Renstrom	Wayment
Black	Matheson	Rogers	Williams
Bunnell	McAllister	Sandberg	Pres. Christensen
Carling	McMullin	Sowards	

Voting in the negative was: Senator

Peterson, C.

Absent or not voting were: Senators

Asay	Money	Overson	Pugh
Cornaby			

SECOND SUB. S.B. No. 105 was transmitted to the House.

• • •

On motion of Senator L. Peterson, and under suspension of the rules, the circle was removed from **S.B. No. 164,** and the following substitute bill replaced the original bill:

INCENTIVES FOR EXCELLENCE IN PUBLIC SCHOOL DISTRICTS

SUBSTITUTE
S.B. No. 164 *Lowell S. Peterson*

AN ACT RELATING TO THE PUBLIC SCHOOLS; AUTHORIZING AND ENCOURAGING LOCAL SCHOOL DISTRICTS TO DEVELOP PROGRAMS THAT RELY ON MATCHING PRIVATE AND PUBLIC FUNDING TO PROMOTE EDUCATIONAL EXCELLENCE; PROVIDING FOR THE STATE BOARD OF EDUCATION TO ADMINISTER AND ALLOCATE STATE APPROPRIATIONS FOR THE PROGRAMS; REQUIRING THAT ANY STATE APPROPRIATION BE USED TO ENHANCE EDUCATIONAL EXCELLENCE; REQUIRING MATCHING PRIVATE FUNDS FOR ANY STATE APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 53-52a-1, UTAH CODE ANNOTATED 1953; 53-52a-2, UTAH CODE ANNOTATED 1953; 53-52a-3, UTAH CODE ANNOTATED 1953; 53-52a-4, UTAH CODE ANNOTATED 1953.

The substitute bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Hillyard	Peterson, C.	Sandberg
Barlow	Holmgren	Peterson, Chuck	Sowards
Black	Matheson	Peterson, L.	Stratford
Bunnell	McAllister	Pugh	Swan
Carling	McMullin	Renstrom	Wayment
Cornaby	Overson	Rogers	Pres. Christensen
Finlinson			

Absent or not voting were: Senators

Asay	Barton	Money	Williams

SUB. S.B. No. 164, was transmitted to the House.

• • •

On motion of Senator McMullin, the circle was removed from **S.B. No. 145,** TRAFFIC RELATED CRIMINAL OFFENSES AMENDMENT, and was before the Senate.

On motion of Senator McMullin, **S.B. No. 145** was amended as follows:

Page 2, Lines 9-22:
Line 9 through the end of 23, restore to original code language.

Page 2, Lines 29-30b:
Lines 29 through the end of 30b, restore to original code language.

Page 3, Lines 1-30:
Lines 1 through the end of 30, restore to original code language.

Page 4, Lines 1-3:
Lines 1 through the end of line 3, restore to original code language.

The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Hillyard	Peterson, C.	Sandberg
Barlow	Holmgren	Peterson, Chuck	Sowards
Barton	Matheson	Peterson, L.	Stratford
Black	McAllister	Pugh	Swan
Bunnell	McMullin	Renstrom	Wayment
Carling	Money	Rogers	Pres. Christensen
Cornaby	Overson		

Absent or not voting were: Senators

Asay	Finlinson	Williams

S.B. No. 145 was transmitted to the House.

SECOND READING CALENDAR

S.B. No. 107, DFCM AMENDMENTS, was read the second time.

Mr. President: February 19, 1985

The State and Local Affairs Standing Committee, to which was referred **S.B. No. 107,** DFCM AMENDMENTS, by Senator Wayne L. Sandberg, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 8, Delete Lines 16 through 19 and insert in lieu of: "(3) Direct or delegate maintenance and operations, preventive maintenance, and facilities inspection programs and activities for any department, commission, institution, or agency except state institutions of higher or public education. For functions other than administration, the following agencies are also exempt from the provisions of this paragraph: the Department of Transportation, the Board of State Lands, the Division of Expositions, the Department of Corrections, and the Department of Natural Resources."

K.S. Cornaby, Committee Chairman

Committee report, with amendments, was read and adopted. On motion of Senator McMullin, the bill was circled.

• • •

S.B. No. 116, PUBLIC SALE OF BONDS, was read the second time.

Mr. President: February 18, 1985

The Revenue & Taxation Standing Committee, to which was referred **S.B. No. 116**, PUBLIC SALE OF BONDS, by Senator Fred W. Finlinson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lyle W. Hillyard, Committee Chairman

Committee report read and adopted. On motion of Senator Bunnell, the bill will be considered tomorrow at 11:00 a.m.

• • •

S.B. No. 191, AMENDMENT TO ANNEXATION PROVISION, was read the second time.

Mr. President: February 18, 1985

The State and Local Affairs Standing Committee to which was referred **S.B. No. 191**, AMENDMENT TO ANNEXATION PROVISION, by Senator Jack M. Rangerter, et al, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 1, Line 34:
After "facilities" delete the rest of the line.

Page 2:
Delete Lines 1 through 3

Page 2, Line 4:
At the beginning of the line: reinsert "dedicated" and delete "used exclusively"

Page 2, Line 6:
After "market" delete "reimbursement"

K.S. Cornaby, Committee Chairman

Committee report, with amendments, was read and adopted. The bill passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Hillyard	Peterson, Chuck	Sowards
Barlow	Holmgren	Peterson, L.	Stratford
Barton	McAllister	Pugh	Swan
Black	Money	Renstrom	Wayment
Bunnell	Overson	Rogers	Williams
Cornaby	Peterson, C.	Sandberg	Pres. Christensen
Finlinson			

Voting in the negative was: Senator
Matheson

Absent or not voting were: Senators

Asay	Carling	McMullin

• • •

On motion of Senator Sandberg, the circle was removed from **S.B. No. 107,** DFCM AMENDMENTS. Patrick Hayes spoke in Committee of the Whole.

The bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Barlow	Hillyard	Peterson, Chuck	Sandberg
Barton	Holmgren	Peterson, L.	Stratford
Black	Matheson	Pugh	Swan
Bunnell	McAllister	Renstrom	Wayment
Carling	McMullin	Rogers	Pres. Christensen
Cornaby	Peterson, C.		

Absent or not voting were: Senators

Asay	Finlinson	Overson	Williams
Bangerter	Money	Sowards	

JOINT CONFERENCE COMMITTEE REPORT
(S.B. No. 57, FIRE CHIEF AND PUBLIC SAFETY RETIREMENT)

Mr. President: February 21, 1985

I am directed to inform the Senate that the House of Representatives has this day adopted the Joint Conference Committee Report as of February 20, 1985, and passed **S.B. No. 57**, FIRE CHIEF AND PUBLIC SAFETY RETIREMENT, by Senator Barlow, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Acting Chief Clerk

Mr. Speaker and Mr. President:

Your Conference Committee, consisting of Senators Haven J. Barlow, Brent C. Overson and Darrell G. Renstrom and Representatives Joseph A. Jenkins, Rob W. Bishop and Ted D. Lewis to which was referred **S.B. No. 57**, FIRE CHIEF AND PUBLIC SAFETY RETIREMENT EXEMPTION, by Senator Haven J. Barlow reports as follows:

Page 1a, Line 29b:
After "in" delete "covered service" and insert "the same covered employer unit"

Page 2, Line 1:
After "in" delete "covered service" and insert "the same covered employer unit"

Sen. Haven J. Barlow
Chairman, Senate Committee
Rep. Joseph A. Jenkins
Chairman, House Committee

On motion of Senator Barlow, the Senate voted to adopt the Joint Conference Report.

The bill passed, on reconsideration, on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Hillyard	Peterson, C.	Sandberg
Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	Matheson	Peterson, L.	Swan
Black	McAllister	Pugh	Wayment
Carling	McMullin	Renstrom	Williams
Cornaby	Money	Rogers	Pres. Christensen
Finlinson			

Absent or not voting were: Senators

Asay	Bunnell	Overson	Sowards

S.B. No. 57 was returned to the House.

RULES COMMITTEE REPORTS

Mr. President: February 21, 1985

The Senate Rules Committee, to which were referred the following Senate Bills:

S.B. No. 220	COMPLETION AND DELIVERY OF ASSESSMENT BOOKS (Health)
S.B. No. 221	CHANGES IN ASSESSMENT ROLL (Health)
S.B. No. 222	EXCESS LEVIES (Health)
S.B. No. 223	POWERS AND DUTIES OF TAX COMMISSION (Health)
S.B. No. 231	EXTENSION OF SALES AND USE TAX EXEMPTION FOR POLLUTION CONTROL EQUIPMENT (Energy, Natural Resources and Agriculture)
S.B. No. 247	COUNTY RECORDER ABSTRACT SEARCH REPEAL (State and Local Affairs)
S.B. No. 261	SPECIAL FUEL PERMIT EXEMPTION (Transportation and Public Safety)
S.B. No. 265	MOTOR FUEL SALES (Transportation and Public Safety)
S.B. No. 287	WATER AND SEWAGE DISTRICT TRUSTEES AMENDMENT (Energy, Natural Resources and Agriculture)

S.B. No. 275 TRANSPORTATION FUND HIGHWAY REHABILITATION DISTRIBUTION (Transportation and Public Safety)
S.B. No. 278 HEALTH INSURANCE BENEFITS (Health)

reports the same back and asks that they be printed and each assigned to a committee, and

The Senate Rules Committee, to which was referred the following House Bill:

H.B. No. 320 RADIO TELEPHONE EXEMPTION (Business, Labor and Economic Development)

reports the same back and asks that it be assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bills to the committees indicated.

SECOND READING CALENDAR

S.B. No. 202, UTAH CODE RECODIFICATION, was read the second time.

Mr. President: February 18, 1985

The State and Local Affairs Standing Committee, to which was referred **S.B. No. 202,** UTAH CODE RECODIFICATION, by Senator Dale E. Stratford, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

K.S. Cornaby, Committee Chairman

Committee report read and adopted. The bill failed on the following roll call:

Yeas, 12; Nays, 14; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Cornaby	Renstrom	Sowards
Barlow	Hillyard	Rogers	Stratford
Barton	Holmgren	Sandberg	Swan

Voting in the negative were: Senators

Bunnell	McAllister	Peterson, C.	Pugh
Carling	McMullin	Peterson, Chuck	Wayment
Finlinson	Money	Peterson, L.	Pres. Christensen
Matheson	Overson		

Absent or not voting were: Senators
Asay Black Williams

S.B. No. 202 was filed.

• • •

On motion of Senator Cornaby, **S.B. No. 245,** PUBLIC FIREWORK SHOWS, was placed at the bottom of Second Reading Calendar for reconsideration.

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Senator Overson's motion to have **S.B. No. 214,** BUSINESS OPPORTUNITY DISCLOSURE ACT, placed on Second Reading Calendar for reconsideration, failed on a voice vote.

S.B. No. 214 was filed.

• • •

On motion of Senator McMullin, the circles were removed from **SECOND SUB. S.B. No. 129, S.B. No. 212** and **S.B. No. 114.**

• • •

On motion of Senator McMullin, and at 4:10 p.m., the Senate adjourned until 10:00 a.m., Friday, February 22, 1985.

FORTIETH DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m. with President Arnold Christensen presiding.

Roll Call — All Senators present except Senator Overson, excused.

Prayer — Naaman C. Buckmiller, Bishop of the Fairmont Ward, Granite Stake, Church of Jesus Christ of Latter-day Saints.

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

DAILY SENATE JOURNAL

Mr. President: February 22, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the thirty ninth day and find it correct with minor amendments noted on the final copy.

C.E. 'Chuck' Peterson
Committee Chairman

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 21, 1985

I am directed to inform the Senate that the House of Representatives, on reconsideration, has this day concurred in the Senate amendments and passed **SUBSTITUTE H.B. No. 59,** PHARMACY PRACTICE ACT, by Representative Anderson, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

SUB. H.B. No. 59 was signed by the President of the Senate in open session and returned to the House for further action.

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Mr. President: February 21, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **SUBSTITUTE H.B. No. 30,** VOLUNTARY SCOLIOSIS

SCREENING, by Representative Skousen, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, **SUBSTITUTE H.B. No. 62,** STATE ZOO AMENDMENTS, 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, as amended, **SUBSTITUTE H.B. No. 99,** BUDGETARY PROCEDURES INCENTIVE PROGRAM, by Representative Browning, 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. 121,** JUVENILE COURT DISTRICT AND JUDGES, 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, **SUBSTITUTE H.B. No. 133,** MOTOR CARRIERS — REGULATION AMENDMENTS, by Representative Myrin, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **SECOND SUBSTITUTE H.B. No. 158,** INCOME TAX BRACKETS, by Representative Call, 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. 169,** VICTIM REPARATIONS, by Representative Fullmer, 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. 240,** HOME ENERGY ASSISTANCE ACT AMENDMENTS, by Representative Frandsen, 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. 241,** CLEAR CREEK CANYON APPROPRIATION, by Representative Christensen, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 317**, VEHICLE SIZE AND WEIGHT REGULATION, by Representative Warnick, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

SUB. H.B. No. 59, SUB. H.B. No. 30, SUB. H.B. No. 62, SUB. H.B. No. 99, H.B. No. 121, SUB. H.B. No. 133, SECOND SUB. H.B. No. 158, SUB. H.B. No. 169, H.B. Nos. 240 and **241** and **H.B. No. 317** were read the first time and referred to Rules Committee.

•

Mr. President: February 21, 1985

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 78**, MOSQUITO ABATEMENT DISTRICTS, by Senator Black, et al, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.B. No. 78 was signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

•

Mr. President: February 21, 1985

I am directed to inform the Senate that the House of Representatives has this day refused to recede from its amendments to House Substitute to **4th SUBSTITUTE S.B. No. 97**, WATER AND FLOOD FINANCING, by Senator Fred W. Finlinson, et al, and has appointed a Conference Committee consisting of Representatives Brown, McKeachnie, and Lewis, to act with a like Committee from the Senate on this bill.

Carole E. Peterson, Acting Chief Clerk

President Christensen appointed a Conference Committee consisting of Senators Finlinson, Rogers and Black to meet with a like committee from the House to consider the bill.

INTRODUCTION OF BILL

LEGISLATIVE COMPENSATION LIMITATIONS

S.B. No. 289 *Dix H. McMullin*

AN ACT RELATING TO THE LEGISLATURE; ELIMINATING THE LIMITATIONS ON THE NUMBER OF MEETINGS WHICH A LEGISLATOR MAY ATTEND AND FOR WHICH HE MAY RECEIVE COMPENSATION; AND MAKING TECHNICAL CORRECTIONS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 36-2-2, AS LAST AMENDED BY CHAPTER 177, LAWS OF UTAH 1983. was read the first time and referred to Rules Committee.

CONSENT CALENDAR

On motion of Senator McMullin, **S.B. No. 190,** CRIMINAL THREATS AMENDMENTS, was read the third time, and circled.

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On motion of Senator McMullin, **H.B. No. 157,** TRESPASS ON SCHOOL PROPERTY, was read the third time, and circled.

• • •

S.B. No. 160, STUDENT MEMBERS OF SCHOOL BOARDS, was, under suspension of the rules, read the third time, and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, Chuck	Stratford
Barton	Holmgren	Peterson, L.	Swan
Black	McAllister	Pugh	Wayment
Carling	McMullin	Rogers	Williams
Cornaby	Peterson, C.	Sowards	Pres. Christensen

Absent or not voting were: Senators

Bangerter	Finlinson	Money	Renstrom
Barlow	Matheson	Overson	Sandberg
Bunnell			

S.B. No. 160 was transmitted to the House.

• • •

S.B. No. 187, PUBLIC PROCUREMENT OFFICER APPOINTMENT, was, under suspension of the rules, read the third time, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Stratford
Bangerter	Holmgren	Peterson, Chuck	Swan
Barton	McAllister	Pugh	Wayment
Black	McMullin	Rogers	Williams
Cornaby	Money	Sowards	Pres. Christensen
Finlinson			

Absent or not voting were: Senators

Barlow	Carling	Overson	Renstrom
Bunnell	Matheson	Peterson, L.	Sandberg

S.B. No. 187 was transmitted to the House.

• • •

S.B. No. 205, DISPOSITION OF UNCLAIMED PROPERTY, 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

Bangerter	Hillyard	Peterson, C.	Sowards
Barton	Holmgren	Peterson, Chuck	Stratford
Black	Matheson	Peterson, L.	Swan
Carling	McAllister	Pugh	Wayment
Cornaby	McMullin	Rogers	Williams
Finlinson	Money	Sandberg	Pres. Christensen

Absent or not voting were: Senators

Asay	Bunnell	Overson	Renstrom
Barlow			

S.B. No. 205 was transmitted to the House.

• • •

S.B. No. 273, PEST CONTROL COMPACT, was, under suspension of the rules, read the third time, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, Chuck	Stratford
Bangerter	Matheson	Peterson, L.	Swan
Barton	McAllister	Rogers	Wayment
Black	McMullin	Sandberg	Williams
Finlinson	Money	Sowards	Pres. Christensen
Hillyard	Peterson, C.		

Absent or not voting were: Senators

Barlow	Carling	Overson	Renstrom
Bunnell	Cornaby	Pugh	

S.B. No. 273 was transmitted to the House.

THIRD READING CALENDAR

SECOND SUB. S.B. No. 129, ADMINISTRATIVE SERVICE ACT AMENDMENTS, was before the Senate.

On motion of Senator Hillyard, the bill was circled.

• • •

S.B. No. 212, DEREGULATION OF TELECOMMUNICATION DISTRIBUTORS AND INDEPENDENT ENERGY PRODUCERS, was before the Senate.

On motion of Senator Finlinson, **S.B. No. 212** was amended as follows:

Goldenrod: Page 5, Lines 24 and 25:
Delete "through private property alone, which is property not dedicated to public use,"

Goldenrod: Page 1, Lines 4, 5 and 5a:
Delete Lines 4, 5 and 5a. Insert new short title "(PUBLIC UTILITIES DEFINITIONAL CHANGES)"

Goldenrod: Page 1, Lines 13 and 13a:
Delete "CERTAIN DISTRUBUTORS OF INTRASTATE TELECOMMUNICATIONS AND"

Senator Hillyard commented.

Senator Black's motion to place the following amendments in the bill failed on a 11 yea, 12 nay voice vote:

"Page 5, Line 24:
After "producer" delete "through private property alone,"

Page 5, Line 25:
Delete "[i.e.,] which is property not dedicated public use,"

Page 11, Line 4a:
After "REQUIREMENTS OF" delete "BOTH". After "(i)" delete "AND" and insert "or". After "(ii)" delete ", OR MEETS THE REQUIREMENTS OF"

Page 11, Line 4b:
Delete "(iii)"

Page 11, Line 10:
Delete "(ii)" and insert "(i)"

Page 11, Line 11:
After "owned" delete ", managed or controlled" After "by" delete "a"

Page 11, Line 12:
Delete entire line.

Page 11, Line 13:
Delete "controls, is controlled by or affiliated with"

Page 11, Line 14a:
Delete "(iii)" and insert "(ii)"

Thus it would read, beginning on line 4, following the word "if" "the real property occupied by the recipient of the commodity or service is owned by the provider of the commodity or service."

The bill failed on the following roll call:

Yeas, 14; Nays, 12; Absent, 3

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, C.	Rogers
Barton	Matheson	Peterson, Chuck	Sowards
Carling	McAllister	Peterson, L.	Pres. Christensen
Cornaby	McMullin		

Voting in the negative were: Senators

Bangerter	Bunnell	Money	Swan
Barlow	Hillyard	Sandberg	Wayment
Black	Holmgren	Stratford	Williams

Absent or not voting were: Senators

Overson	Pugh	Renstrom

• • •

S.B. No. 206, BUSINESS AND ENERGY CREDIT 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	Finlinson	Peterson, C.	Sowards
Bangerter	Hillyard	Peterson, Chuck	Stratford
Barlow	Holmgren	Peterson, L.	Swan
Barton	Matheson	Pugh	Wayment
Black	McAllister	Rogers	Williams
Carling	McMullin	Sandberg	Pres. Christensen
Cornaby	Money		

Absent or not voting were: Senators

Bunnell	Overson	Renstrom

S.B. No. 206, as amended, was transmitted to the House.

• • •

S.B. No. 240, WATER DISTRICT INDEBTEDNESS AMENDMENTS, was read the third time, and passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Sandberg
Bangerter	Finlinson	Peterson, C.	Sowards
Barlow	Hillyard	Peterson, Chuck	Stratford
Barton	Holmgren	Peterson, L.	Swan
Black	Matheson	Pugh	Wayment
Carling	McMullin	Rogers	Pres. Christensen

Voting in the negative was: Senator
McAllister

Absent or not voting were: Senators

Bunnell	Overson	Renstrom	Williams

S.B. No. 240 was transmitted to the House.

• • •

Senator Wayment, having voted on the prevailing side, now asked that the Senate reconsider **S.B. No. 212,** PUBLIC UTILITIES DEFINITIONAL CHANGES.

Senator McMullin, with the aid of five Senators, requested a call of the Senate. On motion of Senator McMullin, the call of the Senate was lifted. Senators Black, McMullin and Barton commented.

The motion to reconsider the bill failed on the following roll call:

Yeas, 13; Nays, 13; Absent, 3

Voting in the affirmative were: Senators

Asay	Matheson	Peterson, Chuck	Rogers
Barton	McAllister	Peterson, L.	Sowards
Carling	Peterson, C. (exp)	Pugh	Swan (exp)
Finlinson			

Voting in the negative were: Senators

Bangerter	Cornaby	McMullin	Stratford
Barlow	Hillyard	Money	Wayment

Black	Holmgren	Sandberg	Pres. Christensen
Bunnell			

Absent or not voting were: Senators

Overson	Renstrom	Williams

• • •

S.B. No. 167, ASSAULT OFFENSES 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	Cornaby	Peterson, C.	Sandberg
Barlow	Hillyard	Peterson, Chuck	Sowards
Barton	Holmgren	Peterson, L.	Stratford
Black	Matheson	Pugh	Swan
Bunnell	McAllister	Rogers	Pres. Christensen
Carling	Money		

Absent or not voting were: Senators

Bangerter	McMullin	Renstrom	Williams
Finlinson	Overson	Wayment	

S.B. No. 167, as amended, was transmitted to the House.

• • •

SUB. S.B. No. 180, MISSING CHILDREN REGISTRY AMENDMENTS, was read the third time and passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Barlow	Hillyard	Money	Stratford
Black	Holmgren	Peterson, C.	Swan
Bunnell	Matheson	Peterson, Chuck	Wayment
Carling	McAllister	Peterson, L.	Pres. Christensen
Cornaby	McMullin	Sandberg	

Absent or not voting were: Senators

Asay	Finlinson	Renstrom	Sowards
Bangerter	Overson	Rogers	Williams
Barton	Pugh		

SUB. S.B. No. 180 was transmitted to the House.

• • •

S.B. No. 243, UNIFORM PROBATE CODE AMENDMENTS, was read the third time and passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 12

Voting in the affirmative were: Senators

Black	Hillyard	McMullin	Sandberg
Bunnell	Holmgren	Peterson, C.	Stratford
Carling	Matheson	Peterson, Chuck	Swan
Cornaby	McAllister	Peterson, L.	Pres. Christensen
Finlinson			

Absent or not voting were: Senators

Asay	Barton	Pugh	Sowards
Bangerter	Money	Renstrom	Wayment
Barlow	Overson	Rogers	Williams

S.B. No. 243 was transmitted to the House.

• • •

S.B. No. 233, DUI PENALTIES, was read the third time and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barlow	Hillyard	Money	Sandberg
Black	Holmgren	Peterson, C.	Stratford
Bunnell	Matheson	Peterson, Chuck	Swan
Cornaby	McAllister	Peterson, L.	Wayment
Finlinson	McMullin	Rogers	Pres. Christensen

Absent or not voting were: Senators

Asay	Carling	Pugh	Sowards
Bangerter	Overson	Renstrom	Williams
Barton			

S.B. No. 233, as amended, was transmitted to the House.

• • •

S.B. No. 158, WORKER'S COMPENSATION AMENDMENTS, was read the third time and passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 11

Voting in the affirmative were: Senators

Barlow	Hillyard	Peterson, Chuck	Stratford
Black	Holmgren	Peterson, L.	Swan
Bunnell	McAllister	Rogers	Wayment
Cornaby	McMullin	Sowards	Pres. Christensen
Finlinson	Peterson, C.		

Absent or not voting were: Senators

Asay	Carling	Overson	Sandberg
Bangerter	Matheson	Pugh	Williams
Barton	Money	Renstrom	

S.B. No. 158 was transmitted to the House.

• • •

S.B. No. 213, INDUSTRIAL REHABILITATION, was read the third time.

On motion of Senator Stratford, S.B. No. 213 was amended as follows:

Page 3, Line 28:
After "(1)" insert "(a)"

On the Goldenrod Senate Amendments:
Page 4, Line 8:
After Line 8 insert "(b) If an employee who has previously incurred a permanent incapacity by accidental injury, disease, or congenital causes sustains an industrial injury for which rehabilitation benefits are

provided by this section, rehabilitation expenses shall be apportioned between the employer and the Second Injury Fund and reimbursement made as provided in Section 35-1-69."

On motion of Senator Barlow, the bill was circled.

• • •

S.B. No. 216, ANTIDISCRIMINATION ACT AMENDMENTS, was read the third time.

On motion of Senator Stratford, **S.B. No. 216** was amended as follows:

On the Senate Goldenrod Amendments:

Page 14, Line 3:
Delete the word "Section" and insert "Sections"

Page 14, Line 4:
After "49-7a-39" insert "and 67-5-8"

The bill passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barlow	Hillyard	Peterson, C.	Stratford
Barton	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Peterson, L.	Wayment
Bunnell	McAllister	Rogers	Williams
Cornaby	McMullin	Sowards	Pres. Christensen

Absent or not voting were: Senators

Asay	Finlinson	Overson	Renstrom
Bangerter	Money	Pugh	Sandberg
Carling			

S.B. No. 216, as amended, was transmitted to the House.

• • •

S.B. No. 182, CATV FACILITIES PROTECTION, was read the third time.

On motion of Senator Bunnell **S.B. No 182** was amended as follows:

Page 4, Line 16:
Delete the period after "way" and insert "indicating horizontal location within 24 inches of the outside dimensions of both sides of the underground facility."

The bill passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barton	Hillyard	Peterson, C.	Stratford
Black	Holmgren	Peterson, Chuck	Swan
Bunnell	Matheson	Peterson, L.	Wayment
Cornaby	McAllister	Rogers	Williams
Finlinson	McMullin	Sowards	Pres. Christensen

Absent or not voting were: Senators

Asay	Carling	Overson	Renstrom
Bangerter	Money	Pugh	Sandberg
Barlow			

S.B. No. 182, as amended, was transmitted to the House.

• • •

S.B. No. 178, PENALTY FOR WRONGFUL LIEN, was read the third time, and passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Barlow	Hillyard	Peterson, C.	Swan
Barton	Holmgren	Peterson, Chuck	Wayment
Bunnell	Matheson	Peterson, L.	Williams
Cornaby	McAllister	Rogers	Pres. Christensen
Finlinson	McMullin	Sowards	

Absent or not voting were: Senators

Asay	Carling	Pugh	Sandberg
Bangerter	Money	Renstrom	Stratford
Black	Overson		

S.B. No. 178, as amended, was transmitted to the House.

• • •

S.B. No. 191, AMENDMENT TO ANNEXATION PROVISION, was read the third time and passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 11

Voting in the affirmative were: Senators

Barlow	Holmgren	Peterson, Chuck	Swan
Barton	Matheson	Peterson, L.	Wayment
Bunnell	McAllister	Rogers	Williams
Cornaby	McMullin	Sowards	Pres. Christensen
Hillyard	Peterson, C.		

Absent or not voting were: Senators

Asay	Carling	Overson	Sandberg
Bangerter	Finlinson	Pugh	Stratford
Black	Money	Renstrom	

S.B. No. 191, as amended, was transmitted to the House.

• • •

On motion of Senator McMullin, **S.B. No. 107,** DCFM AMENDMENTS, was read the third time, and circled.

THIRD READING TABLE

On motion of Senator L. Peterson, **S.B. No. 162,** HILL AIR FORCE MUSEUM APPROPRIATION, was lifted from Third Reading Table, placed at the top of Third Reading Calendar, read the third time, and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barlow	Finlinson	Peterson, C.	Stratford
Barton	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Peterson, L.	Wayment
Bunnell	McAllister	Rogers	Williams
Carling	McMullin	Sowards	Pres. Christensen

Absent or not voting were: Senators

Asay	Hillyard	Overson	Renstrom
Bangerter	Money	Pugh	Sandberg
Cornaby			

S.B. No. 162 was transmitted to the House.

•

On motion of Senator Carling, the circle was removed from **S.B. No. 190,** CRIMINAL THREATS AMENDMENT, on Consent Calendar, and the bill passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 11

Voting in the affirmative were: Senators

Barlow	Holmgren	Peterson, Chuck	Swan
Barton	Matheson	Peterson, L.	Wayment
Black	McAllister	Rogers	Williams
Carling	McMullin	Stratford	Pres. Christensen
Cornaby	Peterson, C.		

Absent or not voting were: Senators

Asay	Finlinson	Overson	Sandberg
Bangerter	Hillyard	Pugh	Sowards
Bunnell	Money	Renstrom	

S.B. No. 190, was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator Rogers, **S.B. No. 114** was circled.

• • •

S.B. No. 228, MOTOR VEHICLE AMENDMENTS, was read the second time.

Mr. President: February 19, 1985

The Senate Transportation and Public Safety Standing Committee, to which was referred **S.B. No. 228,** MOTOR VEHICLE AMENDMENTS, by Senator C.E. 'Chuck' Peterson has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 13:
After "TO" insert "FIRST" after "REGISTRATION" insert "IN UTAH"

Page 1, Line 23:
After "vehicle" insert "with a gross vehicle weight of less than 6000 pounds"

Page 1, Line 26:
After "of" insert "first" after "registration" insert "in Utah" after "proof" delete rest of line 26 and lines 27, 28, 29 through "states"

Page 2, Line 7:
After "showing" delete "legal entry and"

Page 2, Line 9:
After "who" insert "knowingly"

Page 2, Line 10:
After "which" insert "does not comply with federal laws and regulations applicable to the motor vehicle"

Page 2, Lines 11, 12 and 13:
Delete lines 11, 12 and 13, through "section"

Jack M. Bangerter, Committee Chairman

Committee report, with amendments, was read and adopted.

On motion of Senator C.E. Peterson **S.B. No. 228** was amended as follows:

Page 1, Line 26:
Delete "proof" and insert "a sworn affidavit"

John R. McKnight, Chief Investigator with the Utah Tax Commission, and Shane Smith, and Hugh Gardner spoke in Committee of the Whole.

Senators Cornaby, Rogers, and Barton commented.

On motion of Senator Cornaby, the bill was placed on Second Reading Table.

• • •

On motion of Senator Finlinson, the Senate voted to reconsider **S.B. No. 212,** PUBLIC UTILITIES DEFINITIONAL CHANGES, and the bill was before the Senate.

On motion of Senator Finlinson, **S.B. No. 212** was amended as follows:

Goldenrod: Page 6, Lines 18 and 18b:
After "state" delete "," and insert ";", then delete the rest of the line.

Goldenrod: Page 8, Lines 24a to 24e:
Delete subsection (30) on lines 19 through 24 and renumber subsections accordingly.

Goldenrod: Page 10, Line 2:
Delete "telecommunications distributor or"

Goldenrod: Page 10, Line 14:
Delete "telecommunications distributor"

The bill passed, as amended, and on reconsideration on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barlow	Finlinson	Peterson, C.	Stratford
Barton	Hillyard	Peterson, Chuck	Swan
Black	Matheson	Rogers	Wayment
Bunnell	McMullin	Sandberg	Williams
Carling	Money	Sowards	Pres. Christensen
Cornaby			

Absent or not voting were: Senators

Asay	Holmgren	Overson	Pugh
Bangerter	McAllister	Peterson, L.	Renstrom

S.B. No. 212, as amended, was transmitted to the House.

THIRD READING CALENDAR

On motion of Senator Sandberg, the circle was removed from **S.B. No. 107**, DFCM AMENDMENTS, and the bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, C.	Stratford
Barlow	Hillyard	Peterson, Chuck	Swan

Absent or not voting were: Senators

Bangerter	Holmgren	Overson	Pugh
Black	McAllister	Peterson, L.	Renstrom

S.B. No. 107 was transmitted to the House.

• • •

On motion of Senator McMullin, and at 12:00 noon, the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Arnold Christensen presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 22, 1985

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 57,** FIRE CHIEF RETIREMENT EXEMPTION, by Senator Barlow, et al, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.B. No. 57 was signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B. Nos. 195, 278, 231, 257, 262, 249, 254, 270** and **277,** and **H.B. Nos. 37, 202, 191, 65, 174, 198, 199, 245, 320** and **H.B. No. 5,** and **SUB. H.B. No. 160** and the bills were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President: February 22, 1985

The Business, Labor and Economic Development Standing committee, to which was referred **H.B. No. 138,** PAYMENT AND PERFORMANCE BONDS, by Representative Gayle F. McKeachnie, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Lowell S. Peterson, Committee Chairman

Committee report read and adopted. **H.B. No. 138** was read the second time, and placed on Consent Calendar.

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Mr. President: February 22, 1985

The Health Standing Committee, to which was referred **S.B. No. 266**, UTAH PRIVATIZATION ACT AMENDMENTS, by Senator Fred W. Finlinson, 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

On motion of Senator McMullin, under suspension of the rules, the bill was read the second time and placed at the bottom of Second Reading Calendar.

SECOND READING CALENDAR

SUB. S.B. No. 246, BOARD OF ECONOMIC DEVELOPMENT MEMBERSHIP, was before the Senate.

On motion of Senator Rogers, **SUB. S.B. No. 246**, was amended as follows:

Goldenrod: Page 2, Lines 20 and 21:
Reinsert the bracketed language on lines 20 and 21 and on line 20 delete "four" and insert "eight".

Goldenrod: Page 5a, after Line 7:
After Line 7 insert the following new section: "Section 7. This act takes affect upon approval by the governor, or the day following the constitutional time limit of Article VII, Sec. 8 without the governor's signature, or in the case of a veto, the date of veto override."

On motion of Senator McMullin, 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	Hillyard	Peterson, C.	Stratford
Barlow	Holmgren	Peterson, Chuck	Swan
Barton	Matheson	Pugh	Wayment

Black	McAllister	Rogers	Williams
Carling	McMullin	Sandberg	Pres. Christensen
Cornaby	Money	Sowards	

Absent or not voting were: Senators

Bangerter	Finlinson	Peterson, L.	Renstrom
Bunnell	Overson		

SUB. S.B. No. 246, as amended, was transmitted to the House.

• • •

On motion of Senator Sowards, and under suspension of the rules, **S.B. No. 159,** SMALL POWER PRODUCTION AND COGENERATION was read the second and third times.

Mr. President: February 19, 1985

The Energy, Natural Resources and Agriculture Standing Committee, to which was referred **S.B. No. 159,** SMALL POWER PRODUCTION AND COGENERATION, by Senator Fred W. Finlinson, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 25:
Delete Line 25.

Page 5, Line 24:
After "corporation" reinsert ", cooperative, association,"

Page 13, Lines 25-31:
Delete Lines 25 through 31

Fred W. Finlinson, Committee Chairman

Committee report, with amendments, was read and adopted. The bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barlow	Matheson	Peterson, Chuck	Sowards
Barton	McAllister	Peterson, L.	Stratford
Carling	McMullin	Pugh	Swan
Cornaby	Money	Rogers	Wayment
Hillyard	Peterson, C.	Sandberg	Pres. Christensen
Holmgren			

Absent or not voting were: Senators

Asay	Black	Finlinson	Renstrom
Bangerter	Bunnell	Overson	Williams

S.B. No. 159, as amended, was transmitted to the House.

THIRD READING CALENDAR

On motion of Senator Stratford, and under suspension of the rules, **S.B. No. 213**, INDUSTRIAL REHABILITATION, was uncircled and before the Senate.

On motion of Senator Stratford, **S.B. No. 213**, was amended as follows:

Page 5, Line 22:
After the words "injured employee" insert "and the Division of Rehabilitation Services under the State Board of Education"

Page 8, Line 11:
After Line 11 insert "(10) This section does not in any way modify or alter the referrals to vocational rehabilitation provided under Section 35-1-67."

The bill passed on the following roll call:

Yeas, 20; Nays, 2; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Hillyard	Peterson, C.	Sandberg
Barlow	Holmgren	Peterson, L.	Sowards
Barton	McAllister	Pugh	Stratford
Black	McMullin	Renstrom	Swan
Cornaby	Money	Rogers	Williams

Voting in the negative were: Senators

Matheson	Peterson, Chuck

Absent or not voting were: Senators

Asay	Carling	Overson	Pres. Christensen
Bunnell	Finlinson	Wayment	

S.B. No. 213, as amended, was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator McMullin, and under suspension of the rules, **S.B. No. 241**, TAX COMMISSION CONTINUOUS GARNISHMENTS, was read the second and third times.

Mr. President: February 20, 1985

The Revenue and Taxation Standing Committee, to which was referred **S.B. No. 241**, TAX COMMISSION CONTINUOUS GARNISHMENTS, by Senator Dix H. McMullin, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lyle W. Hillyard, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 18; Nays, 2; Absent, 9

Voting in the affirmative were: Senators

Bangerter	Holmgren	Peterson, C.	Renstrom
Barlow	Matheson	Peterson, Chuck	Sandberg
Barton	McAllister	Peterson, L.	Swan
Cornaby	McMullin	Pugh	Williams
Hillyard	Money		

Voting in the negative were: Senators

Rogers	Stratford

Absent or not voting were: Senators

Asay	Carling	Overson	Wayment
Black	Finlinson	Sowards	Pres. Christensen
Bunnell			

S.B. No. 241 was transmitted to the House.

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S.B. No. 189, CHILD-CARE EMPLOYEE BACKGROUND INVESTIGATIONS, was circled.

• • •

On motion of Senator Williams and under suspension of the rules, **S.B. No. 109**, FAIR HOUSING LAW, was read the second and third times.

Mr. President: February 20, 1985

The State and Local Affairs Standing Committee, to which was referred **S.B. No. 109,** FAIR HOUSING LAW, by Senator Terry Williams, has carefully considered the bill and reports it out of committee with a favorable recommendation.

K.S. Cornaby, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barlow	Hillyard	Peterson, C.	Stratford
Barton	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Renstrom	Wayment
Bunnell	McAllister	Sandberg	Williams
Carling	McMullin	Sowards	Pres. Christensen
Cornaby			

Absent or not voting were: Senators

Asay	Finlinson	Overson	Pugh
Bangerter	Money	Peterson, L.	Rogers

S.B. No. 109 was transmitted to the House.

• • •

S.B. No. 176, EMINENT DOMAIN POWERS OF POLITICAL SUBDIVISIONS, was read the second time.

Mr. President: February 20, 1985

The State and Local Affairs Standing Committee, to which was referred **S.B. No. 176,** EMINENT DOMAIN POWERS OF POLITICAL SUBDIVISIONS, by Senator Warren E. Pugh, has carefully considered the bill and reports it out of committee with a favorable recommendation.

K.S. Cornaby, Committee Chairman

Committee report read and adopted. On motion of Senator McMullin, the bill was circled.

• • •

S.B. No. 183, SERVICE RETIREMENT BENEFIT TO SPOUSE, was read the second time.

Mr. President: February 20, 1985

The State and Local Affairs Standing Committee, to which was referred **S.B. No. 183,** SERVICE RETIREMENT BENEFIT TO SPOUSE, by Senator Fred W. Finlinson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

K.S. Cornaby, Committee Chairman

Committee report read and adopted. On motion of Senator McMullin, the bill was circled.

• • •

On motion of Senator McMullin, **SUB. S.B. No. 94,** SALARY ADJUSTMENT AMENDMENTS, was read the second time, and circled.

• • •

On motion of Senator Hillyard, the rules were suspended and **S.B. No. 169,** NONRESIDENT PARTIAL TUITION SCHOLARSHIPS, was read the second and third times and before the Senate.

Mr. President: February 20, 1985

The Education Standing Committee, to which was referred **S.B. No. 169,** NONRESIDENT PARTIAL TUITION SCHOLARSHIPS, by Senator Lyle W. Hillyard, has carefully considered the bill and reports it out of committee with a favorable recommendation.

William T. Barton, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 19; Nays, 4; Absent, 6

Voting in the affirmative were: Senators

Asay	Carling	Money	Sandberg
Bangerter	Cornaby	Peterson, C.	Sowards
Barlow	Hillyard	Peterson, Chuck	Swan
Barton	Holmgren	Peterson, L.	Wayment
Black	Matheson	Renstrom	

Voting in the negative were: Senators

McAllister	McMullin	Rogers	Pres. Christensen

Absent or not voting were: Senators

Bunnell	Overson	Stratford	Williams
Finlinson	Pugh		

S.B. No. 169 was transmitted to the House.

RULES COMMITTEE REPORT

On motion of Senator McMullin, **S.B. Nos. 117, 289, 231** and **288** were lifted from Rules Committee, and placed on Second Reading Calendar.

SECOND READING CALENDAR

On motion of Senator L. Peterson, the rules were suspended and **S.B. No. 186,** CAREER TEACHING SCHOLARSHIP AMENDMENTS, was read the second and third times and before the Senate.

Mr. President: February 20, 1985

The Education Standing Committee, to which was referred **S.B. No. 186,** CAREER TEACHING SCHOLARSHIP AMENDMENTS, by Senator Lowell S. Peterson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

William T. Barton, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Sandberg
Barlow	Holmgren	Peterson, Chuck	Sowards
Barton	Matheson	Pugh	Swan
Black	McAllister	Renstrom	Wayment
Carling	McMullin	Rogers	Pres. Christensen
Cornaby	Money		

Absent or not voting were: Senators

Bangerter	Finlinson	Peterson, L.	Williams
Bunnell	Overson	Stratford	

S.B. No. 186 was transmitted to the House.

THIRD READING CALENDAR

On motion of Senator Hillyard, and under suspension of the rules, the circle was removed from **SECOND SUB. S.B. No. 129,** ADMINISTRATION SERVICE ACT AMENDMENTS, and the bill was before the Senate.

On motion of Senator Hillyard, **SECOND SUB. S.B. No. 129** was amended as follows:

Page 1, Line 11:
After "GENERAL;" insert the following: "EXCEPTING PUBLIC EDUCATION FROM SUPERVISION AND CONTROL OF DFCM WITH RESPECT TO THE ALLOCATION OF SPACE;"

Page 1, Line 14:
After "ENTITIES" insert "AND"

Page 1, Line 16:
After "EDUCATION" delete "; AND" and lines 17 through 20 and insert in lieu thereof "."

Page 1, Line 27:
Delete Line 27

Page 2, Line 9:
After "and" delete "universities and colleges" and insert in lieu thereof the following: "entities in the public and higher education systems"

Page 6, Line 4:
After "board." insert the following: "This subsection does not apply to construction contracts."

Page 6, Line 19:
Delete Lines 19 through 30 on page 6 and Lines 1 through 8 on Page 7

The bill passed on the following roll call:

Yeas, 20; Nays, 1; Absent, 8

Voting in the affirmative were: Senators

Assay	Carling	McMullin	Rogers
Bangerter	Cornaby	Money	Sandberg
Barlow	Hillyard	Peterson, C.	Swan
Barton	Holmgren	Peterson, Chuck	Wayment
Black	Matheson	Pugh	Pres. Christensen

Voting in the negative was: Senator
McAllister

Absent or not voting were: Senators

Bunnell	Overson	Renstrom	Stratford
Finlinson	Peterson, L.	Sowards	Williams

SECOND SUB. S.B. No. 129, as amended, was transmitted to the House.

• • •

S.B. No. 258, UTAH FINANCIAL ASSISTANCE ACT, was read the second time.

Mr. President: February 20, 1985

The Education Standing Committee, to which was referred **S.B. No. 258,** UTAH FINANCIAL ASSISTANCE ACT, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee with a favorable recommendation.

William T. Barton, Committee Chairman

Committee report read and adopted. J.E. Peterson, President of Westminster College spoke in Committee of the Whole. Senators Barlow, Bunnell, Carling, Pugh, Cary Peterson and Swan commented.

On motion of Senator Pugh, **S.B. No. 258** was amended as follows:

Page 5, Line 20:
Delete "$1,000,000" and insert "$25,000"

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, 18; Nays, 6; Absent, 5

Voting in the affirmative were: Senators

Asay	Carling	McMullin	Renstrom
Bangerter	Cornaby	Money	Sandberg
Barlow	Finlinson	Peterson, Chuck	Swan
Barton	Holmgren	Pugh	Williams
Black	Matheson		

Voting in the negative were: Senators

Bunnell	Peterson, C.	Stratford	Pres. Christensen
McAllister	Rogers		

Absent or not voting were: Senators

Hillyard	Peterson, L.	Sowards	Wayment
Overson			

S.B. No. 258 was transmitted to the House.

• • •

On motion of Senator Rogers, the rules were suspended and S.B. No. 288 STATE CONTRACTING FOR SERVICES, was read the second and third times, and the bill passed on the following roll call:

Yeas, 21; Nays, 3; Absent, 5

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Sandberg
Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Matheson	Peterson, Chuck	Wayment
Barton	McAllister	Pugh	Williams
Bunnell	McMullin	Rogers	Pres. Christensen
Carling			

Voting in the negative were: Senators

Renstrom	Stratford	Swan

Absent or not voting were: Senators

Black	Holmgren	Overson	Peterson, L.
Finlinson			

S.B. No. 288 was transmitted to the House.

• • •

On motion of Senator Carling, the rules were suspended with no dissenting votes, and **S.B. No. 237**, ACTIONS TO RESOLVE OUTSTANDING WARRANTS AMENDMENTS, was read the second and third times, and before the Senate.

Mr. President: February 21, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 237**, ACTIONS TO RESOLVE OUTSTANDING WARRANTS AMENDMENTS, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 23; Nays, 2; Absent, 4

Voting in the affirmative were: Senators

Asay	Carling	McMullin	Sandberg
Bangerter	Cornaby	Money	Sowards
Barlow	Finlinson	Peterson, C.	Stratford
Barton	Hillyard	Peterson, Chuck	Swan
Black	Matheson	Pugh	Pres. Christensen
Bunnell	McAllister	Renstrom	

Voting in the negative were: Senators

Rogers	Williams

Absent or not voting were: Senators

Holmgren	Overson	Peterson, L.	Wayment

S.B. No. 237 was transmitted to the House.

• • •

On motion of Senator Hillyard, the rules were suspended and **S.B. No. 264**, JURY LIST AMENDMENTS, was read the second and third times.

Mr. President: February 21, 1985

The Judiciary Standing Committee, to which was referred **S.B. No. 264**, JURY LIST AMENDMENTS, by Senator Lyle W. Hillyard, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Vert Asay, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Finlinson	Money	Sowards
Bangerter	Hillyard	Peterson, C.	Stratford
Barlow	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Pugh	Wayment
Bunnell	McAllister	Renstrom	Williams
Carling	McMullin	Sandberg	Pres. Christensen
Cornaby			

Absent or not voting were: Senators

Barton	Overson	Peterson, L.	Rogers

S.B. No. 264 was transmitted to the House.

• • •

On motion of Senator McMullin, the rules were suspended and **S.B. No. 245,** PUBLIC FIREWORKS SHOWS, was read the third time and before the Senate on reconsideration.

Senators Matheson, McMullin, Money and Black commented.

The bill again failed on the following roll call:

Yeas, 12; Nays, 12; Absent, 5

Voting in the affirmative were: Senators

Asay	Finlinson	Money	Renstrom
Barlow	McAllister	Peterson, Chuck	Sowards
Black	McMullin	Pugh	Swan

Voting in the negative were: Senators

Bangerter	Hillyard	Peterson, C.	Stratford
Bunnell	Holmgren	Rogers	Wayment
Cornaby	Matheson	Sandberg	Pres. Christensen

Absent or not voting were: Senators

Barton	Overson	Peterson, L.	Williams
Carling			

S.B. No. 24 was filed.

• • •

S.B. No. 266, UTAH PRIVATIZATION ACT AMENDMENTS, was before the Senate. Senators Finlinson, Christensen, Black, Matheson, Bunnell and Swan commented.

On motion of Senator Finlinson, and under suspension of the rules, the bill 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	Holmgren	Peterson, C.	Rogers
Barlow	Matheson	Peterson, Chuck	Sandberg
Black	McAllister	Peterson, L.	Sowards
Bunnell	McMullin	Pugh	Stratford
Finlinson	Money	Renstrom	Swan
Hillyard			

Voting in the negative were: Senators

Wayment	Pres. Christensen

Absent or not voting were: Senators

Asay	Carling	Overson	Williams
Barton	Cornaby		

S.B. No. 266, was transmitted to the House.

• • •

On motion of Senator Pugh the rules were suspended and **S.B. No. 94,** SALARY ADJUSTMENT AMENDMENTS, was uncircled and read the third time.

SUBSTITUTE S.B. No. 94 was printed and distributed, but it was not adopted by the Senate.

On motion of Senator Pugh, the following second substitute bill replaced the original bill:

SALARY ADJUSTMENT AMENDMENTS

SECOND SUBSTITUTE
S.B. No. 94 *Warren E. Pugh*

AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES; CHANGING THE BASIS FOR DETERMINING SALARY RECOMMENDATIONS FOR CLASSIFIED STATE EMPLOYEES BY THE DIVISION OF PERSONNEL MANAGEMENT; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 67-19-12, AS LAST AMENDED BY CHAPTER 70, LAWS OF UTAH 1984.

Senator Matheson moved amendments. Senator Sandberg commented.

Senator Pugh's substitute motion passed.

On motion of Senator Pugh, **SECOND SUB. S.B. No. 94** was amended as follows:

Green: Page 4, Line 2:
After "positions" insert "for unusual positions requiring recruitment outside of the state of Utah"

The bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Barlow	Matheson	Peterson, L.	Sowards
Black	McAllister	Pugh	Swan
Bunnell	McMullin	Renstrom	Wayment
Cornaby	Money	Rogers	Williams
Hillyard	Peterson, C.	Sandberg (exp)	Pres. Christensen
Holmgren	Peterson, Chuck		

Absent or not voting were: Senators

Asay	Barton	Finlinson	Stratford
Bangerter	Carling	Overson	

SECOND SUB. S.B. No. 94 was transmitted to the House.

• • •

On motion of Senator Hillyard the rules were suspended and **S.B. No. 117,** INCOME TAX FILING PENALTIES, was read the second and third times.

On motion of Senator Hillyard, the Senate voted to adopt the following substitute bill and it replaced the original bill:

INCOME TAX - FILING PENALTIES

SUBSTITUTE
S.B. No. 117 *Lyle W. Hillyard*

AN ACT RELATING TO REVENUE AND TAXATION; REVISING THE $50 PENALTY FOR LATE FILING OF INCOME TAX RETURNS; AND PROVIDING FOR RETROSPECTIVE OPERATION.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 59-14A-92, AS LAST AMENDED BY CHAPTER 13, LAWS OF UTAH 1984, SECOND SPECIAL SESSION.

SUB. S.B. No. 117 passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Matheson	Peterson, L.	Sowards
Barlow	McMullin	Pugh	Swan
Black	Money	Renstrom	Wayment
Cornaby	Peterson, C.	Rogers	Williams
Hillyard	Peterson, Chuck	Sandberg	Pres. Christensen
Holmgren			

Absent or not voting were: Senators

Asay	Bunnell	Finlinson	Overson
Barton	Carling	McAllister	Stratford

SUB. S.B. No. 117 was transmitted to the House.

• • •

On motion of Senator C.E. Peterson, the Senate voted to lift **S.B. No. 268**, MOTOR VEHICLE REGISTRATION AMENDMENTS, from Rules Committee and place it on Second Reading Calendar.

• • •

On motion of Senator McMullin, the rules were suspended and **S.B. No. 289**, LEGISLATIVE COMPENSATION LIMITATIONS, was read the second and third times and passed on the following roll call:

Yeas, 18; Nays, 1; Absent, 10

Voting in the affirmative were: Senators

Bangerter	Cornaby	Peterson, Chuck	Sowards
Barlow	Holmgren	Peterson, L.	Swan
Barton	Matheson	Pugh	Wayment
Black	McAllister	Sandberg	Pres. Christensen
Bunnell	Money		

Voting in the negative was: Senator
Renstrom

Absent or not voting were: Senators

Asay	Hillyard	Peterson, C.	Stratford
Carling	McMullin	Rogers	Williams
Finlinson	Overson		

S.B. No. 289 was transmitted to the House.

• • •

On motion of Senator Cornaby, **S.B. No. 228**, MOTOR VEHICLE AMENDMENTS, was lifted from Second Reading Table to the top of the calendar, and the following substitute bill replaced the original bill.

MOTOR VEHICLE AMENDMENTS

SUBSTITUTE
S.B. No. 228 *C.E. Peterson*

AN ACT RELATING TO MOTOR VEHICLES; REQUIRING THOSE MOTOR VEHICLES NOT MANUFACTURED FOR SALE IN THE UNITED STATES TO BE

BROUGHT INTO COMPLIANCE WITH FEDERAL MOTOR VEHICLE STANDARDS PRIOR TO FIRST REGISTRATION IN UTAH; PROVIDING A PENALTY FOR SALE OR OPERATION WITHOUT COMPLIANCE; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: 41-1-22.5, UTAH CODE ANNOTATED 1953

Senators Bangerter and Cornaby commented.

On motion of Senator C.E. Peterson, and under suspension of the rules, the bill was read the third time, and passed on the following roll call:

Yeas, 19; Nays, 2; Absent, 8

Voting in the affirmative were: Senators

Barlow	Matheson	Pugh	Stratford
Black	McAllister	Renstrom	Swan
Carling	McMullin	Rogers	Wayment
Cornaby	Peterson, Chuck	Sandberg	Pres. Christensen
Hillyard	Peterson, L.	Sowards	

Voting in the negative were: Senators

Bangerter	Money

Absent or not voting were: Senators

Asay	Bunnell	Holmgren	Peterson, C.
Barton	Finlinson	Overson	Williams

SUB. S.B. No. 228 was transmitted to the House.

• • •

On motion of Senator Pugh, the Senate voted to lift **S.B. No. 144,** EXEMPTIONS TO GENERAL COUNTY MILL LEVY CEILINGS, from Rules Committee, and place it at the bottom of Second Reading Calendar.

• • •

S.B. No. 195, CERTIFICATE OF NEED FOR NURSING HOMES, was read the second time.

Mr. President: February 22, 1985

The Health Standing Committee, to which was referred **S.B. No. 195,** CERTIFICATE OF NEED FOR NURSING HOMES, by Senator Paul Rogers, 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. 195** replace the original bill.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted. The following substitute bill replaced the original bill.

CERTIFICATE OF NEED FOR NURSING HOMES

SUBSTITUTE
S.B. No. 195 *Paul Rogers*

AN ACT RELATING TO NURSING HOME FACILITIES; REQUIRING A CERTIFICATE OF NEED FOR EXPANSION OF NURSING HOME FACILITIES; PROVIDING EXCEPTION FOR FACILITIES HAVING 92% OCCUPANCY RATE OVER PRECEDING YEAR; AUTHORIZING DEPARTMENT OF HEALTH TO ADMINISTER CHAPTER; ESTABLISHING PROCEDURES AND REQUIREMENTS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

ENACTS: CHAPTER 22a, TITLE 26, UTAH CODE ANNOTATED 1953.

On motion of Senator Rogers **SUB. S.B. No. 195** was amended as follows:

Page 3, Line 4:
Following the period, insert "Nursing home does not mean a Sanitorium or Nursing Institution conducted by and for the adherents of a recognized church of religious denomination, the tenets and practices of which rely solely upon treatment by spiritual means through prayer for healing."

The bill failed on the following roll call:

Yeas, 11; Nays, 10; Absent, 7

Voting in the affirmative were: Senators

Bangerter	Carling	Renstrom	Swan
Black	Money	Rogers	Wayment
Bunnell	Pugh	Sandberg	

Voting in the negative were: Senators

Barton	Matheson	Peterson, C.	Stratford
Hillyard	McAllister	Peterson, Chuck	Pres. Christensen
Holmgren	McMullin		

Absent or not voting were: Senators

Asay	Cornaby	Overson	Sowards
Barlow	Finlinson	Peterson, L.	

SUB. S.B. No. 195 was filed.

• • •

On motion of Senator McMullin, and under suspension of the rules, **S.B. No. 231, EXTENSION OF SALES AND USE TAX EXEMPTION FOR POLLUTION CONTROL EQUIPMENT,** was placed at the top of the Second Reading Calendar, read the second and third time. Several Senators commented.

The bill passed on the following roll call:

Yeas, 17; Nays, 5; Absent, 7

Voting in the affirmative were: Senators

Barlow	Cornaby	McMullin	Pugh
Barton (exp)	Holmgren	Money	Rogers
Black	Matheson (exp)	Peterson, C.	Sowards
Bunnell	McAllister	Peterson, Chuck	Pres. Christensen
Carling			

Voting in the negative were: Senators

Bangerter	Peterson, L.	Renstrom	Stratford
Hillyard			

Absent or not voting were: Senators

Asay	Overson	Swan	Williams
Finlinson	Sandberg	Wayment	

S.B. No. 231 was transmitted to the House.

• • •

On motion of Senator Black, the rules were suspended and **S.B. No. 278**, HEALTH INSURANCE BENEFITS, was read the second and third times.

Mr. President: February 22, 1985

The Health Standing Committee, to which was referred **S.B. No. 278**, HEALTH INSURANCE BENEFITS, by Senator Wilford R. Black, 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. The bill passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Bangerter	Hillyard	Money	Sandberg
Barlow	Holmgren	Peterson, C.	Sowards
Black	Matheson	Peterson, Chuck	Stratford
Bunnell	McAllister	Peterson, L.	Wayment
Cornaby	McMullin	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Asay	Finlinson	Pugh	Swan
Barton	Overson	Rogers	Williams
Carling			

S.B. No. 278 was transmitted to the House.

• • •

On motion of Senator Rogers, and under suspension of the rules, **S.B. No. 279**, FIRST LADY DUTIES, was lifted from Rules Committee, placed at the top of the calendar, and read the second and third times.

On motion of Senator Rogers, **S.B. No. 279** was amended as follows:

Page 1, Lines 22 and 23:
After "employee" add a period and delete the remainder of line 22 and all of line 23.

On motion of Senator Renstrom, **S.B. No. 279** was amended as follows:

Page 1, Line 4:
Delete "(FIRST LADY DUTIES)" and change the short title to "SPOUSE OF THE GOVERNOR"

Page 1, Line 11:
Delete "FIRST LADY" and insert "SPOUSE OF THE GOVERNOR"

Page 1, Line 20:
Delete "first lady" and insert "spouse of the governor"

The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Hillyard	Peterson, C.	Sandberg
Barlow	Holmgren	Peterson, Chuck	Sowards
Barton	Matheson	Peterson, L.	Stratford
Black	McAllister	Pugh	Swan
Bunnell	McMullin	Renstrom	Wayment (exp)
Cornaby	Money	Rogers	Pres. Christensen

Absent or not voting were: Senators

Asay	Finlinson	Overson	Williams
Carling			

S.B. No. 279, as amended, was transmitted to the House.

* * *

On motion of Senator Hillyard, the rules were suspended and **S.B. No. 257,** ATTORNEY GENERAL ACT AMENDMENTS, was read the second and third times.

Mr. President: February 21, 1985

The Revenue and Taxation Standing Committee, to which was referred **S.B. No. 257,** ATTORNEY GENERAL ACT AMENDMENTS, by Senator Lyle W. Hillyard, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lyle W. Hillyard, Committee Chairman

Committee report read and adopted.

On motion of Senator Hillyard, **S.B. No. 257** was amended as follows:

Page 1, Line 26:
After "67-5-1" delete the period and insert "notwithstanding that agency has the right to hire legal counsel."

The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Cornaby	Money	Rogers
Barlow	Hillyard	Peterson, C.	Sandberg
Barton	Holmgren	Peterson, Chuck	Sowards
Black	Matheson	Peterson, L.	Stratford
Bunnell	McAllister	Pugh	Wayment
Carling	McMullin	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Asay	Overson	Swan	Williams
Finlinson			

S.B. No. 257, as amended, was transmitted to the House.

• • •

On motion of Senator Cornaby, the rules were suspended and **S.B. No. 262,** FINANCIAL INSTITUTION AMENDMENTS, was read the second and third times.

Mr. President: February 21, 1985

The Revenue and Taxation Standing Committee, to which was referred **S.B. No. 262,** FINANCIAL INSTITUTION AMENDMENTS, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lyle W. Hillyard, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Cornaby	Peterson, C.	Sowards
Barlow	Hillyard	Peterson, Chuck	Stratford

Barton	Holmgren	Peterson, L.	Swan
Black	Matheson	Pugh	Wayment
Bunnell	McAllister	Renstrom	Pres. Christensen
Carling	McMullin	Sandberg	

Absent or not voting were: Senators

Asay	Money	Rogers	Williams
Finlinson	Overson		

S.B. No. 262 was transmitted to the House.

• • •

On motion of Senator C.E. Peterson, the rules were suspended and **S.B. No. 268,** MOTOR VEHICLE REGISTRATION AMENDMENTS, was lifted to the top of the Calendar, 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	Hillyard	Peterson, Chuck	Sowards
Barton	Holmgren	Pugh	Stratford
Black	Matheson	Renstrom	Swan
Bunnell	McMullin	Rogers	Wayment
Carling	Money	Sandberg	Pres. Christensen
Cornaby	Peterson, C.		

Absent or not voting were: Senators

Asay	Finlinson	Overson	Williams
Barlow	McAllister	Peterson, L.	

S.B. No. 268 was transmitted to the House.

• • •

On motion of Senator Pugh, the rules were suspended and **S.B. No. 176,** EMINENT DOMAIN POWERS OF POLITICAL SUBDIVISIONS, was lifted to the top of the calendar, uncircled and read the third time.

On motion of Senator Hillyard, **S.B. No. 176** was amended as folllows:

Delete "or distribute" in the following places

Page 1, Line 32; Page 2, Lines 4, 12 and 18; Page 3, Line 28

On motion of Senator Pugh, the Senate voted to strike the enacting clause of the bill.

S.B. No. 176 was filed.

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On motion of Senator Hillyard, the rules were suspended and **S.B. No. 249,** REGISTRATION OF SEX OFFENDERS AMENDMENTS, was read the second and third times.

Mr. President: February 21, 1985

The Senate Transportation and Public Safety Standing Committee, to which was referred **S.B. No. 249,** REGISTRATION OF SEX OFFENDERS AMENDMENTS, by Senator Lyle W. Hillyard, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 4, Line 19:
After "76," insert "or chapter 5a, Title 76,"

Page 5, Line 7:
After "76," insert "or chapter 5a, Title 76,"

Jack M. Bangerter
Committee Chairman

Committee report, with amendments, was read and adopted. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Black	Matheson	Peterson, L.	Swan
Bunnell	McAllister	Pugh	Wayment
Carling	McMullin	Renstrom	Pres. Christensen
Cornaby	Money	Sandberg	

Absent or not voting were: Senators

Asay	Finlinson	Rogers	Williams
Barton	Overson		

S.B. No. 249 was transmitted to the House.

• • •

On motion of Senator Cornaby, the rules were suspended and **S.B. No. 254**, CONTROLLED SUBSTANCE ACT, was read the second and third times.

Mr. President: February 21, 1985

The Transportation and Public Safety Standing Committee to which was referred **S.B. No. 254**, CONTROLLED SUBSTANCE ACT, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Jack M. Bangerter, Committee Chairman

Committee report read and adopted.

On motion of Senator Cornaby, **S.B. No. 254** was amended as follows:

Page 4, Line 13:
After "consent" delete "of a parent or guardian" and insert "as provided in Section 58-1-44 of a parent, guardian or person standing in loco parentis"

The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Finlinson	Peterson, C.	Sowards
Barlow	Hillyard	Peterson, Chuck	Stratford
Black	Holmgren	Peterson, L.	Swan
Bunnell	Matheson	Pugh	Wayment
Carling	McAllister	Renstrom	Pres. Christensen
Cornaby	McMullin	Sandberg	

Absent or not voting were: Senators

Asay	Money	Rogers	Williams
Barton	Overson		

S.B. No. 254 was transmitted to the House.

• • •

On motion of Senator Pugh, the rules were suspended and **S.B. No. 144,** EXEMPTIONS TO GENERAL COUNTY MILL LEVY CEILINGS, was lifted from Rules Committee, read the second and third times and failed on the following roll call:

Yeas, 13; Nays, 11; Absent, 5

Voting in the affirmative were: Senators

Barlow	Cornaby	Peterson, C.	Swan
Black	Finlinson	Pugh	Wayment
Bunnell	McAllister	Sowards	Pres. Christensen
Carling			

Voting in the negative were: Senators

Bangerter	Matheson (exp)	Peterson, Chuck	Sandberg
Hillyard	McMullin	Peterson, L.	Stratford
Holmgren	Money	Renstrom	

Absent or not voting were: Senators

Asay	Overson	Rogers	Williams
Barton			

Senator Renstrom, having voted on the prevailing side served notice that he may ask the Senate to reconsider its action.

• • •

On motion of Senator Sowards, the rules were suspended and **S.B. No. 270,** VEHICLE LENGTH, WIDTH, AND AXLE AMENDMENTS, was read the second and third times.

Mr. President: February 21, 1985

The Senate Transportation and Public Safety Standing Committee, to which was referred **S.B. No. 270,** VEHICLE LENGTH, WIDTH, AND AXLE AMENDMENTS, by Senator Glade M. Sowards, has carefully considered the bill and reports it out of committee with the following amendments:

Page 3, Line 3:
Insert between Lines 2 and 3 the following paragraph: "(e) Notwithstanding the provisions of this chapter, any motor vehicle or combination of motor vehicles in excess of the limitations of Section 27-12-149, which were in legal operation on January 1, 1984, may continue in operation until December 31, 1990."

Page 4, Line 15:
After "27-12-154" insert the existing code language for the rest of line

Page 4, Lines 16 and 17:
Restore existing code language

Page 4, Line 18:
Reinsert "subsection" and then insert "(4)", but do not reinsert "(3)"

Page 4, Line 21:
Reinsert all existing code language beginning with line 21 through the end of line 26

Jack M. Bangerter, Committee Chairman

Committee report, with amendments, was read and adopted. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Finlinson	Money	Sandberg
Barlow	Hillyard	Peterson, C.	Sowards
Black	Holmgren	Peterson, Chuck	Stratford
Bunnell	Matheson	Peterson, L.	Swan
Carling	McAllister	Pugh	Wayment
Cornaby	McMullin	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Asay	Overson	Rogers	Williams
Barton			

S.B. No. 270, as amended, was transmitted to the House.

* * *

On motion of Senator Sowards, the rules were suspended and **S.B. No. 277**, PEACE OFFICER POWER TO ARREST, was read the second and third times.

Mr. President: February 21, 1985

The Senate Transportation and Public Safety Standing Committee, to which was referred **S.B. No. 277**, PEACE OFFICER POWER TO ARREST, by Senator Glade M. Sowards, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Jack M. Bangerter, Committee Chairman

Committee report read and adopted.

On motion of Senator Bangerter, **S.B. No. 277** was amended as follows:

Page 1, Line 23:
Delete "a" and insert in lieu thereof "any" and after "offense" insert "other than offenses under Title 41"

The bill passed on the following roll call:

Yeas, 20; Nays, 5; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Cornaby	Money	Rogers
Barlow	Finlinson	Peterson, C.	Sandberg
Barton	Holmgren	Peterson, L.	Sowards
Black	Matheson	Pugh	Swan
Carling	McMullin	Renstrom	Wayment

Voting in the negative were: Senators

Hillyard	Peterson, Chuck	Stratford	Pres. Christensen
McAllister			

Absent or not voting were: Senators

Asay	Bunnell	Overson	Williams

S.B. No. 277 was transmitted to the House.

• • •

Senator Sowards was presiding.

• • •

Senator Renstrom, having served notice that he might ask the Senate to reconsider its action on **S.B. No. 144,** EXEMPTIONS TO GENERAL COUNTY MILL LEVY CEILINGS, now asked that it be reconsidered.

S.B. No. 144 passed on reconsideration and the following roll call.

Yeas, 15; Nays, 6; Absent, 8

Voting in the affirmative were: Senators

Barlow	Cornaby	McMullin	Rogers
Black	Finlinson	Peterson, Chuck	Sowards
Bunnell	Holmgren	Pugh	Swan
Carling	McAllister	Renstrom	

Voting in the negative were: Senators

Bangerter	Matheson	Sandberg	Stratford
Hillyard	Peterson, L.		

Absent or not voting were: Senators

Assay	Money	Peterson, C.	Williams
Barton	Overson	Wayment	Pres. Christensen

S.B. No. 144 was transmitted to the House.

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On motion of Senator Rogers, the circle was removed from S.B. No. 114, LOCAL OPTION SCHOOL DISTRICT SALES TAX.

On motion of Senator Rogers, S.B. No. 114 was amended as follows:

Page 1, Line 17:
Delete line 17

Page 1, Line 19:
Between lines 19 and 20 insert the following "REPEALS AND REENACTS: 53-7-23, AS LAST AMENDED BY CHAPTER 51, LAWS OF UTAH 1980"

Page 2, Line 20:
Delete "or" on line 20 and "municipality" on line 21

Page 6, Line 5:
After "is" delete "amended" and insert in lieu thereof "repealed and reenacted"

Page 6, Line 7:
Delete lines 7 through 25 and insert in lieu thereof the following: "53-7-23. (1) A school district may elect to increase the local levy or sales tax as authorized in Section 11-9-4 in an amount not to exceed 10% of the

cost of the basic program. If the revenue from the sales tax exceeds 10% of the cost of the basic program, the excess shall be sued to reduce the local levy in this section for the succeeding year. The proceeds may only be used for debt service, the construction or remodeling of school buildings, and the purchase of school sites, buses, equipment, textbooks, and supplies.

(2) This section does not prohibit a district from exercising the authority granted by other laws relating to capital levies. This increase in the local levy or sales tax is not included in determining the apportionment of the state school fund. It is raised by an additional tax levy above the local levies authorized by law."

The bill failed on the following roll call:

Yeas, 5; Nays, 9; Absent, 15

Voting in the affirmative were: Senators

Barlow	Rogers	Sowards	Swan
Carling			

Voting in the negative were: Senators

Cornaby	Holmgren	McAllister	Sandberg
Finlinson	Matheson	Peterson, Chuck	Stratford
Hillyard			

Absent or not voting were: Senators

Asay	Bunnell	Peterson, C.	Wayment
Bangerter	McMullin	Peterson, L.	Williams
Barton	Money	Pugh	Pres. Christensen
Black	Overson	Renstrom	

S.B. No. 114 was filed.

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On motion of Senator Cornaby, **S.B. No. 116,** PUBLIC SALE OF BONDS, on the calendar as a special order of business; **S.B. No. 183,** circled on Second Reading Calendar; and **S.J.R. No. 1, S.B. Nos. 70** and **154** on Second Reading Table, were returned to Rules Committee.

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On motion of Senator Cornaby, the following Senate bills in Standing Committees were returned to Rules Committee: **S.B. Nos. 120, 265, 271, 275, 139, 229, 219, 55, 50, 224, 165 and 151.**

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On motion of Senator Cornaby, and at 6:00 p.m., the Senate adjourned until 8:00 a.m., Monday, February 25, 1985.

FORTY THIRD DAY

MORNING SESSION

The Senate was called to order at 8:00 a.m. with President Arnold Christensen presiding.

Roll Call — All Senators present.

Prayer — Senator Glade M. Sowards

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

DAILY SENATE JOURNAL

Mr. President: February 25, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the forty third day and find it correct with minor amendments noted on the final copy.

C.E. 'Chuck' Peterson
Committee Chairman

Committee report read and adopted.

COMMUNICATIONS FROM THE GOVERNOR

Dear Speaker Garff and President Christensen: February 22, 1985

This is to inform you that on February 22, 1985, I signed into law the following bills which have been forwarded to the Lieutenant Governor's Office for filing:

H.B. No. 64	PROMPT CONSTRUCTION PAYMENTS
H.B. No. 86	PUBLIC ASSISTANCE FRAUD AMENDMENTS
H.B. No. 87	INTERSTATE CHILD SUPPORT COLLECTION
H.B. No. 88	CHILD SUPPORT BOND
H.B. No. 89	CHILD SUPPORT STATUTE OF LIMITATION CLARIFICATION
H.B. No. 90	INCOME WITHHOLDING AMENDMENTS
H.B. NO. 91	STATE INCOME TAX INTERCEPT FOR DELINQUENT CHILD SUPPORT
H.B. No. 92	CREDIT REPORTING OF SUPPORT DELINQUENCY, and

This it to inform you that on February 22, 1985, I signed into law the following bill which has been forwarded to the Lieutenant Governor's Office for filing:

H.C.R. 18 DAN LAWRENCE COMMENDATION, and

This is to inform you that on February 22, 1985, I signed into law the following bills which have been forwarded to the Lieutenant Governor's Office for filing:

S.B. No. 35	TITLE IN TRUSTS AND JOINT VENTURES
S.B. No. 37	CHILD ABUSE REPORTING ACT AMENDMENT
S.B. No. 38	CHILD ABUSE - CRIMINAL HOMICIDE.

Norman H. Bangerter
Governor, State of Utah

Communication filed.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 22, 1985

I am directed to inform the Senate that the House of Representatives, has this day passed, as amended, **SUBSTITUTE H.B. No. 103,** SALES AND USE TAX EXEMPTION FOR MANUFACTURING MACHINERY AND EQUIPMENT, by Representative Karras, 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. 190,** PUBLIC EMPLOYEES EARLY RETIREMENT, 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, as amended, **H.B. No. 216,** COUNTY FISCAL YEAR BUDGETING, by Representative Cromar, 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. 250,** YOUTH OFFENDERS VICTIM RESTITUTION, 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 **H.B. No. 264,** TERMS OF OFFICE FOR COUNTY COMMISSIONERS, by Representative Yardley, 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. 275,** SECOND INJURY DISABILITY BENEFITS, by Representative Tuttle, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives, has this day passed, on the Consent Calendar, **H.B. No. 279,** DUTIES OF DIVISION OF STATE HISTORY, by Representative U. Knowlton, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives, has this day passed **H.B. No. 280,** ELECTION CONTESTS, 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 **H.B. No. 285,** AMENDMENTS TO TIMESHARE SALES PRACTICES, by Representative Bradford, 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. 288,** RAILROAD SPECIAL AGENTS, 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 **H.B. No. 356,** TAX DUE DATES, 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 **H.B. No. 338,** ANNEXATION LAW AMENDMENTS, by Representative Cromar, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives, has this day passed **SUBSTITUTE H.B. No. 339,** PROTECTION OF PUBLIC EMPLOYEES ACT, by Representative 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 **H.B. No. 373,** CAREER LADDER - EXTENDED CONTRACT DAYS, by Representative Garff, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives, has this day passed **H.B. No. 382,** DETENTION OF JUVENILES IN LAW ENFORCEMENT, by

Representative Goodfellow, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives, has this day passed, as amended, **H.B. No. 392**, MOTOR VEHICLE SEAT BELT USAGE, by Representative Garff, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.B. No. 103, SUB. H.B. No. 190, H.B. Nos. 216, 250, 264, 275, 279, 280, 285, 288, 299, 356, 388, SUB. H.B. No. 389, H.B. Nos. 373, 382 and **392** were read the first time and referred to Rules Committee.

CONSENT CALENDAR

On motion of Senator Cary Peterson, the circle was removed from **H.B. No. 157**, TRESPASS ON SCHOOL PROPERTY, and the bill passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 11

Voting in the affirmative were: Senators

Bangerter	Matheson	Peterson, Chuck	Sandberg
Barton	McMullin	Peterson, L.	Sowards
Black	Money	Pugh	Williams
Cornaby	Overson	Renstrom	Pres. Christensen
Holmgren	Peterson, C.		

Absent or not voting were: Senators

Asay	Carling	McAllister	Swan
Barlow	Finlinson	Rogers	Wayment
Bunnell	Hillyard	Stratford	

H.B. No. 157 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

H.B. No. 177, GOVERNMENTAL IMMUNITY FOR NATURAL DISASTERS, was read the third time, and passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Bangerter	Matheson	Peterson, Chuck	Sowards
Barton	McMullin	Peterson, L.	Wayment
Black	Money	Pugh	Williams
Cornaby	Overson	Renstrom	Pres. Christensen
Holmgren	Peterson, C.	Sandberg	

Absent or not voting were: Senators

Asay	Carling	McAllister	Stratford
Barlow	Finlinson	Rogers	Swan
Bunnell	Hillyard		

H.B. No. 177 was signed by the President of the Senate in open session and returned to the House for further action.

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SUB. H.B. No. 180, OIL, GAS AND MINING AMENDMENT, was read the third time, and passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 12

Voting in the affirmative were: Senators

Bangerter	McMullin	Peterson, Chuck	Sowards
Barton	Money	Peterson, L.	Wayment
Black	Overson	Renstrom	Williams
Holmgren	Peterson, C.	Sandberg	Pres. Christensen
Matheson			

Absent or not voting were: Senators

Asay	Carling	Hillyard	Rogers
Barlow	Cornaby	McAllister	Stratford
Bunnell	Finlinson	Pugh	Swan

SUB. H.B. No. 180 was returned to the House.

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H.B. No. 138, PAYMENT AND PERFORMANCE BOND, was read the third time, and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Bangerter	Holmgren	Peterson, C.	Sandberg
Barton	Matheson	Peterson, Chuck	Sowards
Black	McMullin	Peterson, L.	Wayment
Cornaby	Money	Pugh	Williams
Hillyard	Overson	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Asay	Carling	McAllister	Stratford
Barlow	Finlinson	Rogers	Swan
Bunnell			

H.B. No. 128 was signed by the President of the Senate in open session and returned to the House for further action.

THIRD READING TABLE

On motion of Senator McMullin, **H.B. No. 124,** DUI VICTIM RESTITUTION AMENDMENTS, was lifted from Third Reading Table to the top of the calendar, and passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 11

Voting in the affirmative were: Senators

Bangerter	Holmgren	Peterson, C.	Sandberg
Barton	Matheson	Peterson, Chuck	Swan
Black	McMullin	Pugh	Williams
Cornaby	Money	Renstrom	Pres. Christensen
Hillyard	Overson		

Absent or not voting were: Senators

Asay	Carling	Peterson, L.	Stratford
Barlow	Finlinson	Rogers	Wayment
Bunnell	McAllister	Sowards	

H.B. No. 124 was returned to the House.

SECOND READING CALENDAR

H.B. No. 195, UTAH PRIVATE ACTIVITY BOND CEILING ALLOCATION, was before the Senate. Senator Sowards explained the bill. Senators Matheson, Pugh, Bunnell and Bangerter commented. The bill passed on the following roll call:

Yeas, 15; Nays, 8; Absent, 6

Voting in the affirmative were: Senators

Bunnell	McMullin	Pugh	Swan
Carling	Overson	Renstrom	Wayment
Cornaby	Peterson, C.	Sowards	Williams
Hillyard	Peterson, L.	Stratford	

Voting in the negative were: Senators

Bangerter	Holmgren	Money	Sandberg
Barton	Matheson	Peterson, Chuck	Pres. Christensen

Absent or not voting were: Senators

Asay	Black	McAllister	Rogers
Barlow	Finlinson		

• • •

SUB. H.B. No. 102, WATER POLLUTION CONTROL STANDARDS, was read the second time.

Mr. President: February 12, 1985

The Health Standing Committee, to which was referred **SUBSTITUTE H.B. No. 102,** WATER POLLUTION CONTROL STANDARDS, by Representative Ray S. Schmutz, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted. Senator L. Peterson explained the bill. Senators Matheson and Swan commented. The bill passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Bangerter	Matheson	Peterson, Chuck	Swan
Barton	McMullin	Peterson, L.	Wayment
Cornaby	Money	Pugh	Williams
Hillyard	Overson	Renstrom	Pres. Christensen
Holmgren	Peterson, C.	Sandberg	

Absent or not voting were: Senators

Asay	Bunnell	McAllister	Sowards
Barlow	Carling	Rogers	Stratford
Black	Finlinson		

• • •

H.B. No. 77, JUVENILE COURT JURISDICTION — FAILURE TO REPORT CHILD ABUSE, was read the second time.

Mr. President: February 13, 1985

The Judiciary Standing Committee, to which was referred **H.B. No. 77,** JUVENILE COURT JURISDICTION — FAILURE TO REPORT CHILD ABUSE, by Representative Olene S. Walker, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Vert Asay, Committee Chairman

Committee report read and adopted. The bill was explained by Senator Cary Peterson, and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Bangerter	Holmgren	Peterson, C.	Sandberg
Barton	Matheson	Peterson, Chuck	Sowards
Cornaby	McMullin	Peterson, L.	Swan
Finlinson	Money	Pugh	Williams
Hillyard	Overson	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Asay	Bunnell	McAllister	Stratford
Barlow	Carling	Rogers	Wayment
Black			

• • •

H.B. No. 122, JUVENILE COURT — JUVENILES AND ADULTS, was read the second time.

Mr. President: February 13, 1985

The Judiciary Standing Committee, to which was referred **H.B. No. 122,** JUVENILE COURT — JUVENILES AND ADULTS, by Representative Olene S. Walker,

has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted. The bill was explained by Senator Cornaby, and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Bangerter	Holmgren	Peterson, C.	Sandberg
Barton	Matheson	Peterson, Chuck	Sowards
Cornaby	McMullin	Peterson, L.	Swan
Finlinson	Money	Pugh	Williams
Hillyard	Overson	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Asay	Bunnell	McAllister	Stratford
Barlow	Carling	Rogers	Wayment
Black			

• • •

H.B. No. 40, UNIFORM FIREARMS LAW, was read the second time.

Mr. President: February 13, 1985

The Senate Transportation and Public Safety Standing Committee, to which was referred **H.B. No. 40**, UNIFORM FIREARMS LAW, by Representative Donna M. Dahl, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Jack M. Bangerter, Committee Chairman

Committee report read and adopted. On motion of Senator Cary Peterson, the bill was circled.

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H.B. No. 105, DAY CARE OPERATIONS AMENDMENT, was read the second time.

Mr. President: February 14, 1985

The Social Services committee to which was referred **H.B. No. 105**, DAY CARE OPERATIONS AMENDMENT, by Representative W. Robert Phelps, has carefully considered the bill and reports it out of committee with the following amendments:

Page 1, Line 24:
After "for" reinsert "three or"

Page 1, Line 25:
At the beginning of the line delete "than four"

Page 2, Line 11:
After "or", reinsert "as part"

Page 2, Line 12:
At the beginning of the line, reinsert "of the program of"

Page 2, Line 12:
After "of" delete "by" and after "parochial" reinsert "educational" and delete "education"

Page 1, Line 28:
After "day," delete "with or without charge" and insert "for a fee"

John P. Holmgren, Committee Chairman

Committee report, with amendments, was read and adopted. Senator Overson explained the bill. Senator Williams commented. The bill passed on the following roll call:

Yeas, 15; Nays, 0; Absent, 14

Voting in the affirmative were: Senators

Bangerter	Money	Pugh	Wayment
Barlow	Overson	Sandberg	Williams
Cornaby	Peterson, Chuck	Stratford	Pres. Christensen
Holmgren	Peterson, L.	Swan	

Absent or not voting were: Senators

Asay	Carling	McAllister	Renstrom
Barton	Finlinson	McMullin	Rogers
Black	Hillyard	Peterson, C.	Sowards
Bunnell	Matheson		

• • •

H.B. No. 218, CHILD CUSTODY COURT COSTS, was read the second time.

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Mr. President: February 14, 1985

The Social Services Committee, to which was referred **H.B. No. 218,** CHILD CUSTODY COURT COSTS, by Representative Frances Hatch Merrill, has carefully considered the bill and reports it out of committee with a favorable recommendation.

John P. Holmgren, Committee Chairman

Committee report read and adopted. Senator Overson explained the bill. The bill passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Holmgren	Overson	Stratford
Bangerter	Matheson	Peterson, Chuck	Swan
Barlow	McAllister	Pugh	Wayment
Barton	McMullin	Renstrom	Williams
Cornaby	Money	Sandberg	Pres. Christensen

Absent or not voting were: Senators

Black	Finlinson	Peterson, C.	Rogers
Bunnell	Hillyard	Peterson, L.	Sowards
Carling			

• • •

H.B. No. 51, CERTIFICATES OF PARTICIPATION, was read the second time.

Mr. President: February 14, 1985

The State and Local Affairs Standing Committee, to which was referred **H.B. No. 51,** CERTIFICATES OF PARTICIPATION, by Representative Joseph A. Jenkins, has carefully considered the bill and reports it out of committee with a favorable recommendation.

K.S. Cornaby, Committee Chairman

Committee report read and adopted. On motion of Senator Cary Peterson, the bill was circled.

CORRECTION BILLS
(H.B. Nos. 74, 132, 247, 248 and 249)

H.B. No. 74, DEPARTMENT OF CORRECTIONS — ORGANIZATION, was read the second time.

Mr. President: February 14, 1985

The State and Local Affairs Standing Committee, to which was referred **H.B. No. 74**, DEPARTMENT OF CORRECTIONS — ORGANIZATION, by Representative Nolan E. Karras, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

K.S. Cornaby, Committee Chairman

Committee report read and adopted. William C. Vickrey, Director of the Division of Corrections, and Helen Goddard, with the Executive Reorganization Committee spoke in Committee of the Whole. Senators Matheson, Pugh, Wayment and Asay commented.

Senator Stratford moved to change all reference to "CORRECTIONS" in all of the bills to "PENALTIES AND PUNISHMENTS". Senator Wayment commented. The motion failed on a voice vote.

The bill passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Stratford
Bangerter	Holmgren	Peterson, Chuck	Swan
Barlow	McAllister	Pugh	Wayment
Barton	McMullin	Sandberg	Williams
Black	Money	Sowards	Pres. Christensen
Cornaby			

Voting in the negative was: Senator
Matheson

Absent or not voting were: Senators

Bunnell	Finlinson	Peterson, L.	Rogers
Carling	Overson	Renstrom	

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H.B. No. 132, UTAH CORRECTIONAL INDUSTRIES ACT, was read the second time.

Mr. President: February 14, 1985

The State and Local Affairs Standing Committee, to which was referred **H.B. No. 132,** UTAH CORRECTIONAL INDUSTRIES ACT, by Representative Joseph A. Jenkins, has carefully considered the bill and reports it out of committee with a favorable recommendation.

K.S. Cornaby, Committee Chairman

Committee report read and adopted. On motion of Senator Wayment, the bill was circled.

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H.B. No. 247, DEPARTMENT OF CORRECTIONS — ORGANIZATION AND FUNCTIONS, was read the second time.

Mr. President: February 14, 1985

The State and Local Affairs Standing Committee, to which was referred **H.B. No. 247,** DEPARTMENT OF CORRECTIONS — ORGANIZATION AND FUNCTIONS, by Representative Nolan E. Karras, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

K.S. Cornaby, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 20; Nays, 1; Absent, 8

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, Chuck	Stratford
Barton	Holmgren	Pugh	Swan
Black	McMullin	Renstrom	Wayment
Bunnell	Money	Rogers	Williams
Carling	Peterson, C.	Sandberg	Pres. Christensen

Voting in the negative was: Senator
Matheson

Absent or not voting were: Senators

Bangerter	Cornaby	McAllister	Peterson, L.
Barlow	Finlinson	Overson	Sowards

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H.B. No. 248, DEPARTMENT OF CORRECTIONS — ORGANIZATION AND FUNCTIONS TECHNICAL AMENDMENTS, was read the second time.

Mr. President: February 14, 1985

The State and Local Affairs Standing Committee, to which was referred **H.B. No. 248**, DEPARTMENT OF CORRECTIONS — ORGANIZATION AND FUNCTIONS TECHNICAL AMENDMENTS, by Representative Nolan E. Karras, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

K.S. Cornaby, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 6

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, Chuck	Stratford
Barton	Holmgren	Peterson, L.	Swan
Black	McAllister	Pugh	Wayment
Carling	McMullin	Sandberg	Williams
Cornaby	Money	Sowards	Pres. Christensen
Finlinson	Peterson, C.		

Voting in the negative was: Senator
Matheson

Absent or not voting were: Senators

Bangerter	Bunnell	Renstrom	Rogers
Barlow	Overson		

• • •

H.B. No. 249, BOARD OF PARDONS AMENDMENTS, was read the second time.

Mr. President: February 14, 1985

The State and Local Affairs Standing Committee, to which was referred **H.B. No. 249**, BOARD OF PARDONS AMENDMENTS, by Representative Nolan E. Karras, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

K.S. Cornaby, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 6

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, L.	Sowards
Black	McAllister	Pugh	Stratford
Bunnell	McMullin	Renstrom	Swan
Carling	Money	Rogers	Wayment
Finlinson	Peterson, C.	Sandberg	Pres. Christensen
Hillyard	Peterson, Chuck		

Voting in the negative was: Senator
Matheson

Absent or not voting were: Senators

Bangerter	Barton	Overson	Williams
Barlow	Cornaby		

• • •

On motion of Senator Wayment, the circle was removed from **H.B. No. 132,** UTAH CORRECTIONAL INDUSTRIES ACT, and the bill was before the Senate. Representative Joseph A. Jenkins spoke in Committee of the Whole. Senator Stratford commented.

On motion of Senator Wayment, **H.B. No. 132** was amended as follows:

Cherry: Page 6, Line 10:
Delete "the commissioner of higher education"

Senators Holmgren and Wayment commented. The bill passed on the following roll call:

Yeas, 22; Nays, 3; Absent, 4

Voting in the affirmative were: Senators

Asay	Cornaby	Peterson, Chuck	Stratford
Bangerter	Finlinson	Renstrom	Swan
Barlow	Hillyard	Rogers	Wayment
Barton	McAllister	Sandberg	Williams
Black	McMullin	Sowards	Pres. Christensen
Carling	Peterson, C.		

Voting in the negative were: Senators

Holmgren	Overson	Peterson, L.

Absent or not voting were: Senators

Bunnell	Matheson	Money	Pugh

COMMITTEE OF THE WHOLE

On motion of Senator Stratford, the Senate resolved into Committee of the Whole, Appearing before the committee was Melissa Oakes Sant, Miss Wheelchair Utah . Senator Williams commented.

On motion of Senator Williams, the Committee was dissolved.

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Senator Barton spoke regarding the correction bills.

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On motion of Senator Sowards, the circle was removed from **H.B. No. 40,** UNIFORM FIREARMS LAW, and the bill was before the Senate. Senators Hillyard, Williams, Matheson, Renstrom, Swan and Stratford commented. On motion of Senator Sowards, the bill was circled.

The Senate recessed for party caucus at 10:45 a.m., and reassembled at 11:15 a.m.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 22, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 32,** LEE REX HUNTSMAN RESOLUTION, by Representative Christensen, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 25,** UNITARY TAX RESOLUTION, by Representative Franklin 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, as amended, **H.B.No. 299,** RETIREMENT LAW AMENDMENTS, by Representative Bishop, and, as amended, **H.B. No. 100,** ENERGY ASSISTANCE AMENDMENTS, by

Representative Stephens, et al, and the same are 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. 160,** PROPERTY TAX COLLECTION COSTS, by Representative Walker, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **SUBSTITUTE H.B. No. 197,** SURPLUS REVENUE TRUST FUND, by Representative Walker, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 277,** ZONING OF RESIDENTIAL FACILITIES FOR MENTALLY ILL AND HANDICAPPED, by Representative Frandsen, 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. 283,** UTAH PROCUREMENT FINANCE AUTHORITY, by Representative Holt, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **SECOND SUBSTITUTE H.B. No. 284,** REAL ESTATE AMENDMENTS, by Representative Bradford, 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. 302,** POWERS OF TOWNS, by Representative Bishop, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 307,** INTEREST RATES ON DELINQUENT TAXES, by Representative Ute 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, as amended, **H.B. No. 357,** LICENSE PLATE MAILING COSTS, by Representative LeBaron, 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. 328,** PROPERTY TAX ASSESSMENT CHANGE, by Representative Franklin W. Knowlton, and the same is transmitted herewith for Senate consideration.

Beginning on Page 20, "Section 16" becomes "Section 15" and remaining Sections are renumbered throughout the bill, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 329,** SUSPENSION OF DRIVING PRIVILEGES, 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, as amended, **SUBSTITUTE H.B. No. 340,** UTAH FIREWORKS ACT, by Representative DeMann, 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. 388,** TAX INCREASE DISCLOSURE ACT, by Representative Franklin W. 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, as amended, **H.B. No. 404,** PROPERTY TAX ASSESSMENT AMENDMENTS, by Representative Franklin W. Knowlton, and the same is transmitted herewith for Senate consideration, and

Mr. President: February 21, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 246,** DEPARTMENT OF CORRECTIONS TECHNICAL AMENDMENTS, by Representative Karras, et al, and the same is transmitted herewith for Senate consideration, and

Mr. President: February 25, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 397,** DIVISION OF INDIAN AFFAIRS-TITLE TO PROPERTY, by Representative Adams, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

H.J.R. No. 32, H.C.R. No. 25, H.B. No. 100, SUB. H.B. Nos. 160, 197, H.B. Nos. 246, 277, 283, SECOND SUB. H.B. No. 284, H.B. Nos. 302, 307, 357, 328, as

amended, **S.B. 329, SUB. H.B. Nos. 340, 388, 404 and 397** were read the first time and referred to Rules Committee.

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Mr. President: February 25, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 14**, CAREER LADDER AMENDMENTS, by Senator Pugh, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, on Consent Calendar, **S.B. No. 66**, TRUST DEED 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, and

I am directed to inform the Senate that the House of Representatives has this day passed, on Consent Calendar, **S.B. No. 130**, SALES OF SECURITIES INVOLVING REAL ESTATE, 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, on Consent Calendar, **S.B. No. 133**, NOTARY PUBLIC 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, on Consent Calendar, **S.B. No. 198**, STATE ENGINEER APPROVAL OF APPLICATIONS, 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, on Consent Calendar, **S.B. No. 200**, FILING APPLICATIONS TO EXCHANGE WATER, 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, on Consent Calendar, **S.B. No. 218**, ENERGY RESOURCE AND TECHNOLOGY INCENTIVES, 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.

Carole E. Peterson, Acting Chief Clerk

S.B. Nos. 14, 66, 130, 133, 198 and **200** were signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

JOINT CONFERENCE COMMITTEE REPORT

On motion of Senator Hillyard, and under suspension of the rules, **S.B. No. 33,** TITLE 53 REVISION - SCHOOL BUILDINGS, was recalled from Legislative Research and General Counsel and was before the Senate for reconsideration of the Joint Conference Committee Report.

The Joint Committee was asked to meet again to consider the bill and the bill was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator Overson, **S.B. No. 189,** CHILD - CARE EMPLOYEE BACKGROUND INVESTIGATION, was lifted to the top of the calendar, uncircled, read the second time and before the Senate.

Mr. President: February 19, 1985

The Social Services Committee, to which was referred **S.B. No. 189,** CHILD-CARE EMPLOYEE BACKGROUND INVESTIGATIONS, by Senator Brent C. Overson, has carefully considered the bill and reports it out of committee with the recommendation that the original bill be deleted in body and title and that **SUBSTITUTE S.B. No. 189** replace the original bill.

SUBSTITUTE S.B. No. 189 to be amended as follows:

Page 1, Line 13:
After "EMPLOYEES", delete "OR VOLUNTEERS".

Page 1, Line 14:
After "EMPLOYEE" delete "OR".

Page 1, Line 15:
At the beginning of the line, delete "VOLUNTEER".

Page 4, Line 13:
After "administrator", delete "," and insert "or"; and after "employee", delete ", or".

Page 4, Line 14:
At the beginning of the line, delete "volunteer".

Page 4, Line 18:
After "administrator", delete "," and insert "or"; and after "employee," delete "or".

Page 4, Line 19:
At the beginning of the line, delete "volunteer,".

Page 4, Line 29:
After "investigation" insert "with regard to that administrator or employee".

Page 5, Line 3:
After "of" delete "each" and insert "the" and after "administrator" delete "," and insert "or"

Page 5, Line 4:
After "employee" delete ", or volunteer"

Page 5, Line 13:
After "administrator" delete "," and insert "or"

Page 5, Line 14:
After "employee" delete ", or volunteer"

Page 5, Line 15:
After "administrator" delete "," and insert "or"; and after "employee" delete ", or"

Page 5, Line 16:
At the beginning of the line delete "volunteer"

Page 5, Line 18:
After "administrator" delete "," and insert "or" and after "employee" delete ", or"

Page 5, Line 19:
At the beginning of the line delete "volunteer"

Page 5, Line 20:
After "administrator" delete "," and insert "or" and after "employee" delete ","

Page 5, Line 21:
At the beginning of the line delete "or volunteer"

Page 5, Line 26:
After "administrator" delete "," and insert "or"

Page 5, Line 27:
After "employee" delete ", or volunteer"

Page 5, Line 30:
After "administrator" delete "," and insert "or" and after "employee" delete ", or"

Page 6, Line 1:
At the beginning of the line delete "volunteer"

Page 6, Line 6:
After "employment" delete "or association"

Page 6, Line 7:
After "employment" delete "or"

Page 6, Line 8:
At the beginning of the line delete "association"; and after "administrator" delete "," and insert "or" and after "employee" delete ", or volunteer"

Page 6, Line 16:
After "administrator" delete "," and insert "or" and after "employee" delete ","

Page 6, Line 17:
At the beginning of the line delete "or volunteer"

Page 6, Line 30:
After "administrator" delete "," and insert "or" and after "employee" delete ", or acceptance of a new volunteer"

Page 11, Line 11:
After "administrator" delete "," and insert "or" and after "employee delete ", or"

Page 11, Line 12:
At the beginning of the line delete "volunteer"

Page 11, Line 16:
After "administrator" delete "," and insert "or" and after "employee delete ", or"

Page 11, Line 17:
At the beginning of the line delete "volunteer"

Page 11, Line 27:
After "investigation" insert "with regard to that administrator or employee"

Page 12, Line 1:
After "of" delete "each" and insert "the" and after "administrator" delete "," and insert "or" and after "employee" delete ", or volunteer"

Page 12, Line 9:
After "administrator" delete "," and insert "or" and after "employee delete ", or"

Page 12, Line 10:
At the beginning of the line delete "volunteer"

Page 12, Line 11:
After "administrator" delete "," and insert "or" and after "employee delete ", or"

Page 12, Line 12:
At the beginning of the line delete "volunteer"

Page 12, Line 14:
After "administrator" delete "," and insert "or" and after "employee delete ", or"

Page 12, Line 15:
At the beginning of the line delete "volunteer"

Page 12, Line 16:
After "administrator" delete "," and insert "or" and after "employee" delete ","

Page 12, Line 17:
At the beginning of the line delete "or volunteer"

Page 12, Line 22:
After "administrator" delete "," and insert "or" and after "employee" delete ", or volunteer"

Page 12, Line 26:
After "administrator" delete "," and insert "or" and after "employee" delete ", or volunteer"

Page 13, Line 2:
After "employment" delete "or association"

Page 13, Line 4:
After "employment" delete "or association" and after "administrator" delete "," and insert "or"

Page 13, Line 5:
At the beginning of the line delete "or volunteer"

Page 13, Line 14:
After "administrator" delete "," and insert "or" and after "employee" delete ", or volunteer"

Page 13, Line 18:
After "administrator" delete "," and insert "or" and after "employee" delete "or acceptance of a new volunteer"

John P. Holmgren, Committee Chairman

Committee report, with amendments, was read and adopted.

On motion of Senator Overson the following substitute bill replaced the original bill and the committee amendments were incorporated into the substitute bill:

CHILD-CARE EMPLOYEE BACKGROUND INVESTIGATIONS

SUBSTITUTE
S.B. No. 189 *Brent C. Overson*

AN ACT RELATING TO CHILD CARE CENTERS, DETENTION CENTERS, AND PROGRAMS SERVING YOUTH OFFENDERS; PROVIDING FOR CRIMINAL HISTORY INVESTIGATION OF ALL EMPLOYEES OR VOLUNTEERS; AND REQUIRING TERMINATION OF EMPLOYMENT OF ANY EMPLOYEE OR VOLUNTEER WITH HISTORY OF CRIMINAL ACTS RELATING TO CHILDREN.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 55-9-1, AS LAST AMENDED BY CHAPTER 170, LAWS OF UTAH 1975; 55-9-2, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 55-9-3, AS LAST AMENDED BY CHAPTER 170, LAWS OF UTAH 1975; 55-9-4, AS LAST AMENDED BY CHAPTER 197, LAWS OF UTAH 1969; 55-11b-1, AS LAST AMENDED BY CHAPTER 289, LAWS OF UTAH 1983; 55-11b-5, AS LAST AMENDED BY CHAPTER 289, LAWS OF UTAH 1983; 55-11b-20, AS LAST AMENDED BY CHAPTER 247, LAWS OF UTAH 1981; 55-11b-21, AS LAST AMENDED BY CHAPTER 247, LAWS OF UTAH 1981; 77-27-21.5, AS LAST AMENDED BY CHAPTER 18, LAWS OF UTAH 1984

ENACTS: 55-9-1.5, UTAH CODE ANNOTATED 1953; 55-9-3.1, UTAH CODE ANNOTATED 1953; 55-9-3.2, UTAH CODE ANNOTATED 1953; 55-9-3.3, UTAH CODE ANNOTATED 1953.

On motion of Senator Overson, **SUB. S.B. No. 189** was amended as follows:

Page 7, before Line 3, insert as a new paragraph the following:
"(3) With regard to any volunteer at a child care center, an applicant, licensee, or the division may request a criminal history record information investigation, an investigation of the registration of sex offenders or a Federal Bureau of Investigation criminal history investigation, if that is done in accordance with the requirements of this chapter."

Page 14, before Line 6, insert as a new paragraph the following:
"(11) With regard to any volunteer, at a detention center or program which serves youth offenders, the center, program, or the division may request a criminal history record information investigation, an investigation of the registration of sex offenders or a Federal Bureau of Investigation criminal history investigation, if that is done in accordance with the requirements of this section."

On motion of Senator McAllister **SUB. S.B. No. 189** was amended as follows:

Green: Page 2, Lines 11 and 12:
Delete "with or without charge."

Green: Page 3, Line 10:
Delete "with or without charge"

On motion of Senator Overson, and under suspension of the rules, the bill was read the third time and failed on the following roll call:

Yeas, 9; Nays, 15; Absent, 5

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, L.	Sowards
Barton	Overson	Rogers	Williams
Carling			

Voting in the negative were: Senators

Barlow	Matheson (exp)	Peterson, Chuck	Swan
Black (exp)	McAllister	Pugh	Wayment
Bunnell	McMullin	Renstrom	Pres. Christensen
Holmgren	Money	Sandberg (exp)	

Absent or not voting were: Senators

Bangerter	Finlinson	Peterson, C.	Stratford
Cornaby			

SUB. S.B. No. 189 was filed.

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On motion of Senator McMullin, and at 12:00 noon, the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Arnold Christensen presiding.

COMMUNICATIONS FROM THE HOUSE

On motion of Senator Hillyard, the rules were suspended and **H.B. No. 95,** CAREER TEACHING SCHOLARSHIP FUND TAX CREDITS, was read the second and third times.

On motion of Senate McAllister, **H.B. No. 95** was amended as follows:

Page 1, Line 21:
After "means the" insert "budget authority"

The bill passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Sowards
Bangerter	Holmgren	Peterson, Chuck	Stratford
Barlow	McAllister	Peterson, L.	Swan
Barton	McMullin	Renstrom	Wayment
Bunnell	Money	Rogers	Pres. Christensen
Cornaby			

Voting in the negative was: Senator
Overson

Absent or not voting were: Senators

Black	Finlinson	Pugh	Williams
Carling	Matheson	Sandberg	

H.B. No. 95, as amended, was returned to the House.

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On motion of Senator Black, and under suspension of the rules, **SUB. H.B. No. 170,** CLASS C ROAD FUNDS, was read the third time, and before the Senate. Senators McAllister, Matheson and Barlow commented. The bill passed on the following roll call:

Yeas, 17; Nays, 5; Absent, 7

Voting in the affirmative were: Senators

Barlow	Hillyard	Money	Renstrom
Black	Holmgren	Overson	Sowards
Bunnell	Matheson	Peterson, C.	Stratford
Cornaby	McMullin	Peterson, Chuck	Swan
Finlinson			

Voting in the negative were: Senators

Barton	Rogers	Sandberg	Pres. Christensen
McAllister			

Absent or not voting were: Senators

Asay	Carling	Pugh	Williams
Bangerter	Peterson, L.	Wayment	

SUB. H.B. No. 170, as amended, was returned to the House.

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On motion of Senator Stratford, the rules were suspended and **H.B. No. 25,** DIVORCE LAW WAITING PERIOD, was read the second and third times.

Mr. President: February 18, 1985

The Judiciary Standing Committee, to which was referred **H.B. No. 25,** DIVORCE LAW WAITING PERIOD, by Representative Maxfield, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted. Senators Wayment, Cornaby and Renstrom commented. The bill passed on the following roll call.

Yeas, 15; Nays, 7; Absent, 7

Voting in the affirmative were: Senators

Bangerter	McAllister	Peterson, Chuck	Sowards
Bunnell	Money	Renstrom	Stratford
Hillyard	Overson	Rogers	Swan
Holmgren	Peterson, C.	Sandberg	

Voting in the negative were: Senators

Barlow	Cornaby	Peterson, L.	Pres. Christensen
Barton	Matheson	Wayment	

Absent or not voting were: Senators

Asay	Carling	McMullin	Williams
Black	Finlinson	Pugh	

Senator Rogers, under suspension of the rules, and having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action.

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On motion of Senator Stratford, the rules were suspended and **H.B. No. 79,** SUPPORT AND MAINTENANCE PAYMENTS, was read the second and third times.

Mr. President: February 18, 1985

The Judiciary Standing Committee, to which was referred **H.B. No. 79,** SUPPORT AND MAINTENANCE PAYMENTS, by Richard L. Maxfield, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 20; Nays, 1; Absent, 8

Voting in the affirmative were: Senators

Asay	Hillyard	Overson	Sowards
Bangerter	Holmgren	Peterson, C.	Stratford
Barton	McAllister	Peterson, Chuck	Swan
Bunnell	McMullin	Peterson, L.	Wayment
Cornaby	Money	Renstrom	Pres. Christensen

Voting in the negative was: Senator
Barlow

Absent or not voting were: Senators

Black	Finlinson	Pugh	Sandberg
Carling	Matheson	Rogers	Williams

H.B. No. 79 was signed by the President of the Senate in open session and returned to the House for further action.

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On motion of Senator Carling, the rules were suspended and **H.B. No. 193,** WARRANTLESS DUI ARRESTS, was read the second and third times.

Mr. President: February 18, 1985

The Senate Transportation and Public Safety Standing Committee, to which was referred **H.B. No. 193,** WARRANTLESS DUI ARRESTS, by Representative Olene S. Walker, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Jack M. Bangerter, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 20; Nays, 2; Absent, 7

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Rogers
Barlow	Holmgren	Peterson, C.	Sandberg
Black	McAllister	Peterson, Chuck	Sowards
Bunnell	McMullin	Peterson, L.	Swan
Carling	Money	Renstrom	Pres. Christensen

Voting in the negative were: Senators

Stratford	Williams

Absent or not voting were: Senators

Bangerter	Finlinson	Matheson	Wayment
Barton	Hillyard	Pugh	

H.B. No. 193 was signed by the President of the Senate in open session and returned to the House for further action.

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On motion of Senator McAllister, the circle was removed from **H.B. No. 51**, CERTIFICATE OF PARTICIPATION, and under suspension of the rules, the bill 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	Holmgren	Peterson, C.	Sandberg
Bangerter	Matheson	Peterson, Chuck	Sowards
Barlow	McAllister	Peterson, L.	Stratford
Bunnell	Money	Renstrom	Wayment
Cornaby	Overson	Rogers	Pres. Christensen
Hillyard			

Absent or not voting were: Senators

Barton	Carling	McMullin	Swan
Black	Finlinson	Pugh	Williams

H.B. No. 51 was signed by the President of the Senate in open session and returned to the House for further action.

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S.J.R. No. 15, WESTON E. HAMILTON COMMENDATION, was before the Senate. Mr. and Mrs. Hamilton were present. The commendation was read and Senators Bunnell, Sowards, Christensen, Wayment, Bangerter, Barlow and Black expressed regards for Mr. Hamilton.

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On motion of Senator Hillyard, the rules were suspended and **H.B. No. 164**, VOTED LEEWAY MODIFICATION, was read the second and third times.

Mr. President: February 19, 1985

The Education Standing Committee, to which was referred **H.B. No. 164**, VOTED LEEWAY MODIFICATION, by Representative Glen E. Brown, has carefully considered the bill and reports it out of committee with a favorable recommendation.

William T. Barton, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Sowards
Bangerter	Holmgren	Peterson, Chuck	Stratford
Barlow	McAllister	Peterson, L.	Swan
Barton	Money	Renstrom	Wayment
Bunnell	Overson	Rogers	Pres. Christensen
Cornaby			

Absent or not voting were: Senators

Black	Finlinson	McMullin	Sandberg
Carling	Matheson	Pugh	Williams

H.B. No. 164 was signed by the President of the Senate in open session and returned to the House for further action.

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On motion of Senator Rogers, the rules were suspended and **H.B. No. 82,** INFORMED CONSENT FOR ABORTION AMENDMENTS, was read the second and third times.

Mr. President: February 19, 1985

The Health Standing Committee, to which was referred **H.B. No. 82,** INFORMED CONSENT FOR ABORTION AMENDMENTS, by Representative James R. Moss, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted. Senators McAllister, Wayment and Swan commented. On motion of Senator Wayment, the bill was circled.

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On motion of Senator Stratford, the rules were suspended and **SUB. H.B. No. 24,** WORKING WOMEN CHILD CARE COSTS, was read the second and third times.

Mr. President: February 19, 1985

The Social Services Standing Committee, to which was referred **SUBSTITUTE H.B. No. 24,** WORKING WOMEN CHILD CARE COSTS, by Representative Richard L. Maxfield, has carefully considered the bill and reports it out of committee with a favorable recommendation.

John P. Holmgren, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Sowards
Barlow	McAllister	Peterson, Chuck	Stratford
Barton	McMullin	Renstrom	Swan
Black	Money	Rogers	Wayment
Bunnell	Overson	Sandberg	Pres. Christensen
Carling			

Absent or not voting were: Senators

Bangerter	Finlinson	Matheson	Pugh
Cornaby	Holmgren	Peterson, L.	Williams

SUB. H.B. No. 24 was signed by the President of the Senate in open session and returned to the House for further action.

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On motion of Senator Rogers, the circle was removed from **H.B. No. 82,** INFORMED CONSENT FOR ABORTION AMENDMENTS, and the bill passed on the following roll call:

Yeas, 21; Nays, 3; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	McMullin	Renstrom	Swan
Black	Money	Rogers	Wayment
Bunnell	Overson	Sandberg	Williams
Carling			

Voting in the negative were: Senators

Asay	McAllister	Pres. Christensen

Absent or not voting were: Senators

Cornaby	Matheson	Peterson, L.	Pugh
Finlinson			

H.B. No. 82, was signed by the President of the Senate in open session and returned to the House for further action.

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On motion of Senator Hillyard, the rules were suspended and **H.B. No. 52,** VIDEOTAPING OF CHILDREN'S TESTIMONY, was read the second and third times.

Mr. President: February 19, 1985

The Social Services Standing Committee, to which was referred **H.B. No. 52,** VIDEOTAPING OF CHILDREN'S TESTIMONY, by Representative Ervin M. Skousen, has carefully considered the bill and reports it out of committee with a favorable recommendation.

John P. Holmgren, Committee Chairman

Committee report read and adopted. Senator Renstrom commented. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Holmgren	Peterson, C.	Sandberg
Barlow	Matheson	Peterson, Chuck	Sowards
Barton	McAllister	Peterson, L.	Swan
Carling	McMullin	Pugh	Wayment
Cornaby	Money	Renstrom	Pres. Christensen
Hillyard	Overson	Rogers	

Absent or not voting were: Senators

Asay	Bunnell	Stratford	Williams
Black	Finlinson		

H.B. No. 52 was signed by the President of the Senate in open session and returned to the House for further action.

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H.B. No. 135, FUEL CONSERVATION SPEED LIMIT, was read the second time.

Mr. President: **February 19, 1985**

The Senate Transportation and Public Safety Standing Committee, to which was referred **H.B. No. 135,** FUEL CONSERVATION SPEED LIMIT, by Representative P. Lloyd Selleneit, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Jack M. Bangerter, Committee Chairman

Committee report read and adopted. Senator Sowards explained the bill. Col. Dennis J. Nordfelt, Superintendent of the Division of Highway Patrol and Representative Lloyd Selleneit spoke in Committee of the Whole.

Senators Black, Swan, Matheson, Money, Cornaby, Black, Cary Peterson, Barlow, McAllister and Hillyard commented.

Senator Williams moved that the fine be changed from $10 to $25 on Page 1, Line 24, and change $25 to $75 on Page 1, Line 25. The motion failed on a voice vote.

The bill passed on the following roll call:

Yeas, 15; Nays, 12; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Bunnell	Matheson	Sowards
Barlow	Carling	Peterson, C.	Wayment
Barton	Cornaby	Rogers	Pres. Christensen
Black	Finlinson	Sandberg	

Voting in the negative were: Senators

Asay	McAllister	Peterson, Chuck	Stratford
Hillyard	Money	Peterson, L.	Swan
Holmgren	Overson	Renstrom	Williams

Absent or not voting were: Senators

McMullin	Pugh

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On motion of Senator Cary Peterson, the rules were suspended and **SUB. H.B. No. 131,** CONSERVATION EASEMENTS, was read the second and third times.

Mr. President: February 19, 1985

The Energy, Natural Resources and Agriculture Standing Committee, to which was referred **SUBSTITUTE H.B. No. 131,** CONSERVATION EASEMENTS, by Representative Alarik Myrin, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 10:
After line 10 insert as a new paragraph: "(3) A conservation easement is valid whether it is appurtenant or in gross.

(4) A conservation easement is enforceable by the holder to the easement and its successors and assigns. A conservation easement is enforceable against the grantor and its successors and assigns."

Page 3, Line 3:
After "easement" delete "must" and insert "shall"

Page 3, Line 4:
After "easement's grantor," insert "at least"

Page 3, Line 5:
After "available" delete "and" and insert ","

Page 3, Line 6:
After "legal" delete "AND TAX". After "easement" delete "." and insert ", and that the grantor should contact an attorney concerning any possible legal and tax implications of granting a conservation easement."

Page 3, Lines 13-15:
After "terminated." delete the rest of line 13, lines 14 and 15 through "terminate."

Page 3, Line 20:
After "grantor or" delete "owner" and insert "holder"

Fred W. Finlinson, Committee Chairman

Committee report, with amendments, was read and adopted. Senators Stratford and Cary Peterson commented. the bill passed on the following roll call:

Yeas, 20; Nays, 3; Absent, 6

Voting in the affirmative were: Senators

Barlow	Cornaby	McAllister	Rogers
Barton	Finlinson	Money	Sandberg
Black	Hillyard	Peterson, C.	Sowards
Bunnell	Holmgren	Peterson, Chuck	Swan (exp)
Carling	Matheson	Peterson, L.	Wayment

Voting in the negative were: Senators

Overson	Renstrom	Stratford

Absent or not voting were: Senators

Asay	McMullin	Williams	Pres. Christensen
Bangerter	Pugh		

SUB. H.B. No. 131, as amended, was returned to the House.

RULES COMMITTEE REPORT

Mr. President: February 25, 1985

The Senate Rules Committee, to which was referred the following House Bill:

H.B. No. 294 DISTRIBUTION OF LEGISLATIVE PUBLICATIONS

reports the same back and recommends that it be placed at the top of Second Reading Calendar.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted.

On motion of Senator Sowards the rules were suspended and **H.B. No. 294**, DISTRIBUTION OF LEGISLATIVE PUBLICATIONS, was read the second and third times.

On motion of Senator Hillyard **H.B. No. 294** was amended as follows:

Page 1, Line 13:
After "ITSELF" insert "AND PROVIDING AN EFFECTIVE DATE"

Page 1, Line 34:
After Line 34 insert a new Section 3 as follows: "Section 3. This act takes effect July 1, 1985."

The bill passed on the following roll call:

Yeas, 19; Nays, 1; Absent, 9

Voting in the affirmative were: Senators

Bangerter	Finlinson	Overson	Sowards
Barton	Hillyard	Peterson, C.	Swan
Black	Holmgren	Peterson, Chuck	Wayment
Carling	McAllister	Renstrom	Williams
Cornaby	Money	Rogers	

Voting in the negative were: Senators
Stratford (exp)

Absent or not voting were: Senators

Asay	Matheson	Peterson, L.	Sandberg
Barlow	McMullin	Pugh	Pres. Christensen
Bunnell			

H.B. No. 294, as amended, was returned to the House.

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On motion of Senator McAllister, the rules were suspended and **H.B. No. 163** DEPOSIT OF FINES AND PENALTIES COLLECTED BY THE DIVISION OF OIL, GAS, AND MINING, was read the second and third times.

Mr. President: February 19, 1985

The Energy, Natural Resources and Agriculture Standing Committee, to which was referred **H.B. No. 163**, DEPOSIT OF FINES AND PENALTIES COLLECTED BY THE DIVISION OF OIL, GAS, AND MINING, by Representative Mike Dmitrich, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Fred W. Finlinson, Committee Chairman

Committee report read and adopted.

On motion of Senator McAllister **H.B. No. 163** was amended as follows:

Page 5, Lines 3-5:
After "(1)" on line three, delete the remainder of the language on line three through "monies" on line 5 and insert "Monies received by the state from the following sources shall be deposited as nonlapsing dedicated credits to the Division of Oil, Gas and Mining"

Page 5, Line 8:
after "limitation" delete "." and insert "from:"

Page 5, Line 9:
Delete all of the language on line 9

Page 5, Line 10:
Delete "granted" and insert "grants"

Page 5, Line 12:
Delete all of the language on line 12.

Page 5, Line 13:
Delete "(c) donated" and insert "(b) donations"

Page 5, Line 15:
Delete "(d)" and insert "(c)". After "recovered" delete "through"

Page 5, Line 17:
Delete "(e)" and insert "(d)"

Page 5, Line 19:
Delete "(3) Appropriation" and insert "(2) The expenditure"

Page 5, Lines 19-20:
After "monies" on line 19, delete the language through "water" on line 20

The bill passed on the following roll call:

Yeas, 21; Nays, 2; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Hillyard	Peterson, C.	Sandberg
Barlow	Holmgren	Peterson, Chuck	Sowards
Black	McAllister	Peterson, L.	Swan
Bunnell	Money	Renstrom	Wayment
Carling	Overson	Rogers	Williams
Finlinson			

Voting in the negative were: Senators

Matheson	Stratford

Absent or not voting were: Senators

Asay	Cornaby	Pugh	Pres. Christensen
Barton	McMullin		

H.B. No. 163, as amended, was returned to the House.

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On motion of Senator Renstrom the rules were suspended and **H.B. No. 73,** PROBATE - GUARDIAN APPOINTMENT AMENDMENTS, was read the second and third times.

Mr. President: **February 19, 1985**

The Judiciary Standing Committee, to which was referred **H.B. No. 73,** PROBATE GUARDIAN APPOINTMENT AMENDMENTS, by Representative Olene S. Walker, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 20; Nays, 2; Absent, 7

Voting in the affirmative were: Senators

Barlow	Holmgren	Peterson, C.	Rogers
Black	Matheson	Peterson, Chuck	Sandberg
Bunnell	McAllister	Peterson, L.	Swan
Carling	Money	Pugh	Wayment
Finlinson	Overson	Renstrom	Williams

Voting in the negative were: Senators

Hillyard	Stratford

Absent or not voting were: Senators

Asay	Barton	McMullin	Pres. Christensen
Bangerter	Cornaby	Sowards	

H.B. No. 73 was signed by the President of the Senate in open session and returned to the House for further action.

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On motion of Senator Renstrom the rules were suspended and **H.B. No. 76,** JUVENILE COURT - PERMANENT DEPRIVATION AMENDMENTS, was read the second and third times.

Mr. President: February 19, 1985

The Judiciary Standing Committee, to which was referred **H.B. No. 76,** JUVENILE COURT - PERMANENT DEPRIVATION AMENDMENTS, by Representative Olene S. Walker, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted.

On motion of Senator Renstrom **H.B. No. 76** was amended as follows:

Page 3, Line 7:
Following "protection" delete the period, and insert "; or"

Page 3, following Line 7:
Insert "(d) has failed to communicate via mail, telephone or otherwise for one year with said child or shown the normal interest of a natural parent, without just cause."

On motion of Senator Renstrom, the bill was circled.

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The Senate recessed for a Rules Committee meeting.

AMENDED JOINT CONFERENCE COMMITTEE REPORT
(S.B. No. 33, TITLE 51 REVISION — SCHOOL BUILDING)

Mr. President: February 25, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, as amended by the Joint Conference Committee Report as of February 25, 1985, **S.B. No. 33,** TITLE 53 REVISION — SCHOOL BUILDING, by Senator Hillyard, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Acting Chief Clerk

Mr. President and Mr. Speaker: February 25, 1985

Your Conference Committee, consisting of Representatives Rees, Stephens and Tomlinson, and Senators Hillyard, McMullin and Bunnell to which was referred **S.B. No. 33,** TITLE 53 REVISION — SCHOOL BUILDING, by Senator Hillyard has agreed to recede from the House amendment.

Stephen J. Rees
Chairman, House Committee
Lyle W. Hillyard
Chairman, Senate Committee

On motion of Senator Hillyard, the Senate voted to adopt in the Joint Conference Committee Report of February 25, 1985. The bill passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Asay	Hillyard	Overson	Sandberg
Barlow	Holmgren	Peterson, C.	Stratford
Black	Matheson	Peterson, Chuck	Williams
Carling	McAllister	Peterson, L.	Pres. Christensen
Cornaby	Money	Renstrom	

Absent or not voting were: Senators

Bangerter	Finlinson	Rogers	Swan
Barton	McMullin	Sowards	Wayment
Bunnell	Pugh		

S.B. No. 33, was returned to the House.

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Mr. President: February 25, 1985

I am directed to inform the Senate that the House of Representatives, on reconsideration, has this day concurred in the Senate amendments and passed **H.B. No. 124,** DUI VICTIM RESTITUTION AMENDMENTS, by Representative Rees, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

H.B. No. 124, was signed by the President of the Senate in open session and returned to the House for further action.

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Mr. President: February 25, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No 108,** ALCOHOLIC BEVERAGE CONTROL ACT, by Senator Pugh, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.B. No. 108 was signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

INTRODUCTION OF BILL

CITIZENS AGAINST WASTE FOUNDATION RESOLUTION

S.J.R. No. 16 *Haven J. Barlow, K.S. Cornaby, Ivan M. Matheson*
Cary Peterson, William Barton, Jack M. Bangerter
Brent C. Overson, Paul Rogers, Glade M. Sowards
C.E. Peterson, John P. Holmgren, Lyle Hillyard
Dale Stratford, Darrell Renstrom, Verl Asay
Wayne Sandberg, Eldon Money, Dix McMullin
Omar B. Bunnell, Dona Wayment, Warren E. Pugh
LaRay McAllister, Terry Williams, Richard Carling, Arnold Christensen

A JOINT RESOLUTION OF THE LEGISLATURE ENDORSING THE OBJECTIVES OF THE CITIZENS AGAINST WASTE FOUNDATION.

On motion of Senator Barlow, the rules were suspended and the resolution was read the first, second and third times.

On motion of Senator Black, **S.J.R. No. 16**, was amended as follows:

Page 1, Lines 19 and 20:
Delete "combined three-year" and insert in lieu thereof "substantial" after "cost savings" add a period and delete "of $424.4 billion"

On motion of Senator Swan **S.J.R. No. 16** was amended as follows:

Page 1, Line 21:
After "support" insert "many of"

The resolution passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Asay	Cornaby	Peterson, C.	Stratford
Barlow	Hillyard	Peterson, Chuck	Swan
Barton	Holmgren	Peterson, L.	Williams
Black	Matheson	Renstrom	Pres. Christensen
Carling	McAllister	Sandberg	

Absent or not voting were: Senators

Bangerter	McMullin	Pugh	Sowards
Bunnell	Money	Rogers	Wayment
Finlinson	Overson		

S.J.R. No. 16 was transmitted to the House.

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On motion of Senator Renstrom, the circle was removed from **H.B. No. 76**, JUVENILE COURT PERMANENT DEPRIVATION AMENDMENTS, and the bill passed on the following roll call:

Yeas, 16; Nays, 2; Absent, 11

Voting in the affirmative were: Senators

Asay	Hillyard	Overson	Sandberg
Barlow	Holmgren	Peterson, C.	Swan
Barton	Matheson	Peterson, Chuck	Williams
Black	McAllister	Renstrom	Pres. Christensen

Voting in the negative were: Senators

Cornaby	Stratford

Absent or not voting were: Senators

Bangerter	Finlinson	Peterson, L.	Sowards
Bunnell	McMullin	Pugh	Wayment
Carling	Money	Rogers	

H.B. No. 76, as amended, was returned to the House.

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On motion of Senator Stratford the rules were suspended and **H.B. No. 171,** JUROR COMPETENCY IN CASES INVOLVING ORDINANCES, was read the second and third times.

Mr. President: February 19, 1985

The Judiciary Standing Committee, to which was referred **H.B. No. 171,** JUROR COMPETENCY IN CASES INVOLVING ORDINANCES, by Representative Don R. Strong, has carefully considered the bill and reports it out of committee with a favorable recommendation.

E. Verl Asay, Committee Chairman

Committee report read and adopted. The bill failed on the following roll call:

Yeas, 14; Nays, 4; Absent, 11

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Sandberg
Carling	Holmgren	Peterson, Chuck	Stratford
Cornaby	McAllister	Peterson, L.	Williams
Finlinson	Overson		

Voting in the negative were: Senators

Barlow	Matheson	Renstrom	Swan

Absent or not voting were: Senators

Bangerter	Bunnell	Pugh	Wayment
Barton	McMullin	Rogers	Pres. Christensen
Black	Money	Sowards	

Senator Barlow, under suspension of the rules and having voted on the prevailing side, served notice that he may ask the Senate to reconsider its action.

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On motion of Senator McAllister, the rules were suspended and **H.B. No. 22,** CONDITIONAL CIGARETTE TAX INCREASE, was read the second and third times.

Mr. President: February 20, 1985

The Revenue and Taxation Standing Committee, to which was referred **H.B. No. 22,** CONDITIONAL CIGARETTE TAX INCREASE, by Representative Kaye Browning, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lyle W. Hillyard, Committee Chairman

Committee report read and adopted. Senators Stratford, Swan and Matheson commented. The bill passed on the following roll call:

Yeas, 20; Nays, 4; Absent, 5

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Sandberg
Bunnell	Holmgren	Peterson, Chuck	Sowards
Carling	McAllister	Peterson, L.	Stratford (exp)
Cornaby	McMullin	Renstrom	Swan
Finlinson	Overson	Rogers	Pres. Christensen

Voting in the negative were: Senators

Bangerter	Barlow	Matheson	Money

Absent or not voting were: Senators

Barton	Pugh	Wayment	Williams
Black			

H.B. No. 22 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator Hillyard, the rules were suspended and **H.B. No. 191**, ACCOUNTS RECEIVABLE COLLECTION, was read the second and third times.

Mr. President: February 20, 1985

The Revenue and Taxation Standing Committee, to which was referred **H.B. No. 191**, ACCOUNTS RECEIVABLE COLLECTION, by Representative Kim R. Burningham, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 4, Line 14:
After "whichever is less" delete "." and insert "unless waived by the court."

Lyle W. Hillyard, Committee Chairman

Committee report, with amendment, was read and adopted. Senators Matheson and Barlow commented. The bill passed on the following roll call:

Yeas, 17; Nays, 7; Absent, 5

Voting in the affirmative were: Senators

Barlow	McAllister	Peterson, Chuck	Stratford
Black	McMullin	Peterson, L.	Swan
Bunnell	Money	Pugh	Wayment
Hillyard	Peterson, C.	Sandberg	Pres. Christensen
Holmgren			

Voting in the negative were: Senators

Carling	Finlinson	Overson	Williams
Cornaby	Matheson	Renstrom	

Absent or not voting were: Senators

Asay	Barton	Rogers	Sowards
Bangerter			

H.B. No. 191, as amended, was returned to the House.

COMMUNICATION FROM THE HOUSE

Mr. President: February 25, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the House, **S.B. No. 96**, DRINKING WATER AND WASTEWATER LOAN PROGRAM, by Senator Finlinson, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Finlinson, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Bangerter	Hillyard	Peterson, C.	Stratford
Barlow	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Peterson, L.	Wayment
Carling	McAllister	Pugh	Williams
Cornaby	McMullin	Renstrom	Pres. Christensen
Finlinson	Overson	Sandberg	

Absent or not voting were: Senators

Asay	Bunnell	Rogers	Sowards
Barton	Money		

S.B. No. 96 was returned to the House.

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Mr. President: February 15, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 232,** INSURANCE LAW RECODIFICATION, 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.

Carole E. Peterson, Acting Chief Clerk

S.B. No. 232 was signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

RULES COMMITTEE REPORT

Mr. President: February 25, 1985

The Senate Rules Committee, to which was referred the following House Bill:

SUB. H.B. No. 133 MOTOR CARRIERS-REGULATION AMENDMENTS (Transportation and Public Safety)

reports the same back and recommends that it be assigned to a committee.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bill to the committee indicated.

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Mr. President: February 25, 1985

The Senate Rules Committee reports out the following bills to be placed on the Second Reading Calendar:

H.B. No. 7	LIVESTOCK MARKET COMMITTEE
H.B. No. 283	UTAH PROCUREMENT FINANCE AUTHORITY
H.B. No. 289	REPEAL OF MUNICIPALLY OWNED WATER SYSTEM APPLICATION LIABILITY REQUIREMENTS
SUB. H.B. No. 255	CENTERS FOR TECHNOLOGICAL EXCELLENCE
SUB. H.B. No. 99	BUDGETARY PROCEDURES INCENTIVE PROGRAM
SUB. H.B. No. 116	DETECTION OF UNINSURED MOTORISTS
H.B. No. 216	COUNTY FISCAL YEAR BUDGETING
H.J.R. No. 1	FEDERAL RESERVE SYSTEM AUDIT RESOLUTION
H.C.R. No. 8	INTERMOUNTAIN POWER PROJECT EXPANSION RESOLUTION
H.B. No. 238 SECOND SUB.	RETIREMENT PARTICIPATION AMENDMENT
H.B. No. 110	RIGHT TO WORK AMENDMENTS
H.B. No. 397	DIVISION OF INDIAN AFFAIRS-TITLE TO PROPERTY
H.B. No. 357	LICENSE PLATE MAILING COSTS
H.B. No. 315	ENERGY CONSERVATION AND ALTERNATIVE FINANCING FOR STATE BUILDINGS
H.B. No. 288	RAILROAD SPECIAL AGENTS
H.B. No. 145	ZONING
SUB. H.B. No. 219	REAL ESTATE DEFICIENCY JUDGMENTS
H.B. No. 240	HOME ENERGY ASSISTANCE ACT AMENDMENTS
H.B. No. 328	PROPERTY TAX ASSESSMENT CHANGE
H.B. No. 388	TAX INCREASE DISCLOSURE ACT
SUB. H.B. No. 160	PROPERTY TAX COLLECTION COSTS
H.B. No. 404	PROPERTY TAX ASSESSMENT AMENDMENTS
H.B. No. 307	INTEREST RATES ON DELINQUENT TAXES
H.B. No. 356	TAX DUE DATES

reports the same back and recommends that they be placed on the Second Reading Calendar in the above order.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. The bill were placed on Second Reading Calendar.

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Senator Swan's motion to lift **S.B. No. 263,** PER DIEM AMENDMENTS FOR REGISTRATION DIVISION, failed.

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On motion of Senator Cary Peterson, the circle was removed from **H.B. No. 40.**

INTRODUCTION OF BILL

SCHOOL FINANCE ACT AMENDMENTS

S.B. No. 291 *Haven J. Barlow*

AN ACT RELATING TO PUBLIC EDUCATION; PROVIDING FOR FUNDING OF THE STATE PORTION OF THE MINIMUM SCHOOL FINANCE PROGRAM; MODIFYING THE MINIMUM SCHOOL FINANCE PROGRAM; PROVIDING FUNDING FOR REFORM MEASURES; PROVIDING ADDITIONAL TRANSPORTATION FUNDS FOR DISTRICTS ON DOUBLE SESSIONS IN ELEMENTARY SCHOOLS; MODIFYING THE SMALL SCHOOL FORMULA; ALLOWING FOR UNUSUAL DISTRICT GROWTH AND EXTRA COSTS FOR SMALL SCHOOLS TO BE CONSIDERED WHEN DETERMINING WPU'S FOR HANDICAPPED CHILDREN; PROVIDING WEIGHTING LEVELS FOR HANDICAPPED PUPILS FOR FUNDING PURPOSES; MODIFYING DATA SUBMITTAL ON HANDICAPPED PUPILS; MODIFYING THE VOTED LEEWAY FUNDING TO KEY INTO A CERTAIN PERCENTAGE OF THE PRIOR YEAR'S WPU; INCREASING THE CONTINGENCY FUND; MODIFYING DEFINITIONS; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 53-7-16, AS LAST AMENDED BY CHAPTER 10, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 53-7-18, AS LAST AMENDED BY CHAPTER 10, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 53-7-18.1, AS LAST AMENDED BY CHAPTER 10, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 53-7-21, AS LAST AMENDED BY CHAPTER 10, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 53-7-24, AS LAST AMENDED BY CHAPTER 10, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 53-7-26, AS LAST AMENDED BY CHAPTER 10, LAWS OF UTAH

1984, SECOND SPECIAL SESSION; 53-7-27, AS LAST AMENDED BY CHAPTER 51, LAWS OF UTAH 1980; 53-11-23, AS LAST AMENDED BY CHAPTER 10, LAWS OF UTAH 1984, SECOND SPECIAL SESSION

REPEALS: 53-7-19.5, AS LAST AMENDED BY CHAPTER 12, LAWS OF UTAH 1984, SECOND SPECIAL SESSION.

On motion of Senator Barlow, and under suspension of the rules, the bill was read the first time, and placed as a special order of business at 9:30 a.m. tomorrow.

• • •

On motion of Senator Cary Peterson, and at 6:10 p.m., the Senate adjourned until 8:00 a.m., Tuesday, February 26, 1985.

FORTY-FOURTH DAY

MORNING SESSION

The Senate convened at 8:00 a.m. with President Arnold Christensen presiding.
Roll Call — All Senators present.
Prayer — Senator Jack M. Bangerter

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

DAILY SENATE JOURNAL

Mr. President: February 26, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the forty third day and find it correct with minor amendments noted on the final copy.

Darrell G. Renstrom, Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 25, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, **S.B. No. 113**, LIMITATION OF ATTORNEY FEES IN MEDICAL MALPRACTICE ACTIONS, by Senator Pugh, which has been signed by the Speaker in open session, and the same is transmitted herewith for the Signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, **SUBSTITUTE S.B. No. 152**, COLLATERAL SOURCE RULE FOR MEDICAL MALPRACTICE DAMAGES, by Senator Pugh, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the Signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.B. No. 113 and **SUB. S.B. No. 152** were signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

THIRD READING CALENDAR

SUB. H.B. No. 102, WATER POLLUTION CONTROL STANDARDS, was read the third time, and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Bangerter	Cornaby	McMullin	Renstrom
Barlow	Hillyard	Money	Sandberg
Barton	Holmgren	Peterson, C.	Stratford
Black	Matheson	Peterson, Chuck	Wayment
Bunnell	McAllister	Peterson, L.	Pres. Christensen

Absent or not voting were: Senators

Asay	Overson	Rogers	Swan
Carling	Pugh	Sowards	Williams
Finlinson			

SUB. H.B. No. 102 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

H.B. No. 77, JUVENILE COURT JURISDICTION — FAILURE TO REPORT CHILD ABUSE, was read the third time, and on motion of Senator Wayment, the bill was circled.

• • •

Senator Bangerter's motion to transfer **SUB. H.B. No. 133,** MOTOR CARRIERS — REGULATION AMENDMENTS, from Transportation and Public Safety Committee to another Standing Committee, failed on the following roll call:

Yeas, 12; Nays, 13; Absent, 4

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, Chuck	Stratford
Bangerter	Matheson	Renstrom	Wayment
Hillyard	McMullin	Sandberg	Williams

Voting in the negative were: Senators

Black	Money	Peterson, L.	Sowards
Bunnell	Overson	Pugh	Swan
Carling	Peterson, C.	Rogers	Pres. Christensen
McAllister			

Absent or not voting were: Senators

Barlow	Barton	Cornaby	Finlinson

Senator Bangerter moved to lift **SUB. H.B. No. 133** from Transportation and Public Safety, and place it at the top of Second Reading Calendar.

Senator McAllister moved a substitute motion to lift the bill from Transportation and Public Safety Committee and place it as a special order of business tomorrow morning.

The substitute motion passed on the following roll call:

Yeas, 16; Nays, 12; Absent, 1

Voting in the affirmative were: Senators

Asay	Hillyard	McMullin	Sandberg
Bangerter	Holmgren	Overson	Swan
Barlow	Matheson	Peterson, Chuck	Wayment
Barton	McAllister	Renstrom	Williams

Voting in the negative were: Senators

Black	Finlinson	Peterson, L.	Sowards
Carling	Money	Pugh	Stratford
Cornaby	Peterson, C.	Rogers	Pres. Christensen

Absent or not voting was: Senator
Bunnell

Senator Black moved that **SUB. H.B. No. 133** be returned to Transportation and Public Safety Committee. The motion failed on the following roll call:

Yeas, 12; Nays, 15; Absent, 2

Voting in the affirmative were: Senators

Black	Finlinson	Peterson, C.	Sowards
Carling	Money	Pugh	Williams
Cornaby	Overson	Rogers	Pres. Christensen

Voting in the negative were: Senators

Asay	Bunnell	McAllister	Sandberg
Bangerter	Hillyard	McMullin	Swan
Barlow	Holmgren	Peterson, Chuck	Wayment
Barton	Matheson	Renstrom	

Absent or not voting were: Senators

Peterson, L.	Stratford

Senator Renstrom moved that **SUB. H.B. No. 188** be returned to Transportation and Public Safety Committee, and further that regardless of committee action, the bill be considered as a special order of business tomorrow morning.

Senator Finlinson asked for a divided motion.

Senator McAllister's substitute motion that (1) regardless of the committee action the bill be considered as a special order of business tomorrow morning. The substitute motion passed on the following roll call:

Yeas, 16; Nays, 13; Absent, 0

Voting in the affirmative were: Senators

Asay	Hillyard	McMullin	Sandberg
Bangerter	Holmgren	Overson	Sowards
Barlow	Matheson	Peterson, Chuck	Stratford
Barton	McAllister	Renstrom	Wayment

Voting in the negative were: Senators

Black	Finlinson	Peterson, L.	Swan (exp)
Bunnell	Money	Pugh	Williams
Carling	Peterson, C.	Rogers	Pres. Christensen
Cornaby			

Senator McAllister's substitute motion (2) that the bill be returned to Transportation and Public Safety Standing Committee for action this evening, passed on the following roll call:

Yeas, 24; Nays, 5; Absent, 0

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, C.	Sowards
Bangerter	Matheson	Peterson, Chuck	Stratford

Barlow	McAllister	Peterson, L.	Swan
Barton	McMullin (exp)	Renstrom (exp)	Wayment
Bunnell	Money	Rogers	Williams
Hillyard (exp)	Overson	Sandberg	Pres. Christensen

Voting in the negative were: Senators

Black (exp)	Cornaby	Finlinson	Pugh
Carling			

THIRD READING CALENDAR

H.B. No. 77, JUVENILE COURT JURISDICTION — FAILURE TO REPORT CHILD ABUSE, was uncircled, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Rogers
Bangerter	Finlinson	Overson	Sandberg
Barlow	Hillyard	Peterson, C.	Stratford
Barton	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Peterson, L.	Wayment
Bunnell	McAllister	Pugh	Williams
Carling	McMullin	Renstrom	Pres. Christensen

Absent or not voting was: Senator
Sowards

H.B. No. 77 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

H.B. No. 122, JUVENILE COURT — JUVENILE AND ADULTS, 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	Hillyard	Peterson, C.	Sandberg
Bangerter	Holmgren	Peterson, Chuck	Stratford
Barlow	Matheson	Peterson, L.	Swan

Barton	McAllister	Pugh	Wayment
Bunnell	McMullin	Renstrom	Williams
Carling	Money	Rogers	Pres. Christensen
Cornaby	Overson		

Absent or not voting were: Senators

Black	Finlinson	Sowards

H.B. No. 122 was signed by the President of the Senate in open session and returned to the House for further action.

COMMUNICATION FROM THE HOUSE

Mr. President: February 25, 1985

I am directed to inform the Senate that the House of Representatives has this day rejected the Joint Conference Committee Report as of February 18, 1985, on **S.B. No. 62,** UTAH ARBITRATION ACT, by Senator Dale E. Stratford, et al, and has this day appointed a Conference Committee consisting of Representatives L. Pace, K. Burningham, and B. Goodfellow to act with a like committee from the Senate on this bill.

Carole E. Peterson, Acting Chief Clerk

President Christensen again appointed a Conference Committee consisting of Senators Stratford, Hillyard and Money.

THIRD READING CALENDAR

On motion of Senator McMullin, **H.B. No. 195 was** circled.

• • •

Mr. President: February 26, 1985

The Senate Sifting (Rules) Committee, to which was referred the following House Resolution:

H.C.R. No. 25 UNITARY TAX RESOLUTION

reports the same back and recommends that it be placed on the Second Reading Calendar.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. **H.C.R. No. 25** was placed on Second Reading Calendar.

• • •

H.B. No. 105, DAY CARE OPERATIONS AMENDMENT, was read the third time and explained by Senator Overson. Senator Matheson proposed an amendment that failed.

The bill passed on the following roll call:

Yeas, 16; Nays, 6; Absent, 7

Voting in the affirmative were: Senators

Asay	Hillyard	Money	Pugh
Black	Holmgren	Overson	Stratford
Carling	McAllister	Peterson, C.	Wayment
Cornaby	McMullin	Peterson, L.	Pres. Christensen

Voting in the negative were: Senators

Barlow	Renstrom	Swan	Williams
Matheson	Sandberg		

Absent or not voting were: Senators

Bangerter	Bunnell	Peterson, Chuck	Sowards
Barton	Finlinson	Rogers	

H.B. No. 105, as amended, was returned to the House.

RULES COMMITTEE REPORT

Mr. President: February 26, 1985

The Senate Rules Committee, to which were referred the following House Bills:

SUB. H.B. No. 50	LEASE-PURCHASE AGREEMENTS
H.B. No. 241	CLEAR CREEK CANYON APPROPRIATION
H.B. No. 75	COURT COMMISSIONER — DOMESTIC MATTERS
SUB. H.B. No. 103	SALES AND USE TAX EXEMPTION FOR MANUFACTURING MACHINERY AND EQUIPMENT
H.B. No. 121	JUVENILE COURT DISTRICTS AND JUDGES
SUB. H.B. No. 217	ADMINISTRATIVE RULEMAKING ACT
SUB. H.B. No. 62	STATE ZOO AMENDMENTS

reports the same back and recommends that they be placed on the Second Reading Calendar in the above order.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. On motion of Senator McMullin, and under suspension of the rules, the bills were placed at the top of Second Reading Calendar.

THIRD READING CALENDAR

H.B. No. 218, CHILD CUSTODY COURT COSTS, was read the third time, explained by Senator Overson, and passed on the following roll call:

Yeas, 23; Nays, 2; Absent, 4

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, Chuck	Stratford
Bangerter	Matheson	Peterson, L.	Swan
Barlow	McAllister	Pugh	Wayment
Barton	McMullin	Renstrom	Williams
Cornaby	Overson	Sandberg	Pres. Christensen
Finlinson	Peterson, C.	Sowards	

Voting in the negative were: Senators

Black	Money

Absent or not voting were: Senators

Bunnell	Carling	Hillyard	Rogers

H.B. No. 218 was signed by the President of the Senate in open session and returned to the House for further action.

CORRECTION BILLS
(H.B. Nos. 74, 132, 247, 248 and 249)

H.B. No. 74, DEPARTMENT OF CORRECTIONS — ORGANIZATION, was read the third time, explained by Senator Wayment and passed on the following roll call:

Yeas, 20; Nays, 2; Absent, 7

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, Chuck	Sowards
Bangerter	Holmgren	Peterson, L.	Stratford
Barlow	McAllister	Pugh	Wayment
Black	Money	Renstrom	Williams
Cornaby	Peterson, C.	Sandberg	Pres. Christensen

Voting in the negative were: Senators

Matheson	Overson

Absent or not voting were: Senators

Barton	Carling	McMullin	Swan
Bunnell	Hillyard	Rogers	

H.B. No. 74 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

H.B. No. 247, DEPARTMENT OF CORRECTIONS — ORGANIZATION AND FUNCTIONS, was read the third time, explained by Senator Wayment, and passed on the following roll call:

Yeas, 21; Nays, 2; Absent, 6

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, Chuck	Stratford
Bangerter	McAllister	Pugh	Swan
Barlow	McMullin	Renstrom	Wayment
Black	Money	Rogers	Williams
Cornaby	Peterson, C.	Sowards	Pres. Christensen
Finlinson			

Voting in the negative were: Senators

Matheson	Overson

Absent or not voting were: Senators

Barton	Carling	Peterson, L.	Sandberg
Bunnell	Hillyard		

H.B. No. 247 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

H.B. No. 248, DEPARTMENT OF CORRECTIONS — ORGANIZATION AND FUNCTIONS TECHNICAL AMENDMENTS, was read the third time, explained by Senator Wayment, and passed on the following roll call:

Yeas, 21; Nays, 2; Absent, 6

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, C.	Sowards
Bangerter	Holmgren	Peterson, Chuck	Stratford
Barlow	McAllister	Pugh	Wayment
Black	McMullin	Renstrom	Williams
Bunnell	Money	Rogers	Pres. Christensen
Cornaby			

Voting in the negative were: Senators

Matheson	Overson

Absent or not voting were: Senators

Barton	Hillyard	Sandberg	Swan
Carling	Peterson, L.		

H.B. No. 248 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

H.B. No. 249, BOARD OF PARDONS AMENDMENTS, was read the third time, explained by Senator Wayment, and passed on the following roll call:

Yeas, 22; Nays, 2; Absent, 5

Voting in the affirmative were: Senators

Asay	Cornaby	Peterson, C.	Sowards
Bangerter	Finlinson	Peterson, Chuck	Stratford
Barlow	Holmgren	Peterson, L.	Wayment
Black	McAllister	Pugh	Williams
Bunnell	McMullin	Rogers	Pres. Christensen
Carling	Money		

Voting in the negative were: Senators

Matheson	Overson

Absent or not voting were: Senators

Barton	Renstrom	Sandberg	Swan
Hillyard			

H.B. No. 249 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

H.B. No. 182, UTAH CORRECTIONAL INDUSTRIES ACT, was read the third time and explained by Senator Wayment.

Senator Holmgren moved the following amendments:

Page 5, Line 7:
Delete "shall" and replace with "may"

Page 5, Line 20:
After "may" delete "not"

Page 5, Line 22:
After "division" insert "." and delete up to and including line 30

Page 6, Lines 1 through 11:
Delete subsections (b) and (c)

Senator Matheson moved a substitute motion that failed.

Senator Holmgren's main motion failed. The bill passed on the following roll call:

Yeas, 22; Nays, 3; Absent, 4

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, L.	Stratford
Bangerter	McAllister	Pugh (exp)	Swan
Barlow	McMullin	Renstrom	Wayment
Bunnell	Money	Sandberg	Williams
Carling	Peterson, C.	Sowards	Pres. Christensen
Cornaby	Peterson, Chuck		

Voting in the negative were: Senators

Holmgren	Matheson	Overson

Absent or not voting were: Senators

Barton	Black	Finlinson	Rogers

H.B. No. 132, as amended, was returned to the House.

• • •

H.B. No. 135, FUEL CONSERVATION SPEED LIMIT, was read the third time.

On motion of Senator Barlow, **H.B. No. 135,** was amended as follows:

Page 2, Line 2:
After Line 2, insert the following new section: "(4) A conviction under this section or a similar provision in another state may not appear in any report authorized by Section 41-2-12.1."

The bill failed on the following roll call:

Yeas, 12; Nays, 14; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Carling	Peterson, C.	Wayment
Barlow	Cornaby (exp)	Sandberg	Williams
Barton	McMullin	Sowards	Pres. Christensen

Voting in the negative were: Senators

Asay	Matheson	Peterson, Chuck	Renstrom
Bunnell	McAllister	Peterson, L.	Stratford
Hillyard	Money	Pugh	Swan
Holmgren	Overson		

Absent or not voting were: Senators

Black	Finlinson	Rogers

• • •

H.B. No. 195, UTAH PRIVATE ACTIVITY BOND CEILING ALLOCATION ACT, was uncircled and read the third time.

The bill passed on the following roll call:

Yeas, 20; Nays, 5; Absent, 4

Voting in the affirmative were: Senators

Barlow	Hillyard	Peterson, C.	Sowards
Barton	Holmgren	Peterson, Chuck	Stratford
Bunnell	McMullin	Peterson, L.	Swan
Carling	Money	Pugh	Wayment
Cornaby	Overson	Renstrom	Williams

Voting in the negative were: Senators

Asay	McAllister	Sandberg	Pres. Christensen
Matheson			

Absent or not voting were: Senators

Bangerter	Black	Finlinson	Rogers

H.B. No. 195, as amended, was returned to the House.

SECOND READING CALENDAR

On motion of Senator McMullin, **SUB. H.B. No. 50** was circled.

• • •

H.B. No. 241, CLEAR CREEK CANYON APPROPRIATION, was read the second time.

Asa S. Nielson, Director of Cultural Resource Management Services, Brigham Young University, spoke in Committee of the Whole. The bill passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Barlow	Holmgren	Peterson, C.	Stratford
Barton	Matheson	Peterson, Chuck	Swan
Bunnell	McAllister	Peterson, L.	Wayment
Carling	McMullin	Pugh	Williams
Cornaby	Money	Renstrom	Pres. Christensen
Hillyard	Overson	Sowards	

Voting in the negative was: Senator
Sandberg

Absent or not voting were: Senators

Asay	Black	Finlinson	Rogers
Bangerter			

• • •

H.B. No. 75, COURT COMMISSIONER — DOMESTIC MATTERS, was read the second time, and passed on the following roll call:

Yeas, 18; Nays, 1; Absent, 10

Voting in the affirmative were: Senators

Barlow	Hillyard	Peterson, C.	Swan
Barton	Holmgren	Peterson, Chuck	Wayment
Bunnell	McAllister	Pugh	Williams
Carling	McMullin	Sandberg	Pres. Christensen
Cornaby	Money		

Voting in the negative was: Senator

Overson

Absent or not voting were: Senators

Asay	Finlinson	Renstrom	Sowards
Bangerter	Matheson	Rogers	Stratford
Black	Peterson, L.		

• • •

On motion of Senator McMullin, **SUB. H.B. No. 103,** SALES AND USE TAX EXEMPTION FOR MANUFACTURING MACHINERY AND EQUIPMENT, was circled.

• • •

On motion of Senator Cornaby, **SUB. H.B. No. 50,** LEASE PURCHASE AGREEMENTS, was uncircled and, read the second time. The bill passed on the following roll call:

Yeas, 18; Nays, 1; Absent, 10

Voting in the affirmative were: Senators

Barlow	Hillyard	Peterson, C.	Swan
Barton	Holmgren	Peterson, Chuck	Wayment

Bunnell	McAllister	Renstrom	Williams
Carling	McMullin	Sandberg	Pres. Christensen
Cornaby	Money		

Voting in the negative was: Senator
Overson

Absent or not voting were: Senators

Asay	Finlinson	Pugh	Sowards
Bangerter	Matheson	Rogers	Stratford
Black	Peterson, L.		

• • •

H.B. No. 121, JUVENILE COURT DISTRICTS AND JUDGES, was read the second time.

On motion of Senator Cornaby, **H.B. No. 121 was amended as follows:**

Page 1, Lines 11 and 12:
After "BOUNDARIES" delete the remaining language on line 11 through "DISTRICTS" on line 12

Page 1, Line 13:
Delete "FROM NINE TO 13"

Page 1, Line 14:
Delete "$472,178" and insert "$240,000"

The bill passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Swan
Bunnell	McAllister	Pugh	Wayment
Carling	McMullin	Renstrom	Pres. Christensen
Cornaby	Overson	Sandberg	

Absent or not voting were: Senators

Asay	Finlinson	Peterson, L.	Stratford
Barton	Matheson	Rogers	Williams
Black	Money		

PRESENTATION OF RESOLUTION

ALMA V. SMOOT RESOLUTION

S.J.R. No. 17 *John P. Holmgren, Cary G. Peterson Eldon A. Money, Lowell S. Peterson*

A JOINT RESOLUTION OF THE LEGISLATURE HONORING ALMA V. SMOOT; AND EXPRESSING CONDOLENCES TO HIS FAMILY.

On motion of Senator Holmgren, and under suspension of the rules, the resolution was read the first, second and third times and passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Swan
Barton	McAllister	Pugh	Wayment
Carling	McMullin	Renstrom	Pres. Christensen
Cornaby	Overson	Sandberg	

Absent or not voting were: Senators

Asay	Finlinson	Peterson, L.	Stratford
Black	Matheson	Rogers	Williams
Bunnell	Money		

S.J.R. No. 17 was transmitted to the House.

SECOND READING CALENDAR

SUB. H.B. No. 217, ADMINISTRATIVE RULEMAKING ACT, was read the second time, and explained by Senator McAllister.

The bill passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barlow	Holmgren	Overson	Rogers
Barton	Matheson	Peterson, C.	Sandberg
Bunnell	McAllister	Peterson, Chuck	Sowards
Carling	McMullin	Pugh	Williams
Hillyard	Money	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Asay	Cornaby	Peterson, L.	Swan
Bangerter	Finlinson	Stratford	Wayment
Black			

• • •

SUB. H.B. No. 62, STATE ZOO AMENDMENTS, was read the second time and explained by Senator Pugh.

Senator Hillyard moved amendments that failed.

The bill failed on the following roll call:

Yeas, 11; Nays, 10; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Carling	Overson	Sowards
Barlow	Cornaby	Peterson, C.	Pres. Christensen
Barton	McMullin	Sandberg	

Voting in the negative were: Senators

Hillyard	Money	Renstrom	Wayment
Holmgren	Peterson, Chuck	Swan	Williams
McAllister	Pugh		

Absent or not voting were: Senators

Asay	Bunnell	Matheson	Rogers
Black	Finlinson	Peterson, L.	Stratford

Senator Pugh having voted on the prevailing side and under suspension of the rules, served notice that he may ask the Senate to reconsider its action.

• • •

S.B. No. 291, SCHOOL FINANCE ACT AMENDMENTS, was read the second time and before the Senate as a special order of business. Senator Barlow explained the bill.

On motion of Senator Pugh, **S.B. No. 291** was amended as follows:

Page 4, Line 30:
After "levy of" delete "22.18" and insert in lieu thereof "21.28"

Page 5, Line 13:
Delete "22.18" and insert in lieu thereof "21.28"

Page 34, Line 16:
After "[$518,169,783]" delete "581,906,264" and insert in lieu thereof "589,163,089"

Page 36, Line 5:
After "[$194,098,637]" delete "218,923,428" and insert in lieu thereof "211,666,603"

Page 36, Line 9:
After [$518,169,783] delete "$581,906,264" and insert in lieu thereof "$589,163,089"

Page 37, Line 1:
After "[$518,169,783]" delete "$581,906,264" and insert in lieu thereof "$589,163,089"

Page 37, Line 10:
After [$518,169,783]" delete "$581,906,264" and insert in lieu thereof "$589,163,089"

Page 20, Line 17:
Delete "II" and insert in lieu thereof "III"

Page 41, Line 3:
After "1986." insert "It is the intent of the Legislature that the $12,000,000 State contribution be fully funded. If shortfalls in mineral lease funds occur, this funding shall not be reduced accordingly."

Senators McMullin and Swan declared personal interest in the bill.

The bill passed on the following roll call:

Yeas, 20; Nays, 4; Absent, 5

Voting in the affirmative were: Senators

Asay	Finlinson	Money	Pugh
Barlow	Hillyard	Overson	Swan
Bunnell	Holmgren	Peterson, C.	Wayment
Carling	McAllister	Peterson, Chuck	Williams
Cornaby	McMullin	Peterson, L.	Pres. Christensen

Voting in the negative were: Senators

Bangerter	Matheson	Rogers	Sandberg

Absent or not voting were: Senators

Barton	Renstrom	Sowards	Stratford
Black			

• • •

Senator Overson, having voted on the prevailing side and under suspension of the rules, asked the Senate to reconsider its action on **H.B. No. 135, FUEL CONSERVATION SPEED LIMIT**, and the bill passed on reconsideration and on the following roll call:

Yeas, 15; Nays, 13; Absent, 1

Voting in the affirmative were: Senators

Barlow	Cornaby	Peterson, C.	Stratford
Barton	Finlinson	Peterson, L.	Wayment
Black	Matheson	Rogers	Pres. Christensen
Carling	McMullin	Sowards	

Voting in the negative were: Senators

Asay	Holmgren	Overson	Sandberg
Bangerter	McAllister	Peterson, Chuck	Swan
Bunnell	Money	Pugh	Williams
Hillyard			

Absent or not voting was: Senator
Renstrom

H.B. No. 135, as amended, was returned to the House.

• • •

On motion of Senator L. Peterson, the circle was removed from **SUB. H.B. No. 103,** SALES AND USE TAX EXEMPTION FOR MANUFACTURING MACHINERY AND EQUIPMENT, and the bill was read the second time.

Mark K. Buchi, Chairman of the Utah Tax Commission, and David W. Adams, Executive Director of the Department of Community and Economic Development, spoke in Committee of the Whole.

Senators Bunnell, Sandberg and Pugh commented. The bill remained as unfinished business.

On motion of Senator Cary Peterson, and at 12:00 noon, the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m. with President Arnold Christensen presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 26, 1985

I am directed to inform the Senate that the House of Representatives has this day rejected **S.B. No. 231,** EXTENSION OF SALES AND USE TAX, by Senator Pugh, et al, and the same is transmitted herewith.

Carole E. Peterson, Acting Chief Clerk

S.B. No. 231 was filed.

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Mr. President: February 25, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **S.B. No. 48,** BUSINESS INFORMATION OFFICE AND CONSUMER PROTECTION ADVISORY COUNCIL, by Senator Carling, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Carling, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Hillyard	Overson	Rogers
Barlow	Holmgren	Peterson, C.	Sandberg
Barton	Matheson	Peterson, Chuck	Stratford
Carling	McAllister	Peterson, L.	Swan
Cornaby	McMullin	Pugh	Wayment
Finlinson	Money	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Bangerter	Bunnell	Sowards	Williams
Black			

S.B. No. 43 was returned to the House.

• • •

Mr. President: February 26, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **SUBSTITUTE S.B. No. 65**, COUNTY DESIGNATION ON VEHICLE LICENSE PLATES, by Senator Hillyard, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Hillyard, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Stratford
Bangerter	Holmgren	Peterson, L.	Wayment
Barlow	Matheson	Pugh	Williams
Black	McAllister	Renstrom	Pres. Christensen
Bunnell	McMullin	Sowards	

Absent or not voting were: Senators

Barton	Finlinson	Peterson, Chuck	Sandberg
Carling	Money	Rogers	Swan
Cornaby	Overson		

SUB. S.B. No. 65 was returned to the House.

• • •

Mr. President: February 25, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **SUBSTITUTE S.B. No. 117**, INCOME TAX — FILING PENALTIES, by Senator Hillyard, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Hillyard, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, Chuck	Stratford
Bangerter	Matheson	Peterson, L.	Swan
Barlow	McAllister	Pugh	Wayment
Black	McMullin	Renstrom	Williams
Bunnell	Peterson, C.	Sowards	Pres. Christensen
Hillyard			

Absent or not voting were: Senators

Barton	Cornaby	Money	Rogers
Carling	Finlinson	Overson	Sandberg

SUB. S.B. No. 117 was returned to the House.

• • •

Mr. President: February 25, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **SUBSTITUTE S.B. No. 102**, PSC JURISDICTION OVER TELECOMMUNICATIONS CORPORATIONS, by Senator Hillyard, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Hillyard, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Sowards
Bangerter	Hillyard	Overson	Stratford
Barlow	Holmgren	Peterson, C.	Swan
Barton	Matheson	Peterson, Chuck	Wayment
Black	McAllister	Peterson, L.	Williams
Bunnell	McMullin	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Carling	Pugh	Rogers	Sandberg
Finlinson			

SUB. S.B. No. 102 was returned to the House.

• • •

Mr. President: February 25, 1985

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. 155**, HOSPITAL DISCIPLINARY PROCEEDINGS AMENDMENTS, by Senator Cornaby, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Cornaby, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Hillyard	Overson	Stratford
Bangerter	Holmgren	Peterson, C.	Swan
Barlow	Matheson	Peterson, Chuck	Wayment
Black	McAllister	Peterson, L.	Williams
Bunnell	McMullin	Renstrom	Pres. Christensen
Cornaby	Money	Sowards	

Absent or not voting were: Senators

Barton	Finlinson	Rogers	Sandberg
Carling	Pugh		

S.B. No. 155 was returned to the House.

• • •

Mr. President: February 25, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **SECOND SUBSTITUTE S.B. No. 171**, INSECT INFESTATION EMERGENCY CONTROL ACT, by Senator Money, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Money, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Comaby	Money	Sowards
Bangerter	Hillyard	Overson	Swan
Barlow	Holmgren	Peterson, C.	Wayment
Barton	Matheson	Peterson, Chuck	Williams
Black	McAllister	Peterson, L.	Pres. Christensen
Bunnell	McMullin	Renstrom	

Absent or not voting were: Senators

Carling	Pugh	Sandberg	Stratford
Finlinson	Rogers		

SECOND SUB. S.B. No. 171 was returned to the House.

• • •

Mr. President: February 26, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **S.B. No. 197**, WATER CONSERVANCY DISTRICT BOARD PER DIEM, by Senator Finlinson, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Finlinson, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Finlinson	Money	Rogers
Barlow	Hillyard	Overson	Sandberg
Barton	Holmgren	Peterson, C.	Sowards
Bunnell	Matheson	Peterson, Chuck	Stratford
Carling	McAllister	Pugh	Swan
Cornaby	McMullin	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Bangerter	Peterson, L.	Wayment	Williams
Black			

S.B. No. 197 was returned to the House.

• • •

Mr. President: February 25, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **S.B. No. 201,** MIDDLE FORK OGDEN RIVER APPROPRIATION, by Senator L. Peterson, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator L. Peterson, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 19; Nays, 4; Absent, 6

Voting in the affirmative were: Senators

Asay	Holmgren	Overson	Renstrom
Barton	Matheson	Peterson, C.	Sowards
Bunnell	McAllister	Peterson, Chuck	Wayment
Cornaby	McMullin	Peterson, L.	Pres. Christensen
Hillyard	Money	Pugh	

Voting in the negative were: Senators

Barlow	Black	Stratford	Swan (exp)

Absent or not voting were: Senators

Bangerter	Finlinson	Sandberg	Williams
Carling	Rogers		

S.B. No. 201 was transmitted to the House.

• • •

On motion of Senator McMullin, **SUB. H.B. No. 133,** MOTOR CARRIERS - REGULATIONS AMENDMENTS will be considered tomorrow between 9:30 a.m. to 9:50 a.m.

COMMUNICATION FROM THE HOUSE

Mr. President: February 25, 1985

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. 191,** ACCOUNTS RECEIVABLE COLLECTION, by Representative Burningham, 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. 76,** JUVENILE COURT - PERMANENT DEPRIVATION AMENDMENTS, by Representative Walker, 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. 95,** CAREER TEACHING SCHOLARSHIP FUND TAX CREDITS, by Representative Moss, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **SUBSTITUTE H.B. No. 131,** CONSERVATION EASEMENTS, by Representative Myrin, 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. 163,** DEPOSIT OF FINES AND PENALTIES COLLECTED BY THE DIVISION OF OIL, GAS, AND MINING, by Representative Dmitrich, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **SUBSTITUTE H.B. No. 170,** CLASS B AND C ROAD FUNDS, 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 concurred in the Senate amendments and passed **H.B. No. 294**, DISTRIBUTION OF LEGISLATIVE PUBLICATIONS, by Representative Moss, and the same is transmitted herewith for the signature of the President, and

Carole Peterson, Acting Chief Clerk

H.B. Nos. 191, 76, 95, SUB. H.B. No. 131, H.B. No. 168, SUB. H.B. No. 170 and **H.B. No. 294** were signed by the President of the Senate in open session and returned to the House for further action.

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Mr. President: February 25, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **S.J.R. No. 15**, WESTON E. HAMILTON COMMENDATION, by Senator C.E. 'Chuck' Peterson, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the Rules, **S.J.R. No. 17**, ALMA V. SMOOT RESOLUTION, by Senator Holmgren, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Carole Peterson, Acting Chief Clerk

S.J.R. No. 15 and **S.J.R. No. 17** were signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Lieutenant Governor.

•

Mr. President: February 25, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 24**, BOULDER TO BULLFROG SCENIC ROAD APPROPRIATION, by Senator Matheson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 93**, PHYSICIAN ASSISTANT AMENDMENTS, by Senator Carling, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **SECOND SUBSTITUTE S.B. No. 129,** ADMINISTRATIVE SERVICES ACT AMENDMENTS, by Senator Hillyard, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 134,** CORPORATE AND COMMERCIAL FILING AMENDMENTS, by Senator Cornaby, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 179,** INSURANCE FOR ADOPTED CHILDREN, by Senator Cornaby, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 240,** WATER DISTRICT INDEBTEDNESS 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 **SUBSTITUTE S.B. No. 52,** HANDICAPPED PARKING FINE AND TRANSFERABLE ID CARDS FOR THE HANDICAPPED, by Senator Overson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 141,** AGRICULTURAL FEE STRUCTURE 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 **S.B. No. 128,** LIVESTOCK HIGHWAY DEATH REPORTING, by Senator Hillyard, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 173,** BEEF PROMOTION FEES, by Senator L. Peterson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 33**, TITLE 53 - SCHOOL BUILDINGS AND CONSTRUCTION, by Senator Hillyard, 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. 96**, DRINKING WATER AND WASTEWATER LOAN PROGRAM, by Senator Finlinson, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 16**, SPECIAL IMPROVEMENT DISTRICT PROTESTS, by Senator Carling, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 25**, MUNICIPAL GOVERNMENT CHANGES AMENDMENT, by Senator Overson, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 101**, UNEMPLOYMENT COMPENSATION MODIFICATIONS, by Senator Peterson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 103**, PERSONAL CHOICE AND LIVING WILL ACT, 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 **SUBSTITUTE S.B. No. 153**, PRELITIGATION PANEL REQUIREMENT FOR MEDICAL MALPRACTICE CLAIMS, by Senator Pugh, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.B. Nos. 24 and **93**, **SECOND SUB. S.B. No. 129**, **S.B. Nos. 134, 179, 240**, **SUB. S.B. No. 52**, **S.B. Nos. 141, 128, 173, 33, 96, 16, 25, 101**, and **103** were signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

• • •

On motion of Senator Swan, the Senate voted to allow him to change his vote to Aye on **S.B. No. 201**, WOLFCREEK APPROPRIATION, and

On motion of Senator Barlow, the Senate voted to allow him to change his vote to Aye on **S.B. No. 201.**

The final vote on S.B. No. 201 was Yeas, 21; Nays, 2; Absent, 6

SECOND READING CALENDAR

On motion of Senator Sowards and under suspension of the rules, **H.B. No. 40**, UNIFORM FIREARMS LAWS, 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	Hillyard	Peterson, C.	Sandberg
Bangerter	Holmgren	Peterson, Chuck	Sowards
Barlow	Matheson	Peterson, L.	Stratford
Barton	McAllister	Pugh	Wayment
Carling	McMullin	Rogers	Pres. Christensen
Cornaby	Overson		

Voting in the negative were: Senators

Black	Swan	Williams

Absent or not voting were: Senators

Bunnell	Finlinson	Money	Renstrom

H.B. No. 40 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator Hillyard the rules were suspended and **H.B. No. 202**, HOMEOWNER ASSOCIATION CORPORATE TAX, was read the second and third times.

Mr. President: February 20, 1985

The Revenue and Taxation Standing Committee, to which was referred **H.B. No. 202**, HOMEOWNER ASSOCIATION CORPORATE TAX, by Representative Ray S.

Schmutz, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lyle W. Hillyard, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, C.	Sowards
Bangerter	Matheson	Peterson, Chuck	Stratford
Barlow	McAllister	Pugh	Swan
Barton	McMullin	Renstrom	Wayment
Cornaby	Money	Rogers	Williams
Hillyard	Overson	Sandberg	Pres. Christensen

Absent or not voting were: Senators

Black	Carling	Finlinson	Peterson, L.
Bunnell			

H.B. No. 202 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator Sandberg the rules were suspended and **H.B. No. 14,** COUNTY SERVICE AREA ACT, was read the second and third times.

Mr. President: February 20, 1985

The State and Local Affairs Standing Committee, to which was referred **H.B. No. 14,** COUNTY SERVICE AREA ACT, by Representative Donna M. Dahl, has carefully considered the bill and reports it out of committee with a favorable recommendation.

K.S. Cornaby, Committee Chairman

Committee report read and adopted. Senators Swan and Renstrom commented. The bill passed on the following roll call:

Yeas, 24; Nays, 2; Absent, 3

Voting in the affirmative were: Senators

Asay	Cornaby	McMullin	Renstrom
Bangerter	Finlinson	Money	Rogers

Barlow	Hillyard	Overson	Sandberg
Barton	Holmgren	Peterson, C.	Sowards
Bunnell	Matheson	Peterson, Chuck	Wayment
Carling	McAllister	Pugh	Pres. Christensen

Voting in the negative were: Senators

Stratford	Swan

Absent or not voting were: Senators

Black	Peterson, L.	Williams

H.B. No. 14 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator McMullin, and under suspension of the rules, the following bills were lifted to the top of the calendar for immediate consideration. **H.B. Nos. 328, 356, 388, 404, 307** and **160.**

• • •

On motion of Senator Hillyard the rules were suspended and **H.B. No. 328,** PROPERTY TAX ASSESSMENT CHANGE, 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

Bangerter	Hillyard	Overson	Rogers
Barlow	Holmgren	Peterson, C.	Sandberg
Barton	Matheson	Peterson, Chuck	Stratford
Carling	McAllister	Peterson, L.	Swan (exp)
Cornaby	McMullin	Pugh	Williams
Finlinson	Money	Renstrom	Pres. Christensen

Absent or not voting were: Senators

Asay	Bunnell	Sowards	Wayment
Black			

H.B. No. 328 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator McAllister the rules were suspended and **H.B. No. 356,** TAX DUE DATES 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	Hillyard	Overson	Rogers
Bangerter	Holmgren	Peterson, C.	Sandberg
Barlow	Matheson	Peterson, Chuck	Stratford
Barton	McAllister	Peterson, L.	Swan
Carling	McMullin	Pugh	Pres. Christensen
Cornaby	Money	Renstrom	

Absent or not voting were: Senators

Black	Finlinson	Wayment	Williams
Bunnell	Sowards		

H.B. No. 356 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator Hillyard the rules were suspended and **H.B. No. 388,** TAX INCREASE DISCLOSURE ACT, was read the second and third times and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Sowards
Bangerter	Hillyard	Peterson, C.	Stratford
Barlow	Holmgren	Peterson, Chuck	Swan
Barton	Matheson	Pugh	Wayment
Black	McAllister	Renstrom	Williams
Bunnell	McMullin	Rogers	Pres. Christensen
Carling	Money	Sandberg	

Absent or not voting were: Senators

Finlinson	Peterson, L.

H.B. No. 388 was signed by the President of the Senate in open session and returned to the House for further action.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 26, 1985

I am directed to inform the Senate that the House of Representatives has this day rejected **S.B. No. 56, TRAPPER'S LOOP ROAD AMENDMENT AND APPROPRIATION**, by Senator Stratford, and the same is returned herewith.

Carole E. Peterson, Acting Chief Clerk

SECOND READING CALENDAR

On motion of Senator Barlow the rules were suspended and **H.B. No. 404, PROPERTY TAX ASSESSMENT AMENDMENTS**, 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	Finlinson	Overson	Sandberg
Bangerter	Hillyard	Peterson, C.	Stratford
Barlow	Holmgren	Peterson, Chuck	Swan
Barton	Matheson	Pugh	Wayment
Bunnell	McAllister	Renstrom	Williams
Carling	McMullin	Rogers	Pres. Christensen
Cornaby	Money		

Absent or not voting were: Senators

Black	Peterson, L.	Sowards

H.B. No. 404 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

H.B. No. 307, INTEREST RATES ON DELINQUENT TAXES was read the second time. On motion of Senator Rogers, the bill was circled.

• • •

On motion of Senator Hillyard the rules were suspended and **SUB. H.B. 160,** PROPERTY TAX COLLECTION COSTS was read the second time.

Karl L. Hinderson, Deputy of Salt Lake County, Attorney and Mark K. Buchi, Chairman of Utah Tax Commission spoke in Committee of the Whole. Senators Matheson, McAllister, C.E. Peterson and Pugh commented.

The bill passed on the following roll call:

Yeas, 23; Nays, 2; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Cornaby	Overson	Sandberg
Barlow	Hillyard	Peterson, C.	Swan
Barton	Holmgren	Peterson, L.	Wayment
Black	McAllister	Pugh	Williams
Bunnell	McMullin	Renstrom	Pres. Christensen
Carling	Money	Rogers	

Voting in the negative were: Senators

Matheson (exp)	Peterson, Chuck

Absent or not voting were: Senators

Asay	Finlinson	Sowards	Stratford

• • •

H.C.R. No. 25, UNITARY TAX RESOLUTION was read the second time.

On motion of Senator Pugh **H.C.R. No. 25** was amended as follows:

Page 2, Line 18:
Delete "regulatory" and insert "rulemaking"

Page 2, Line 18:
After "authority" insert "taxpayer's option for"

Page 2, Line 9:
After "method" insert "and that any such rule become effective upon final adoption by the commission and become operative upon adoption by the federal government of legislation or regulations to fulfill it responsibility for increased administrative assistance and cooperation to promote full taxpayer disclosure and accountability.

BE IT FURTHER RESOLVED that the Legislature urge the United States Congress to adopt such legislation or regulation, and that a copy of this resolution be forwarded to the Congress for this purpose."

The resolution passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Barlow	Hillyard	Peterson, C.	Stratford
Barton	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Peterson, L.	Wayment
Bunnell	McAllister	Pugh	Williams
Carling	McMullin	Renstrom	Pres. Christensen
Cornaby	Overson	Sandberg	

Voting in the negative was: Senator
Rogers

Absent or not voting were: Senators

Asay	Finlinson	Money	Sowards
Bangerter			

• • •

On motion of Senator Cary Peterson, the circle was removed from **H.B. No. 307,** INTEREST RATE ON DELINQUENT TAXES, and the bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barlow	Matheson	Peterson, Chuck	Sandberg
Barton	McAllister	Peterson, L.	Stratford
Carling	McMullin	Pugh	Swan
Cornaby	Overson	Renstrom	Wayment
Hillyard	Peterson, C.	Rogers	Pres. Christensen
Holmgren			

Absent or not voting were: Senators

Asay	Black	Finlinson	Sowards
Bangerter	Bunnell	Money	Williams

• • •

On motion of Senator Hillyard the rules were suspended and **H.B. No. 120,** GOVERNMENTAL IMMUNITY ACT MODIFICATIONS, was read the second and third times.

Mr. President: February 20, 1985

The State and Local Affairs Standing Committee, to which was referred **H.B. No. 120,** GOVERNMENTAL IMMUNITY ACT MODIFICATIONS, by Representative Gayle F. McKeachnie, has carefully considered the bill and reports it out of committee with a favorable recommendation.

K.S. Cornaby, Committee Chairman

Committee report read and adopted. Stephen Sorenson with the Attorney General's Office spoke in Committee of the Whole.

Senator Matheson commented. The bill passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Bunnell	Matheson	Renstrom	Wayment
Carling	McMullin	Rogers	Pres. Christensen
Finlinson	Overson	Sandberg	

Absent or not voting were: Senators

Bangerter	Cornaby	Peterson, L.	Swan
Barton	McAllister	Pugh	Williams
Black	Money		

H.B. No. 120 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator Hillyard the rules were suspended and **SUB. H.B. No. 140,** INFORMATION PRACTICES AMENDMENTS, 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	Hillyard	Peterson, C.	Stratford
Bangerter	Holmgren	Peterson, Chuck	Swan
Barlow	Matheson	Pugh	Wayment
Black	McMullin	Renstrom	Williams
Bunnell	Money	Rogers	Pres. Christensen
Carling	Overson	Sandberg	

Absent or not voting were: Senators

Barton	Finlinson	Peterson, L.	Sowards
Cornaby	McAllister		

SUB. H.B. No. 140 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

The Senate recessed at 3:45 p.m., and reassembled at 4:10 p.m.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 25, 1985

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. 82,** STATE WATER AUTHORITY, by Senator Finlinson, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Finlinson, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 11

Voting in the affirmative were: Senators

Asay	Cornaby	Peterson, Chuck	Sandberg
Barlow	Finlinson	Peterson, L.	Stratford
Barton	Hillyard	Pugh	Swan
Black	Matheson	Renstrom	Pres. Christensen
Carling	Overson		

Absent or not voting were: Senators

Bangerter	McAllister	Peterson, C.	Wayment
Bunnell	McMullin	Rogers	Williams
Holmgren	Money	Sowards	

S.B. No. 82 was returned to the House.

• • •

SUB. H.B. No. 118, EMERGENCY MEDICAL SERVICES GRANTS PROGRAM, was read the second time.

Mr. President: February 20, 1985

The Health Standing Committee, to which was referred **SUBSTITUTE H.B. No. 118,** EMERGENCY MEDICAL SERVICES GRANTS PROGRAM, by Representative Jack F. DeMann, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Ivan M. Matheson, Committee Chairman

Committee report read and adopted. Senators Stratford and Black commented.

On motion of Senator Finlinson, the bill was circled.

• • •

On motion of Senator Carling, the rules were suspended, and **H.B. No. 5,** GARNISHMENT LIEN LAW, was read the second and third times.

Mr. President: February 22, 1985

The Business, Labor and Economic Development Standing Committee, to which was referred **H.B. No. 5,** GARNISHMENT LIEN LAW, by Representative R. Haze Hunter, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lowell S. Peterson, Committee Chairman

Committee report read and adopted. Senators Black and Stratford commented. The bill failed on the following roll call:

Yeas, 14; Nays, 6; Absent, 9

Voting in the affirmative were: Senators

Barlow	Cornaby	Peterson, C.	Pugh
Barton	Holmgren	Peterson, Chuck	Sandberg
Black	McAllister	Peterson, L.	Swan
Carling	Overson		

Voting in the negative were: Senators

Asay	Renstrom	Williams	Pres. Christensen
Hillyard	Stratford		

Absent or not voting were: Senators

Bangerter	Matheson	Money	Sowards
Bunnell	McMullin	Rogers	Wayment
Finlinson			

Senator Carling, having voted on the prevailing side and under suspension of the rules, served notice that he may ask the Senate to reconsider its action.

COMMUNICATION FROM THE HOUSE

Mr. President: February 26, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **S.B. No. 209,** DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING, by Senator Cornaby, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Cornaby, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, C.	Sandberg
Bangerter	Hillyard	Peterson, Chuck	Sowards
Barlow	Holmgren	Peterson, L.	Stratford
Barton	McAllister	Pugh	Swan
Black	McMullin	Renstrom	Williams
Carling	Overson	Rogers	Pres. Christensen
Cornaby			

Absent or not voting were: Senators
Bunnell Matheson Money Wayment

S.B. No. 209 was transmitted to the House.

• • •

Mr. President: February 26, 1985

I am directed to inform the Senate that the House of Representatives, on reconsideration, has this day concurred in the Senate amendments and passed, **SUBSTITUTE H.B. No. 180,** OIL, GAS, AND MINING AMENDMENT, by Representative Christensen, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives, on reconsideration, has this day concurred in the Senate amendments and passed, **H.B. No. 132,** UTAH CORRECTIONAL INDUSTRIES ACT, by Representative Jenkins, 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, on reconsideration, has this day concurred in the Senate amendments and passed, **H.B. No. 195,** UTAH PRIVATE ACTIVITY BOND CEILING ALLOCATION ACT, by Representative DeMann, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

SUB. H.B. No. 180, H.B. Nos. 132 and 195 were signed by the President of the Senate in open session and returned to the House for further action.

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Mr. President: February 26, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, **S.B. No. 144,** EXEMPTIONS TO GENERAL COUNTY MILL LEVY CEILINGS, by Senator Finlinson, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, **S.B. No. 131,** INDUSTRIAL FACILITIES DEVELOPMENT ACT AMENDMENTS, by Senator Sowards, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, **SECOND SUBSTITUTE S.B. No. 94,** SALARY ADJUSTMENT AMEND-

MENTS, by Senator Pugh, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, **SUBSTITUTE S.B. No. 76,** FUNDING OF MUNICIPAL SERVICES, by Senator McMullin, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, **SUBSTITUTE S.B. No. 53,** MUNICIPAL FISCAL PROCEDURES AMENDMENT, by Senator Overson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.B. Nos. 144 and 131, SECOND SUB. S.B. No. 94, SUB. S.B. Nos. 76 and 53 were signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

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On motion of Senator Carling, **H.B. No. 5,** GARNISHMENT LIEN LAW, was before the Senate, and passed on reconsideration and on the following roll call:

Yeas, 23; Nays, 3; Absent, 3

Voting in the affirmative were: Senators

Asay	Carling	Money	Rogers
Bangerter	Cornaby	Overson	Sandberg
Barlow	Finlinson	Peterson, C.	Sowards
Barton	Holmgren	Peterson, Chuck	Swan
Black	McAllister	Peterson, L.	Wayment
Bunnell	McMullin	Pugh	

Voting in the negative were: Senators

Stratford	Williams	Pres. Christensen

Absent or not voting were: Senators

Hillyard	Matheson	Renstrom

H.B. No. 5 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator Finlinson, the circle was removed from **SUB. H.B. No. 118**, EMERGENCY MEDICAL SERVICES GRANTS PROGRAM, and the bill was read the third time and before the Senate. Senators Stratford, Bangerter, Rogers, Black, Williams, McAllister and McMullin commented.

The bill passed on the following roll call:

Yeas, 17; Nays, 9; Absent, 3

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, Chuck	Sowards
Bangerter	Holmgren	Pugh	Swan (exp)
Barlow	Money	Renstrom	Wayment (exp)
Barton	Peterson, C.	Sandberg	Williams
Bunnell			

Voting in the negative were: Senators

Black (exp)	Hillyard (exp)	McMullin	Stratford
Carling	McAllister	Rogers (exp)	Pres. Christensen
Cornaby			

Absent or not voting were: Senators

Matheson	Overson	Peterson, L.

SUB. H.B. No. 118 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

Senator Pugh's motion to reconsider **SUB. H.B. No. 62**, STATE ZOO AMENDMENTS, under suspension of the rules, passed on the following roll call:

Yeas, 24; Nays, 5; Absent, 0

Voting in the affirmative were: Senators

Asay	Carling	Peterson, C.	Sowards (exp)
Bangerter	Cornaby	Peterson, Chuck	Stratford
Barlow	Finlinson	Peterson, L.	Swan
Barton	McMullin	Pugh	Wayment
Black	Money	Rogers	Williams
Bunnell	Overson	Sandberg	Pres. Christensen

Voting in the negative were: Senators

Hillyard	Matheson	McAllister	Renstrom
Holmgren			

On motion of Senator Pugh, and under suspension of the rules, **SUB. H.B. No. 62,** was read the third time and before the Senate on reconsideration.

On motion of Senator Pugh, **SUB. H.B. No. 62** was amended as follows:

Page 1, Between Lines 23 and 24:
Insert "Be it enacted by the Legislature of the State of Utah."

Page 1, Line 27:
Delete "is" and insert in lieu thereof "are"

The bill passed on reconsideration and on the following roll call:

Yeas, 24; Nays, 5; Absent, 0

Voting in the affirmative were: Senators

Asay	Carling	Overson	Sandberg
Bangerter	Cornaby	Peterson, C.	Sowards (exp)
Barlow	Finlinson	Peterson, Chuck	Swan
Barton	Matheson	Peterson, L.	Wayment
Black	McMullin	Pugh	Williams
Bunnell	Money	Rogers	Pres. Christensen

Voting in the negative were: Senators

Hillyard	McAllister	Renstrom (exp)	Stratford
Holmgren			

SUB. H.B. No. 62, as amended and on reconsideration, was returned to the House.

• • •

On motion of Senator Barlow, and under suspension of the rules, **H.B. No. 171,** JUROR COMPETENCY IN CASES INVOLVING ORDINANCES, was before the Senate on reconsideration.

On motion of Senator Stratford, **H.B. No. 171** was amended as follows:

Page 1, Line 31:
Delete "ordinances" and insert "ordinance"

The bill passed on the following roll call:

Yeas, 24; Nays, 2; Absent, 3

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Sandberg
Bangerter	Finlinson	Overson	Sowards
Barlow	Hillyard	Peterson, C.	Stratford
Barton	Holmgren	Peterson, Chuck	Wayment
Black	Matheson	Pugh	Williams
Bunnell	McAllister	Renstrom	Pres. Christensen

Voting in the negative were: Senators

Rogers	Swan

Absent or not voting were: Senators

Carling	McMullin	Peterson, L.

H.B. No. 171, as amended, was returned to the House.

SENATE RULES

On motion of Senator Finlinson, the Senate voted to delete Nos. 1, 2, and 3 from Senate Rule 34.01, Suspension of Rules (Page 164) Change "4" to "1"

The motion passed on the following roll call:

Yeas, 23; Nays, 3; Absent, 3

Voting in the affirmative were: Senators

Bangerter	Finlinson	Peterson, Chuck	Sowards
Barlow	Matheson	Peterson, L.	Stratford
Barton	McAllister	Pugh	Swan
Black	McMullin	Renstrom	Wayment
Carling	Money	Rogers	Pres. Christensen
Cornaby	Peterson, C.	Sandberg	

Voting in the negative were: Senators

Hillyard	Overson	Williams

Absent or not voting were: Senators
Asay Bunnell Holmgren

SECOND READING CALENDAR

On motion of Senator Pugh, **SUB. H.B. No. 103,** SALES AND USE TAX EXEMPTION FOR MANUFACTURING MACHINERY AND EQUIPMENT, was before the Senate.

On motion of Senator Pugh, **SUB. H.B. No. 103,** was amended as follows:

Page 1, Line 15:
After the word "UTAH;" insert "EXTENDING THE SALES AND USE TAX EXEMPTION FOR POLLUTION CONTROL EQUIPMENT;"

Page 1, Line 19:
After line 19, insert: "26-13-27, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-13-28, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981"

Page 1, Line 22:
After line 22, insert the following new sections: "Section 1. Section 26-13-27, UTAH CODE ANNOTATED 1953, as enacted by Chapter 126, Laws of Utah 1981, is amended to read:

26-13-27. (1) A person who qualifies under Subsection (2) may apply to the committee for certification of a pollution control facility or facilities erected, constructed, or installed, or to be erected, constructed, or installed in the state after December 31, 1972, or on or before January 31, 1985, and after June 30, 1986, or on or before January 31, 1991. An application may be filed at any time after a firm construction contract has been entered or construction has commenced.

(2) A person who applies under Subsection (1) [~~must~~] shall be the owner of a trade or business that utilizes property in the state requiring a pollution control facility to prevent or minimize pollution or a person who, as a lessee or pursuant to an agreement, conducts the trade or business that operates or utilizes such property, and the facility [~~must~~] shall be owned, operated, or leased during a part of the tax year in which the exemption is claimed. An exemption may be claimed only in those tax years which begin on or after January 1, 1973, and on or before January 31, 1985, and after June 30, 1986, or on or before January 31, 1991. As used in this subsection, "owner" includes a contract purchaser.

(3) An application shall be in writing on a form prescribed by the committee, contain a description of the facilities and materials incorporated therein, the machinery and equipment, the existing or proposed operational procedure, and a statement of the purpose of pollution prevention, control, or reduction served or to be served by the facility or facilities. The committee may require any further information it deems necessary before issuance of a certificate.

Section 2. Section 26-13-28, Utah Code Annotated 1953, as enacted by Chapter 126, Laws of Utah 1981, is amended to read:

26-13-28. (1) If the committee finds that a pollution control facility or party thereof, for which application is made under Section 26-13-27 was or is to be erected, constructed, acquired, or installed after December 31, 1972, on or before January 31, 1985, and after June 30, 1986, or on or before January 31, 1991, and is designed and is being operated or will operate to a substantial extent for the purpose of preventing, controlling, or reducing air or water pollution, and that the applicant qualifies under Subsection 26-13-27(2), it shall certify such facility. Where one or more facilities constitute an operational unit, the committee may certify such facilities under one certificate.

(2) The committee shall act on an application under Section 26-13-27 before the 120th day after filing. If the committee rejects an application, it shall cause written notice of its action, and a concise statement of the findings and reasons therefore, to be sent by registered or certified mail to the applicant before the 120th day after filing. Failure of the committee to timely act constitutes automatic acceptance of the application and [~~such~~] the committee shall thereafter furnish a certificate to the applicant on demand. If the application is rejected, the applicant may appeal as provided in Section 26-13-17. Rejection is [~~final and~~] conclusive on all parties unless the applicant appeals[~~;~~] before the 30th day after receipt of rejection."

Renumber the remaining Sections.

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, 20; Nays, 6; Absent, 3

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, L.	Sowards
Barlow	McMullin	Pugh	Stratford
Barton	Overson	Renstrom	Swan
Bunnell	Peterson, C.	Rogers	Wayment
Carling	Peterson, Chuck	Sandberg	Pres. Christensen

Voting in the negative were: Senators

Bangerter	Holmgren	McAllister	Williams
Hillyard	Matheson		

Absent or not voting were: Senators

Black	Cornaby	Money

SUB. H.B. No. 103, as amended, was returned to the House.

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On motion of Senator Matheson, the rules were suspended and **H.B. No. 37,** WATER CONDITIONER INSTALLERS, was read the second and third times.

Mr. President: February 22, 1985

The Business, Labor and Economic Development Standing Committee, to which was referred **H.B. No. 37,** WATER CONDITIONER INSTALLERS, by Representative Carl D. Anderson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lowell S. Peterson, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 20; Nays, 1; Absent, 8

Voting in the affirmative were: Senators

Asay	Carling	McMullin	Rogers
Bangerter	Hillyard	Peterson, C.	Sandberg
Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	Matheson	Pugh	Swan
Bunnell	McAllister	Renstrom	Pres. Christensen

Voting in the negative was: Senator

Wayment

Absent or not voting were: Senators

Black	Finlinson	Overson	Sowards
Cornaby	Money	Peterson, L.	Williams

H.B. No. 87 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator Overson the rules were suspended and **H.B. No. 65,** EXEMPTION FROM WORKMEN'S COMPENSATION was read the second and third times.

Mr. President: February 22, 1985

The Business, Labor and Economic Development Standing Committee, to which was referred **H.B. No. 65,** EXEMPTION FROM WORKMEN'S COMPENSATION, by Representative Joseph A. Jenkins, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lowell S. Peterson, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 20; Nays, 3; Absent, 6

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, C.	Sandberg
Barlow	Matheson	Peterson, Chuck	Sowards
Barton	McAllister	Peterson, L.	Wayment
Bunnell	McMullin	Pugh	Williams
Hillyard	Overson	Rogers	Pres. Christensen

Voting in the negative were: Senators

Black	Renstrom	Swan

Absent or not voting were: Senators

Bangerter	Cornaby	Money	Stratford
Carling	Finlinson		

H.B. No. 65 was signed by the President of the Senate in open session and returned to the House for further action.

COMMUNICATION FROM THE HOUSE

Mr. President: February 26, 1985

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. 105,** DAY CARE OPERATIONS AMENDMENT, by Representative Phelps, et al, and requests the Senate to recede from its amendments.

Carole E. Peterson, Acting Chief Clerk

President Christensen appointed a Conference Committee consisting of Sentors Money, Overson and McAllister, to meet with a like committee from the House to consider the bill.

H.B. No. 105 was returned to the House.

RULES COMMITTEE

Senators Renstrom, Barton, Sowards, Cary Peterson and Bunnell discussed the Rules Committee and the bills remaining in Rules Committee.

THIRD READING CALENDAR

On motion of Senator Rogers **H.B. No. 25,** DIVORCE LAW WAITING PERIOD. was placed on Third Reading Calendar for consideration tomorrow.

SECOND READING CALENDAR

On motion of Senator Sowards the rules were suspended and **H.B. No. 174,** RATES FOR ELECTRIC COOPERATIVES, was read the second and third times.

Mr. President: February 22, 1985

The Business, Labor and Economic Development Standing Committee, to which was referred **H.B. No. 174,** RATES FOR ELECTRIC COOPERATIVES, by Representative Alarik Myrin, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lowell S. Peterson, Committee Chairman

Committee report read and adopted. Senators Cary Peterson, Bunnell and Sowards commented.

Eugene S. Lambert, Director of the Division of Public Utilities spoke in Committee of the Whole.

Senator Bunnell moved an amendment that failed.

The bill passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, C.	Sowards
Bangerter	Hillyard	Peterson, Chuck	Stratford
Barlow	Holmgren	Pugh	Swan
Barton	Matheson	Renstrom	Wayment
Bunnell	McMullin	Rogers	Williams
Carling	Money	Sandberg	Pres. Christensen

Voting in the negative were: Senators
McAllister

Absent or not voting were: Senators

Black	Cornaby	Overson	Peterson, L.

H.B. No. 174, was signed by the President of the Senate in open session and returned to the House for futher action.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 26, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 107,** DFCM AMENDMENTS, by Senator Sandberg, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 278,** HEATH INSURANCE BENEFITS, by Senator Black, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 279,** SPOUSE OF THE GOVERNOR, by Senator Rogers, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **SUBSTITUTE S.B. No. 138,** APPOINTED OFFICIALS' SALARIES, by Senator McAllister, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.B. Nos. 107, 278, 279 and **SUB. S.B. No. 138** were signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

RULES COMMITTEE REPORTS

Mr. President: February 25, 1985

The Senate Sifting (Rules) Committee, to which were referred the following House Bills and Resolutions:

H.B. No. 309	EXPANSION OF INTERSTATE BANKING
SECOND SUB.	
H.B. No. 284	REAL ESTATE AMENDMENTS
H.B. No. 285	AMENDMENTS TO TIMESHARE SALES PRACTICES
H.B. No. 227	NOTICE OF BUYER'S RIGHT TO CANCEL
H.B. No. 210	UNFAIR COMPETITION IN RIDESHARING
H.B. No. 277	ZONING OF RESIDENTIAL FACILITIES FOR MENTALLY ILL AND HANDICAPPED
SUB. H.B. No. 339	PROTECTION OF PUBLIC EMPLOYEES ACT
H.C.R. No. 11	SURFACE MINING COOPERATIVE AGREEMENT RESOLUTION
H.J.R. No. 17	PRESIDENTIAL LINE ITEM VETO RESOLUTION
H.B. No. 154	SCHOOL RESIDENCY AMENDMENTS

reports the same back and recommends that they be placed on the Second Reading Calendar in the above order.

Glade M. Sowards
Rules Committee Chairman

The bills were placed on Second Reading Calendar.

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Mr. President: February 26, 1985

The Senate Sifting (Rules) Committee, to which were referred the following House Bills:

H.B. No. 207	UTAH TECHNICAL COLLEGE IN SALT LAKE REVENUE BONDS
H.B. No. 275	SECOND INJURY DISABILITY BENEFITS
H.B. No. 101	MUNICIPAL BOND ACT AMENDMENTS
SUB. H.B. No. 266	AGRICULTURAL CODE CIVIL PENALTY AMENDMENTS
H.B. No. 317	VEHICLE SIZE AND WEIGHT REGULATION
H.B. No. 333	MUNICIPAL BUILDING AUTHORITY LEASES
H.B. No. 286	LOCAL ALCOHOL AND DRUG AUTHORITY
H.B. No. 299	RETIREMENT LAW AMENDMENTS
H.B. No. 244	POST-RETIREMENT EMPLOYMENT
H.B. No. 215	COMMUNICATIONS FRAUD

reports the same back and recommends that they be placed on the Second Reading Calendar in the above order.

Glade M. Sowards
Rules Committee Chairman

The bills were placed on Second Reading Calendar.

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On motion of Senator Cary Peterson, and at 6:15 p.m., the Senate adjourned until 8:00 a.m., Wednesday, February 27, 1985.

FORTY FIFTH DAY

MORNING SESSION

The Senate was called to order at 8:00 a.m. with President Arnold Christensen presiding.

Roll Call — All Senators present.

Prayer — Senator Lowell S. Peterson

READING OF TITLES OF BILLS AND RESOLUTIONS

Please refer to Day 1, Page 88

DAILY SENATE JOURNAL

Mr. President: February 27, 1985

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the forty fourth day and find it correct with minor amendments noted on the final copy.

C.E. 'Chuck' Peterson
Committee Chairman

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 26, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **SUBSTITUTE S.B. No. 164,** INCENTIVES FOR EXCELLENCE IN PUBLIC SCHOOL DISTRICTS, by Senator L. Peterson, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator L. Peterson, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Stratford
Bangerter	Matheson	Peterson, Chuck	Swan
Barton	McAllister	Peterson, L.	Wayment
Bunnell	McMullin	Pugh	Williams
Cornaby	Overson	Rogers	Pres. Christensen

Absent or not voting were: Senators

Barlow	Finlinson	Money	Sandberg
Black	Holmgren	Renstrom	Sowards
Carling			

SUB. S.B. No. 164 was transmitted to the House.

• • •

Mr. President: February 26, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, **S.B. No. 254,** CONTROLLED SUBSTANCE ACT, by Senator Cornaby, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, **S.B. No. 262,** FINANCIAL INSTITUTION 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.

Carole E. Peterson, Acting Chief Clerk

S.B. Nos. 254 and **262** were signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

THIRD READING CALENDAR

On motion of Senator McMullin, **H.B. No. 241,** CLEAR CREEK CANYON APPROPRIATION, was read the third time, and circled.

• • •

H.B. No. 75, COURT COMMISSIONER — DOMESTIC MATTERS, was read the third time, and passed on the following roll call:

Yeas, 19; Nays, 2; Absent, 8

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, L.	Swan
Bangerter	McAllister	Renstrom	Wayment
Barton	McMullin	Sandberg	Williams
Bunnell	Peterson, C.	Sowards	Pres. Christensen
Cornaby	Peterson, Chuck	Stratford	

Voting in the negative were: Senators
Matheson Overson

Absent or not voting were: Senators

Barlow	Carling	Hillyard	Pugh
Black	Finlinson	Money	Rogers

H.B. No. 75 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

SUB. H.B. No. 50, LEASE PURCHASE AGREEMENTS, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	Matheson	Peterson, L.	Swan
Black	McAllister	Renstrom	Wayment
Bunnell	McMullin	Rogers	Williams
Cornaby	Overson	Sandberg	Pres. Christensen

Voting in the negative was: Senator
Asay

Absent or not voting were: Senators

Carling	Finlinson	Money	Pugh

SUB. H.B. No. 50 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

H.B. No. 121, JUVENILE COURT DISTRICTS AND JUDGES, 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	Hillyard	Peterson, C.	Sowards
Bangerter	Holmgren	Peterson, Chuck	Stratford
Barlow	Matheson	Peterson, L.	Swan
Barton	McAllister	Pugh	Wayment
Bunnell	McMullin	Renstrom	Williams
Cornaby	Overson	Sandberg	Pres. Christensen

Absent or not voting were: Senators

Black	Finlinson	Money	Rogers
Carling			

H.B. No. 121, as amended, was returned to the House.

• • •

SUB. H.B. No. 217, ADMINISTRATIVE RULEMAKING ACT, was read the third time and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, Chuck	Sowards
Bangerter	Matheson	Peterson, L.	Stratford
Barlow	McAllister	Pugh	Swan
Barton	McMullin	Renstrom	Wayment
Bunnell	Overson	Rogers	Williams
Cornaby	Peterson, C.	Sandberg	Pres. Christensen
Hillyard			

Absent or not voting were: Senators

Black	Carling	Finlinson	Money

SUB. H.B. No. 217 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

S.B. No. 291, SCHOOL FINANCE ACT AMENDMENTS, was read the third time and before the Senate.

Senator Barton moved the following amendment:

Page 8, Line 31:
Insert: "Each school district participating in the career ladder program will spend no less than 10% of the total district allocation for paying a performance bonus to teachers judged by the district as being outstanding in regular classroom performance. In no instance will an annual bonus be less than $1,000. Teacher and parent representatives will be included in the formulation of the district evaluation system to be implemented."

Senators Bunnell, L. Peterson and Sandberg commented.

The following substitute motion by Senator Overson passed, and was incorporated in the bill:

Page 8, Line 31:
Insert: "Each school district participating in the career ladder program will spend no less than 10% of the total district allocation for paying a performance bonus to teachers judged by the district as being outstanding in regular classroom performance. Teacher and parent representatives will be included in the formulation of the district evaluation system to be implemented."

Senator L. Peterson moved that on Goldenrod: Page 5, Line 13: "21.28" be deleted and "22.18" restored.

Several Senators commented.

Senator L. Peterson amended his motion to delete all of the amendments placed in the bill yesterday by Senator Pugh, returning the bill to the language as introduced with the single exception of the Overson amendment placed in the bill this day. The motion passed.

The bill passed on the following roll call.

Yeas, 20; Nays, 2; Absent, 7

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, Chuck	Sowards
Bangerter	McAllister	Peterson, L.	Stratford
Barlow	McMullin	Pugh	Swan
Bunnell	Overson	Renstrom	Wayment
Hillyard	Peterson, C.	Rogers	Pres. Christensen

Voting in the negative were: Senators
Matheson Sandberg

Absent or not voting were: Senators

Barton	Carling	Finlinson	Williams
Black	Cornaby	Money	

S.B. No. 291, as amended, was transmitted to the House.

RULES COMMITTEE REPORT

Mr. President: February 27, 1985

The Senate Rules Committee, to which was referred the following Senate Bill:

S.B. No. 248 LEGISLATIVE AND CONGRESSIONAL LICENSE PLATE

reports the same back and recommends that it be placed on the Second Reading Calendar.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted.

On motion of Senator Sowards, the rules were suspended, and the bill 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	Holmgren	Peterson, L.	Sowards
Bangerter	McAllister	Pugh	Stratford
Barlow	McMullin	Renstrom	Swan
Barton	Overson	Rogers	Wayment
Cornaby	Peterson, C.	Sandberg	Pres. Christensen
Hillyard	Peterson, Chuck		

Voting in the negative were: Senators
Bunnell Matheson

Absent or not voting were: Senators

Black	Finlinson	Money	Williams
Carling			

S.B. No. 243 was transmitted to the House.

THIRD READING CALENDAR

H.B. No. 241, CLEAR CREEK CANYON APPROPRIATION, was uncircled and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Asay	Holmgren	Peterson, L.	Stratford
Barlow	McAllister	Renstrom	Swan
Barton	McMullin	Rogers	Wayment
Bunnell	Overson	Sandberg	Williams
Cornaby	Peterson, C.	Sowards	Pres. Christensen
Hillyard	Peterson, Chuck		

Absent or not voting were: Senators

Bangerter	Carling	Matheson	Pugh
Black	Finlinson	Money	

H.B. No. 241 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

SUB. H.B. No. 160, PROPERTY TAX COLLECTION COSTS, was read the third time and before the Senate.

Senators McAllister, Matheson, Bunnell and L. Peterson commented.

The bill passed on the following roll call:

Yeas, 22; Nays, 4; Absent, 3

Voting in the affirmative were: Senators

Barlow	Hillyard	Peterson, Chuck	Sandberg
Barton	Holmgren	Peterson, L.	Stratford
Black	McMullin	Pugh	Swan
Bunnell	Money	Renstrom	Williams
Carling	Overson	Rogers	Pres. Christensen
Cornaby	Peterson, C.		

Voting in the negative were: Senators

Asay	Bangerter	Matheson	McAllister

Absent or not voting were: Senators

Finlinson	Sowards	Wayment

SUB. H.B. No. 160 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

Senators Pugh and L. Peterson clarified the motion to delete the Pugh amendments to **S.B. No. 291**, SCHOOL FINANCE ACT AMENDMENTS. The motion referred to deleting amendments regarding the mill levy, and the following amendments remain in the bill:

Page 20, Line 17:
Delete "II" and insert in lieu thereof "III"

Page 41, Line 3:
After "1986." insert "It is the intent of the Legislature that the $12,000,000 State contribution be fully funded. If shortfalls in mineral lease funds occur, this funding shall not be reduced accordingly."

• • •

H.C.R. No. 25, UNITARY TAX RESOLUTION, was read the third time and before the Senate. Senator Pugh explained the resolution.

Senator McAllister moved the following amendments:

Page 2, Line 10:
After "RESOLVED" delete the language starting with "that the Legislature" and ending with "BE IT FURTHER RESOLVED" on line 16

Goldenrod: Page 2, after Line 19h:
After line 19 insert the following language: "BE IT FURTHER RESOLVED that the Tax Commission report in detail to the next general session of the Legislature and to the governor its regulatory policy on the "water's edge" unitary method."

Senator Pugh's substitute motion to delete the amendment on Page 2, Line 10, passed on the following roll call:

Yeas, 16; Nays, 10; Absent, 3

Voting in the affirmative were: Senators

Barlow	Hillyard	Pugh	Swan
Black	McMullin	Renstrom	Wayment
Bunnell	Money	Sowards	Williams
Cornaby	Peterson, C.	Stratford	Pres. Christensen

Voting in the negative were: Senators

Asay	Holmgren	Overson	Rogers
Bangerter	Matheson	Peterson, Chuck	Sandberg
Barton	McAllister		

Absent or not voting were: Senators

Carling	Finlinson	Peterson, L.

The amendment on Goldenrod: Page 2, Line 19h remained in the resolution.

The resolution passed on the following roll call:

Yeas, 17; Nays, 8; Absent, 4

Voting in the affirmative were: Senators

Barlow	McMullin	Pugh	Swan
Barton	Money	Renstrom	Wayment
Black	Peterson, C.	Sowards	Williams
Cornaby	Peterson, Chuck	Stratford	Pres. Christensen
Hillyard			

Voting in the negative were: Senators

Asay	Holmgren	McAllister	Rogers
Bangerter	Matheson	Overson	Sandberg

Absent or not voting were: Senators

Bunnell	Carling	Finlinson	Peterson, L.

H.C.R. No. 25, as amended, was returned to the House.

• • •

H.B. No. 307, INTEREST RATE ON DELINQUENT TAXES, was read the third time and passed on the following roll call:

Yeas, 19; Nays, 8; Absent, 7

Voting in the affirmative were: Senators

Barlow	Hillyard	Overson	Swan
Barton	Holmgren	Peterson, C.	Wayment
Bunnell	Matheson	Renstrom	Williams
Carling	McMullin	Rogers	Pres. Christensen
Cornaby	Money	Sandberg	

Voting in the negative were: Senators

Asay	Bangerter	Stratford

Absent or not voting were: Senators

Black	McAllister	Peterson, L.	Sowards
Finlinson	Peterson, Chuck	Pugh	

H.B. No. 307 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

H.B. No. 25, DIVORCE LAW WAITING PERIOD, was before the Senate on reconsideration.

Senators Wayment, Stratford and Hillyard commented.

Senator Wayment, with the aid of five Senators, requested a call of the Senate. On motion of Senator Wayment, the call of the Senate was lifted. The bill passed on the following roll call:

Yeas, 17; Nays, 10; Absent, 2

Voting in the affirmative were: Senators

Black	Holmgren	Peterson, Chuck	Stratford
Bunnell	McMullin	Peterson, L.	Swan
Carling	Money	Renstrom	Williams
Finlinson	Peterson, C.	Sowards	Pres. Christensen
Hillyard			

Voting in the negative were: Senators

Asay	Barton	Overson	Sandberg
Bangerter	Cornaby	Rogers	Wayment
Barlow	Matheson		

Absent or not voting were: Senators

McAllister	Pugh

H.B. No. 25 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator Bunnell, the rules were suspended, and H.B. No. 198, REPORTING OF PRIVATE TELECOMMUNICATIONS SYSTEMS, was read the second and third times. Senator Bunnell explained the bill.

Mr. President: February 22, 1985

The Business, Labor and Economic Development Standing Committee, to which was referred H.B. No. 198, REPORTING OF PRIVATE TELECOMMUNICATIONS SYSTEMS, by Representative Beverly J. White, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 11, Line 2:
After "means" delete ". It does not include" and insert ", excluding"

Page 11, Line 2:
After "facilities" insert ","

Lowell S. Petersen, Committee Chairman

Committee report, with amendments, was read and adopted. Senators Hillyard and Overson commented.

On motion of Senator Bunnell, H.B. No. 198 was amended as follows:

Page 11, Line 17:
Following "a" delete "report on the operation of that" and insert "notice with the commission disclosing the existence of the"

Page 11, Line 18:
following "system" delete ", as prescribed by the commission." and insert "and to whom the service is being provided."

Page 11, Line 20:
Delete "reporting" and insert "notification"

The bill passed, as amended, on the the following roll call:

Yeas, 22; Nays, 1; Absent, 6

Voting in the affirmative were: Senators

Asay	Finlinson	Overson	Sowards
Bangerter	Hillyard	Peterson, C.	Swan
Black	Holmgren	Peterson, Chuck	Wayment
Bunnell	McAllister	Renstrom	Williams
Carling	McMullin	Sandberg	Pres. Christensen
Cornaby	Money		

Voting in the negative was: Senator
Barton

Absent or not voting were: Senators

Barlow	Peterson, L.	Rogers	Stratford
Matheson	Pugh		

H.B. No. 198, as amended, was returned to the House.

• • •

On motion of Senator Cary Peterson, and under suspension of the rules, all bills on the calendar are to be considered read the second and third times and before the Senate for final consideration.

• • •

Senator Swan's motion to lift **H.B. No. 190,** PUBLIC EMPLOYEES EARLY RETIREMENT, from Rules Committee, and place it on Second Reading Calendar failed on the following roll call:

Yeas, 12; Nays, 14; Absent, 3

Voting in the affirmative were: Senators

Barlow	Bunnell	Overson	Rogers
Barton	Matheson	Peterson, L.	Swan
Black	Money	Renstrom	Williams

Voting in the negative were: Senators

Asay	Hillyard	Peterson, C.	Sandberg
Bangerter	Holmgren	Peterson, Chuck	Wayment
Carling	McAllister	Pugh	Pres. Christensen
Cornaby	McMullin		

Absent or not voting were: Senators

Finlinson	Sowards	Stratford

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives on reconsideration, has this day concurred in the Senate amendments and passed **H.B. No. 135,** FUEL CONSERVATION SPEED LIMIT, 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, on reconsideration, has this day concurred in the Senate amendments and passed **H.B. No. 174,** RATES FOR ELECTRIC COOPERATIVES, by Representative Myrin, 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, on reconsideration, has this day concurred in the Senate amendments and passed **SUBSTITUTE H.B. No. 103,** SALES AND USE TAX EXEMPTION FOR MANUFACTURING MACHINERY AND EQUIPMENT, by Representative Karras, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

H.B. Nos. 135, 174 and SUB. H.B. No. 103 were signed by the President of the Senate in open session and returned to the House for further action.

• • •

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives has this day refused to concur in the Senate amendments to **SUBSTITUTE H.B. No. 62,** STATE ZOO AMENDMENTS, by Representative Walker, et al, and requests the Senate to recede from its amendments.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Pugh the Senate voted to refuse to recede from its amendments. President Christensen appointed a Conference Committee consisting of Senators Pugh, Barlow and Money.

SECOND READING CALENDAR

On motion of Senator McMullin, the rules were suspended, and **H.B. No. 199,** TELEPHONE CORPORATION DEFINITION, was read the second and third times.

Mr. President: February 22, 1985

The Business, Labor and Economic Development Standing Committee, to which was referred **H.B. No. 199,** TELEPHONE CORPORATION DEFINITION, by Representative Donald R. LeBaron, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lowell S. Peterson, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Hillyard	Overson	Sandberg
Barton	Holmgren	Peterson, C.	Sowards
Black	Matheson	Peterson, Chuck	Stratford
Bunnell	McAllister	Pugh	Swan
Carling	McMullin	Renstrom	Williams
Cornaby	Money	Rogers	Pres. Christensen

Absent or not voting were: Senators

Asay	Finlinson	Peterson, L.	Wayment
Barlow			

H.B. No. 199 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator Carling, the rules were suspended, and **H.B. No. 245,** UNIFORM CONSUMER CREDIT CODE, was read the second and third times.

Mr. President: February 22, 1985

The Business, Labor and Economic Development Standing Committee, to which was referred **H.B. No. 245,** UNIFORM CONSUMER CREDIT CODE, by Representative

Olene S. Walker, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lowell S. Peterson, Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Black	Matheson	Peterson, L.	Swan
Bunnell	McAllister	Renstrom	Wayment
Carling	McMullin	Rogers	Pres. Christensen
Cornaby	Money	Sandberg	

Voting in the negative was: Senator
Overson

Absent or not voting were: Senators

Asay	Finlinson	Pugh	Williams
Barton			

H.B. No. 245 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator L. Peterson, the rules were suspended, and **H.B. No. 320, RADIO TELEPHONE EXEMPTION, was read the second and third times.**

Mr. President: February 22, 1985

The Business, Labor and Economic Development Standing Committee, to which was referred **H.B. No. 320, RADIO TELEPHONE EXEMPTION**, by Representative Gayle F. McKeachnie, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lowell S. Peterson, Committee Chairman

Committee report read and adopted.

Cary B. Hinton, Economist, Division of Public Utilities, and Wayne Owens representing New Vector Communications, Inc. spoke 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	Hillyard	Overson	Sandberg
Barlow	Holmgren	Peterson, C.	Sowards
Barton	Matheson	Peterson, Chuck	Swan
Black	McAllister	Peterson, L.	Wayment
Carling	McMullin	Renstrom	Williams
Cornaby	Money	Rogers	Pres. Christensen

Voting in the negative was: Senator
Bunnell

Absent or not voting were: Senators

Assay	Finlinson	Pugh	Stratford

H.B. No. 320 was signed by the President of the Senate in open session and returned to the House for further action.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 26, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, **SECOND SUBSTITUTE S.B. No. 105,** ALCOHOL MOTOR FUEL AMENDMENT, by Senator McMullin, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, **S.B. No. 287,** ACTIONS TO RESOLVE OUTSTANDING WARRANTS AMENDMENTS, by Senator Carling, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, **S.B. No. 216,** ANTIDISCRIMINATION ACT AMENDMENTS, by Senator Stratford, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

SECOND SUB. S.B. No. 105, S.B. Nos. 237 and 216 were signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

SECOND READING CALENDAR

On motion of Senator Cary Peterson, the rules were suspended, and **H.B. No. 7,** LIVESTOCK MARKET COMMITTEE, was lifted from Rules Committee and 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

Bengerter	Matheson	Pugh	Stratford
Barlow	McAllister	Renstrom	Swan
Barton	McMullin	Rogers	Wayment
Carling	Money	Sandberg	Williams
Cornaby	Peterson, C.	Sowards	Pres. Christensen
Holmgren	Peterson, Chuck		

Absent or not voting were: Senators

Asay	Bunnell	Hillyard	Peterson, L.
Black	Finlinson	Overson	

H.B. No. 7 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator McMullin, **H.B. Nos. 289** and **SUB. H.B. No. 255** were circled.

• • •

On motion of Senator McMullin, the rules were suspended, and **H.B. No. 216,** COUNTY FISCAL YEAR BUDGETING, was lifted from Rules Committee and read the second and third times and passed on the following roll call:

Yeas, 17; Nays, 4; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Hillyard	Peterson, Chuck	Stratford
Barlow	McAllister	Peterson, L.	Swan

Barton	Money	Renstrom	Williams
Carling	Peterson, C.	Sowards	Pres. Christensen
Cornaby			

Voting in the negative were: Senators

Holmgren	Matheson	McMullin	Sandberg

Absent or not voting were: Senators

Asay	Bunnell	Overson	Rogers
Black	Finlinson	Pugh	Wayment

H.B. No. 216 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator Renstrom, **SUB. H.B. No. 116,** DETECTION OF UNINSURED MOTORISTS, was lifted from Rules Committee and under suspension of the rules, read the second and third times, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Asay	Holmgren	Overson	Sandberg
Barton	Matheson	Peterson, C.	Sowards
Black	McAllister	Peterson, Chuck	Stratford
Bunnell	McMullin	Peterson, L.	Swan
Cornaby	Money	Renstrom	Pres. Christensen
Hillyard			

Absent or not voting were: Senators

Bangerter	Carling	Pugh	Wayment
Barlow	Finlinson	Rogers	Williams

SUB. H.B. No. 116 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

H.B. No. 283, UTAH PROCUREMENT FINANCE AUTHORITY, was read the second time.

Representative Scott W. Holt spoke in Committee of the Whole. Senators Barlow, McMullin, Black, Bunnell, Finlinson and Matheson commented.

The bill passed on the following roll call:

Yeas, 16; Nays, 8; Absent, 5

Voting in the affirmative were: Senators

Asay	McMullin	Peterson, L.	Stratford
Barlow	Money	Pugh	Swan
Bunnell	Overson	Renstrom	Wayment
Holmgren	Peterson, Chuck	Sowards	Williams

Voting in the negative were: Senators

Black	Finlinson	McAllister	Sandberg
Cornaby	Matheson	Rogers	Pres. Christensen

Absent or not voting were: Senators

Bangerter	Carling	Hillyard	Peterson, C.
Barton			

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 27, 1985

I am directed to request of the Senate, the return of **SUBSTITUTE S.B. No. 29,** NEW MOTOR VEHICLE WARRANTIES, by Senator L. Peterson, for the purpose of reconsideration, and

I am directed to request of the Senate, the return of **S.B. No. 56,** TRAPPER'S LOOP ROAD AMENDMENT AND APPROPRIATION, by Senator Stratford, for the purpose of reconsideration, and

I am directed to request of the Senate, the return of **SIXTH SUBSTITUTE S.B. No. 97,** WATER AND FLOOD FINANCING, by Senator Finlinson, for the purpose of reconsideration, and

I am directed to request of the Senate, the return of **SUBSTITUTE H.B. No. 62,** STATE ZOO AMENDMENTS, by Representative Walker, for the purpose of reconsideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator McMullin, **SUB. S.B. No. 29, S.B. No. 56, SIXTH SUB. S.B. No. 97** and **SUB. H.B. No. 62** were returned to the House for further reconsideration.

• • •

On motion of Senator Barton the rules were suspended and **H.J.R. No. 1**, FEDERAL RESERVE SYSTEM AUDIT RESOLUTION, was read the second and third times and passed on the following roll call:

Yeas, 18; Nays, 7; Absent, 4

Voting in the affirmative were: Senators

Asay	Hillyard	Money	Renstrom
Barlow	Holmgren	Overson	Sowards
Barton	Matheson	Peterson, C.	Williams
Black	McAllister	Peterson, Chuck	Pres. Christensen
Finlinson	McMullin		

Voting in the negative were: Senators

Bunnell	Cornaby	Sandberg	Swan
Carling	Peterson, L.	Stratford	

Absent or not voting were: Senators

Bangerter	Pugh	Rogers	Wayment

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

• • •

On motion of Senator Cary Peterson, the rules were suspended and **H.C.R. No. 8**, INTERMOUNTAIN POWER PROJECT EXPANSION RESOLUTION, was read the second and third times and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Sowards
Bangerter	Holmgren	Peterson, Chuck	Stratford
Barlow	Matheson	Peterson, L.	Swan
Barton	McAllister	Pugh	Wayment

Bunnell	McMullin	Renstrom	Williams
Cornaby	Money	Sandberg	Pres. Christensen
Finlinson	Overson		

Absent or not voting were: Senators

Black	Carling	Rogers

H.C.R. No. 8, was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator McMullin the rules were suspended and **H.B. No. 238,** RETIREMENT PARTICIPATION AMENDMENTS, 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	Cornaby	McMullin	Renstrom
Bangerter	Finlinson	Overson	Stratford
Barton	Hillyard	Peterson, Chuck	Swan
Black	Holmgren	Peterson, L.	Wayment
Bunnell	Matheson	Pugh	Pres. Christensen
Carling			

Absent or not voting were: Senators

Barlow	Money	Rogers	Sowards
McAllister	Peterson, C.	Sandberg	Williams

H.B. No. 238, was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator Bunnell the rules were suspended and **H.B. No. 397,** DIVISION OF INDIAN AFFAIRS — TITLE TO PROPERTY, 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	Cornaby	Overson	Sowards
Bangerter	Finlinson	Peterson, Chuck	Stratford
Barlow	Holmgren	Peterson, L.	Swan
Barton	Matheson	Pugh	Wayment
Black	McMullin	Renstrom	Williams
Bunnell	Money	Sandberg	Pres. Christensen
Carling			

Absent or not voting were: Senators

Hillyard	McAllister	Peterson, C.	Rogers

H.B. No. 397, was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator McMullin, **H.B. No. 357** was circled.

• • •

On motion of Senator Sowards the rules were suspended and **H.B. No. 315,** ENERGY CONSERVATION AND ALTERNATIVE FINANCING FOR STATE BUILDINGS, was read the second and third times and passed on the following roll call:

Yeas, 21; Nays, 3; Absent, 5

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Rogers
Barlow	Finlinson	Peterson, C.	Sandberg (exp)
Barton	Hillyard	Peterson, Chuck	Sowards
Black	Holmgren	Peterson, L.	Swan
Bunnell	Money	Renstrom	Pres. Christensen
Carling			

Voting in the negative were: Senators

Matheson	McAllister	Stratford

Absent or not voting were: Senators

Bangerter	Pugh	Wayment	Williams
McMullin			

H.B. No. 315, was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator Black the rules were suspended and **H.B. No. 288**, RAILROAD SPECIAL AGENTS, was read the second and third times and passed on the following roll call:

Yeas, 20; Nays, 3; Absent, 6

Voting in the affirmative were: Senators

Asay	Cornaby	Peterson, C.	Rogers
Barlow	Holmgren	Peterson, Chuck	Sandberg
Black	McAllister	Peterson, L.	Sowards
Bunnell	Money	Pugh	Swan
Carling	Overson	Renstrom	Williams

Voting in the negative were: Senators

Finlinson	Stratford	Pres. Christensen

Absent or not voting were: Senators

Bangerter	Hillyard	McMullin	Wayment
Barton	Matheson		

H.B. No. 288, was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator Overson the rules were suspended and **H.B. No. 145**, ZONING, was lifted from Rules Committee, 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	Finlinson	Peterson, C.	Sandberg
Bangerter	Holmgren	Peterson, Chuck	Stratford
Black	Matheson	Peterson, L.	Swan
Bunnell	McAllister	Pugh	Williams
Carling	McMullin	Renstrom	Pres. Christensen
Cornaby	Overson	Rogers	

Absent or not voting were: Senators

Barlow	Hillyard	Sowards	Wayment
Barton	Money		

H.B. No. 145, was signed by the President of the Senate in open session and returned to the House for further action.

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On motion of Senator C.E. Peterson **SUB. H.B. No. 219,** REAL ESTATE DEFICIENCY JUDGMENTS, was returned to Rules Committee.

• • •

On motion of Senator Overson the rules were suspended and **H.B. No. 240,** HOME ENERGY ASSISTANCE ACT AMENDMENTS, 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	Hillyard	Peterson, C.	Sandberg
Barlow	Holmgren	Peterson, Chuck	Stratford
Black	McAllister	Peterson, L.	Swan
Bunnell	McMullin	Pugh	Williams
Carling	Money	Rogers	Pres. Christensen
Cornaby	Overson		

Absent or not voting were: Senators

Bangerter	Finlinson	Renstrom	Wayment
Barton	Matheson	Sowards	

H.B. No. 240, was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator Rogers, the circle was removed from **SUB. H.B. No. 255,** CENTERS FOR TECHNOLOGICAL EXCELLENCE, and the rules were suspended and the bill 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	Hillyard	Peterson, C.	Sandberg
Bangerter	Holmgren	Peterson, Chuck	Sowards
Barlow	McAllister	Peterson, L.	Stratford
Barton (exp)	McMullin	Pugh	Swan
Black	Money	Renstrom	Williams
Cornaby	Overson	Rogers	Pres. Christensen

Absent or not voting were: Senators

Bunnell	Finlinson	Matheson	Wayment
Carling			

SUB. H.B. No. 255, was signed by the President of the Senate in open session and returned to the House for further action.

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On motion of Senator McMullin, **H.B. No. 309** was circled.

• • •

On motion of Senator Overson the rules were suspended and **SECOND SUB. H.B. No. 284,** REAL ESTATE AMENDMENTS, was read the second and third times and passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Asay	Cornaby	Peterson, C.	Sandberg
Bangerter	Hillyard	Peterson, Chuck	Swan
Barlow	Holmgren	Peterson, L.	Wayment
Barton	McAllister	Pugh	Williams
Bunnell	Overson	Renstrom	Pres. Christensen
Carling			

Voting in the negative was: Senator
Stratford

Absent or not voting were: Senators

Black	Matheson	Money	Sowards
Finlinson	McMullin	Rogers	

Senator Renstrom, having voted on the prevailing side asked that the bill be held for possible reconsideration.

• • •

On motion of Senator Overson the rules were suspended and **H.B. No. 285,** AMENDMENTS TO TIMESHARE SALES PRACTICES, 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	Overson	Sandberg
Bangerter	Cornaby	Peterson, C.	Stratford
Barlow	Hillyard	Peterson, Chuck	Swan
Barton	Holmgren	Peterson, L.	Wayment
Black	McAllister	Pugh	Pres. Christensen
Bunnell	McMullin	Renstrom	

Voting in the negative was: Senator
Williams

Absent or not voting were: Senators

Finlinson	Money	Rogers	Sowards
Matheson			

H.B. No. 285, was signed by the President of the Senate in open session and returned to the House for further action.

JOINT CONFERENCE COMMITTEE REPORT
(H.B. No. 105, DAY CARE OPERATIONS AMENDMENT)

Mr. President: February 27, 1985

I am directed to inform the Senate that the Speaker of the House has this day appointed a Conference Committee consisting of Representatives Phelps, Maxfield, and Myrin, to act with a like Committee from the Senate to consider or amend **H.B. No. 105,** DAY CARE OPERATIONS AMENDMENT, by Representative Phelps, et al.

Carole E. Peterson, Acting Chief Clerk

Mr. Speaker and Mr. President: February 27, 1985

Your Conference Committee, consisting of Senators Money, Overson, and McAllister and Representatives Maxfield, Phelps, and Myrin to which was referred

H.B. No. 105, DAY CARE OPERATIONS AMENDMENT, by Representative Phelps begs leave to report as follows:

On Page 1 of the Senate goldenrod copy, Line 24: Delete "THREE" (which was inserted by Senate amendment) and insert "four". All other Senate amendments remain intact.

Senator McAllister
Representative Phelps

On motion of Senator Overson, the Senate voted to adopt the Joint Conference Committee Report. The bill passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 6

Voting in the affirmative were: Senators

Asay	Carling	Overson	Sandberg
Bangerter	Cornaby	Peterson, Chuck	Sowards
Barlow	Hillyard	Pugh	Wayment
Barton	Holmgren	Renstrom	Williams
Black	McAllister	Rogers	Pres. Christensen
Bunnell	McMullin		

Voting in the negative was: Senator
Swan

Absent or not voting were: Senators

Finlinson	Money	Peterson, L.	Stratford
Matheson	Peterson, C.		

H.B. No. 105 was signed by the President of the Senate in open session and returned to the House for further action.

COMMUNICATION FROM THE HOUSE

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **S.B. No. 191,** AMENDMENT TO ANNEXATION PROVISION, by Senator Bangerter, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Bangerter the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Sandberg
Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	Matheson	Peterson, L.	Swan
Black	McAllister	Pugh	Wayment
Bunnell	McMullin	Renstrom	Williams
Carling	Money	Rogers	Pres. Christensen

Absent or not voting was: Senator
Finlinson

S.B. No. 191 was transmitted to the House.

• • •

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **S.B. No. 239**, AMENDMENTS TO INTERLOCAL COOPERATION ACT, by Senator Money, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Money, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, C.	Sandberg
Barlow	Hillyard	Peterson, Chuck	Sowards
Barton	Holmgren	Peterson, L.	Stratford
Black	Matheson	Pugh	Swan
Bunnell	McAllister	Renstrom	Wayment
Carling	McMullin	Rogers	Pres. Christensen
Cornaby	Money		

Absent or not voting were: Senators

Bangerter	Overson	Williams

S.B. No. 239 was transmitted to the House.

• • •

On motion of Senator Cary Peterson, and at 12:00 noon, the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m., with President Arnold Christensen presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, **SUBSTITUTE S.B. No. 127,** MANSLAUGHTER AMENDMENTS, by Senator Hillyard, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed on reconsideration, **S.B. No. 56,** TRAPPER'S LOOP ROAD AMENDMENT AND APPROPRIATION, by Senator Stratford, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 43,** BUSINESS INFORMATION OFFICE AND CONSUMER PROTECTION ADVISORY COUNCIL, by Senator Carling, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **SUBSTITUTE S.B. No. 65,** COUNTY DESIGNATION ON VEHICLE LICENSE PLATES, by Senator Hillyard, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **SUBSTITUTE S.B. No. 102,** PSC JURISDICTION OVER TELECOMMUNICATIONS CORPORATIONS, by Senator Hillyard, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **SUBSTITUTE S.B. No. 117,** INCOME TAX - FILING PENALTIES, by Senator Hillyard, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, **S.B. No. 147**, MUNICIPAL CEMETERIES, by Senator Bunnell, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 155**, HOSPITAL DISCIPLINARY PROCEEDINGS AMENDMENTS, by Senator Cornaby, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, **S.B. No. 163**, UTAH EMERGENCY MEDICAL SERVICE SYSTEM ACT 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 Speaker has signed in open session, **SUBSTITUTE S.B. No. 164**, INCENTIVES FOR EXCELLENCE IN PUBLIC SCHOOL DISTRICTS, by Senator Peterson, 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, **SECOND SUBSTITUTE S.B. No. 171**, INSECT INFESTATION EMERGENCY CONTROL ACT, by Senator Money, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, **S.B. No. 188**, JOB TRAINING COORDINATION ACT, 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 Speaker has signed in open session, **S.B. No. 197**, WATER CONSERVANCY DISTRICT BOARD PER DIEM, by Senator Finlinson, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 201**, MIDDLE FORK OGDEN RIVER APPROPRIATION, by Senator Lowell S. Peterson, 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. 209**, DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING, by Senator Cornaby, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, **S.B. No. 248,** LEGISLATIVE AND CONGRESSIONAL LICENSE PLATES, 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. 82,** STATE WATER AUTHORITY, by Senator Finlinson, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson Acting Chief Clerk

SUB. S.B. No. 127, S.B. Nos. 56, 43, SUB. S.B. Nos. 65, 102, 117, S.B. Nos. 147, 155, 163, SUB. S.B. No. 164, SECOND SUB. S.B. No. 171 and **S.B. Nos. 188, 197, 201, 209, 248** and **82** were signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

• • •

I am directed to inform the Senate that the House of Representatives, on reconsideration, has this day concurred in the Senate amendments and passed, **H.B. No. 121,** JUVENILE COURT DISTRICTS AND JUDGES, by Representative Walker, 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, on reconsideration, has this day concurred in the Senate amendments and passed **H.B. No. 171,** JUROR COMPETENCY IN CASES INVOLVING ORDINANCES, by Representative Strong, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson Acting Chief Clerk

H.B. No. 121 and **171** were signed by the President of the Senate in open session and returned to the House for further action.

• • •

Senator Hillyard asked that **SUB. S.B. No. 117** INCOME TAX - FILING PENALTIES, be held for possible reconsideration.

COMMUNICATION FROM THE GOVERNOR

Dear President Christensen and Speaker Garff: February 27, 1985

This is to inform you that on February 27, 1985, I signed into law the following bills which have been forwarded to the Lieutenant Governor's Office for filing:

S.B. No. 21	JUDICIAL CONDUCT COMMISSION AMENDMENTS
S.B. No. 28	UTAH NOXIOUS WEED ACT AMENDMENT
S.C.R. No. 7	DON LIND RESOLUTION
S.C.R. No. 5	T.H. BELL COMMENDATION

Norman H. Bangerter
Governor, State of Utah

Communication filed.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 26, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **SUBSTITUTE S.B. No. 246,** BOARD OF BUSINESS AND ECONOMIC DEVELOPMENT MEMBERSHIP, by Senator Rogers, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Rogers, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Sandberg
Bangerter	Holmgren	Peterson, Chuck	Sowards
Barton	Matheson	Peterson, L.	Stratford
Black	McAllister	Pugh	Swan
Carling	McMullin	Renstrom	Wayment
Cornaby	Money	Rogers	Pres. Christensen
Finlinson	Overson		

Absent or not voting were: Senators

Barlow	Bunnell	Williams

SUB. S.B. No. 246 was transmitted to the House.

• • •

Mr. President: February 26, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **SUBSTITUTE S.B. No. 119,** HAZARDOUS MATERIAL

INVESTIGATION AND RESPONSE ACT, by Senator Finlinson, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Finlinson, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Finlinson	Money	Sandberg
Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Black	Matheson	Peterson, L.	Swan
Bunnell	McAllister	Renstrom	Wayment
Carling	McMullin	Rogers	Pres. Christensen
Cornaby			

Absent or not voting were: Senators

Barton	Overson	Pugh	Williams

SUB. S.B. No. 119 was transmitted to the House.

• • •

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **SUBSTITUTE S.B. No. 29,** NEW MOTOR VEHICLES WARRANTIES, by Senator L. Peterson, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator L. Peterson, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, C.	Sowards
Bangerter	Hillyard	Peterson, Chuck	Stratford
Barlow	Holmgren	Peterson, L.	Swan
Barton	Matheson	Pugh	Wayment

Bunnell	McAllister	Renstrom	Williams
Carling	McMullin	Rogers	Pres. Christensen
Cornaby	Money	Sandberg	

Absent or not voting were: Senators

Black	Overson

SUB. S.B. No. 29 was transmitted to the House.

• • •

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **SUBSTITUTE S.B. No. 104,** PEACE OFFICER DESIGNATION, by Senator Bangerter, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Bangerter, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, C.	Sowards
Bangerter	Hillyard	Peterson, Chuck	Stratford
Barlow	Holmgren	Peterson, L.	Swan
Barton	Matheson	Pugh	Wayment
Bunnell	McAllister	Renstrom	Williams
Carling	McMullin	Rogers	Pres. Christensen
Cornaby	Money	Sandberg	

Absent or not voting were: Senators

Black	Overson

SUB. S.B. No. 104 was transmitted to the House.

• • •

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **S.B. No. 184,** STATE MONEY MANAGEMENT COUNCIL, by

Senator Lowell S. Peterson, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator L. Peterson, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, C.	Sowards
Bangerter	Hillyard	Peterson, Chuck	Stratford
Barlow	Holmgren	Peterson, L.	Swan
Barton	Matheson	Pugh	Wayment
Bunnell	McAllister	Renstrom	Williams
Carling	McMullin	Rogers	Pres. Christensen
Cornaby	Money	Sandberg	

Absent or not voting were: Senators

Black	Overson

S.B. No. 184 was transmitted to the House.

• • •

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **SUBSTITUTE S.B. No. 228**, MOTOR VEHICLE AMENDMENTS, by Senator C.E. Peterson, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator C.E. Peterson, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Sandberg
Bangerter	Holmgren	Peterson, Chuck	Sowards
Barlow	Matheson	Peterson, L.	Stratford
Bunnell	McAllister	Pugh	Swan

Carling	McMullin	Renstrom	Wayment
Cornaby	Money	Rogers	Pres. Christensen
Finlinson			

Absent or not voting were: Senators

Barton	Black	Overson	Williams

SUB. S.B. No. 228 was transmitted to the House.

• • •

On motion of Senator Hillyard, the rules were suspended, and **H.B. No. 227,** NOTICE OF BUYER'S RIGHT TO CANCEL, was read the second and third times and circled.

• • •

On motion of Senator Hillyard, the rules were suspended, and **H.B. No. 210,** UNFAIR COMPETITION IN RIDESHARING, was read the second and third times.

Senators Hillyard, Cornaby, Sowards, McMullin, Barlow, Pugh, Sowards, Renstrom and Black commented.

On motion of Senator Hillyard, **H.B. No. 210,** was amended as follows:

Page 2, Line 17:
Delete "two" and insert in lieu thereof "four"

On motion of Senator McMullin, the bill was circled.

• • •

On motion of Senator McAllister, the rules were suspended, and **H.B. No. 277,** ZONING OF RESIDENTIAL FACILITIES FOR MENTALLY ILL AND HANDICAPPED, was read the second and third times.

Senators McAllister, C.E. Peterson, Cary Peterson and Black commented.

On motion of Senator C.E. Peterson, **H.B. No. 277** was amended as follows:

Cherry: Page 3, Line 8:
Restore "who is non-violent and"

Cherry: Page 5, Line 10:
Restore "is non-violent and who"

The bill passed on the following roll call:

Yeas, 20; Nays, 5; Absent, 4

Voting in the affirmative were: Senators

Asay	Bunnell	McAllister	Renstrom
Bangerter	Carling	Money	Stratford
Barlow	Cornaby	Overson	Swan
Barton	Hillyard	Peterson, L.	Wayment
Black	Holmgren	Pugh	Williams

Voting in the negative were: Senators

Finlinson	Peterson, Chuck	Rogers	Pres. Christensen
Peterson, C.			

Absent or not voting were: Senators

Matheson	McMullin	Sandberg	Sowards

H.B. No. 277, as amended, was returned to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **S.B. No. 291,** SCHOOL FINANCE ACT AMENDMENTS, by Senator Barlow, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Barlow, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, C.	Sowards
Bangerter	Hillyard	Peterson, Chuck	Stratford
Barlow	Holmgren	Peterson, L.	Swan
Barton	McAllister	Pugh	Wayment
Carling	Money	Renstrom	Williams
Cornaby	Overson	Rogers	Pres. Christensen

Voting in the negative was: Senator
Matheson

Absent or not voting were: Senators

Black	Bunnell	McMullin	Sandberg

S.B. No. 291 was transmitted to the House.

• • •

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **SUBSTITUTE S.B. No. 227**, THERMAL POWER FACILITIES ACT 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.

Carole E. Peterson, Acting Chief Clerk

SUB. S.B. No. 227 was signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

SECOND READING CALENDAR

On motion of Senator McMullin, the rules were suspended, and **H.B. No. 357**, LICENSE PLATE MAILING COSTS, was uncircled and read the second and third times and passed on the following roll call:

Yeas, 20; Nays, 4; Absent, 5

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, C.	Stratford
Barlow	Hillyard	Peterson, Chuck	Swan
Barton	Holmgren	Renstrom	Wayment
Carling	McAllister	Rogers	Williams
Cornaby	Overson	Sowards	Pres. Christensen

Voting in the negative were: Senators

Black	McMullin	Money	Peterson, L.

Absent or not voting were: Senators

Bangerter	Matheson	Pugh	Sandberg
Bunnell			

H.B. No. 357 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

H.B. No. 210, UNFAIR COMPETITION IN RIDESHARING, was uncircled, and before the Senate.

On motion of Senator Cornaby, **H.B. No. 210,** was amended as follows:

Page 2, Line 7:
Delete "is entitled to" and insert "may upon successful adjudication"

Page 2, Line 8:
After "profits" delete the period and insert "but such recovery shall not exceed $125,000 per claim."

Page 2, Line 12:
Delete "is entitled to" and insert "may upon successful adjudication"

Page 2, Line 13:
After "losses" insert "not exceeding $125,000 per claim,"

The bill passed on the following roll call:

Yeas, 22; Nays, 4; Absent, 3

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, Chuck	Stratford
Bangerter	Hillyard	Peterson, L.	Swan
Barton	Holmgren	Pugh	Wayment
Bunnell	Matheson	Renstrom	Williams
Carling	Money	Rogers	Pres. Christensen
Cornaby	Overson		

Voting in the negative were: Senators

Barlow	Black	McAllister	Peterson, C.

Absent or not voting were: Senators

McMullin	Sandberg	Sowards

H.B. No. 210, as amended, was returned to the House.

• • •

On motion of Senator Rogers, the circle was removed from **H.B. No. 227**, NOTICE OF BUYER'S RIGHT TO CANCEL, and the bill was before the Senate.

On motion of Senator Carling, **H.B. No. 227** was amended as follows:

Page 1, Line 29:
After "supplier" insert "with intent to deceive"

Page 3, Lines 14 through 21:
Restore to the original language of he code.

The bill passed on the following roll call:

Yeas, 15; Nays, 12; Absent, 2

Voting in the affirmative were: Senators

Asay	Cornaby	McMullin	Sowards
Barlow	Finlinson	Peterson, L.	Wayment
Barton	Matheson	Rogers	Pres. Christensen
Carling	McAllister	Sandberg	

Voting in the negative were: Senators

Black	Holmgren	Peterson, C.	Stratford
Bunnell	Money	Peterson, Chuck	Swan
Hillyard	Overson	Renstrom	Williams

Absent or not voting were: Senators

Bangerter	Pugh

H.B. No. 227, as amended, was returned to the House.

• • •

On motion of Senator Overson, the rules were suspended, and **SUB. H.B. No. 339**, PROTECTION OF PUBLIC EMPLOYEES ACT, was read the second and third times.

On motion of Senator Overson, **SUB. H.B. No. 339** was amended as follows:

Page 1, Lines 27 and 28:
After "implied" delete ". Employee includes a person employed by" and insert "for"

Page 1, Line 29:
After "means" delete "a person who" and insert "the state or any political subdivision of the state which"

Page 1, Lines 30 and 31:
After "an employer" delete "and the state or a political subdivision of the state"

Page 1, Lines 32 through 34:
Delete lines 32, 33 and 34

Page 2, Line 1:
Delete "(4)" and insert "(3)"

Page 3, Line 6:
After "the" delete "employer" and insert "employee"

Page 3, Line 19:
Delete "A person" and insert "An employee"

Page 4, Line 21:
Delete "a person" and insert "an employee"

The bill passed on the following roll call:

Yeas, 24; Nays, 2; Absent, 3

Voting in the affirmative were: Senators

Asay	Finlinson	Overson	Sandberg
Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	Matheson	Peterson, L.	Swan
Carling	McAllister	Pugh	Wayment
Cornaby	McMullin	Renstrom	Pres. Christensen

Voting in the negative were: Senators

Black	Money

Absent or not voting were: Senators
Bunnell Rogers Williams

SUB. H.B. No. 339, as amended, was returned to the House.

• • •

On motion of Senator Bunnell, the rules were suspended, and **H.C.R. No. 11,** SURFACE MINING COOPERATIVE AGREEMENT RESOLUTION, was read the second and third times and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Cornaby	Money	Rogers
Bangerter	Finlinson	Overson	Sandberg
Barlow	Hillyard	Peterson, C.	Sowards
Barton	Holmgren	Peterson, Chuck	Stratford
Black	Matheson	Peterson, L.	Swan
Bunnell	McAllister	Pugh	Wayment
Carling	McMullin	Renstrom	Pres. Christensen

Absent or not voting was: Senator
Williams

H.C.R. No. 11 was signed by the President of the Senate in open session and returned to the House for further action.

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On motion of Senator McMullin, **H.J.R. No. 17** was circled.

• • •

On motion of Senator McMullin, the rules were suspended, and **H.B. No. 154,** SCHOOL RESIDENCY AMENDMENTS, was read the second and third times. Douglas F. Bates, Administrative Assistant, State Office of Education, spoke in Committee of the Whole. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Finlinson	Overson	Sowards
Bangerter	Hillyard	Peterson, C.	Stratford
Barlow	Matheson	Peterson, Chuck	Swan
Black	McAllister	Pugh	Wayment
Bunnell	McMullin	Renstrom	Pres. Christensen
Cornaby	Money	Sandberg	

Absent or not voting were: Senators

Barton	Holmgren	Rogers	Williams
Carling	Peterson, L.		

H.B. No. 154 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator Overson, the rules were suspended, and **H.B. No. 207,** UTAH TECHNICAL COLLEGE IN SALT LAKE REVENUE BONDS, 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	Cornaby	Peterson, C.	Sandberg
Bangerter	Finlinson	Peterson, Chuck	Sowards
Barlow	Hillyard	Peterson, L.	Stratford
Barton	Matheson	Pugh	Swan
Black	Money	Renstrom	Wayment
Carling	Overson	Rogers	Pres. Christensen

Absent or not voting were: Senators

Bunnell	McAllister	McMullin	Williams
Holmgren			

H.B. No. 207 was signed by the President of the Senate in open session and returned to the House for further action.

RULES COMMITTEE REPORT

Mr. President: February 27, 1985

The Senate Rules (Sifting) Committee, to which was referred the following House Bills:

H.B. No. 392 MOTOR VEHICLE SEAT BELT USAGE
H.J.R. No. 27 JON M. MEMMOTT COMMENDATION

reports the same back and recommends that they be placed on the Second Reading Calendar.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted. **H.B. No. 392** and **H.J.R. No. 27** were placed on Second Reading Calendar.

SECOND READING CALENDAR

On motion of Senator Carling and, under suspension of the rules, **H.B. No. 190,** PUBLIC EMPLOYEES EARLY RETIREMENT, was lifted from Rules Committee and placed at the top of Second Reading Calendar.

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The Senate recessed at 3:45 p.m., and reassembled at 4:30 p.m.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives, on reconsideration, has this day concurred in the Senate amendments and passed **H.C.R. No. 25,** UNITARY TAX RESOLUTION, by Representative Franklin W. Knowlton, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives, on reconsideration, has this day concurred in the Senate amendments and passed **H.B. No. 198,** REPORTING OF PRIVATE TELECOMMUNICATIONS SYSTEMS, by Representative White, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

H.C.R. No. 25 and **H.B. No. 198** were signed by the President of the Senate in open session and returned to the House for further action.

• • •

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives, has this day passed **S.B. No. 187**, PUBLIC PROCUREMENT OFFICER APPOINTMENT, by Senator Rogers, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 239**, AMENDMENTS TO INTERLOCAL COOPERATION ACT, by Senator Money, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **SUBSTITUTE S.B. No. 228**, MOTOR VEHICLE AMENDMENTS, by Senator C.E. Peterson, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 191**, AMENDMENT TO ANNEXATION PROVISION, by Senator Bangerter, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 184**, STATE MONEY MANAGEMENT COUNCIL, by Senator Lowell S. Peterson, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **SUBSTITUTE S.B. No. 119**, HAZARDOUS MATERIALS INVESTIGATION AND RESPONSE ACT, by Senator Finlinson, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives, has this day passed **S.B. No. 206**, BUSINESS AND ENERGY CREDIT AMENDMENTS, by Senator Sowards, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.B. Nos. 187, 239, SUB. S.B. No. 228, S.B. Nos. 191, 184, SUB. S.B. No. 119 and **S.B. No. 206** were signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

SECOND READING CALENDAR

On motion of Senator Barlow, the rules were suspended, and, **H.B. No. 289**, MUNICIPALLY OWNED WATER SYSTEM APPLICATION AMENDMENTS, was uncircled and read the second and third times.

On motion of Senator Barlow, the following substitute bill replaced the original bill.

MUNICIPALLY OWNED WATER SYSTEM APPLICATION AMENDMENTS

SUBSTITUTE
H.B. No. 289 *Lorin N. Pace*

AN ACT RELATING TO CITIES AND TOWNS; REQUIRING CITIES AND TOWNS TO NOTIFY PROPERTY OWNERS OF DELINQUENT WATER SERVICE CHARGES.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS: 10-7-11, UTAH CODE ANNOTATED 1953

REPEALS AND REENACTS: 10-7-10, UTAH CODE ANNOTATED 1953

The substitute bill passed on the following roll call:

Yeas, 20; Nays, 2; Absent, 7

Voting in the affirmative were: Senators

Barlow	Cornaby	McMullin	Rogers
Barton	Finlinson	Peterson, C.	Sandberg
Black	Hillyard	Peterson, Chuck	Sowards
Bunnell	Holmgren	Peterson, L.	Williams
Carling	McAllister	Renstrom	Pres. Christensen

Voting in the negative were: Senators

Stratford	Swan

Absent or not voting were: Senators

Asay	Matheson	Overson	Wayment
Bangerter	Money	Pugh	

SUB. H.B. No. 289 was transmitted to the House.

COMMUNICATION FROM THE HOUSE

Mr. President: February 27, 1985

I am directed to return **H.B. No. 307,** INTEREST RATES ON DELINQUENT TAXES, by Representative E. Ute Knowlton, for the purpose of making technical corrections.

Carole E. Petersen, Acting Chief Clerk

On motion of Senator Cary Peterson, the bill was placed on the calendar and before the Senate.

Cherry, Page 2, was distributed to the Senators. The Senators concurred in the amendment on Lines 4 and 4a, and the bill passed on reconsideration on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Asay	Cornaby	Peterson, C.	Sowards
Bangerter	Finlinson	Peterson, L.	Stratford
Barlow	Hillyard	Pugh	Swan
Barton	Holmgren	Renstrom	Williams
Bunnell	Matheson	Rogers	Pres. Christensen
Carling	McAllister	Sandberg	

Absent or not voting were: Senators

Black	Money	Peterson, Chuck	Wayment
McMullin	Overson		

H.B. No. 307 was signed by the President of the Senate in open session and returned to the House for further action.

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On motion of Senator Overson, the Senate voted to reconsider its action on **SECOND SUB. H.B. No. 284, REAL ESTATE AMENDMENTS.**

On motion of Senator Stratford, **SECOND SUB. H.B. No. 284,** was amended as follows:

> On the Cherry copy of the House amendments, delete all the House amendments on this page, i.e.:
>
> Page 26, Line 2:
> Reinsert "the closing of"
>
> Page 26, Lines 5, 5a and 6:
> Reinsert "of the buyer, seller, lessor, or lessee"

Page 26, Line 6:
After "lessee" insert ", or any legal counsel, provided that the Real Estate Commission and Attorney General have not approved a specific form necessary to that transaction"

The bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barlow	Hillyard	Peterson, C.	Sandberg
Barton	Holmgren	Peterson, L.	Sowards
Bunnell	Matheson	Pugh	Stratford
Carling	McAllister	Renstrom	Swan
Cornaby	Overson	Rogers	Pres. Christensen
Finlinson			

Absent or not voting were: Senators

Asay	Black	Money	Wayment
Bangerter	McMullin	Peterson, Chuck	Williams

SECOND SUB. H.B. No. 284, as amended and on reconsideration, was returned to the House.

INTRODUCTION OF BILL

SUPPLEMENTAL APPROPRIATIONS ACT

S.B. No. 292 *Warren E. Pugh*

AN ACT RELATING TO APPROPRIATIONS; MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE SUPPORT OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 1984, AND ENDING JUNE 30, 1985; PROVIDING INTENT LANGUAGE GOVERNING THE EXPENDITURES; AND PROVIDING AN EFFECTIVE DATE.

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, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, C.	Sandberg
Bangerter	Hillyard	Peterson, Chuck	Sowards
Barlow	Holmgren	Peterson, L.	Stratford
Barton	Matheson	Pugh	Swan
Black	McAllister	Renstrom	Williams
Carling	McMullin	Rogers	Pres. Christensen
Cornaby	Overson		

Absent or not voting were: Senators

Bunnell	Money	Wayment

S.B. No. 292 was transmitted to the House.

COMMUNICATION FROM THE HOUSE

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives, has this day passed, upon reconsideration, as amended, **SEVENTH SUBSTITUTE S.B. No. 97**, WATER AND FLOOD FINANCING, by Senator Finlinson, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Finlinson, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 25; Nays, 2; Absent, 2

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Sandberg
Bangerter	Finlinson	Peterson, C.	Sowards
Barlow	Hillyard	Peterson, Chuck	Stratford
Barton	Holmgren	Peterson, L.	Swan
Black	Matheson	Pugh	Williams
Bunnell	Money	Rogers	Pres. Christensen
Carling			

Voting in the negative were: Senators

McAllister	Renstrom

Absent or not voting were: Senators

McMullin	Wayment

SEVENTH SUB. S.B. No. 97 was transmitted to the House.

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Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **SUBSTITUTE H.B. No. 62**, STATE ZOO AMENDMENTS, by Representative Walker, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Pugh, the Senate voted to reconsider the bill and to concur in the House amendments. The bill passed on the following roll call:

Yeas, 23; Nays, 6; Absent, 0

Voting in the affirmative were: Senators

Asay	Carling	Money	Sowards
Bangerter	Finlinson	Overson	Swan
Barlow	Hillyard	Peterson, Chuck	Wayment
Barton	Holmgren	Peterson, L.	Williams
Black	Matheson	Pugh	Pres. Christensen
Bunnell	McMullin	Sandberg	

Voting in the negative was: Senators

Cornaby	Peterson, C.	Rogers	Stratford
McAllister	Renstrom		

SUB. H.B. No. 62 was signed by the President of the Senate in open session and returned to the House for further action.

INTRODUCTION OF BILL (INTERIM STUDY ASSIGNMENTS)

S.J.R. No. 18 *Cary G. Peterson*

A JOINT RESOLUTION OF THE LEGISLATURE DIRECTING THE LEGISLATIVE MANAGEMENT COMMITTEE TO ASSIGN TO THE APPROPRIATE INTERIM STUDY COMMITTEE ITEMS OF STUDY; AND REQUESTING A REPORT TO THE 47TH LEGISLATURE.

On motion of Senator Cary Peterson, and under suspension of the rules, **S.J.R. No. 18**, INTERIM STUDY ASSIGNMENT, was read the first, second and third times.

On motion of Senator Barton **S.J.R. No. 18** was amended as follows:

Page 2, Line 18:
After "protection" insert "and organization of committee on consumer services"
Page 12, Line 19:
After "Utah" insert ", and should it be deductible for income tax"

On motion of Senator Williams, **S.J.R. No. 18** was amended as follows:

Page 26, after Line 4:
Insert "202. (S.B. No. 269) South Africa Investment Transfer Act."

On motion of Senator McMullin, **S.J.R. No. 18** was amended as follows:

Page 26, after 202:
Insert: "203. Motor Carrier (Trucking) Deregulation Study (H.B. No. 133).
204. Expansion of Interstate Banking (H.B. No. 309)."

The resolution passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2

Voting in the affirmative were: Senators

Asay	Finlinson	Overson	Sandberg
Barlow	Hillyard	Peterson, C.	Stratford
Barton	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Peterson, L.	Wayment
Bunnell	McAllister	Renstrom	Williams
Carling	McMullin	Rogers	Pres. Christensen
Cornaby	Money		

Voting in the negative was: Senator
Bangerter

Absent or not voting were: Senators
Pugh Sowards

S.J.R. No. 18, as amended, was transmitted to the House.

STANDING COMMITTEE REPORT

Mr. President: February 27, 1985

The Senate Transportation and Public Safety Standing Committee, to which was referred **SUBSTITUTE H.B. No. 133**, MOTOR CARRIERS-REGULATION AMENDMENTS, by Representative Alarik Myrin, et al, has carefully considered the

bill and reports it out favorably with the recommendation that the substitute bill be deleted in body and title and that **SECOND SUBSTITUTE H.B. No. 133** replace the substitute bill.

Jack M. Bangerter, Committee Chairman

Committee report read and adopted. The following second substitute bill was read the second time and replaced the substitute bill.

MOTOR CARRIER — REGULATION AMENDMENTS

SECOND SUBSTITUTE
H.B. No. 133

Alarik Myrin, Boyd Warnick
Kaye Browning, Joseph A. Jenkins
R. Haze Hunter, Gayle R. McKeachnie
Arlo D. James, Ray S. Schmutz
James F. Yardley, Glen E. Brown

AN ACT RELATING TO MOTOR CARRIER REGULATION; SIMPLIFYING HEARING PROCEDURES; AMENDING THE STANDARD FOR GRANTING AUTHORITY, INCLUDING PROVIDING AUTHORITY IN CERTAIN AREAS BY A TEST OF FITNESS ONLY; AND PROVIDING A ZONE OF RATE FLEXIBILITY.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

REPEALS AND REENACTS: CHAPTER 6, TITLE 54, UTAH CODE ANNOTATED 1953

Senator McMullin moved amendments to the second substitute bill.

Senator Sowards moved the following substitute amendments:

> Page 30, Line 10:
> Delete all of Section 54-6-51 and insert the following new language: "An advisory committee of nine members shall be established. Two members of the Senate shall be appointed by the President of the Senate. Two members of the House of Representatives shall be appointed by the Speaker of the House. Five members shall be appointed by the Governor, one of whom shall represent shippers by motor carrier, one shall represent the motor carrier industry, one shall be from the State Division of Public Utilities and two shall be representatives of the general public. A chairman shall be selected from the membership of the committee by its members. Members shall be reimbursed for reasonable and necessary expenses incident to their duties on the

committee in an amount to be determined by the director of the Division of Finance. The committee shall evaluate this chapter and shall submit a report to the Governor and to the standing Transportation and Public Safety Committees of the House and Senate. The report shall recommend consensus legislation on motor carrier reform for consideration by the 47th Legislation. The committee shall consult with the Public Service Commission, the Department of Transportation, the Division of Public Utilities, and any other appropriate individuals or entities as necessary. The committee shall make periodic reports of this evaluation to the appropriate legislative standing and interim committees. The committee shall consider issues which uphold and improve the intrastate motor carrier community and create a better interaction with the interstate transportation industry.

The committee shall also conduct hearings as necessary to allow interested parties to express their views, and shall, when necessary, travel to various locations in the state in order to provide an equitable opportunity for all interested parties and persons to attend the hearings."

Senator Soward's substitute motion passed on a 14 yea, 11 nay standing vote.

Senator Black's motion to return the bill to Rules Committee passed on the following roll call:

Yeas, 15; Nays, 13; Absent, 1

Voting in the affirmative were: Senators

Black	McAllister	Renstrom	Swan
Bunnell	Money	Rogers	Williams
Carling	Peterson, L.	Sowards	Pres. Christensen
Cornaby	Pugh	Stratford	

Voting in the negative were: Senators

Asay	Hillyard	McMullin	Peterson, Chuck
Bangerter	Holmgren	Overson	Sandberg
Barlow	Matheson	Peterson, C.	Wayment
Barton			

Absent or not voting was: Senator
Finlinson

SECOND SUB. H.B. No. 133 was returned to Rules Committee.

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On motion of Senator Rogers, the rules were suspended and **H.B. No. 309,** EXPANSION OF INTERSTATE BANKING, was uncircled, read the second and third times and returned to Rules Committee.

• • •

Senator Rogers motion to uncircle **SECOND SUB. H.B. No. 110,** RIGHT TO WORK AMENDMENTS, failed.

COMMUNICATION FROM THE HOUSE

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 412,** APPROPRIATIONS ACT, by Representative Karras, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Pugh the rules were suspended and **H.B. No. 412,** APPROPRIATIONS ACT was read the first second and third times and passed on the following roll call:

Yeas, 23; Nays, 5; Absent, 1

Voting in the affirmative were: Senators

Bangerter	Cornaby	Overson	Stratford (exp)
Barlow	Finlinson	Peterson, C.	Swan
Barton	Hillyard	Peterson, Chuck	Wayment
Black	Holmgren	Peterson, L.	Williams
Bunnell	Matheson	Pugh	Pres. Christensen
Carling	McMullin	Sowards	

Voting in the negative were: Senators

Asay	Money	Renstrom	Sandberg (exp)
McAllister (exp)			

Absent or not voting was: Senator

Rogers

H.B. No. 412 was signed by the President of the Senate in open session and returned to the House for further action.

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Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and the House, **S.B. No. 91**, POWERS OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION, by Senator Rogers, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Rogers, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Asay	Finlinson	Overson	Sandberg
Bangerter	Hillyard	Peterson, C.	Stratford
Barlow	Holmgren	Peterson, L.	Swan
Barton	Matheson	Pugh	Wayment
Black	McAllister	Renstrom	Williams
Carling	McMullin	Rogers	Pres. Christensen
Cornaby			

Voting in the negative was: Senator
Money

Absent or not voting were: Senators

Bunnell	Peterson, Chuck	Sowards

• • •

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **SECOND SUB. S.B. No. 75**, DIVISION OF CONTRACTORS, by Senator Cornaby, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Cornaby, the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Barlow	Hillyard	Overson	Sowards
Barton	Holmgren	Peterson, C.	Stratford
Black	Matheson	Peterson, Chuck	Swan
Bunnell	McAllister	Pugh	Wayment
Cornaby	McMullin	Renstrom	Williams
Finlinson	Money	Rogers	Pres. Christensen

Voting in the negative was: Senator
Bangerter

Absent or not voting were: Senators

Asay	Carling	Peterson, L.	Sandberg

SECOND SUB. S.B. No. 75 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives, on reconsideration, has this day concurred in the Senate Amendments and passed **H.B. No. 277**, ZONING OF RESIDENTIAL FACILITIES FOR MENTALLY ILL AND HANDICAPPED, by Representative Frandsen, 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, on reconsideration, has this day concurred in the Senate Amendments and passed **H.B. No. 227**, NOTICE OF BUYER'S RIGHT TO CANCEL, by Representative Tomlinson, 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, on reconsideration, has this day concurred in the Senate amendments and passed **H.B. No. 210**, UNFAIR COMPETITION IN RIDESHARING, by Representative Bishop, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

H.B. No. 277, 227 and 210 were signed by the President of the Senate in open session and returned to the House for further action.

• • •

Mr. President: February 27, 1985

I am directed to inform the Senate that the Speaker has signed in open session, **SUBSTITUTE S.B. No. 246,** BOARD OF BUSINESS AND ECONOMIC DEVELOPMENT MEMBERSHIP, by Senator Rogers, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 88,** YOUTH OFFENDERS PROGRAM CERTIFICATION, by Senator Stratford, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 126,** RACKETEERING ENTERPRISES AMENDMENTS, by Senator Cornaby, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 182,** CATV FACILITIES PROTECTION, by Senator Bunnell, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, **SUBSTITUTE S.B. No. 29,** NEW MOTOR VEHICLE WARRANTIES, by Senator Peterson, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

SUB. S.B. No. 246, S.B. Nos. 88, 126, 182 and **SUB. S.B. No. 29,** were signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

RULES COMMITTEE REPORT

Mr. President: February 27, 1985

The Senate Sifting (Rules) Committee, to which were referred the following House Bills:

H.B. No. 225	EDUCATION JOINT LIAISON COMMITTEE
H.B. No. 250	YOUTH OFFENDERS VICTIM RESTITUTION
H.B. No. 382	DETENTION OF JUVENILES IN LAW ENFORCEMENT FACILITIES
H.B. No. 330	COMMITTEE ON WATER POLLUTION AMENDMENTS
H.B. No. 279	DUTIES OF DIVISION OF STATE HISTORY

H.B. No. 276	AMENDMENTS TO OSHA
SUB. H.B. No. 308	DEFENSE OF RESIDENCE
SUB. H.B. No. 197	SURPLUS REVENUE TRUST FUND
H.B. No. 242	STREET LIGHTING SPECIAL SERVICE DISTRICTS
SUB. H.B. No. 274	MINING AMENDMENTS
SUB. H.B. No. 190	PUBLIC EMPLOYEES EARLY RETIREMENT

reports the same back and recommends that they be placed on the Second Reading Calendar in the above order.

Glade M. Sowards
Rules Committee Chairman

Senator Sowards moved to adopt the Rules Committee Report.

Senator Swan moved a substitute motion to adopt the report but place **SUB. H.B. No. 190, PUBLIC EMPLOYEES EARLY RETIREMENT**, at the top of the calendar.

Senator Cary Peterson's motion to recess failed on the following roll call:

Yeas, 10; Nays, 15; Absent, 4

Voting in the affirmative were: Senators

Asay	McAllister	Peterson, L.	Stratford
Hillyard	McMullin	Rogers	Wayment
Holmgren	Peterson, C.	Sandberg	Pres. Christensen

Voting in the negative were: Senators

Barlow	Carling	Overson	Sowards
Barton	Cornaby	Peterson, Chuck	Swan
Black (exp)	Matheson	Pugh	Williams
Bunnell	Money	Renstrom	

Absent or not voting were: Senators

Bangerter	Finlinson

Senator Swan's substitute motion passed, and **SUB. H.B. No. 190, PUBLIC EMPLOYEES EARLY RETIREMENT**, was under suspension of the rules, read the second and third times, and before the Senate.

On motion of Senator McMullin **SUB. H.B. No. 190** was amended as follows:

Page 4, Line 11:
After line 11, insert a new subsection (e) to read: "(e) The member has been credited with at least 30 years of service."

Page 5, Lines 18-19:
After "65" delete the language "; plus 6% for each year of retirement prior to age 60"

Page 5, Line 20:
After "the" insert "member has 30 or more years of credit, or if"

Page 5, Line 21:
After "credit" insert "and is 55 or older"

Page 5, Line 29:
Reinsert the bracketed language and delete "25"

Page 6, Line 2:
After "that" reinsert bracketed language and delete "25"

Page 6, Line 9:
Reinsert the bracketed language and delete "25"

Page 7, Line 1:
After "has" reinsert bracketed language and delete "25"

Page 7, Line 2:
After "service", insert "is 55 or older with 25 or more years of credited service."

On motion of Senator Cary Peterson, **SUB. H.B. No. 190** was amended as follows:

Page 2, Line 23:
After "(4)" insert "(a)"

Page 2, Line 29:
After line 29, insert the following new subsection: "(b) If the board determines through its actuary that the contribution rate must be increased to maintain the soundness of the Public Employees Retirement System as a result of retirements taken under the provision allowing retirement with 25 years of service credit at age 55, the increase in the rate shall be borne by the employee through payroll deduction."

The bill passed on the following roll call:

Yeas, 21; Nays, 6; Absent, 2

Voting in the affirmative were: Senators

Barlow	Hillyard	Overson	Stratford
Black	Holmgren	Peterson, Chuck	Swan
Bunnell	Matheson	Pugh	Wayment
Carling	McMullin	Renstrom	Williams
Cornaby	Money	Sowards	Pres. Christensen
Finlinson			

Voting in the negative were: Senators

Bangerter	McAllister	Peterson, L.	Sandberg
Barton	Peterson, C.		

Absent or not voting were: Senators

Asay	Rogers

SUB. H.B. No. 190, as amended, was returned to the House.

• • •

On motion of Senator Cary Peterson, and at 6:10 p.m., the Senate recessed. The Senate reassembled at 7:40 p.m.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 26, IONE M. DAVIS RESOLUTION**, by Representative Bradshaw, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Carling, and under suspension of the rules, the resolution was read the first, second and third times, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Bangerter	Hillyard	Money	Sandberg
Barlow	Holmgren	Peterson, C.	Sowards

Absent or not voting were: Senators

Asay	Finlinson	Pugh	Stratford
Black	Overson	Rogers	Williams

H.C.R. No. 26 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, **S.B. No. 270,** VEHICLE LENGTH, WIDTH, AND AXLE AMENDMENTS, by Senator Sowards, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Sowards, the Senate voted to not concur in the House Amendments and to ask the House to recede from it amendments.

S.B. No. 270 was transmitted to the House.

• • •

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives, on reconsideration, has this day concurred in the Senate amendments and passed **SUBSTITUTE H.B. No. 339,** PROTECTION OF PUBLIC EMPLOYEES ACT, by Representative Johnson, 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, on reconsideration, has this day concurred in the Senate amendments and passed **SUBSTITUTE H.B. No. 289,** MUNICIPALLY OWNED WATER SYSTEM APPLICATION AMENDMENTS, by Representative Pace, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

SUB. H.B. Nos. 339 and **289** were signed by the President of the Senate in open session and returned to the House for further action.

• • •

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 292**, SUPPLEMENTAL APPROPRIATIONS ACT, by Senator Pugh, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.B. No. 292 was signed by the President of the Senate in open session and referred to Rules Committee to be enrolled and transmitted to the Governor.

• • •

On motion of Senator Hillyard, and under suspension of the rules the Senate voted to reconsider its action on **S.B. No. 117**, INCOME TAX PENALTIES, and to refuse to concur in the House amendments, and to ask the House to recede from its amendments.

S.B. No. 117, was returned to the House.

• • •

On motion of Senator Barton, the rules were suspended and **H.B. No. 275**, SECOND INJURY DISABILITY BENEFITS, 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

Bangerter	Hillyard	Peterson, C.	Sandberg
Barlow	Holmgren	Peterson, Chuck	Sowards
Barton	Matheson	Peterson, L.	Stratford
Black	McAllister	Pugh	Swan
Bunnell	McMullin	Renstrom	Wayment
Carling	Money	Rogers	Pres. Christensen
Cornaby	Overson		

Absent or not voting were: Senators

Asay	Finlinson	Williams

H.B. No. 275 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator Cornaby, the rules were suspended and **H.B. No. 101**, MUNICIPAL BOND ACT AMENDMENTS, was read the second and third times and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Finlinson	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	Matheson	Peterson, L.	Swan
Black	McAllister	Pugh	Wayment
Bunnell	McMullin	Renstrom	Williams
Carling	Money	Rogers	Pres. Christensen
Cornaby	Overson	Sandberg	

Absent or not voting were: Senators

Asay	Hillyard

H.B. No. 101 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator Stratford, the rules were suspended and **SUB. H.B. No. 266**, AGRICULTURAL CODE CIVIL PENALTY AMENDMENTS, was read the second and third times and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Bangerter	Finlinson	Overson	Sowards
Barlow	Hillyard	Peterson, C.	Stratford
Barton	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Peterson, L.	Wayment
Bunnell	McAllister	Pugh	Williams
Carling	McMullin	Renstrom	Pres. Christensen
Cornaby	Money	Sandberg	

Absent or not voting were: Senators

Asay	Rogers

SUB. H.B. No. 266 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator Black, the rules were suspended and **H.B. No. 317**, VEHICLE SIZE AND WEIGHT REGULATION, was read the second and third times.

Col. Dennis J. Nordfelt, Superintendent of the Division of Highway Patrol, and Representative Boyd L. Warnick, spoke in Committee of the Whole.

Senators Black, Cornaby, Barton, McMullin, Stratford, Bunnell, Matheson and Williams commented.

On motion of Senator Renstrom, the bill was returned to Rules Committee.

• • •

On motion of Senator Cary Peterson, and under suspension of the rules, **H.B. No. 215**, COMMUNICATIONS FRAUD, was lifted to the top of the calendar and read the second and third times.

Brent Ward, United States Attorney for Utah spoke in Committee of the Whole.

The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, C.	Sandberg
Bangerter	Holmgren	Peterson, Chuck	Stratford
Barlow	Matheson	Peterson, L.	Swan
Black	McAllister	Pugh	Wayment
Bunnell	McMullin	Renstrom	Williams
Cornaby	Money	Rogers	Pres. Christensen
Finlinson	Overson		

Absent or not voting were: Senators

Barton	Carling	Sowards

H.B. No. 215 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator Rogers, and under suspension of the rules, the Senate voted to reconsider S.B. No. 91, POWERS OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTORS, and not concur in the House amendments, and to ask the House to recede from its amendments.

S.B. No. 91 was returned to the House.

• • •

On motion of Senator Overson, the rules were suspended and H.B. No. 299, RETIREMENT LAW AMENDMENTS, 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

Assay	Cornaby	Overson	Rogers
Bangerter	Finlinson	Peterson, C.	Sandberg
Barlow	Hillyard	Peterson, Chuck	Swan
Barton	Holmgren	Peterson, L.	Wayment
Black	McAllister	Pugh	Williams
Bunnell	McMullin	Renstrom	Pres. Christensen
Carling	Money		

Absent or not voting were: Senators

Matheson	Sowards	Stratford

H.B. No. 299 was signed by the President of the Senate in open session and returned to the House for further action.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, H.B. No. 413, CAPITAL FACILITIES AND IMPROVEMENTS, by Representative E. Ute Knowlton, and the same is transmitted herewith for Senate consideration.

Carole E. Petersen, Acting Chief Clerk

On motion of Senator Cary Peterson, the rules were suspended and H.B. No. 413 was read the first, second and third times.

Senator Hillyard moved amendments.

Senator Pugh's substitute motion amended the bill as follows:

Cherry: Page 9:
Delete Line 4a and remainder of the page.

Cherry: Page 9a:
Delete all language on the cherry page, and insert the following after line 31: "An amount not to exceed $1,322,000 is appropriated from surplus funds in the General Fund of the State of Utah as of June 30, 1985 to the State Building Board for the completion of the Utah Technical College at Salt Lake: roadway and right-of-way and the University of Utah: city reservoir connection projects. Such surplus is to be the amount remaining in the General Fund as free revenue after the books are closed for the fiscal year ending June 30, 1985. The Building Board is instructed to use whatever funds are available according to the priority of the two specified projects. In the event the full funding, as set forth for each project herein is not available from General Fund surpluses, and Building Board shall not proceed, but may begin to plan and design those projects not so funded. This appropriation shall not lapse or revert to the General Fund.

It is the intent of the Legislature that the Division of Facilities Construction and Management take such action as may be necessary to regain title to land conveyed to the Mental Retardation Association of Utah under Chapter 200, Laws of Utah 1975.

Section 4. This act takes effect upon approval by the governor, or the day following the constitutional time limit of Article VII, Section 8 without the governor's signature, or in the case of a veto, the date of veto override."

Senator Black moved to restore on Cherry: Page 9, Liens 4f through 4k regarding the Utah National Guard - Headquarters/Armory $4,100,000.

Senator Hillyard moved a susbstitute motion to place the Northern Microwave System as No. 11 on Cherry: Page 9. The substitute motion failed, and Senator Black's main motion failed.

The bill passed on the following roll call:

Yeas, 28; Nays, 1; Absent, 0

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Sandberg
Bangerter	Finlinson	Peterson, C.	Sowards
Barlow	Hillyard	Peterson, Chuck	Stratford
Barton	Holmgren	Peterson, L.	Swan
Black	Matheson	Pugh	Wayment
Bunnell	McAllister	Renstrom	Williams
Carling	McMullin	Rogers	Pres. Christensen

Voting in the negative was: Senator
Money

H.B. No. 413, as amended, was returned to the House.

• • •

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives, on reconsideration, has this day concurred in the Senate amendments and passed, **SECOND SUBSTITUTE H.B. No. 284, ESTATE AMENDMENTS,** by Representative Bradford, and the same is transmitted herewith for the signature of the President.

Carole E. Petersen, Acting Chief Clerk

SECOND SUB. H.B. No. 284 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, **S.B. No. 268, MOTOR VEHICLE REGISTRATION AMENDMENTS,** by Senator C.E. Peterson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives, has this day receded from its amendments and passed, **S.B. No. 270,** VEHICLE LENGTH, WIDTH, AND AXLE AMENDMENTS, by Senator Sowards, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

H.B. No. 414 was signed by the President of the Senate in open session and returned to the House for further action.

APPOINTMENTS

On motion of Senator C.E. Peterson, the Senate voted to consent to all of the appointments on the following two communications from the Governor, with the exception of the appointment of Brian Theodore Stewart to the Public Service Commission.

Dear President Christensen: February 26, 1985

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

Agriculture

Miles Cap Ferry, appointed as Commissioner of Agriculture replacing Stephen T. Gillmor. Section 4-1-3, Utah Code Annotated, 1953, as amended.

Public Service Commission

Brian Theodore Stewart, appointed as a member of the Public Service Commission of Utah replacing David R. Irvine for a term expiring March 1, 1989. Section 54-1-1.5, Utah Code Annotated, 1953, as amended.

Department of Community and Economic Development

David Adams, appointed as Director of Department of Community and Economic Development replacing Dale B. Carpenter. Section 63-33-2, Utah Code Annotated, 1953, as amended.

Health

Suzanne Dandoy, appointed as Director of the Department of Health. Section 26-13-5, Utah Code Annotated, 1953, as amended.

Industrial Commission

Stephen M. Hadley, reappointed as a member of the State Industrial Commission as an Industrial Commissioner for a term expiring March 1, 1989. Section 35-1-1, Utah Code Annotated 1953, as amended.

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Hillyard	Peterson, Chuck	Sowards
Bangerter	Holmgren	Peterson, L.	Stratford
Barlow	Matheson	Pugh	Swan
Barton	McMullin	Renstrom	Wayment
Carling	Money	Rogers	Williams
Cornaby	Overson	Sandberg	Pres. Christensen
Finlinson	Peterson, C.		

Absent or not voting were: Senators

Black	Bunnell	McAllister

S.B. No. 286 was returned to the House.

• • •

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 414, APPROPRIATIONS ACT,** by Representative Karras, and the same is transmitted herewith for Senate consideration.

Carole E. Petersen, Acting Chief Clerk

On motion of Senator Pugh, the rules were suspended and the bill was read the first, second and third times and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, C.	Sandberg
Bangerter	Hillyard	Peterson, Chuck	Sowards
Barlow	Holmgren	Peterson, L.	Stratford
Barton	Matheson	Pugh	Swan
Bunnell	McMullin	Renstrom	Williams
Carling	Money	Rogers	Pres. Christensen
Cornaby	Overson		

Absent or not voting were: Senators

Black	McAllister	Wayment

H.B. No. 414 was signed by the President of the Senate in open session and returned to the House for further action.

APPOINTMENTS

On motion of Senator C.E. Peterson, the Senate voted to consent to all of the appointments on the following two communications from the Governor, with the exception of the appointment of Brian Theodore Stewart to the Public Service Commission.

Dear President Christensen: February 26, 1985

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

Agriculture

Miles Cap Ferry, appointed as Commissioner of Agriculture replacing Stephen T. Gillmor. Section 4-1-3, Utah Code Annotated, 1953, as amended.

Public Service Commission

Brian Theodore Stewart, appointed as a member of the Public Service Commission of Utah replacing David R. Irvine for a term expiring March 1, 1989. Section 54-1-1.5, Utah Code Annotated, 1953, as amended.

Department of Community and Economic Development

David Adams, appointed as Director of Department of Community and Economic Development replacing Dale B. Carpenter. Section 63-33-2, Utah Code Annotated, 1953, as amended.

Health

Suzanne Dandoy, appointed as Director of the Department of Health. Section 26-13-5, Utah Code Annotated, 1953, as amended.

Industrial Commission

Stephen M. Hadley, reappointed as a member of the State Industrial Commission as an Industrial Commissioner for a term expiring March 1, 1989. Section 35-1-1, Utah Code Annotated 1953, as amended.

Joseph Lamoreaux, appointed as a member of the Utah Occupational Safety and Health Review Commission replacing Jack P. Anderson for a term expiring March 1, 1989. Section 35-9-12, Utah Code Annotated, 1953, as amended.

F.A. Mathie, reappointed as a member of the Utah Occupational Safety and Health Review Commission for a term expiring March 1, 1989. Section 35-9-12, Utah Code Annotated, 1953, as amended.

Public Safety

John Neilson, appointed as Commissioner of Public Safety replacing Larry Lunnen. Section 41-13-2, Utah Code Annotated, 1953, as amended.

Administrative Services

W. Val Oveson, appointed as Executive Director of the Department of Administrative Services replacing James Edwin Kee. Section 83-2-2, Utah Code Annotated, 1953, as amended.

Utah State Building Board

Ron Halvorson, appointed as a member of the Utah State Building Board replacing John Dunlop for a term expiring April 1, 1989. Section 63-1033, Utah Code Annotated 1953, as amended.

State Building Ownership Authority

Ronald Halvorson, appointed as a member of the State Building Ownership Authority, replacing Albert Porter who resigned, for a term expiring January 15, 1987. Section 63-9a-4, Utah Code Annotated, 1953, as amended.

Neal Lundberg, appointed as a member of the State Building Ownership Authority replacing J. Thomas Greene for a term expiring January 15, 1989. Section 63-9a-4, Utah Code Annotated, 1953, as amended.

Fred A. Baker, appointed as a member of the State Building Ownership Authority, replacing Dan S. Bushnell for a term expiring January 15, 1989. Section 63-9a-4, Utah Code Annotated 1953, as amended.

Natural Resources

Dee Hansen, appointed as Executive Director of Natural Resources and Energy, replacing Tample A. Reynolds. Section 63-34-5, Utah Code Annotated, 1953, as amended by S.B. 139, 1981 General Session.

State Engineer — Director of Division of Water Rights

Robert Morgan, appointed as State Engineer, replacing Dee C. Hansen for a term expiring March 1, 1989. Section 73-2-1 and 73-2-1.2, Utah Code Annotated, 1953, as amended.

Board of Big Game Control

Greg Cunningham, appointed as a member of the Board of Big Game Control, replacing Alan E. Thompson, for a term expiring March 20, 1989. Section 23-14-5, as amended by 63-34-3, Utah Code Annotated, 1953.

Newell A. Johnson, reappointed as a member of the Board of Big Game Control for a term expiring March 20, 1989. Section 23-14-5, as amended by 63-34-3, Utah Code Annotated, 1953.

Board of Oil, Gas, and Mining

E. Steele McIntyre, reappointed as a member of the Board of Oil, Gas, and Mining for a term expiring March 1, 1989. Section 40-6-4, Utah Code Annotated, 1953, as amended.

Charles R. Henderson, reappointed as a member of the Board of Oil, Gas and Mining for a term expiring March 1, 1989. Section 40-6-4, Utah Code Annotated, 1953, as amended.

Richard B. Larsen, reappointed as a member of the Board of Oil, Gas and Mining for a term expiring March 1, 1989. Section 40-6-4, Utah Code Annotated, 1953, as amended.

Board of Water Resources

Clair Allen, appointed as a member of the Board of Water Resources, replacing John P. Holmgren, for a term expiring March 1, 1989. Section 63-34-3 and 73-10-2, Utah Code Annotated, 1953.

Wayne M. Winegar, reappointed as a member of the Board of Water Resources for a term expiring March 1, 1989. Section 63-43-3 and 73-10-2, Utah Code Annotated, 1953.

Clark Wall, appointed as a member of the Board of Water Resources, replacing Lamar H. Stewart who resigned, for a term expiring March 1, 1987. Section 63-34-3 and 73-10-2, Utah Code Annotated, 1953.

Irvin Hawe, reappointed as a member of the Board of Water Resources for a term expiring March 1, 1989. Section 63-34-3 and 73-10-2, Utah Code Annotated, 1953.

Wildlife Board

Dr. Hugh Hogle, reappointed as a member of the Wildlife Board for a term expiring March 1, 1989. Section 23-14-2, Utah Code Annotated, 1953.

Warren Harward, reappointed as a member of the Wildlife Board for a term expiring March 1, 1989. Section 23-14-2, Utah Code Annotated, 1953.

Central Utah Water Conservancy District Board

Dr. Glen R. Brown, appointed as a member of the Central Utah Water Conservancy District Board representing Utah County for a term expiring March 1, 1988. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

Donald G. Spencer, appointed as a member of the Central Utah Water Conservancy District Board representing Salt Lake County for a term expiring March 1, 1988. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

LeRoy W. Hooton, Jr., appointed as a member of the Central Utah Water Conservancy District Board representing Salt Lake County for a term expiring March 1, 1988. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

R. Roscoe Garrett, appointed as a member of the Central Utah Water Conservancy District Board representing Juab County for a term expiring March 1, 1988. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

Melvin B. White, appointed as a member of the Central Utah Water Conservancy District Board representing Duchesne County for a term expiring March 1, 1988. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

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

In accordance with Section 67-1-1 and 2, Utah Code Annotated, 1953, I propose and transmit the following appointment:

Central Utah Water Conservancy District Board

Boyd Workman, appointed as a member of the Central Utah Water Conservancy District Board representing Uintah County for a term expiring March 1, 1988. Sections 73-9-9 and 73-9-14, Utah Code Annotated, 1953, as amended.

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

Norman H. Bangerter
Governor, State of Utah

Communication filed.

SECOND READING CALENDAR

On motion of Senator Cornaby, the rules were suspended and **H.B. No. 333**, MUNICIPAL BUILDING AUTHORITY LEASES, 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	Cornaby	Overson	Sandberg
Bangerter	Finlinson	Peterson, C.	Sowards
Barlow	Hillyard	Peterson, Chuck	Swan
Barton	Holmgren	Peterson, L.	Wayment
Black	McMullin	Pugh	Williams

Bunnell	Money	Rogers	Pres. Christensen
Carling			

Voting in the negative was: Senator
Matheson

Absent or not voting were: Senators

McAllister	Renstrom	Stratford

H.B. No. 33 was signed by the President of the Senate in open session and returned to the House for further action.

JOINT CONFERENCE COMMITTEE REPORT
(S.B. No. 62, UTAH ARBITRATION ACT)

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives has this day adopted the Joint Conference Committee Report as of February 27, 1985, and passed S.B. No. 62, UTAH ARBITRATION ACT, by Senator Stratford, et al, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Acting Chief Clerk

Mr. Speaker: February 27, 1985

Your Conference Committee on S.B. No. 62, has met with a like Committee from the Senate and make the following Committee Report:

The Committee proposes to accept the House amendment to S.B. No. 62.

Representative Lorin N. Pace
Committee Chairman
Senator Dale E. Stratford
Committee Chairman

On motion of Senator Stratford the Senate voted to adopt the Joint Conference Committee Report. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Cornaby	Peterson, C.	Sandberg
Bangerter	Hillyard	Peterson, Chuck	Sowards
Barlow	Holmgren	Peterson, L.	Swan

Barton	McAllister	Pugh	Wayment
Black	McMullin	Renstrom	Williams
Bunnell	Money	Rogers	Pres. Christensen
Carling	Overson		

Absent or not voting were: Senators

Finlinson	Matheson	Stratford

S.B. No. 62 was transmitted to the House.

COMMUNICATION FROM THE HOUSE

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives has this day receded from its amendments and passed **S.B. No. 91**, POWERS OF THE STATE SUPERINTENDENT OF PUBLIC INFORMATION, by Senator Rogers, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.B. No. 91 was signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

THIRD READING CALENDAR

H.B. No. 283, UTAH PROCUREMENT FINANCE AUTHORITY was read the third time.

On motion of Senator Barlow **H.B. No. 283** was amended as follows:

Page 1, Line 15:
Delete "APPROPRIATING 1.8"

Page 1, Line 16:
Delete "MILLION DOLLARS;"

Page 5, Lines 4-7:
Delete all the language on Lines 4-7

Page 5, Line 8:
change "7" to "6"

The bill passed on the following roll call:

Yeas, 22; Nays, 4; Absent, 3

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, Chuck	Stratford
Bangerter	Hillyard	Peterson, L.	Swan
Barlow	Holmgren	Pugh	Wayment
Black	McMullin	Renstrom	Williams
Bunnell	Money	Sandberg	Pres. Christensen
Cornaby	Peterson, C.		

Voting in the negative were: Senators

Matheson	McAllister	Overson	Rogers

Absent or not voting were: Senators

Barton	Carling	Sowards

H.B. No. 283, as amended, was returned to the House.

COMMUNICATION FROM THE HOUSE

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and the House S.J.R. No. 18, INTERIM STUDY ASSIGNMENTS, by Senator Cary G. Peterson, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Petersen, Acting Chief Clerk

On motion of Senator Cary Peterson the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, C.	Sandberg
Bangerter	Hillyard	Peterson, Chuck	Stratford
Barlow	Holmgren	Peterson, L.	Swan
Black	Matheson	Pugh	Wayment
Bunnell	McAllister	Renstrom	Williams
Carling	McMullin	Rogers	Pres. Christensen
Cornaby	Money		

Absent or not voting were: Senators

Barton	Overson	Sowards

S.J.R. No. 18 was returned to the House.

• • •

On motion of Senator L. Peterson the rules were suspended and H.B. No. 286, LOCAL ALCOHOL AND DRUG AUTHORITY, 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	Hillyard	Peterson, C.	Sandberg
Bangerter	Holmgren	Peterson, Chuck	Sowards
Barlow	McAllister	Peterson, L.	Stratford
Black	McMullin	Pugh	Swan
Bunnell	Money	Renstrom	Wayment
Cornaby	Overson	Rogers	Pres. Christensen
Finlinson			

Absent or not voting were: Senators

Barton	Carling	Matheson	Williams

H.B. No. 286 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator Cary Peterson the rules were suspended and H.J.R. No. 27, JON M. MEMMOTT 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	Hillyard	Peterson, Chuck	Sowards
Bangerter	Holmgren	Peterson, L.	Stratford
Barlow	McAllister	Pugh	Swan
Black	McMullin	Renstrom	Wayment
Cornaby	Money	Rogers	Williams
Finlinson	Peterson, C.	Sandberg	Pres. Christensen

Absent or not voting were: Senators

Barton	Carling	Matheson	Overson
Bunnell			

H.J.R. No. 27 was signed by the President of the Senate in open session and returned to the House for further action.

RULES COMMITTEE REPORT

Mr. President: February 27, 1985

The Senate Sifting (Rules) Committee, to which was referred the following House Bill:

H.B. No. 302 POWER OF TOWNS

reports the same back and recommends that it be placed at the top of Second Reading Calendar.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted.

On motion of Senator Finlinson, the rules were suspended, and **H.B. No. 302** 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	Finlinson	Peterson, C.	Sandberg
Bangerter	Hillyard	Peterson, Chuck	Sowards
Barlow	Holmgren	Peterson, L.	Stratford
Black	McAllister	Pugh	Swan
Bunnell	McMullin	Renstrom	Wayment
Carling	Money	Rogers	Pres. Christensen
Cornaby			

Absent or not voting were: Senators

Barton	Matheson	Overson	Williams

H.B. No. 302 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

Senator Rogers moved to uncircle, **SECOND SUB. H.B. No. 110,** RIGHT TO WORK AMENDMENTS.

Senator Renstrom's substitute motion to return the bill to Rules Committee passed.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives, on reconsideration, has this day concurred in the Senate amendments and passed **SUBSTITUTE H.B. No. 190,** PUBLIC EMPLOYEES EARLY RETIREMENT, by Representative Pace, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

SUB. H.B. No. 190 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives has this day receded from its amendments and passed **SUBSTITUTE S.B. No. 117,** INCOME TAX — FILING PENALTIES, by Senator Hillyard, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

SUB. S.B. No. 117 was signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

• • •

The Senate recessed at 9:30 p.m., and reassembled at 10:35 p.m.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 27, 1985

I am directed to inform the Senate that the Speaker has signed in open session, **SEVENTH SUBSTITUTE S.B. No. 97,** WATER AND FLOOD FINANCING, by Senator

Finlinson, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, SECOND SBUSTITUTE S.B. No. 75, DIVISION OF CONTRACTORS, by Senator Cornaby, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives, has this day passed S.B. No. 278, PEST CONTROL COMPACT, by Senator Stratford, which has been signed by the Speaker in open session, and the same is transmitted 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. 266, UTAH PRIVATIZATION ACT AMENDMENTS, by Senator Finlinson, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, S.B. No. 78, UTAH PERCENT-FOR-ART ACT, by Senator Wayment, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed, S.B. No. 199, REQUIREMENTS FOR ALTERING NATURAL STREAMS, by Senator Finlinson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session SUBSTITUTE S.B. No. 104, PEACE OFFICER DESIGNATION, 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 S.B. No. 178, PENALTY FOR WRONGFUL LIEN, 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, SUBSTITUTE S.B. No. 87, SUPERVISED PROBATION AMENDMENTS, by Senator Dale E. Stratford, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the Speaker has signed in open session, S.B. No. 291, SCHOOL FINANCE ACT AMENDMENTS, by Senator Haven J. Barlow, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

SEVENTH SUB. S.B. No. 97, SECOND SUB. S.B. No. 75, S.B. Nos. 273, 266, 73, 199, SUB. S.B. No. 104, S.B. No. 178 and SUB. S.B. No. 87 and S.B. No. 291 were signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

• • •

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives has this day rejected **S.B. No. 204**, LICENSING REQUIREMENTS FOR DRILLING WATER WELLS, by Senator Finlinson, and the same is returned herewith.

Carole E. Peterson, Acting Chief Clerk

S.B. No. 204 was filed.

• • •

On motion of Senator Wayment, **H.B. Nos. 250** and **382** were lifted to the top of the calendar.

On motion of Senator Stratford, the rules were suspended, and **H.B. No. 250**, YOUTH OFFENDERS VICTIM RESTITUTION, 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

Barlow	Hillyard	Peterson, Chuck	Stratford
Barton	Matheson	Peterson, L.	Swan
Black	McMullin	Pugh	Wayment
Bunnell	Money	Renstrom	Williams
Carling	Overson	Rogers	Pres. Christensen
Cornaby	Peterson, C.	Sandberg	

Absent or not voting were: Senators

Asay	Finlinson	McAllister	Sowards
Bangerter	Holmgren		

H.B. No. 250 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator Stratford, the rules were suspended, and **H.B. No. 382**, DETENTION OF JUVENILES IN LAW ENFORCEMENT FACILITIES, 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

Bangerter	Finlinson	Peterson, C.	Sowards
Barlow	Hillyard	Peterson, Chuck	Stratford
Barton	Holmgren	Peterson, L.	Swan
Black	Matheson	Renstrom	Wayment
Bunnell	McMullin	Rogers	Williams
Carling	Money	Sandberg	Pres. Christensen
Cornaby	Overson		

Absent or not voting were: Senators

Asay	McAllister	Pugh

H.B. No. 382 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

Mr. President: February 27, 1985

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. 413**, CAPITAL FACILITIES AND IMPROVEMENTS, by Representative E. Ute Knowlton, and requests the Senate to recede from it amendments.

Carole E. Petersen, Acting Chief Clerk

On motion of Senator Cary Peterson, the Senate voted to reconsider **H.B. No. 413**, and to circle the bill.

• • •

On motion of Senator McMullin the rules were suspended and **H.B. No. 330**, COMMITTEE ON WATER POLLUTION AMENDMENT, was read the second and third times and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Cornaby	Overson	Sandberg
Bangerter	Finlinson	Peterson, C.	Sowards
Barlow	Hillyard	Peterson, Chuck	Stratford
Barton	Holmgren	Peterson, L.	Swan
Black	Matheson	Pugh	Wayment
Bunnell	McMullin	Renstrom	Williams
Carling	Money	Rogers	Pres. Christensen

Absent or not voting was: Senator
McAllister

H.B. No. 330 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives, on reconsideration, has this day concurred in the Senate amendments and passed **H.B. No. 283,** UTAH PROCUREMENT FINANCE AUTHORITY, by Representative Holt, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

H.B. No. 283 was signed by the President of the Senate, in open session, and returned to the House for further action.

• • •

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and the House, **S.B. No. 212,** PUBLIC UTILITIES DEFINITIONAL CHANGES, by Senator Finlinson, et al, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Acting Chief Clerk

On motion of Senator Finlinson the Senate voted to concur in the House amendments. The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Asay	Finlinson	Overson	Sandberg
Bangerter	Hillyard	Peterson, C.	Sowards
Barton	Holmgren	Peterson, Chuck	Stratford
Black	Matheson	Peterson, L.	Swan
Bunnell	McAllister	Pugh	Wayment
Carling	McMullin	Renstrom	Williams
Cornaby	Money	Rogers	Pres. Christensen

Absent or not voting was: Senator
Barlow

S.B. No. 212 was transmitted to the House.

• • •

On motion of Senator Stratford the rules were suspended and H.B. No. 276, AMENDMENTS TO OSHA, was read the second and third times and passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0

Voting in the affirmative were: Senators

Asay	Finlinson	Overson	Sandberg
Bangerter	Hillyard	Peterson, C.	Sowards
Barlow	Holmgren	Peterson, Chuck	Stratford
Barton	Matheson	Peterson, L.	Swan
Black	McAllister	Pugh	Wayment
Bunnell	McMullin	Renstrom	Williams
Carling	Money	Rogers	Pres. Christensen
Cornaby			

H.B. No. 276 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

Senator McMullin moved to lift **H.B. No. 392**, MOTOR VEHICLE SEAT BELT USAGE, to the top of Second Reading Calendar.

Senator Overson's substitute motion to lift **SUB. H.B. No. 30**, VOLUNTARY SCOLIOSES SCREENING, from Rules Committee to the top of Second Reading calendar passed.

On motion of Senator Overson, the bill was circled.

• • •

On motion of Senator Carling the rules were suspended and **H.B. No. 242**, STREET LIGHTING SPECIAL SERVICE DISTRICTS, 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	Cornaby	Overson	Rogers
Bangerter	Finlinson	Peterson, C.	Sandberg
Barlow	Hillyard	Peterson, Chuck	Sowards
Barton	Holmgren	Peterson, L.	Swan
Black	Matheson	Pugh	Wayment
Bunnell	McAllister	Renstrom	Pres. Christensen
Carling	Money		

Absent or not voting were: Senators

McMullin	Stratford	Williams

H.B. No. 242 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

On motion of Senator Overson, the circle was removed from **SUB. H.B. No. 30**, VOLUNTARY SCOLIOSIS SCREENING, and the bill was, under suspension of the rules, read the second and third times.

On motion of Senator McAllister, the bill was circled.

• • •

Senator McMullin moved to lift **H.B. No. 392**, MOTOR VEHICLE SEAT BELT USAGE to the top of Second Reading Calendar. The motion failed.

• • •

On motion of Senator Rogers the rules were suspended and **H.B. No. 244**, POST RETIREMENT EMPLOYMENTS, was read the second and third times. Senator Rogers moved amendments. On motion of Senator Cornaby, the bill was circled.

• • •

On motion of Senator Bangerter, the Senate voted to reconsider its previous action and refuse to concur in the House amendments and to ask the House to recede from it amendments to S.B. No. 191, AMENDMENT TO ANNEXATION PROVISION.

S.B. No. 191 was returned to the House.

• • •

On motion of Senator Cary Peterson, and under suspension of the rules, H.B. No. 413, CAPITAL FACILITIES AND IMPROVEMENTS, was uncircled and before the Senate on reconsideration.

On motion of Senator Cary Peterson, H.B. No. 413 was amended as follows:

Return to the original language of the bill and insert the following amendments:

Page 6, Line 17:
After "building." insert "If not under construction within 5 years, the principle plus interest shall revert to the state."

Page 7, Line 19:
Delete lines 19 through 27

Page 8, Lines 18 through 27:
After "act." on line 18, delete the language through "agency." on line 27.

Page 9, Line 4:
After line 4 insert the following language:

11 Utah National Guard - Headquarters/Armory 4,100,000
It is the intent of the Legislature that the Division of Facilities Construction and Management utilize $4.1 million as an initial down payment for the acquisition and remodeling of the "A.D.D.S." Building in Draper, Utah, for the use of the Utah National Guard as a combined Headquarters, Armory, and Combined Support Facility.

12 Northern Microwave System 1,200,000
It is the intent of the Legislature that the Department of Administrative Services utilize $1,200,000 for the extension of the state narrowband microwave, two-way voice and data, into Cache County and

restoration of the board band microwave, two-way video and audio, to regional terminals at Weber State College and Utah State University, including development of a multiagency telecommunications site on Logan Peak, and a grant matching fund for a drop-circuit from the broadband system into Richfield.

13 Division of Expositions - Utah State Fairgrounds - Phase 2 - Agriculture Expositions Facility 2,978,000
It is the intent of the Legislature that these funds be used to complete Phase 2 of the Agriculture Expositions Facility at the Utah State Fairgrounds.

14 Division of Corrections - Utah State Prison Master Plan Implementation - funding of first year construction 4,600,000
It is the intent of the Legislature that these funds be transferred to an account in DFCM to be reserved for future construction in the Division of Corrections.

Page 9, Line 5:
Delete "$1,322,000" and insert "$14,200,000

Page 9, Line 8:
After "1985" insert "and June 30, 1986"

Page 9, Line 9:
After "of" delete the remainder of lines 9, 10, 11 and 12 through "projects" and insert "project priorities 9 through 14, in order of their priority"

Page 9, Line 15:
After "1985" insert "and June 30, 1986"

Senator Overson moved an amendment that failed.

The bill passed on the following roll call:

Yeas, 19; Nays, 6; Absent, 4

Voting in the affirmative were: Senators

Barlow	Finlinson	Peterson, C.	Stratford
Barton	Hillyard	Peterson, Chuck	Swan
Black	Holmgren	Pugh	Wayment

Carling	McMullin	Sandberg	Pres. Christensen
Cornaby	Money	Sowards	

Voting in the negative were: Senators

Asay	McAllister	Peterson, L.	Rogers
Matheson	Overson		

Absent or not voting were: Senators

Bangerter	Bunnell	Renstrom	Williams

H.B. No. 413, as amended, was returned to the House.

• • •

On motion of Senator Sowards the rules were suspended and **SUB. H.B. No. 308, DEFENSE OF RESIDENCE,** was read the second and third times and passed on the following roll call:

Yeas, 15; Nays, 9; Absent, 5

Voting in the affirmative were: Senators

Asay	Finlinson	Peterson, C.	Swan
Barton	McAllister	Rogers	Wayment
Bunnell	McMullin	Sandberg	Pres. Christensen
Carling	Money	Sowards	

Voting in the negative were: Senators

Black	Holmgren	Peterson, Chuck	Renstrom
Cornaby	Overson	Peterson, L.	Stratford
Hillyard			

Absent or not voting were: Senators

Bangerter	Matheson	Pugh	Williams
Barlow			

SUB. H.B. No. 308 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

(S.B. No. 291, SCHOOL FINANCE ACT AMENDMENTS)

On motion of Senator Barlow, the Senate voted, without dissent, to place the following intent language in the Senate Journal.

It is the intent of the Senate in passing **S.B. No. 291** *that career ladder appropriations, implementation procedures, and subsequent teacher benefits not be subject to formal negotiations. However, career ladder programs should be developed with the advice and counsel of parents, teachers, and school administrators who represent the various schools throughout the district.*

• • •

On motion of Senator McMullin, **H.B. No. 244**, POST RETIREMENT EMPLOYMENT, was uncircled and before the Senate.

On motion of Senator Rogers, **H.B. No. 244** was amended as follows:

Page 3, Line 20:
After line 20 insert two new sections as follows: "Section 3. This act does not affect members of any retirement system administered by the board who retire before the effective date of this act.

Section 4. This act takes effect July 1, 1985."

The bill failed on the following roll call:

Yeas, 12; Nays, 14; Absent, 3

Voting in the affirmative were: Senators

Asay	Holmgren	McMullin	Rogers
Barlow	Matheson	Peterson, Chuck	Sandberg
Barton	McAllister	Pugh	Pres. Christensen

Voting in the negative were: Senators

Black	Finlinson	Renstrom	Swan
Bunnell	Hillyard	Sowards	Wayment
Carling	Overson	Stratford	Williams
Cornaby	Peterson, L.		

Absent or not voting were: Senators

Bangerter	Money	Peterson, C.

H.B. No. 244 was returned to the House for filing.

• • •

On motion of Senator McAllister the rules were suspended and SUB. H.B. No. 197, SURPLUS REVENUE TRUST FUND, was read the second and third times and failed on the following roll call:

Yeas, 13; Nays, 14; Absent, 2

Voting in the affirmative were: Senators

Asay	McAllister	Peterson, Chuck	Sandberg
Barton	McMullin	Renstrom	Sowards
Holmgren	Overson	Rogers	Wayment
Matheson			

Voting in the negative were: Senators

Barlow	Cornaby	Peterson, L.	Swan
Black	Finlinson	Pugh	Williams
Bunnell	Hillyard	Stratford	Pres. Christensen
Carling	Peterson, C.		

Absent or not voting were: Senators

Bangerter	Money

SUB. H.B. No. 197 was returned to the House for filing.

RULES COMMITTEE REPORT

Mr. President: February 27, 1985

The Senate Sifting (Rules) Committee, to which was referred the following House Resolution:

H.J.R. No. 12 VICTIMS RIGHTS RESOLUTION

reports the same back and recommends that it be placed on the Second Reading Calendar.

Glade M. Sowards
Rules Committee Chairman

Committee report read and adopted.

On motion of Senator Wayment the rules were suspended and **H.J.R. No. 12**, VICTIMS RIGHTS RESOLUTION, was read the second and third times and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Asay	Finlinson	Overson	Sandberg
Barlow	Hillyard	Peterson, C.	Sowards
Barton	Holmgren	Peterson, Chuck	Swan
Black	Matheson	Peterson, L.	Wayment
Bunnell	McAllister	Pugh	Williams
Carling	McMullin	Renstrom	Pres. Christensen
Cornaby	Money	Rogers	

Absent or not voting were: Senators

Bangerter	Stratford

H.J.R. No. 12 was signed by the President of the Senate in open session and returned to the House for further action.

• • •

Senator Cary Peterson moved that all bills on the calendar and in committees have their enacting clause stricken.

• • •

Senator Barton's substitute motion to lift **H.B. No. 11**, INTERIM INCREASE AMENDMENTS from Rules Committee failed on the following roll call:

Yeas, 13; Nays, 14; Absent, 2

Voting in the affirmative were: Senators

Asay	McMullin	Renstrom	Stratford
Bangerter	Overson	Sandberg	Swan (exp)
Barton	Peterson, Chuck	Sowards	Williams
Matheson			

Voting in the negative were: Senators

Barlow	Cornaby	McAllister	Pugh
Black	Finlinson	Peterson, C.	Wayment
Bunnell	Hillyard (exp)	Peterson, L.	Pres. Christensen
Carling	Holmgren		

Absent or not voting were: Senators
Money Rogers

Senator Cary Peterson's main motion passed, and the following bills and resolutions had their enacting clause stricken.

Mr. President: February 28, 1985

The Senate Sifting (Rules) Committee recommends that the enacting clause be stricken on the following Senate Bills and Senate Joint Resolutions and that they be filed.

S.B. No. 74	OPTOMETRY AMENDMENT
S.B. No. 41	NONCONFORMING PROPERTY USES
S.B. No. 47	POLITICAL CONVENTION EXPENSES
S.B. No. 50	FRANCHISE TAX EXEMPTION FOR HOMEOWNERS AND CONDOMINIUM ASSOCIATION
S.B. No. 51	INTERLOCAL COOPERATION ACT AMENDMENT
S.B. No. 54	ACQUISITION OF PROPERTY BY MUNICIPALITY
S.B. No. 55	TEMPORARY SALES TAX REMOVAL
S.B. No. 59	RESIDENTIAL PROPERTY TAX ASSESSMENT
S.B. No. 70	INSURANCE ANTI-DISCRIMINATION CLAUSE REPEAL
S.B. No. 77	COUNTY FIRE DEPARTMENT APPOINTMENT
S.B. No. 79	CONSUMER UTILITY BOARD
S.B. No. 81	INDIGENT MEDICAL ASSISTANCE PROGRAM
S.B. No. 83	BIG GAME HUNTING REGISTRATION AND FEES
S.B. No. 85	RETENTION ELECTIONS AND NOMINATING COMMISSION FOR PUBLIC SERVICE COMMISSIONERS
S.B. No. 89	JUVENILE DETENTION
S.B. No. 92	UNIFORM DETERMINATION OF DEATH ACT
S.B. No. 95	MUNICIPAL-OWNED UTILITY TAXATION
S.B. No. 99	COMMITTEE OF CONSUMER SERVICES CONTINUATIONS
S.B. No. 106	SALES TAX EXEMPTION ON RECEIVABLES
S.B. No. 110	SOCIAL SECURITY-RETIREMENT INCOME TAX EXEMPTION
S.B. No. 112	CERTIFICATE OF MERIT IN MEDICAL MALPRACTICE ACTIONS
S.B. No. 116	PUBLIC SALE OF BONDS
S.B. No. 118	INDIVIDUAL TAX CREDIT FOR DONATED SERVICES TO PUBLIC EDUCATION
S.B. No. 120	CHILD ABUSE AND REPORTING ACT AMENDMENT
S.B. No. 122	UTAH CABOOSE LAW
S.B. No. 135	PROPERTY ASSESSMENT APPEAL
S.B. No. 139	NEIGHBORHOOD REDEVELOPMENT

S.B. No. 140	PUBLIC SAFETY RETIREMENT COST OF LIVING ADJUSTMENTS
S.B. No. 143	MUNICIPAL JAILS
S.B. No. 146	CRIMINAL CODE FIREARM AMENDMENTS
S.B. No. 148	PUBLIC SAFETY CONTRIBUTIONS
S.B. No. 149	CRIMINAL CODE-DISHONORED CHECK AMENDMENTS
S.B. No. 151	MISDEMEANOR OFFENSES-PENALTY MODIFICATION
S.B. No. 154	DEFERRED PERIODIC PAYMENTS FOR MEDICAL MALPRACTICE
S.B. No. 156	NOTICE OF CIVIL LIABILITY FOR BAD CHECKS
S.B. No. 157	SALES TAX REDUCTION
S.B. No. 165	CRIMINAL PROCEDURE AMENDMENTS
S.B. No. 166	CITY ATTORNEY-STATE LAW MISDEMEANOR PROSECUTIONS
S.B. No. 170	LIMITATIONS ON INSURANCE FOR ABORTIONS
S.B. No. 174	PUBLIC SAFETY RETIREMENT SERVICE CREDIT
S.B. No. 177	TAX INFORMATION DISCLOSURE
S.B. No. 181	VOLUNTARY ADOPTION REGISTRY
S.B. No. 183	SERVICE RETIREMENT BENEFIT TO SPOUSE
S.B. No. 185	STATE BUILDING BOARD PREROGATIVES FOR HIGHER EDUCATION
S.B. No. 194	STATE LAND LAW ACT
S.B. No. 203	ELECTED PUBLIC SERVICE COMMISSION
S.B. No. 207	OCCUPATION TAX AMENDMENT
S.B. No. 208	COMPETITIVE BIDDING FOR PUBLIC UTILITIES
S.B. No. 210	MOBILE AND MODULAR HOME ZONING
S.B. No. 211	WAGE, HOUR, AND WORKING CONDITION AMENDMENTS
S.B. No. 215	RETIREMENT FINAL AVERAGE SALARY
S.B. No. 217	TEACHER RESPONSIBILITY FOR AFTER SCHOOL ACTIVITIES
S.B. No. 219	MINIMUM BASIC TAX LEVY ADJUSTMENT
S.B. No. 220	COMPLETION AND DELIVERY OF ASSESSMENT BOOKS
S.B. No. 221	CHANGES IN ASSESSMENT ROLL
S.B. No. 222	EXCESS LEVIES
S.B. No. 223	POWERS AND DUTIES OF TAX COMMISSION
S.B. No. 224	STATUTE OF LIMITATIONS FOR CIVIL RIGHTS CASES
S.B. No. 225	UTAH STATE CRIMINAL JUSTICE TRAINING COUNCIL
S.B. No. 226	AUDITS OF PUBLIC UTILITIES
S.B. No. 229	NOTICE OF EXCESS LEVY
S.B. No. 230	RETIREMENT BENEFITS
S.B. No. 234	PSC RETENTION ELECTIONS
S.B. No. 235	WINTER RECREATIONAL PARKING

S.B. No. 238	**PAGING DEFINITION**
S.B. No. 242	**SUBDIVISION PLATS**
S.B. No. 244	**EXPOSITIONS APPROPRIATIONS**
S.B. No. 247	**COUNTY RECORDER ABSTRACT SEARCH REPEAL**
S.B. No. 250	**MARTIN LUTHER KING, JR., STATE HOLIDAY**
S.B. No. 251	**GRANT FOR HOGLE ZOO**
S.B. No. 252	**UTILITY FRANCHISE TAX REDUCTION**
S.B. No. 255	**TAX COMMISSION SPECIAL AGENTS**
S.B. No. 256	**FORCIBLE ENTRY AND DETAINER AMENDMENTS**
S.B. No. 259	**IRRIGATION DISTRICT ELECTRIC POWER PLANTS**
S.B. No. 260	**TAX COMMISSION ADMINISTRATIVE SUBPOENAS**
S.B. No. 261	**SPECIAL FUEL PERMIT EXEMPTION**
S.B. No. 263	**PER DIEM AMENDMENTS FOR REGISTRATION DIVISION**
S.B. No. 265	**MOTOR FUEL SALES**
S.B. No. 267	**LOGO ADVERTISING ON HIGHWAY SIGNS AUTHORIZATION**
S.B. No. 269	**SOUTH AFRICA INVESTMENT TRANSFER ACT**
S.B. No. 271	**RECREATION VEHICLE TITLES**
S.B. No. 272	**MOTOR CARRIERS AMENDMENTS TO REGULATION**
S.B. No. 274	**SALARIES IN MUNICIPALITIES**
S.B. No. 275	**TRANSPORTATION FUND DISTRIBUTION**
S.B. No. 276	**MOTOR CARRIERS-REGULATION AMENDMENTS**
S.B. No. 280	**NONCONTRIBUTORY RETIREMENT PLAN**
S.B. No. 281	**LONG TERM DISABILITY HEALTH BENEFITS**
S.B. No. 282	**BAIL BOND FORFEITURE**
S.B. No. 283	**MOTOR FUEL BONDS AND FEES**
S.B. No. 284	**FLOOD MITIGATION FINANCING**
S.B. No. 285	**DELINQUENT MOTOR FUEL TAX COLLECTION**
S.B. No. 286	**USE TAX PENALTY AMENDMENTS**
S.B. No. 287	**WATER AND SEWAGE DISTRICTS TRUSTEES AMENDMENTS**
S.J.R. No. 1	**JOINT RULES RESOLUTION**
S.J.R. No. 13	**PUBLIC SERVICE COMMISSION STUDY RESOLUTION**

Glade M. Sowards
Rules Committee Chairman

The bills and resolutions were filed.

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Mr. Speaker: February 28, 1985

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 Concurrent Resolutions:

H.B. No. 2	CREDIT REPORTING AGENCIES
H.B. No. 11	INTERIM RATE INCREASE AMENDMENTS
SUB. H.B. No. 31	LEGISLATOR COMPENSATION LIMITATIONS
H.B. No. 41	JUDICIAL DUI REPORTING
H.B. No. 70	INDEPENDENT CONTRACTORS EXEMPTION
H.B. No. 72	COMPENSATION FOR PROBATE PERSONAL REPRESENTATIVES
H.B. No. 94 2nd SUB.	ENFORCEMENT OF LEGISLATIVE INTENT
H.B. No. 97	OWNER-RENTER RELATIONS
SUB. H.B. No. 99	BUDGETARY PROCEDURES INCENTIVE PROGRAM
H.B. No. 100 2nd SUB.	ENERGY ASSISTANCE AMENDMENTS
H.B. No. 110 2nd SUB.	RIGHT TO WORK AMENDMENTS
H.B. No. 115	INTERLOCAL COOPERATION ACT CHANGES
H.B. No. 123	JUVENILE COURT DETENTION ORDERS
H.B. No. 125 2nd SUB.	COMPULSORY SCHOOL AGE LIMITATION
H.B. No. 133	MOTOR CARRIERS-REGULATION AMENDMENTS
H.B. No. 141	PROCUREMENT CODE AMENDMENT
H.B. No. 142	NOTICE OF POLITICAL SUBDIVISION BOUNDARY CHANGE
H.B. No. 155 2nd SUB.	FILLING VACANCIES ON THE STATE BOARD OF EDUCATION
H.B. No. 158	INCOME TAX BRACKETS
SUB. H.B. No. 169	VICTIM REPARATIONS
H.B. No. 176	CHEESE PROCESSING USE TAX EXEMPTION
SUB. H.B. No. 219	REAL ESTATE DEFICIENCY JUDGMENTS
SUB. H.B. No. 220	COSMETOLOGIST AND BARBERS
H.B. No. 246	DEPARTMENT OF CORRECTIONS TECHNICAL AMENDMENTS
H.B. No. 251	APPROPRIATIONS ACT DISTRIBUTION
H.B. No. 252	NONCUSTODIAL PARENT VISITATION RIGHTS
H.B. No. 254	CONFISCATION AND FORFEITURE AMENDMENTS
H.B. No. 264	TERMS OF OFFICE FOR COUNTY COMMISSIONERS
H.B. No. 265	IMPROVEMENT DISTRICT CONTRACTS
H.B. No. 272	GOVERNMENTAL IMMUNITY ACT CORRECTION
H.B. No. 280	ELECTION CONTESTS
H.B. No. 309	EXPANSION OF INTERSTATE BANKING
H.B. No. 317	VEHICLE SIZE AND WEIGHT REGULATION
H.B. No. 329	SUSPENSION OF DRIVING PRIVILEGES
H.B. No. 338	ANNEXATION LAW AMENDMENTS

SUB. H.B. No. 340	UTAH FIREWORKS ACT
SUB. H.B. No. 341	VOTE RECOUNT COSTS
H.B. No. 373	CAREER LADDER-EXTENDED CONTRACT DAYS
H.J.R. No. 8	INSTRUCTION IN THE TRAITS OF GOOD CITIZENSHIP RESOLUTION
H.J.R. No. 9	PURCHASING POLICIES OF LOCAL SCHOOL DISTRICTS RESOLUTION
H.J.R. No. 11	HIGH FRONTIER NUCLEAR DETTERENT RESOLUTION
H.J.R. No. 13	FEDERAL COMMISSION ON YOUTH SUICIDE PREVENTION RESOLUTION
H.J.R. No. 15	STATE JURISDICTION OVER SPEED LIMIT RESOLUTION
H.J.R. No. 18	DEFENSE JOBS FOR UTAH RESOLUTION
H.J.R. No. 23	DATA PROCESSING STUDY COMMITTEE RESOLUTION
H.J.R. No. 24	HIRING PRACTICES RESOLUTION
H.J.R. No. 28	SUMMUM FARM COMMENDATION
H.J.R. No. 32	LEE REX HUNTSMAN RESOLUTION
H.C.R. No. 2	SALT LAKE CITY AND COUNTY BUILDING RESTORATION
H.C.R. No. 19	GRACE COMMISSION RESOLUTION
H.C.R. No. 22	REFORMS FOR EDUCATIONAL EXCELLENCE RESOLUTION
H.C.R. No. 23	UTAH TECHNOLOGY FINANCE CORPORATION RESOLUTION

and I am also directed to inform you that the Senate on this day struck the enacting clause on the following House Bills and Resolution on the Senate Calendar at adjournament sine die.

SUB. H.B. No. 30	MANDATORY SCOLIOSIS SCREENING
H.J.R. No. 17	PRESIDENTIAL LINE ITEM VETO RESOLUTION
H.B. No. 392	MOTOR VEHICLE SEAT BELT USAGE
H.B. No. 225	EDUCATION JOINT LIAISON COMMITTEE
H.B. No 279	DUTIES OF DIVISION OF STATE HISTORY
SUB. H.B. No. 274	MINING AMENDMENTS

Sophia C. Buckmiller
Secretary of the Senate

The bills and resolutions were returned to the House for filing.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives has this day, February 27, struck the enacting clause on the following Senate Bills and Senate Resolutions.

S.C.R. No. 4	UTAH ACADEMIC DECATHALON RESOLUTION
S.J.R. No. 4	NATIONAL PARK BUFFER ZONE RESTRICTION
S.J.R. No. 5	AGENCY COOPERATION FOR EFFICIENCY RESOLUTION
S.J.R. No. 8	CLASS SIZE RESOLUTION
S.J.R. No. 10	OATH OF OFFICE AMENDMENT
S.J.R. No. 16	CITIZENS AGAINST WASTE FOUNDATION RESOLUTION
S.B. No. 23	PROSTHESIS & HEARING AID SALES TAX EXEMPTION
S.B. No. 39	CHILD ABUSE CRIMINAL PENALTIES
S.B. No. 40	EXECUTIVE RESIDENCE COMMISSION
S.B No. 42	BOARD OF EXPOSITIONS AMENDMENT
S.B. No. 45	CONSTABLE RESIDENCY REQUIREMENT
S.B. No. 48	UTAH VETERANS MEMORIAL PARK
S.B. No. 64	ACCESSIBILITY FOR THE HANDICAPPED ON PRIVATE PROPERTY
S.S.B. No. 67	DUI RESTITUTION CLAIM PROCEDURES
S.B. No. 69	DRIVER EDUCATION AMENDMENTS
S.S.S.B. No. 84	INCREASED PENALTY FOR DEALING IN HARMFUL MATTER
S.B. No. 86	COURT AUTHORITY FOR CUSTODIAL PARENT'S TRAVEL
S.B. No. 90	SALES TAX ON SCHOOL SALES
S.B. No. 100	ELECTION LAW AMENDMENTS
S.B. No. 109	FAIR HOUSING LAW
S.B. No. 115	PUBLIC WATER SUPPLY EMINENT DOMAIN
S.B. No. 121	AMENDMENTS TO UNIFORM COMMERCIAL CODE
S.B. No. 124	MANDATORY SEWER HOOKUP
S.B. No. 132	TRANSFER OF FOREIGN NATIONALS CONVICTED OF A CRIME
S.B. No. 136	TERRORISTIC THREAT AMENDMENTS
S.B. No. 137	UTAH FOREIGN JUDGMENT TECHNICAL AMENDMENTS
S.B. No. 145	TRAFFIC RELATED CRIMINAL OFFENSES-AMENDMENTS
S.B. No. 150	RESTITUTION AMENDMENTS-COURT ASSESSMENT
S.B. No. 158	WORKERS' COMPENSATION AMENDMENTS
S.B. No. 160	STUDENT MEMBERS OF SCHOOL BOARDS
S.B. No. 161	INSANITY DEFENSE AMENDMENTS
S.B. No. 162	HILL AIR FORCE MUSEUM APPROPRIATION
S.B. No. 167	ASSAULT OFFENSES AMENDMENTS
S.B. No. 168	CRIMINAL BACKGROUND CHECK ON SCHOOL EMPLOYEES
S.B. No. 169	NONRESIDENT PARTIAL TUITION SCHOLARSHIPS
S.B. No. 175	NORTHERN MICROWAVE SYSTEM APPROPRIATION
S.B. No. 180	MISSING CHILDREN REGISTRY AMENDMENTS
S.B. No. 186	CAREER TEACHING SCHOLARSHIP AMENDMENTS
S.B. No. 190	CRIMINAL THREATS AMENDMENTS
S.B. No. 192	IMPERSONATING A PEACE OFFICER

S.B. No. 193	INTERFERENCE WITH ARRESTING OFFICER AMENDMENT
S.B. No. 196	INFORMED CONSENT REQUIREMENTS
S.B. No. 205	DISPOSITION OF UNCLAIMED PROPERTY
S.B. No. 213	INDUSTRIAL REHABILITATION
S.B. No. 233	DUI PENALTIES
S.B. No. 236	PUBLIC INFORMATION DISCLOSURE
S.B. No. 241	TAX COMMISSION CONTINUOUS GARNISHMENTS
S.B. No. 243	UNIFORM PROBATE CODE AMENDMENTS
S.B. No. 249	REGISTRATION OF SEX OFFENDERS AMENDMENTS
S.B. No. 257	ATTORNEY GENERAL ACT AMENDMENTS
S.B. No. 258	UTAH FINANCIAL ASSISTANCE ACT FOR NONPUBLIC INST.
S.B. No. 264	JURY LIST AMENDMENTS
S.B. No. 268	STATE CONTRACTING FOR SERVICES
S.B. No. 269	LEGISLATIVE COMPENSATION LIMITATIONS

The same is transmitted herewith for filing.

Carole E. Peterson, Acting Chief Clerk

The bills were filed.

COMMUNICATION FROM THE HOUSE

Mr. President: February 27, 1985

I am directed to inform the Senate that the Speaker has signed in open session, S.B. No. 62, UTAH ARBITRATION ACT, by Senator Stratford, et al, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 159, SMALL POWER PRODUCTION AND CONGENERATION, by Senator Finlinson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 277, PEACE OFFICER POWER TO ARREST, 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 receded from its amendments and passed S.B. No. 191, AMENDMENT TO ANNEXATION PROVISION, 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 Speaker has signed in open session, **S.J.R. No. 18**, INTERIM STUDY ASSIGNMENTS, by Senator Cary G. Peterson, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.B. Nos. 62, 159, 277, 191 and S.J.R. No. 18 were signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor. **S.J.R. No. 18** to be transmitted to the Lieutenant Governor.

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Mr. President: February 27, 1985

I am directed to inform the Senate that the House of Representatives, on reconsideration, has this day concurred in the Senate amendments and passed **H.B. No. 413**, CAPITAL FACILITIES AND IMPROVEMENTS, by Representative Ute Knowlton, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives, on reconsideration, has this day concurred in the Senate amendments and passed **H.B. No. 124**, DUI VICTIM RESTITUTION AMENDMENTS, by Representative Rees, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

H.B. Nos. 413 and 124 were signed by the President of the Senate in open session and returned to the House for further action.

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Mr. President: February 27, 1985

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 212**, PUBLIC UTILITIES DEFINITIONAL CHANGES, by Senator Fred W. Finlinson, et al, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.B. No. 212 was signed by the President of the Senate on March 4, 1985 and referred to the Rules Committee to be enrolled and transmitted to the Governor.

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Mr. President: February 25, 1985

I am directed to inform the Senate that the House of Representatives has this day passed, on Consent Calendar, **S.B. No. 218**, ENERGY RESOURCE AND TECHNOLOGY INCENTIVES, by Senator Sowards, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 108**, ALCOHOLIC BEVERAGE CONTROL ACT, by Senator Pugh, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Acting Chief Clerk

S.B. Nos. 218 and **108** were signed by the President of the Senate in open session and referred to the Rules Committee to be enrolled and transmitted to the Governor.

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The official business of the session concluded at 12:00 midnight.

At the direction of President Arnold Christensen, Sophia C. Buckmiller and Joan B. Thomas are to read, revise and make minor corrections to the Daily Senate Journals, and be responsible for certifying the indexed and bound copy as the accurate record of the proceedings of the 1985 General Session of the Forty Sixth Legislature.

On motion of Senator Stratford, the Senate voted to give each member of the Senate Staff eight extra hours of pay. Senator Renstrom's substitute motion to give each member of the Senate Staff twelve hours of extra pay, passed.

Senator McMullin expressed appreciation to Senators Black and Money and other members of the Democratic Party for their hard work on behalf of the citizens of Utah and for their cooperation in making the session a success.

Senator McMullin thanked the interns who served throughout the session.

Senator Stratford, Chairman of the Employee and Patronage Committee, asked that all Senate employees stand and receive the thanks of the Senators. He also expressed sincere thanks to all the legislative employees serving in the Office of Legislative Research and General Counsel, Fiscal Analyst, Auditor General and to the dedicated and fine people working in Legislative Printing.

President Christensen expressed appreciation to Senator Warren E. Pugh for his excellent service as Appropriations Chairman. He also thanked Senator Glade M. Sowards for his service as Rules Committee Chairman, and thanked Senator Lyle W. Hillyard for serving as Speaker of the Third House.

President Christensen appointed Senators Matheson, Black and C.E. Peterson to wait upon the Governor and ask if he has any further business to bring before the Senate.

A committee from the House of Representatives consisting of Representatives Johnson, Tomlinson and Florez notified the Senate that the House has concluded its business and is ready to adjourn sine die.

President Christensen appointed Senators McAllister, Carling and Williams to notify the House of Representatives that the Senate has concluded its business and is ready to adjourn sine die.

Senator McAllister 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 Matheson reported that his committee, with a like committee from the House of Representatives, had notified the Governor. The Governor asked that the committee convey to each House that he has no further business to bring before the Legislature, but that he would like to speak before each House prior to their adjournment sine die.

The Honorable Norman H. Bangerter
Governor, State of Utah

(The Governor's remarks are printed in the House Journal)

Brief response by President Arnold Christensen.

On motion of Senator Barlow, and at 12:30 p.m. the 1985 General Session of the Forty Sixth Legislature adjourned sine die.

Benediction
Miles 'Cap' Ferry, Former President
Utah State Senate

COMMUNICATION FROM THE GOVERNOR

BECAME LAW WITHOUT GOVERNOR'S SIGNATURE

The Honorable W. Val Oveson
Lieutenant Governor of Utah

March 19, 1985

Dear Mr. Oveson:

I am allowing **S.B. 4,** PHYSICAL THERAPY PRACTICE ACT, to become law without my signature, and

I am allowing **S.B. 57,** FIRE CHIEF AND PUBLIC SAFETY RETIREMENT EXEMPTION to become law without my signature. I am in agreement with the general provisions of the bill, which provide that public safety and fire officers cannot stay on the same job and receive both retirement benefits and salary. However, in eliminating this provision, which had been allowed previously under law, I feel that the opportunity should have been provided for those individuals affected by this bill to be reinstated in the retirement system in an equitable manner. I believe the Legislature should address this issue in the future, and

I am allowing **S.B. 65,** COUNTY DESIGNATION ON VEHICLE LICENSE PLATES, to become law without my signature. I trust that law enforcement officials and the State Tax Commission will be able to implement this law in a manner that is mutually satisfactory without disrupting the vehicle registration process, and

I am allowing **S.B. 102,** PSC JURISDICTION OVER TELECOMMUNICATIONS CORPORATIONS, to become law without my signature, and

I am allowing **S.B. 107,** DFCM AMENDMENTS, to become law without my signature. This bill has some provisions which may delay development of capital facilities on campuses, and it further contains a rather cumbersome contingency fund procedure. I agree with the intent of the bill, but for the two reasons just mentioned, I did not feel I could sign this bill, and

I am allowing **S.B. 129** ADMINISTRATIVE SERVICES ACT AMENDMENTS, to become law without my signature. Ideally, I would prefer that DFCM properly manage the properties itemized in **S.B. 129.** Since there have been numerous problems with management of these facilities, however, I have decided to allow this bill to become law, and

I am allowing **S.B. 291**, SCHOOL FINANCE ACT AMENDMENTS, to become law without my signature. I strongly support this act because it adopts the educational policy I recommended.

I have major concerns about section 10, which provides that there will be no reduction in the mineral lease funds allocated to critical school buildings in the event of a shortfall. Mineral lease revenues have not been treated the same in other order a cutback across the board in all mineral lease appropriations; including the critical school building allocation.

For this reason, I have not signed **S.B. 291.**

Norman H. Bangerter
Governor, State of Utah

Communications filed.

(Communications from the Governor regarding the following House bills are printed in the House Journal.)

BECAME LAW WITHOUT GOVERNOR'S SIGNATURE
March 19, 1985

H.B. 102	WATER POLLUTION CONTROL STANDARDS
H.B. 174	RATES FOR ELECTRIC COOPERATIVES
H.B. 227	NOTICE OF BUYER'S RIGHT TO CANCEL
H.B. 240	HOME ENERGY ASSISTANCE ACT AMENDMENTS
H.B. 308	DEFENSE OF RESIDENCE
H.B. 320	RADIO TELEPHONE EXEMPTION
H.B. 412	APPROPRIATIONS ACT

VETOED BY THE GOVERNOR
March 19, 1985

H.B. 95	SCHOLARSHIP FUND TAX CREDIT
H.B. 135	FUEL CONSERVATION SPEED LIMIT
H.B. 190	PUBLIC EMPLOYEES EARLY RETIREMENT
H.B. 283	UTAH PROCUREMENT FINANCE AUTHORITY
H.B. 289	MUNICIPALLY OWNED WATER SYSTEM APPLICATION AMENDMENTS

pg. 975

pg 976

Pg. 977

SUBJECT INDEX

ALL SENATE AND HOUSE BILLS AND RESOLUTIONS

FORTY-SIXTH LEGISLATURE GENERAL SESSION

January 14 through February 27, 1985

978

SUBJECT INDEX REFERENCE CODE

AERONAUTICS
AGRICULTURE
ANIMALS (See FISH, GAME AND WILDLIFE PRESERVATION)
APPROPRIATIONS
BANKS, BANKING AND FINANCIAL INSTITUTIONS
BUSINESS REGULATION (See also LICENSES-REGULATIONS; REGISTRATION)
CEMETERIES
CITIES, TOWNS AND SUBDIVISIONS
CODE OF CRIMINAL PROCEDURE (See also CRIMINAL CODE)
COMMERCE AND TRADE
CONSUMER INTERESTS
CONTRACTORS-ELECTRICIANS
CORPORATIONS
COUNTIES
COURTS-JUDGES
CREDIT UNION (See BANKS, BANKING AND FINANCIAL INSTITUTIONS)
CRIMINAL CODE (Penal Code, Code of Criminal Procedures, Judicial Code)
  Police and Fire Department Concerns
  Pornography and Sexual Offenses
  Prisons
DISCRIMINATION
EDUCATION (See SCHOOLS)
ELECTIONS
ENERGY-CONSERVATION AND DEVELOPMENT
  (See also WATER; ENVIRONMENT; MINES AND MINING)
ENVIRONMENT
EXECUTIVE
FAMILIES
FEES
FIDUCIARIES AND TRUSTS (See PROBATE, TRUSTS AND ESTATES)
FISH, GAME AND WILDLIFE PRESERVATION
FORESTRY AND FIRE CONTROL
HANDICAPPED (See also HEALTH AND MEDICINE; SOCIAL SERVICES)
HEALTH AND MEDICINE (See also HANDICAPPED; SOCIAL SERVICES)
HIGHER EDUCATION (See SCHOOLS, Higher Education)
HIGHWAYS (See TRANSPORTATION)
HOMESTEADS AND HOUSING (See REAL ESTATE)
HUSBAND AND WIFE (See FAMILIES)
INSURANCE
INTOXICATING LIQUOR (See LIQUOR)

JUDICIAL CODE (See also CRIMINAL CODE)
LABOR
LEGISLATURE
LICENSES-REGULATIONS (See also BUSINESS REGULATIONS; REGISTRATION)
LIENS, Mechanic and Other
LIQUOR
MEDIA
MEDICINE (See HEALTH AND MEDICINE)
MILITARY (See also VETERAN'S AND MILITARY CONCERNS)
MINES AND MINING
MOTOR VEHICLES
NATURAL RESOURCES AND ENERGY CONSERVATION
(See also ENERGY-CONSERVATION AND DEVELOPMENT)
NEWSPAPERS AND PUBLIC BROADCASTING (See MEDIA)
NOTARY PUBLICS
OPEN AND PUBLIC MEETINGS (See LEGISLATURE; STATE AFFAIRS)
PARENT AND CHILD (See FAMILIES)
PARKS AND RECREATION
PARTNERSHIPS
PEACE OFFICER TRAINING (See CRIMINAL CODE, Police and Fire Concerns)
PENSIONS AND RETIREMENT
PORNOGRAPHY (See CRIMINAL CODE, Pornography and Sexual Offenses)
PROBATE, Trusts and Estates
PUBLIC OFFICERS (See STATE OFFICERS AND EMPLOYEES)
PUBLIC EDUCATION (See SCHOOLS, Public Education)
PUBLIC FUNDS AND ACCOUNTS (See also TAXES)
PUBLIC UTILITIES (See also UTILITIES, PUBLIC)
PUBLIC WELFARE (See SOCIAL SERVICES)
RAILROADS
REAL ESTATE (See also HOMESTEADS AND HOUSING)
REGISTRATION (See also LICENSES-REGULATION; BUSINESS REGULATION)
RESOLUTIONS
RETIREMENT (See PENSIONS)
REVENUE AND TAXATION (See also TAXES)
SCHOOLS
Public Education
Higher Education
Technical and Vocational
SECURITIES-BONDS
SOCIAL SERVICES (See also HANDICAPPED; HEALTH AND MEDICINE)
STATE AFFAIRS, General, Buildings and Grounds, History and Preservation
STATE BUILDINGS AND GROUNDS (See STATE AFFAIRS)

STATE HISTORY AND PRESERVATION (See STATE AFFAIRS)
STATE INSTITUTIONS
STATE AND FEDERAL LANDS
STATE OFFICERS AND EMPLOYEES
STATUTES
TAXES
- **Excise**
- **Corporate Tax 'Franchise'**
- **Income**
- **Inheritance**
- **Property**
- **Sales**
- **Severance**

TRAFFIC RULES AND REGULATIONS
TRANSPORTATION
UNIFORM COMMERCIAL CODE
UNIFORM CONSUMER CODE
UTILITIES, PUBLIC
VETERAN'S AND MILITARY CONCERNS
WATER

(P) Passed
(F) Failed
W/O S Became law without Governor's signature.
(V) Vetoed

AERONAUTICS

AGRICULTURE

Agricultural Advisory Board Amendments *(Matheson)* ..... S.B. 18 (P)
Agricultural Code Civil Penalty Amendments *(Olsen)*..... H.B. 266 (P)
Agricultural Fee Structure Amendments *(Money)*..... S.B. 141 (P)
Agriculture Sales Tax Exemption Amendments *(Olsen)*..... H.B. 281 (F)
Beef Promotion Fees *(L. Peterson)* ..... S.B. 173 (P)
Dairy Commission Amendments *(Pace)*..... H.B. 206 (F)
Gasoline Pricing Amendment *(Fullmer)* ..... H.B. 83 (F)
Hunting Preserve Property Taxation *(Selleneit)* ..... H.B. 360 (F)
Insect Infestation Emergency Control Act *(Money)* ..... S.B. 171 (P)
Livestock Inspection and Quarantine Amendments *(Matheson)*..... S.B. 19 (P)
Livestock Market Committee *(Schmutz)*..... H.B. 7 (P)
Motor Fuel Sales *(McMullin)* ..... S.B. 265 (F)
Pest Control Compact *(Stratford)*..... S.B. 273 (P)
Produce Dealers' Act Amendments *(Money)*..... S.B. 26 (P)
Trust Deed Amendments *(Matheson)* ..... S.B. 66 (P)
Utah Noxious Weed Act Amendment *(Money)*..... S.B. 28 (P)
Weights and Measures Amendments *(Schmutz)* ..... H.B. 6 (P)

ANIMALS

(See also FISH, GAME AND WILDLIFE PRESERVATION)

Animal Cruelty Law Amendments *(Bishop)*..... H.B. 393 (F)
Beef Promotion Fees *(L. Peterson)*..... S.B. 173 (P)
Big Game Hunting Registration and Fees *(Barton)*..... S.B. 83 (F)
Board of Big Game Control *(Olsen)* ..... H.B. 259 (F)
Deer Hunt Opening Amendment *(Anderson)*..... H.B. 128 (F)
Livestock Highway Death Reporting *(Hillyard)* ..... S.B. 128 (P)
Livestock Inspection and Quarantine Amendments *(Matheson)*..... S.B. 19 (P)
Mandatory Animal Shelters *(Bishop)* ..... H.B. 394 (F)
Prohibition Against Hit and Run of Animals *(Bishop)* ..... H.B. 395 (F)
Publication of Wildlife Rules *(Phelps)*..... H.B. 129 (P)
Sportsmen's Rights *(Selleneit)* ..... H.B. 334 (F)
Wildlife License Amendments *(Finlinson)* ..... S.B. 98 (P)

APPROPRIATIONS

Appropriations Act *(Karras)*..... H.B. 412 W/O S
Appropriations Act *(Karras)*..... H.B. 414 (P)

Capital Facilities *(Knowlton)* ..... H.B. 413 (P)
Children's Museum Appropriation *(Sykes)* ..... H.B. 213 (F)
Clear Creek Canyon Appropriation *(Christensen)* ..... H.B. 241 (P)
Expositions Appropriation *(Hillyard)* ..... S.B. 244 (F)
Flood Mitigation Financing *(Barlow)* ..... S.B. 284 (F)
Flood Relief Funding *(Myrin)* ..... H.B. 345 (F)
Grant for Hogle Zoo *(Rogers)* ..... S.B. 251 (F)
Hill Air Force Museum Appropriation *(Karras)* ..... H.B. 93 (F)
Hill Air Force Museum Appropriation *(L. Peterson)* ..... S.B. 162 (F)
Jordan River Appropriation *(LeBaron)* ..... H.B. 312 (F)
Middle Fork Ogden River Appropriation-
Wolfcreek *(L. Peterson)* ..... S.B. 201 (P)
Northern Microwave System Appropriation *(Hillyard)* ..... S.B. 175 (F)
Supplemental Appropriations Act *(Pugh)* ..... S.B. 292 (P)
Trapper's Loop Road Amendment and
Appropriation *(Stratford)* ..... S.B. 56 (P)
Utah Arts Endowment *(F. Knowlton)* ..... H.B. 290 (F)
Water and Flood Financing *(Finlinson)* ..... S.B. 97 (P)

BANKS, BANKING, AND FINANCIAL INSTITUTIONS

Credit Reporting Act *(Cromar)* ..... H.B. 362 (F)
Credit Services Organizations *(Carling)* ..... S.B. 13 (P)
Expansion of Interstate Banking *(Garbett)* ..... H.B. 309 (F)
Notice of Civil Liability for Bad Checks *(Carling)* ..... S.B. 156 (F)
Tax Commission Administrative Subpoenas *(McMullin)* ..... S.B. 260 (F)
Transporter License Plates *(McKeachnie)* ..... H.B. 391 (F)

BUSINESS REGULATION
(See also LICENSES-REGULATIONS; REGISTRATION)

Business and Energy Credit Amendments *(Sowards)* ..... S.B. 206 (P)
Business Information Office and Consumer
Protection Advisory Council *(Carling)* ..... S.B. 43 (P)
Business Name Amendments *(Lewis)* ..... H.B. 144 (F)
Business Opportunity Disclosure Act *(Overson)* ..... S.B. 214 (F)
Computer Phone Solicitations *(Moss)* ..... H.B. 267 (F)
Deregulation of Telecommunication Distributors
and Independent Energy Producers *(Finlinson)* ..... S.B. 212 (P)
Pawnbroker Amendments *(Maxfield)* ..... H.B. 60 (F)
Pawnbroker Redemption Charge Repeal *(Carling)* ..... S.B. 12 (P)
Unfair Competition in Ridesharing *(Bishop)* ..... H.B. 210 (P)
Water Conditioner Installers *(Anderson)* ..... H.B. 37 (P)

CEMETERIES

Cemetery Board Elections *(Brown)* ..... H.B. 148 (F)
Municipal Cemeteries *(Bunnell)* ..... S.B. 147 (P)

CITIES, TOWNS AND SUBDIVISIONS

Acquisition of Property by Municipality *(Barlow)* ..... S.B. 54 (F)
Amendment to Annexation Provision *(Bangerter)* ..... S.B. 191 (P)
Amendments to Interlocal Cooperation Act *(Money)* ..... S.B. 239 (P)
Annexation Law Amendments *(Cromar)* ..... H.B. 338 (F)
Area of Operation for City Housing Authority *(Goodfellow)* ..... H.B. 369 (F)
Audit of Public Transit Districts *(Taylor)* ..... H.B. 23 (F)
Bond Validation Act *(Strong)* ..... H.B. 409 (F)
City Attorney-State Law Misdemeanor Prosecutions *(Carling)* ..... S.B. 166 (F)
County, City, and Town Personnel Management Act *(Fullmer)* ..... H.B. 150 (F)
Division of Property upon Incorporation
of Annexation *(Garbett)* ..... H.B. 243 (F)
Eminent Domain Powers of Political Subdivisions *(Pugh)* ..... S.B. 176 (F)
Improvement District Contracts *(Wharton)* ..... H.B. 265 (F)
Industrial Facilities Development Act
Amendments *(Sowards)* ..... S.B. 131 (P)
Interest Payment on Sales Tax Collection *(McKeachnie)* ..... H.B. 161 (F)
Interlocal Cooperation Act Amendment *(Barton)* ..... S.B. 51 (F)
Interlocal Cooperation Act Amendment *(Richards)* ..... H.B. 115 (F)
Irrigation District Electric Power Plants *(Finlinson)* ..... S.B. 259 (F)
Liquor Law Enforcement Amendments *(Finlinson)* ..... S.B. 68 (F)
Local Option School District Sales Tax *(Rogers)* ..... S.B. 114 (F)
Mandatory Animal Shelters *(Bishop)* ..... H.B. 394 (F)
Mandatory Sewer Hookup *(Hillyard)* ..... S.B. 124 (F)
Medical Emergency Assistance Account *(DeMann)* ..... H.B. 118 (P)
Metropolitan Water Districts Board of Directors *(Lewis)* ..... H.B. 114 (F)
Mobile and Modular Home Zoning *(Asay)* ..... S.B. 210 (F)
Municipal Bond Act Amendments *(Pace)* ..... H.B. 101 (P)
Municipal Building Authority Leases *(E. U. Knowlton)* ..... H.B. 333 (P)
Municipal Cemeteries *(Bunnell)* ..... S.B. 147 (P)
Municipal Fiscal Procedures Amendment *(Overson)* ..... S.B. 53 (P)
Municipal Government Changes Amendments *(Overson)* ..... S.B. 25 (P)
Municipal Jails *(Rogers)* ..... S.B. 143 (F)
Municipal Public Meetings *(Pace)* ..... H.B. 211 (F)
Municipal Services for Unincorporated Areas *(Walker)* ..... H.B. 237 (F)
Municipally Owned Water System
Application Amendments *(Pace)* ..... H.B. 289 (V)

Neighborhood Redevelopment *(McAllister)* ..... S.B. 139 (F)
Nonconforming Property Uses *(Overson)* ..... S.B. 41 (F)
Notice of Political Subdivision Boundary
Change *(McKeachnie)* ..... H.B. 142 (F)
Off-Peak No-Fare Public Transit *(Taylor)* ..... H.B. 19 (F)
Pawnbroker Amendments *(Maxfield)* ..... H.B. 60 (F)
Pawnbroker Redemption Charge Repeal *(Carling)* ..... S.B. 12 (P)
Powers of Towns *(Bishop)* ..... H.B. 302 (P)
Protection of Municipal Streets *(Goodfellow)* ..... H.B. 313 (F)
Public Firework Shows *(McMullin)* ..... S.B. 245 (F)
Public Sale of Bonds *(Finlinson)* ..... S.B. 116 (F)
Public Utility Districts *(Pace)* ..... H.B. 304 (F)
Recreation Board Membership *(Cromar)* ..... H.B. 337 (F)
Redevelopment Amendments *(E. U. Knowlton)* ..... H.B. 185 (F)
Salaries In Municipalities *(Black)* ..... S.B. 274 (F)
Salt Lake City and County Building Restoration *(Richards)* ..... H.C.R. 2 (F)
Solid Waste Management *(Rogers)* ..... S.B. 142 (F)
Special Improvement District Protests *(Carling)* ..... S.B. 16 (P)
Street Lighting Special Service Districts *(Walker)* ..... H.B. 242 (P)
Surety Bond Act *(DeMann)* ..... H.B. 378 (F)
Thermal Power Facilities Act Amendments *(Money)* ..... S.B. 227 (P)
Tie Votes in Third Class Cities *(Bodily)* ..... H.B. 175 (F)
Time of Bond Elections *(Taylor)* ..... H.B. 68 (F)
Transit District Passes for Students *(Taylor)* ..... H.B. 18 (F)
Transportation Fund Distribution *(Black)* ..... S.B. 275 (F)
Uniform Property Identification *(DeMann)* ..... H.B. 147 (F)
Utah Fireworks Act *(DeMann)* ..... H.B. 340 (F)
Utah Private Activity Bond Ceiling Allocation Act *(DeMann)* ..... H.B. 195 (P)
Utah Privatization Act Amendments *(Finlinson)* ..... S.B. 266 (P)
Zoning *(Pace)* ..... H.B. 145 (P)
Zoning of Residential Facilities for Mentally Ill
and Handicapped *(Frandsen)* ..... H.B. 277 (P)

CODE OF CRIMINAL PROCEDURE
(See also CRIMINAL CODE)

Appeals in Capital Cases *(Sykes)* ..... H.B. 224 (F)
Bail Bond Forfeiture *(Barlow)* ..... H.B. 282 (F)
Board of Pardons Amendments *(Karras)* ..... H.B. 249 (P)
Criminal Procedure Amendments *(Carling)* ..... S.B. 165 (F)
Department of Corrections-Organization *(Karras)* ..... H.B. 74 (P)
Disposition of Unclaimed Property *(Hillyard)* ..... S.B. 205 (F)
Peace Officer Designation *(Bangerter)* ..... S.B. 104 (P)
Peace Officer Power to Arrest *(Sowards)* ..... S.B. 277 (P)
Restitution Amendments-Court Assessment *(Carling)* ..... S.B. 150 (F)

Supervised Probation Amendments *(Stratford)* ..... S.B. 87 (P)
Transfer of Foreign Nationals Convicted of a Crime *(Cornaby)* ..... S.B. 132 (F)

COMMERCE AND TRADE

Business Information Office and Consumer Protection
Advisory Council *(Carling)* ..... S.B. 43 (P)
Business Opportunity Disclosure Act *(Overson)* ..... S.B. 214 (F)
Credit Reporting Act *(Cromar)* ..... H.B. 362 (F)
Credit Reporting Agencies *(Garbett)* ..... H.B. 2 (F)
Credit Services Organizations *(Carling)* ..... S.B. 13 (P)
New Automobile Warranties *(L. Peterson)* ..... S.B. 29 (P)
Notice of Buyer's Right to Cancel *(Tomlinson)* ..... H.B. 227 (P)
Petroleum Franchise Act *(Bishop)* ..... H.B. 355 (F)
Regulation of Swap Meets *(J. Arrington)* ..... H.B. 232 (F)
Unfair Competition in Ridesharing *(Bishop)* ..... H.B. 210 (P)

CONSUMER INTERESTS

Notice of Buyer's Right to Cancel *(Tomlinson)* ..... H.B. 227 W/O S
Regulation of Swap Meets *(J. Arrington)* ..... H.B. 232 (F)

CONTRACTORS-ELECTRICIANS

Certification of Construction Inspectors *(Skousen)* ..... H.B. 16 (F)
Contractor's Bond Law Amendments *(Carling)* ..... S.B. 15 (P)
Division of Contractors *(Cornaby)* ..... S.B. 75 (P)
Independent Contractors Exemption *(Garbett)* ..... H.B. 70 (F)
Liability Insurance for Electrical Contractors *(Garbett)* ..... H.B. 34 (F)
Prequalification of Contractors and Subcontractors
on Public Construction Projects *(Bishop)* ..... H.B. 35 (F)
Prompt Construction Payment *(Tomlinson)* ..... H.B. 64 (P)

CORPORATIONS

Business Name Amendments *(Lewis)* ..... H.B. 144 (F)
Corporate and Commercial Filing Amendments *(Cornaby)* ..... S.B. 134 (P)
Corporate Board of Directors *(Bradford)* ..... H.B. 287 (F)

COUNTIES

Acquisition of Property By Municipality *(Barlow)* ..... S.B. 54 (F)

Area of Operation for City Housing Authority *(Goodfellow)* ..... H.B. 369 (F)
City Attorney-State Law Misdemeanor Prosecutions *(Carling)* ..... S.B. 166 (F)
Completion and Delivery of Assessment Books *(Hillyard)* ..... S.B. 220 (F)
Constable Residency Requirement *(Carling)* ..... S.B. 45 (F)
Cost of Assessing and Collecting Property Taxes *(Karras)* ..... H.B. 336 (F)
County Designation on Vehicle License Plates *(Hillyard)* ..... S.B. 65 W/O S
County Fire Department Appointment *(Barton)* ..... S.B. 77 (F)
County Fiscal Year Budgeting *(Cromar)* ..... H.B. 216 (P)
County Recorder Abstract Search Repeal *(Cornaby)* ..... S.B. 247 (F)
County Service Area Act *(Dahl)* ..... H.B. 14 (P)
County Service Area Board Compensation *(I. Arrington)* ..... H.B. 406 (F)
County, City, and Town Personnel Management Act *(Fullmer)* ..... H.B. 150 (F)
Department of Corrections-Organization
and Functions *(Karras)* ..... H.B. 247 (P)
Department of Corrections-Organization and Functions
Technical Amendments *(Karras)* ..... H.B. 248 (P)
Department of Corrections Technical Amendments *(Karras)* ..... H.B. 246 (F)
District Attorney *(Fullmer)* ..... H.B. 233 (F)
Emergency Telephone Finance Act *(Stephens)* ..... H.B. 342 (F)
Eminent Domain Powers of Political Subdivisions *(Pugh)* ..... S.B. 176 (F)
Excess Levies *(Hillyard)* ..... S.B. 222 (F)
Exemptions to General County Mill Levy Ceilings *(Finlinson)* ..... S.B. 144 (P)
Funding of Municipal Services *(McMullin)* ..... S.B. 76 (P)
In Lieu Payments to Counties *(Schmutz)* ..... H.B. 295 (F)
Liquor Law Enforcement Amendments *(Finlinson)* ..... S.B. 68 (F)
Local Alcohol and Drug Authority *(Karras)* ..... H.B. 286(P)
Mobile and Modular Home Zoning *(Asay)* ..... S.B. 210 (F)
Municipal Jails *(Rogers)* ..... S.B. 143 (F)
Optional Form of Valuation and Tax Notice *(Rees)* ..... H.B. 327 (F)
Planetarium Mill Levy Repeal *(Richards)* ..... H.B. 32 (F)
Public Firework Shows *(McMullin)* ..... S.B. 245 (F)
Public Safety Districts *(Fullmer)* ..... H.B. 209 (F)
Public Utility Districts *(Pace)* ..... H.B. 304 (F)
Repeal of Mandatory Emission Testing
in Davis County *(Knowlton)* ..... H.B. 350 (F)
Recreation Board Membership *(Cromar)* ..... H.B. 337 (F)
Requirements for Annexation by Fire Districts or County
Service Areas *(Karras)* ..... H.B. 326 (F)
Salt Lake City and County Building Restoration *(Richards)* ..... H.C.R. 2 (F)
Selection of County Officers *(Karras)* ..... H.B. 208 (F)
Sheriff Candidate Certification *(Hillyard)* ..... S.B. 22 (P)
Solid Waste Management *(Rogers)* ..... S.B. 142 (F)
Subdivision Plats *(Finlinson)* ..... S.B. 242 (F)

Terms of Office for County Commissioners *(Yardley)* ..... H.B. 264 (F)
Time of Bond Elections *(Taylor)* ..... H.B. 68 (F)
Transportation Fund Distribution *(Black)* ..... S.B. 275 (F)
Uniform Property Identification *(DeMann)* ..... H.B. 147 (F)
Utah Fireworks Act *(DeMann)* ..... H.B. 340 (F)
Utah Privatization Act Amendments *(Finlinson)* ..... S.B. 266 (P)
Zoning of Residential Facilities for Mentally
Ill and Handicapped *(Frandsen)* ..... H.B. 277 (P)

COURTS-JUDGES

Adoptions and Birth Certificates-Juvenile Court *(Walker)* ..... H.B. 78 (P)
Amendment in Number of District *(Schmutz)* ..... H.B. 269 (F)
Appeals in Capital Cases *(Sykes)* ..... H.B. 224 (F)
Court Commissioner-Domestic Matters *(Walker)* ..... H.B. 75 (P)
District Attorney *(Fullmer)* ..... H.B. 233 (F)
Division of Youth Corrections Responsibility
for Probation *(Fullmer)* ..... H.B. 166 (F)
Judges' Retirement System Contributions *(Karras)* ..... H.B. 323 (F)
Judicial Article Amendments *(Pace)* ..... H.J.R. 16 (F)
Judicial DUI Reporting *(Dahl)* ..... H.B. 41 (F)
Juror Competency in Cases Involving Ordinances *(Strong)* ..... H.B. 171 (P)
Jury Fee Amendment *(Hillyard)* ..... S.B. 49 (P)
Jury List Amendments *(Hillyard)* ..... S.B. 264 (F)
Juvenile and District Court Jurisdiction-
Domestic Matters *(Hillyard)* ..... S.B. 61 (P)
Juvenile Court Detention Orders *(Walker)* ..... H.B. 123 (F)
Juvenile Court Districts and Judges *(Walker)* ..... H.B. 121 (P)
Juvenile Court Jurisdiction-Failure to Report
Child Abuse *(Walker)* ..... H.B. 77 (P)
Juvenile Court-Juveniles and Adults *(Walker)* ..... H.B. 122 (P)
Juvenile Court-Permanent Deprivation Amendments *(Walker)* ..... H.B. 76 (P)
Juvenile Evaluation *(Dickamore)* ..... H.B. 353 (F)
Small Claims Court *(I. Arrington)* ..... H.B. 361 (F)
Statewide Mediation Program *(Maxfield)* ..... H.B. 410 (F)
Supervised Probation Amendments *(Stratford)* ..... S.B. 87 (P)
Uniform Consumer Credit Code *(Walker)* ..... H.B. 245 (P)
Youth Offenders Program Certification *(Stratford)* ..... S.B. 88 (P)

CREDIT UNION

(See also BANKS, BANKING AND FINANCIAL INSTITUTIONS)

CRIMINAL CODE
(Penal Code, Code of Criminal Procedures, Judicial Code)

Actions to Resolve Outstanding Warrants
Amendments *(Carling)* ..... S.B. 237 (P)
Agricultural Code Civil Penalty Amendments *(Olsen)* ..... H.B. 266 (P)
Amendments-Sexual Exploitation of Minors *(Wayment)* ..... S.B. 72 (P)
Animal Cruelty Law Amendments *(Bishop)* ..... S.B. 393 (F)
Assault Offenses Amendments *(Carling)* ..... S.B. 167 (F)
Child Abuse-Criminal Homocide *(Overson)* ..... S.B. 38 (P)
Child Abuse Criminal Penalties *(Overson)* ..... S.B. 39 (F)
Communications Fraud *(McKeachnie)* ..... H.B. 215 (P)
Computer Crimes Act *(Carling)* ..... S.B. 44 (F)
Computer Phone Solicitations *(Moss)* ..... H.B. 267 (F)
Confiscation and Forfeiture Amendments *(Selleneit)* ..... H.B 254 (P)
Controlled Substance Act *(Cornaby)* ..... S.B. 254 (P)
Criminal and Juvenile Commission Membership *(Karras)* ..... H.B. 325 (F)
Criminal Code-Dishonored Check Amendments *(Carling)* ..... S.B. 149 (F)
Criminal Code Firearm Amendments *(Carling)* ..... S.B. 146 (F)
Criminal Threats Amendments *(Carling)* ..... S.B. 190 (F)
Criminal Trespass Prosecution *(Cromar)* ..... H.B. 372 (F)
Defense of Residence *(Selleneit)* ..... H.B. 308 W/O S
Detention of Juveniles in Law Enforcement *(Goodfellow)* ..... H.B. 382 (P)
Informed Consent for Abortion Amendments *(Moss)* ..... H.B. 82 (P)
Insanity Defense Amendments *(Hillyard)* ..... S.B. 161 (F)
Manslaughter Amendments *(Hillyard)* ..... S.B. 127 (P)
Misdemeanor Offenses-Penalty Modifications *(Carling)* ..... S.B. 151 (F)
Missing Children Registry Amendments *(Cornaby)* ..... S.B. 180 (F)
Peace Officer Designation *(Bangerter)* ..... S.B. 104 (P)
Restitution Amendments-Court Assessment *(Carling)* ..... S.B. 150 (F)
Sexual Exploitation of Minors *(Wayment)* ..... S.B. 72 (P)
Terroristic Threat Amendments *(Carling)* ..... S.B. 136 (F)
Traffic-Related Criminal Offenses-Amendments *(Carling)* ..... S.B. 145 (F)
Uniform Firearms Law *(Dahl)* ..... H.B. 40 (P)
Utah State Criminal Justice Training Council *(Carling)* ..... S.B. 225 (F)
Victim Restitution *(Fullmer)* ..... H.B. 169 (F)
Videotaping of Children's Testimony *(Skousen)* ..... H.B. 52 (P)
Warrantless DUI Arrests *(Walker)* ..... H.B. 193 (P)

CRIMINAL CODE, Police and Fire Departments

County Fire Department Appointment *(Barton)* ..... S.B. 77 (F)

County, City, and Town Personnel Management Act *(Fullmer)* ..... H.B. 150 (F)
Fire Chief and Public Safety Retirement Amendment *(Barlow)* ..... S.B. 57 W/O S
Firemen Minimum Monthly Retirement Allowance *(Ellertson)* ..... H.B. 47 (P)
Governmental Immunity *(Barlow)* ..... S.B. 58 (P)
Impersonating a Peace Officer *(Carling)* ..... S.B. 192 (F)
Interest Payments from Firemen Retired Reserve Fund *(Ellertson)* ..... H.B. 48 (P)
Interference with Arresting Officer-Amendment *(Carling)* ..... S.B. 193 (F)
Military Police-Department Creation *(Fullmer)* ..... H.B. 390 (F)
Peace Officer Designation *(Bangerter)* ..... S.B. 104 (P)
Peace Officer Power to Arrest *(Sowards)* ..... S.B. 277 (P)
Peace Officer Training *(Fullmer)* ..... H.B. 167 (F)
Railroad Special Agents *(F. Knowlton)* ..... H.B. 288 (P)
Reorganization of Department of Public Safety *(Fullmer)* ..... H.B. 389 (F)
Requirements for Annexation by Fire Districts or County Service Areas *(Karras)* ..... H.B. 326 (F)
Retirement Participation Amendment *(Tomlinson)* ..... H.B. 238 (P)
State Fire Marshal-Division Status *(LeBaron)* ..... H.B. 71 (P)
State Medical Examiner Authority Amendments *(Fullmer)* ..... H.B. 194 (F)
Tax Commission Special Agents *(McMullin)* ..... S.B. 255 (F)

CRIMINAL CODE, Pornography and Sexual Offenses

Increased Penalty for Dealing in Harmful Matter *(Asay)* ..... S.B. 84 (F)
Racketeering Enterprises Amendments *(Cornaby)* ..... S.B. 126 (P)
Registration of Sex Offenders Amendments *(Hillyard)* ..... S.B. 249 (F)

CRIMINAL CODE, Prisons

Board of Pardons Amendments *(Karras)* ..... H.B. 249 (P)
Department of Corrections-Organization and Functions *(Karras)* ..... H.B. 247 (P)
Department of Corrections-Organization and Functions Technical Amendments *(Karras)* ..... H.B. 248 (P)
Department of Corrections Technical Amendments *(Karras)* ..... H.B. 246 (F)
Incarcerated Medically Indigent *(Allen)* ..... H.B. 149 (F)
Indigent Medical Assistance Program *(Matheson)* ..... S.B. 81 (F)
Prosecution for State Violations at Correctional Facilities *(Sykes)* ..... H.B. 200 (F)

Utah Correctional Industries Act *(Jenkins)* ..... H.B. 132 (P)
Victims Rights Resolution *(Karras)* ..... H.J.R. 12 (P)
Youth Offenders Victim Restitution *(Walker)* ..... H.B. 250 (P)

DISCRIMINATION

Statute of Limitations for Civil Rights Cases *(Hillyard)* ..... S.B. 224 (F)

EDUCATION

(See SCHOOLS)

ELECTIONS

Campaign Literature Offenses *(Selleneit)* ..... H.B. 239 (F)
Cemetery Board Elections *(Brown)* ..... H.B. 148 (F)
Constitution Amendment by Popular Initiative *(Taylor)* ..... H.J.R. 4 (F)
Consumer Utility Board *(Maxfield)* ..... H.B. 235 (F)
Elected Public Service Commission *(Renstrom)* ..... S.B. 203 (F)
Election Campaign Fund Designation *(Cromar)* ..... H.B. 45 (F)
Election Contests *(Hunter)* ..... H.B. 280 (F)
Election Law Amendments *(Finlinson)* ..... S.B. 100 (F)
Municipal Initiative and Referendum Provisions *(Black)* ..... S.B. 80 (P)
Neighborhood Redevelopment *(McAllister)* ..... S.B. 139 (F)
Political and Charitable Fundraising *(Merrill)* ..... H.B. 260 (F)
Political Convention Expenses *(Rogers)* ..... S.B. 47 (F)
Political Convention Financing *(Cromar)* ..... H.B. 69 (F)
Presidential Candidates' Filing Procedures *(Bishop)* ..... H.B. 231 (F)
Primary Election Date Change *(Christensen)* ..... H.B. 111 (F)
PSC Retention Elections *(Renstrom)* ..... S.B. 234 (F)
Redevelopment Amendments *(E. U. Knowlton)* ..... H.B. 185 (F)
Registered Voter Information *(Karras)* ..... H.B. 26 (F)
Retention Elections and Nominating Commission for
Public Service Commissioners *(Stratford)* ..... S.B. 85 (F)
School Income Surtax *(Burningham)* ..... H.B. 380 (F)
Selection of County Officers *(Karras)* ..... H.B. 208 (F)
Tie Votes in Third Class Cities *(Bodily)* ..... H.B. 175 (F)
Time of Bond Elections *(Taylor)* ..... H.B. 68 (F)
Vote Recount Costs *(Sykes)* ..... H.B. 341 (F)

ENERGY-CONSERVATION AND DEVELOPMENT

(See also WATER; ENVIRONMENT; MINES AND MINING)

Business and Energy Credit Amendments *(Sowards)* ..... S.B. 206 (P)
Energy Assistance Amendments *(Stephens)* ..... H.B. 100 (F)
Energy Conservation and Alternative Financing for
State Buildings *(McKeachnie)* ..... H.B. 315 (P)

Energy Resource and Technology Incentives *(Sowards)* ..... S.B. 218 (P)
Home Energy Assistance Act Amendments *(Frandsen)*.....H.B. 240 W/O S
Increase in Sales Tax on Domestic Energy Use *(Pace)* ..... H.B. 205 (F)
Southern Utah Fuel Company Resolution *(Christensen)* ..... H.C.R. 5 (P)
State Assessed Property Amendments *(Pace)* ..... H.B. 271 (F)

ENVIRONMENT

Extension of Sales and Use Tax Exemption for
Pollution Control Equipment *(Pugh)*..... S.B. 231 (F)
Hazardous Materials Investigation and
Response Act *(Finlinson)*..... S.B. 119 (P)
High Frontier Nuclear Deterrent Resolution *(Skousen)*.....H.J.R. 11 (F)
Water Pollution Control Standards *(Schmutz)* ..... H.B. 102 (P)

EXECUTIVE

Executive Residence Commission *(Barlow)* ..... S.B. 40 (F)
Spouse of the Governor *(Rogers)*..... S.B. 279 (P)
Truth In State Budgeting *(F. Knowlton)*..... H.B. 296 (F)

FAMILIES

Adoption Petition Requirements *(Maxfield)*..... H.B. 28 (F)
Adoptions and Birth Certificates-Juvenile Court *(Walker)*..... H.B. 78 (P)
Amendments-Sexual Exploitation of Minors *(Wayment)*..... S.B. 72 (P)
Child Abuse and Reporting Act Amendment *(Rogers)*..... S.B. 120 (F)
Child Abuse-Criminal Homocide *(Overson)*..... S.B. 38 (P)
Child Abuse Criminal Penalties *(Overson)* ..... S.B. 39 (F)
Child Abuse Reporting Act Amendment *(Overson)*..... S.B. 37 (P)
Child-Care Employee Background Investigations *(Overson)* ..... S.B. 189 (F)
Child Custody Court Costs *(Merrill)* ..... H.B. 218 (P)
Child Support Bond *(Frandsen)* ..... H.B. 88 (P)
Child Support Statute of Limitation Clarification *(Frandsen)* ..... H.B. 89 (P)
Court Authority for Custodial Parent's Travel *(Stratford)*..... S.B. 28 (P)
Court Commissioner-Domestic Matters *(Walker)*..... H.B. 75 (P)
Credit Reporting of Support Delinquency *(Frandsen)*..... H.B. 92 (P)
Day Care Loan *(Maxfield)*..... H.B. 112 (F)
Day Care Operations Amendment *(Phelps)* ..... H.B. 105 (P)
Delayed Distribution of Estate to Minors *(Hillyard)*..... S.B. 60 (P)
Displaced Homemaker Act *(White)* ..... H.B. 183 (F)
Divorce Grounds Amendments *(Maxfield)* ..... H.B. 178 (F)
Divorce Law Waiting Period Amendments *(Maxfield)*..... H.B. 25 (F)

Federal Commission on Youth Suicide Prevention Resolution *(Stephens)* ..... H.J.R. 13 (F)
Income Withholding Amendments *(Frandsen)* ..... H.B. 90 (P)
Insurance for Adopted Children *(Cornaby)* ..... S.B. 179 (P)
Interstate Child Support Collection *(Frandsen)* ..... H.B. 87 (P)
Interstate Compact on Adoption and Medical Assistance *(Skousen)* ..... H.B. 109 (P)
Joint Custody Law *(Maxfield)* ..... H.B. 335 (F)
Juvenile and District Court Jurisdiction-Domestic Matters *(Hillyard)* ..... S.B. 61 (P)
Juvenile Court Jurisdiction-Failure to Report Child Abuse *(Walker)* ..... H.B. 77 (P)
Juvenile Court-Permanent Deprivation Amendments *(Walker)* ..... H.B. 76 (P)
Licensure Authority for Adult Day Care *(Skousen)* ..... H.B. 67 (F)
Missing Children Registry Amendments *(Cornaby)* ..... S.B. 180 (F)
Negotiation of Court-Ordered Visitation *(Maxfield)* ..... H.B. 375 (F)
Noncustodial Parent Visitation Rights *(Merrill)* ..... H.B. 252 (F)
Placement of Cigarette Tax Money in Children's Trust Account *(Walker)* ..... H.B. 322 (F)
Sexual Exploitation of Minors *(Wayment)* ..... S.B. 72 (P)
State Income Tax Intercept for Delinquent Child Support *(Frandsen)* ..... H.B. 91 (P)
Support and Maintenance Payments *(Maxfield)* ..... H.B. 79 (P)
Uniform Marital Property Act Study Resolution *(Skousen)* ..... H.J.R. 3 (F)
Videotaping of Children's Testimony *(Skousen)* ..... H.B. 52 (P)
Voluntary Adoption Registry *(Cornaby)* ..... S.B. 181 (F)
Wednesday's Child Resolution *(Tuttle)* ..... H.C.R. 17 (P)
Working Women Child Care Costs *(Maxfield)* ..... H.B. 24 (P)

FEES

Displaced Homemaker Act *(White)* ..... H.B. 183 (F)
Jury Fee Amendment *(Hillyard)* ..... S.B. 49 (P)
Medical Emergency Assistance Account *(DeMann)* ..... H.B. 118 (P)
Recreational Vehicle Recreation Penalties *(Lewis)* ..... H.B. 351 (F)

FIDUCIARIES AND TRUSTS

(See PROBATE, TRUSTS AND ESTATES)

FISH, GAME AND WILDLIFE PRESERVATION

Big Game Hunting Registration and Fees *(Barton)* ..... S.B. 83 (F)

Board of Big Game Control *(Olsen)* ..... H.B. 259 (F)
Confiscation and Forfeiture Amendments *(Selleneit)* ..... H.B. 254 (F)
Deer Hunt Opening Amendment *(Anderson)* ..... H.B. 128 (F)
Hunting Preserve Property Taxation *(Selleneit)* ..... H.B. 360 (F)
Publication of Wildlife Rules *(Phelps)* ..... H.B. 129 (P)
Sportsmen's Rights *(Selleneit)* ..... H.B. 334 (F)
Wildlife Board Amendments *(Rees)* ..... H.B. 344 (F)
Wildlife Land and Water Acquisition *(Myrin)* ..... H.B. 226 (F)
Wildlife License Amendments *(Finlinson)* ..... S.B. 98 (P)

FORESTRY AND FIRE CONTROL

HANDICAPPED
(See also HEALTH AND MEDICINE; SOCIAL SERVICES)

Accessibility for the Handicapped on Private Property *(Overson)* ..... S.B. 64 (F)
Dependent Care Tax Incentives *(Walker)* ..... H.B. 196 (F)
Handicapped Parking Fine and Transferable ID Cards for the Handicapped *(Overson)* ..... S.B. 52 (P)
Rights of Blind and Disabled Persons *(I. Arrington)* ..... H.B. 214 (F)
Sales Tax Exemption-Prosthetic Devices *(Cromar)* ..... H.B. 137 (F)
Special Education Amendments *(Ellertson)* ..... H.B. 57 (F)
Transferrable ID Cards for the Handicapped *(James)* ..... H.B. 187 (F)
Work Restoration Program *(Skousen)* ..... H.B. 366 (F)
Zoning of Residential Facilities for Mentally Ill and Handicapped *(Frandsen)* ..... H.B. 277 (P)

HEALTH AND MEDICINE
(See also HANDICAPPED; SOCIAL SERVICES)

Accessibility for the Handicapped on Private Property *(Overson)* ..... S.B. 64 (F)
Certificate of Merit in Medical Malpractice Actions *(Pugh)* ..... S.B. 112 (F)
Certificate of Need for Nursing Homes *(Rogers)* ..... S.B. 195 (F)
Collateral Source Rule for Medical Malpractice Damages *(Pugh)* ..... S.B. 152 (P)
Committee on Water Pollution Amendments *(Schmutz)* ..... H.B. 330 (P)
Deferred Periodic Payments for Medical Malpractice *(Cornaby)* ..... S.B. 154 (F)
Hazardous Materials Investigation and Response Act *(Finlinson)* ..... S.B. 119 (P)

Health Insurance Benefits *(Black)* ..... S.B. 278 (P)
Health Insurance Premium Tax Amendments *(Anderson)* ..... H.B. 39 (F)
Hospital Disciplinary Proceedings Amendments *(Cornaby)* ..... S.B. 155 (P)
Incarcerated Medically Indigent *(Allen)* ..... H.B. 149 (F)
Indigent Medical Assistance Program *(Matheson)* ..... S.B. 81 (F)
Industrial Facilities Development Act
Amendments *(Sowards)* ..... S.B. 131 (P)
Informed Consent for Abortion Amendments *(Moss)* ..... H.B. 82 (P)
Informed Consent Requirements *(Asay)* ..... S.B. 196 (F)
Limitation of Attorney Fees in Medical
Malpractice Actions *(Pugh)* ..... S.B. 113 (P)
Limitations on Insurance for Abortions *(Overson)* ..... S.B. 170 (F)
Litter Deposit for Beverage Containers *(Browning)* ..... H.B. 15 (F)
Medical Assistance Recovery Amendments *(Frandsen)* ..... H.B. 188 (F)
Medical Emergency Assistance Account *(DeMann)* ..... H.B. 118 (P)
Medical Examiner's Amendments *(Frandsen)* ..... H.B. 85 (P)
Medical Practices Penalties *(Selleneit)* ..... H.B. 306 (F)
Missing Children Registry Amendments *(Cornaby)* ..... S.B. 180 (F)
Mosquito Abatement Districts *(Black)* ..... S.B. 78 (P)
Optometry Amendments *(Barlow)* ..... S.B. 74 (F)
Personal Choice and Living Will Act *(Bangerter)* ..... S.B. 103 (P)
Pharmacy Practice Act *(Anderson)* ..... H.B. 59 (P)
Physician Assistant Amendments *(Carling)* ..... S.B. 93 (P)
Prelitigation Panel Requirement for Medical
Malpractice Claims *(Pugh)* ..... S.B. 153 (P)
Primary Children's Medical Center Resolution *(McAllister)* ..... S.J.R. 11 (P)
Prosthesis and Hearing Aid Sales Tax Exemption *(Money)* ..... S.B. 23 (F)
Rights of Blind and Disabled Persons *(I. Arrington)* ..... H.B. 214 (F)
Scoliosis Screening *(Skousen)* ..... H.B. 30 (F)
Solid Waste Management *(Rogers)* ..... S.B. 142 (F)
Smokeless Tobacco Warning Labels *(Holt)* ..... H.B. 405 (F)
State Medical Examiner Authority Amendments *(Fullmer)* ..... H.B. 194 (F)
Uniform Determination of Death Act *(Carling)* ..... S.B. 92 (F)
Utah Emergency Medical Services System
Act Amendment *(Money)* ..... S.B. 163 (P)
Voluntary Adoption Registry *(Cornaby)* ..... S.B. 181 (F)
Water Pollution Control Standards *(Schmutz)* ..... H.B. 102 (P)

HIGHER EDUCATION

(See SCHOOLS, Higher Education)

HIGHWAYS
(See also TRANSPORTATION)

Boulder to Bullfrog Scenic Road Appropriation *(Matheson)* ..... S.B. 24 (P)
Class C Road Funds *(Strong)* ..... H.B. 170 (P)
Fuel Conservation Speed Limit *(Selleneit)* ..... H.B. 135 (V)
Left-Lane Travel Restrictions *(Browning)* ..... H.B. 38 (P)
Livestock Highway Death Reporting *(Hillyard)* ..... S.B. 128 (P)
Logo Advertising on Highway Signs Authorization *(Peterson)* ..... S.B. 267 (F)
New Automobile Warranties *(L. Peterson)* ..... S.B. 29 (P)
Protection of Municipal Streets *(Goodfellow)* ..... H.B. 313 (F)
State Jurisdiction over Speed Limit Resolution *(Tomlinson)* ..... H.J.R. 15 (F)
State Medical Examiner Authority Amendments *(Fullmer)* ..... H.B. 194 (F)
State Road Designations *(Black)* ..... S.B. 63 (P)
Trapper's Loop Road Amendment and
Appropriation *(Stratford)* ..... S.B. 56 (P)
Transportation Fund Distribution *(Black)* ..... S.B. 275 (F)
Utah Highway Patrol Commendation *(Carling)* ..... S.J.R. 7 (P)
Utah Highway Patrol-License Plates *(Carling)* ..... S.B. 253 (P)
Vehicle Size and Weight Regulation *(Warnick)* ..... H.B. 317 (F)

HOMESTEADS AND HOUSING
(See also REAL ESTATE)

Area of Operation for City Housing Authority *(Goodfellow)* ..... H.B. 369 (F)
Circuit Breaker Property Tax Relief *(Wharton)* ..... H.B. 257 (F)
Defense of Residence *(Selleneit)* ..... H.B. 308 W/O S
Fair Housing Law *(Williams)* ..... S.B. 109 (F)
Forcible Entry and Detainer Amendments *(Black)* ..... S.B. 256 (F)
Franchise Tax Exemption for Homeowners and
Condominium Associations *(Barlow)* ..... S.B. 50 (F)
Home Energy Assistance Act Amendments *(Frandsen)* ..... H.B. 240 W/O S
Homeowner Association Corporate Tax *(Schmutz)* ..... H.B. 202 (P)
Local Rent Control Prohibition *(H. C. Moody)* ..... H.B. 1 (F)
Mobile and Modular Home Zoning *(Asay)* ..... S.B. 210 (F)
Notice of Buyer's Right to Cancel *(Tomlinson)* ..... H.B. 227 (P)
Owner-Renter Relations *(Pace)* ..... H.B. 97 (F)
Real Estate Deficiency Judgments *(Jenkins)* ..... H.B. 219 (F)
Residential Property Tax Assessment *(Carling)* ..... S.B. 59 (F)

HUSBAND AND WIFE
(See FAMILIES)

INSURANCE

Detection of Uninsured Motorists *(Browning)* ..... H.B. 116 (P)
Drivers Proof of Security *(Maxfield)* ..... H.B. 61 (F)
Health Insurance Premium Tax Amendments *(Anderson)* ..... H.B. 39 (F)
Increased Automobile Insurance Benefits *(Holt)* ..... H.B. 55 (F)
Insurance Anti-Discrimination Clause Repeal *(Matheson)* ..... S.B. 70 (F)
Insurance for Adopted Children *(Cornaby)* ..... S.B. 179 (P)
Insurance Law Recodification *(Finlinson)* ..... S.B. 232 (P)
Liability Insurance for Electrical Contractors *(Garbett)* ..... H.B. 34 (F)
Limitations on Insurance for Abortions *(Overson)* ..... S.B. 170 (F)
Medical Assistance Recovery Amendments *(Frandsen)* ..... H.B. 188 (F)
Notification of Insurance Companies *(DeMann)* ..... H.B. 262 (F)
Underinsured Motorist Coverage *(Browning)* ..... H.B. 261 (F)

INTOXICATING LIQUOR

(See LIQUOR)

JUDICIAL CODE

(See also CRIMINAL CODE)

Adoption Petition Requirements *(Maxfield)* ..... H.B. 96 (P)
Adoptions and Birth Certificates-Juvenile Court *(Walker)* ..... H.B. 78 (P)
Amendment in Number of District Judges *(Schmutz)* ..... H.B. 269 (F)
Appeals in Capital Cases *(Sykes)* ..... H.B. 224 (F)
Certificate of Merit in Medical Malpractice Actions *(Pugh)* ..... S.B. 112 (F)
Chief Justice Selection *(Sykes)* ..... H.B. 316 (F)
Child Abuse and Reporting Act Amendment *(Rogers)* ..... S.B. 120 (F)
Child Abuse Reporting Act Amendment *(Overson)* ..... S.B. 37 (P)
Child Support Bond *(Frandsen)* ..... H.B. 88 (P)
Child Support Statute of Limitation Clarification *(Frandsen)* ..... H.B. 89 (P)
City Attorney-State Law Misdemeanor Prosecutions *(Carling)* ..... S.B. 166 (F)
Collateral Source Rule for Medical Malpractice
Damages *(Pugh)* ..... S.B. 152 (P)
Credit Reporting of Support Delinquency *(Frandsen)* ..... H.B. 92 (P)
Deferred Periodic Payments for Medical
Malpractice *(Cornaby)* ..... S.B. 154 (F)
Division of Youth Corrections Responsibility for
Probation *(Fullmer)* ..... H.B. 166 (F)
Forcible Entry and Detainer Amendments *(Black)* ..... S.B. 256 (F)
Income Withholding Amendments *(Frandsen)* ..... H.B. 90 (P)
Interstate Child Support Collection *(Frandsen)* ..... H.B. 87 (P)
Judicial Article Amendments *(Pace)* ..... H.J.R. 16 (F)
Judicial Conduct Commission Amendments *(Cornaby)* ..... S.B. 21 (P)

Judicial DUI Reporting *(Dahl)* ..... H.B. 41 (F)
Juror Competency in Cases Involving Ordinances *(Strong)* ..... H.B. 171 (P)
Jury List Amendments *(Hillyard)* ..... S.B. 264 (F)
Juvenile and District Court Jurisdiction-
Domestic Matters *(Hillyard)* ..... S.B. 61 (P)
Juvenile Court Detention Orders *(Walker)* ..... H.B. 123 (F)
Juvenile Court Districts and Judges *(Walker)* ..... H.B. 121 (P)
Juvenile Court Jurisdiction-Failure to Report
Child Abuse *(Walker)* ..... H.B. 77 (P)
Juvenile Court-Juveniles and Adults *(Walker)* ..... H.B. 122 (P)
Juvenile Court-Permanent Deprivation Amendments *(Walker)* ..... H.B. 76 (P)
Juvenile Evaluation *(Dickamore)* ..... H.B. 353 (F)
Limitation of Attorney Fees in Medical
Malpractice Actions *(Pugh)* ..... S.B. 113 (P)
Placement of Cigarette Tax Money in Children's
Trust Account *(Walker)* ..... H.B. 322 (F)
Prelitigation Panel Requirement for Medical
Malpractice Claims *(Pugh)* ..... S.B. 153 (P)
Small Claims Court *(I. Arrington)* ..... H.B. 361 (F)
State Income Tax Intercept for Delinquent
Child Support *(Frandsen)* ..... H.B. 91 (P)
Statewide Mediation Program *(Maxfield)* ..... H.B. 410 (F)
Statute of Limitations for Civil Rights Cases *(Hillyard)* ..... S.B. 224 (F)
Suspension of Driving Privileges *(Burningham)* ..... H.B. 329 (F)
Tax Commission Administrative Subpoenas *(McMullin)* ..... S.B 260 (F)
Utah Arbitration Act *(Stratford)* ..... S.B. 62 (P)
Utah Foreign Judgment Technical Amendments *(Carling)* ..... S.B. 137 (F)
Voluntary Adoption Registry *(Cornaby)* ..... S.B. 181 (F)

LABOR

Amendments to OSHA *(Stephens)* ..... H.B. 276 (P)
Antidiscrimination Act Amendments *(Stratford)* ..... S.B. 216 (P)
Compulsory School Age Limitation *(Schmutz)* ..... H.B. 125 (F)
County, City, and Town Personnel Management Act *(Fullmer)* ..... H.B. 150 (F)
Dislocated Workers Training Fund *(Cromar)* ..... H.B. 179 (F)
Equal Opportunity for Employment *(Maxfield)* ..... H.B. 43 (F)
Exemption from Workmen's Compensation *(Jenkins)* ..... H.B. 65 (P)
Hiring Practices Resolution *(Dmitrich)* ..... H.J.R. 24 (F)
Independent Contractors Exemption *(Garbett)* ..... H.B. 70 (F)
Industrial Rehabilitation *(Stratford)* ..... S.B. 213 (F)
Maximum Unemployment Contribution
Rate Reduction *(Bangerter)* ..... S.B. 36 (F)

Misdemeanor Offenses-Penalty Modifications *(Carling)* ..... S.B. 151 (F)
Orderly Termination Procedures Amendments *(Schmutz)*..... H.B. 358 (F)
Public Employees Compensation Restrictions *(Maxfield)*..... H.B. 44 (F)
Right to Work Amendments *(Dahl)* ..... H.B. 110 (F)
Salary Adjustment Amendments *(Pugh)* ..... S.B. 94 (P)
Second Injury Disability Benefits *(Tuttle)* ..... H.B. 275 (P)
Second Injury Fund Amendments *(Sykes)*..... H.B. 396 (F)
Unemployment Compensation Modifications *(L. Peterson)* ..... S.B. 101 (P)
Utah Public Employee Bargaining Act *(Wharton)* ..... H.B. 310 (F)
Veteran's Preferred Employment *(Christensen)* ..... H.B. 49 (P)
Wage, Hour, and Working Condition
Amendments *(Stratford)* ..... S.B. 211 (F)
Workers' Compensation Amendments *(Stratford)*..... S.B. 158 (F)
Worker's Compensation Attorney Fees *(Dmitrich)* ..... H.B. 186 (F)
Workers' Compensation Revision *(Sykes)* ..... H.B. 332 (F)

LEGISLATURE

Appropriations Act Distribution *(Merrill)*..... H.B. 251 (F)
DFCM Amendments *(Sandberg)* .....S.B. 107 W/O S
Distribution of Legislative Publications *(Moss)* ..... H.B. 294 (P)
Enforcement of Legislative Intent *(Selleneit)* ..... H.B. 94 (F)
House Rules Resolution *(Brown)* .....H.R. 1 (P)
Joint Rules Resolution *(Moss)*.....H.J.R. 10 (P)
Joint Rules Resolution *(Sowards)* .....S.J.R. 1 (F)
Legislative Carryover Amendment *(Taylor)*.....H.J.R. 2 (F)
Legislative Committee Membership *(Moss)*..... H.B. 172 (P)
Legislative Compensation Limitations *(McMullin)* ..... S.B. 289 (F)
Legislative Employees' Compensation *(Stratford)*.....S.J.R. 3 (P)
Legislative Ethics Amendments *(Maxfield)* ..... H.B. 42 (F)
Legislator Compensation Limitations *(Reber)* ..... H.B. 31 (F)
Open Legislative Caucuses *(Burningham)*..... H.B. 33 (F)
Park City Winter Olympics Resolution *(Brown)* .....H.J.R. 14 (P)
Public Service Commission Study Resolution *(Renstrom)*..... S.J.R. 13 (F)
Revisors Statute *(Moss)*..... H.B. 173 (P)
Senate Rules Resolution *(Sowards)* ..... S.R. 1 (P)
Surface Mining Cooperative Agreement
Resolution *(Dmitrich)*..... H.C.R. 11 (P)
Truth In State Budgeting *(F. Knowlton)*..... H.B. 296 (F)

LICENSES-REGULATIONS

(See also BUSINESS REGULATIONS; REGISTRATION)

Cosmetologists and Barbers *(Goodfellow)*..... H.B. 220 (F)

County Designation On Vehicle License Plates *(Hillyard)* ..... S.B. 65 W/O S
Data Processing Study Committee Resolution *(Cromar)* ..... H.J.R. 23 (F)
Dietitian Licensing Act *(Richards)* ..... H.B. 221 (F)
License Plate Mailing Costs *(LeBaron)* ..... H.B. 357 (P)
Licensing Requirements for Drilling Water Wells *(Finlinson)* ..... S.B. 204 (F)
Licensure Authority for Adult Day Care *(Skousen)* ..... H.B. 67 (P)
Legislative and Congressional License Plates *(Cornaby)* ..... S.B. 248 (P)
Nurse Practice Act-Sunset Reauthorization *(Carling)* ..... S.B. 8 (P)
Nurse Practitioner's Prescriptive Practice Act-
Sunset Reauthorization *(Carling)* ..... S.B. 6 (P)
Public Accountants Education Requirements *(Rees)* ..... H.B. 20 (F)
Public Information Disclosure *(Matheson)* ..... S.B. 236 (F)
Sales of Securities Involving Real Estate *(Cornaby)* ..... S.B. 130 (P)
Sunset Act Amendments *(Carling)* ..... S.B. 5 (P)
Sunset Review-Athletic Commission *(Black)* ..... S.B. 10 (P)
Sunset Review-Dentists and Dental Hygienists Act *(Carling)* ..... S.B. 3 (P)
Sunset Review-Health Facility Administrators *(Carling)* ..... S.B. 1 (P)
Sunset Review-Occupational Therapy *(Carling)* ..... S.B. 2 (P)
Sunset Review-Physical Therapy Practice Act *(Carling)* ..... S.B. 4 (P)
Sunset Review-Podiatrists *(Black)* ..... S.B. 11 (P)
Sunset Review-Recreational Therapy *(Carling)* ..... S.B. 7 (P)
Sunset Review-Veterinary Practice Act *(Peterson)* ..... S.B. 9 (P)
Transporter License Plates *(McKeachnie)* ..... H.B. 391 (F)
Utah Highway Patrol-License Plates *(Carling)* ..... S.B. 253 (P)

LIENS, Mechanic and Other

Garnishment Lien Law *(Hunter)* ..... H.B. 5 (F)
Penalty for Wrongful Lien *(Matheson)* ..... S.B. 178 (P)
Simplified Mechanics Lien Notice *(Holt)* ..... H.B. 56 (P)

LIQUOR

Alcoholic Beverage Control Act *(Pugh)* ..... S.B. 108 (P)
Boat Operation Under the Influence of Alcohol
or Drugs *(Selleneit)* ..... H.B. 319 (F)
DUI Penalties *(Hillyard)* ..... S.B. 233 (F)
DUI Restitution Claim Procedures *(Barton)* ..... S.B. 67 (F)
DUI Victim Restitution Amendments *(Rees)* ..... H.B. 124 (P)
Indemnification of Public Employee DUI *(McKeachnie)* ..... H.B. 119 (F)
Judicial DUI Reporting *(Dahl)* ..... H.B. 41 (F)
Liquor Law Enforcement Amendments *(Finlinson)* ..... S.B. 68 (F)
Local Alcohol and Drug Authority *(Karras)* ..... H.B. 286 (P)

Prohibition of Alcoholic Beverage Sales at
Gas Stations *(Olsen)* ..... H.B. 399 (F)
Prohibition of Alcoholic Beverages in
Public Schools *(Stephens)* ..... H.B. 106 (P)
Suspension of Driving Privileges *(Burningham)* ..... H.B. 329 (F)
Warrantless DUI Arrests *(Walker)* ..... H.B. 193 (P)

MEDIA

Northern Microwave System Appropriation *(Hillyard)* ..... S.B. 175 (F)
Radio Telephone Exemption *(McKeachnie)* ..... H.B. 320 W O S

MEDICINE
(See HEALTH AND MEDICINE)

MILITARY
(See VETERAN'S AND MILITARY CONCERNS)

MINES AND MINING

Deposit of Fines and Penalties Collected by the Division
of Oil, Gas, and Mining *(Dmitrich)* ..... H.B. 163 (P)
Mine and Mineral Definitions *(Pace)* ..... H.B. 270 (F)
Mine Rescue Teams Commendation *(Dmitrich)* ..... H.C.R. 13 (P)
Mining Amendments *(Dmitrich)* ..... H.B. 274 (F)
Oil, Gas, and Mining Amendment *(Christensen)* ..... H.B. 150 (P)
Oil, Gas, and Mining Civil Penalties *(Christensen)* ..... H.B. 152 (F)
Regulation of Oil Treatment Plants *(Myrin)* ..... H.B. 181 (P)
Surface Mining Cooperative Agreement
Resolution *(Dmitrich)* ..... H.C.R. 11 (P)
Wilberg Mine Disaster Resolution *(Christensen)* ..... H.C.R. 12 (P)

MOTOR VEHICLES

Alcohol Motor Fuel Amendment *(McMullin)* ..... S.B. 105 (P)
Bicycle As Vehicle Definition *(Pace)* ..... H.B. 247 (F)
Budgetary Procedures Incentive Program *(Browning)* ..... H.B. 49 (F)
County Designation on Vehicle License Plates *(Hillyard)* ..... S.B. 65 W O S
Delinquent Motor Fuel Tax Collection *(Barton)* ..... S.B. 285 (F)
Detection of Uninsured Motorists *(Browning)* ..... H.B. 112 (P)
Drivers Proof of Security *(Maxfield)* ..... H.B. 21 (F)
DUI Penalties *(Hillyard)* ..... S.B. [illegible] (F)

DUI Restitution Claim Procedures *(Barton)* ..... S.B. 67 (F)
DUI Victim Restitution Amendments *(Rees)* ..... H.B. 124 (P)
Fuel Conservation Speed Limit *(Selleneit)* ..... H.B. 135 (V)
Fuel Tax Transfer for Recreation Vehicles *(Skousen)* ..... H.B. 282 (F)
Gasoline Pricing Amendment *(Fullmer)* ..... H.B. 83 (F)
Handicapped Parking Fine and Transferable ID Cards for the Handicapped *(Overson)* ..... S.B. 52 (P)
Increased Automobile Insurance Benefits *(Holt)* ..... H.B. 55 (F)
Left-Lane Travel Restrictions *(Browning)* ..... H.B. 38 (F)
Left Lane Travel-Speed Requirements *(Browning)* ..... H.B. 311 (F)
Legislative and Congressional License Plates *(Cornaby)* ..... S.B. 248 (P)
Lemon Law-New Motor Vehicle Warranties *(L. Peterson)* ..... S.B. 29 (P)
License Plate Mailing Costs *(LeBaron)* ..... H.B. 357 (P)
Mandatory Safety Inspection Repeal *(F. Knowlton)* ..... H.B. 212 (F)
Misdemeanor Offenses-Penalty Modifications *(Carling)* ..... S.B. 151 (F)
Motor Carriers-Regulation Amendments *(Myrin)* ..... H.B. 133 (F)
Motor Fuel Bonds and Fees *(Sowards)* ..... S.B. 283 (F)
Motor Fuel Sales *(McMullin)* ..... S.B. 265 (F)
Motor Vehicle Amendments *(C. Peterson)* ..... S.B. 228 (P)
Motor Vehicle Registration Amendments *(C. Peterson)* ..... S.B. 268 (P)
Motor Vehicle Seat Belt Usage *(Garff)* ..... H.B. 392 (F)
National Guard License Plate Fee Exemption *(Selleneit)* ..... H.B. 349 (F)
New Motor Vehicle Repair, Refund, and Replacement *(Browning)* ..... H.B. 117 (F)
New Motor Vehicle Warranties-Lemon Law *(L. Peterson)* ..... S.B. 29 (P)
Prohibition Against Hit and Run of Animals *(Bishop)* ..... H.B. 395 (F)
Public Information Disclosure *(Matheson)* ..... S.B. 236 (F)
Recreational Vehicle Titles *(McMullin)* ..... S.B. 271 (F)
Recreational Vehicle Recreation Penalties *(Lewis)* ..... H.B. 351 (F)
Repeal of Mandatory Emission Testing in Davis County *(Knowlton)* ..... H.B. 350 (F)
School Bus Flashing Lights Modification *(Warnick)* ..... H.B. 134 (P)
Security Personnel Sunset Review *(H. C. Moody)* ..... H.B. 3 (P)
Single License Plate Amendment *(White)* ..... H.B. 143 (F)
Special Fuel Permit Exemption *(Overson)* ..... S.B. 261 (F)
Studded Tire Authorization *(Hunter)* ..... H.B. 379 (F)
Suspension of Driving Privileges *(Burningham)* ..... H.B. 329 (F)
Traffic-Related Criminal Offenses-Amendments *(Carling)* ..... S.B. 145 (F)
Transferrable ID Cards for the Handicapped *(James)* ..... H.B 187 (F)
Underinsured Motorist Coverage *(Browning)* ..... H.B. 261 (F)
Utah Highway Patrol-License Plates *(Carling)* ..... S.B. 253 (P)
Vehicle Following Too Close Amendment *(Selleneit)* ..... H.B. 234 (F)
Vehicle Length, Width, and Axle Amendments *(Sowards)* ..... S.B. 270 (P)
Warrantless DUI Arrests *(Walker)* ..... H.B. 193 (P)

NATURAL RESOURCES AND ENERGY CONSERVATION
(See also ENERGY-CONSERVATION AND DEVELOPMENT)

Grant for Hogle Zoo *(Rogers)* ..... S.B. 251 (F)
Middle Fork Ogden River Appropriation *(L. Peterson)* ..... S.B. 201 (P)
Wildlife Board Amendments *(Rees)* ..... H.B. 344 (F)

PUBLIC BROADCASTING
(See MEDIA)

NOTARY PUBLICS

Notary Public Amendments *(Cornaby)* ..... S.B. 133 (P)

OPEN AND PUBLIC MEETINGS
(See LEGISLATURE; STATE AFFAIRS)

PARENT AND CHILD
(See FAMILIES)

PARKS AND RECREATION

Clear Creek Canyon Appropriation *(Christensen)* ..... H.B. 241 (P)
National Park Buffer Zone Restriction Resolution *(Matheson)* ..... S.J.R. 4 (F)
Winter Recreational Parking *(Williams)* ..... S.B. 235 (F)

PARTNERSHIPS

Title in Trusts and Joint Ventures *(Hillyard)* ..... S.B. 35 (P)

PEACE OFFICER TRAINING
(See CRIMINAL CODE, Police and Fire Concerns)

PENSIONS AND RETIREMENT

Compensation for Probate Personal Representatives *(Lewis)* ..... H.B. 72 (F)
Fire Chief and Public Safety Retirement
Amendments *(Barlow)* ..... S.B. 57 W/O S
Firemen Minimum Monthly Retirement Allowance *(Ellertson)* ..... H.B. 47 (P)
Interest Payments from Firemen Retired
Reserve Fund *(Ellertson)* ..... H.B. 48 (P)
Judges' Retirement System Contributions *(Karras)* ..... H.B. 323 (F)

Long Term Disability Health Benefits *(Sowards)* ..... S.B. 281 (F)
Noncontributory Retirement Plan *(Sandberg)* ..... S.B. 280 (F)
Noncontributory Retirement System *(Reber)* ..... H.B. 400 (F)
Optional Noncontributory Retirement Program *(Bishop)* ..... H.B. 401 (F)
Peace Officer Designation *(Bangerter)* ..... S.B. 104 (P)
Post-Retirement Employment *(Jenkins)* ..... H.B. 244 (F)
Public Employees Early Retirement *(Pace)* ..... H.B. 190 (V)
Public Employee Retirement Credit Purchase *(Swan)* ..... S.B. 30 (P)
Public Safety Contributions *(Carling)* ..... S.B. 148 (F)
Public Safety Retirement Contribution Rate Change *(Karras)* ..... H.B. 324 (F)
Public Safety Retirement Cost of Living Adjustments *(Carling)* ..... S.B. 140 (F)
Public Safety Retirement Credit Purchase *(Swan)* ..... S.B. 46 (P)
Public Safety Retirement Service Credit *(Carling)* ..... S.B. 174 (F)
Retirement Benefits *(McMullin)* ..... S.B. 230 (F)
Retirement Cost-of-Living Calculations *(Pace)* ..... H.B. 278 (F)
Retirement Exemption Amendments *(Rogers)* ..... S.B. 123 (P)
Retirement Final Average Salary *(McMullin)* ..... S.B. 215 (F)
Retirement Income Deduction Increase *(Hollingshaus)* ..... H.B. 263 (F)
Retirement Law Amendments *(Bishop)* ..... H.B. 299 (P)
Retirement Participation Amendment *(Tomlinson)* ..... H.B. 238 (P)
Retirement Service Credit *(Pace)* ..... H.B. 303 (F)
Service Retirement Benefit to Spouse *(Finlinson)* ..... S.B. 183 (F)
South Africa Investment Transfer Act *(Williams)* ..... S.B. 269 (F)

PORNOGRAPHY

(See CRIMINAL CODE, Pornography and Sexual Offenses)

PROBATE, Trusts and Estates

Compensation for Probate Personal Representatives *(Lewis)* ..... H.B. 72 (F)
Delayed Distribution of Estate to Minors *(Hillyard)* ..... S.B. 60 (F)
Personal Choice and Living Will Act *(Bangerter)* ..... S.B. 103 (P)
Probate Guardian Appointment Amendments *(Walker)* ..... H.B. 73 (P)
Title in Trusts and Joint Ventures *(Hillyard)* ..... S.B. 35 (P)
Uniform Probate Code Amendments *(Carling)* ..... S.B. 243 (F)

PUBLIC OFFICERS

(See STATE OFFICERS AND EMPLOYEES)

PUBLIC EDUCATION

(See SCHOOLS, Public Education)

PUBLIC FUNDS AND ACCOUNTS

(See also TAXES)

Appointed Officials' Salaries *(McAllister)* ..... S.B. 138 (P)
State Money Management Council *(L. Peterson)* ..... S.B. 184 (P)

Surplus Revenue Trust Fund *(Walker)* ..... H.B. 197 (F)
Utah Correctional Industries Act *(Jenkins)* ..... H.B. 132 (P)

PUBLIC UTILITIES
(See UTILITIES, PUBLIC)

PUBLIC WELFARE
(See SOCIAL SERVICES)

RAILROADS

Amtrak Rail Passenger Resolution *(Phelps)* ..... H.J.R. 29 (F)
Railroad Special Agents *(F. Knowlton)* ..... H.B. 288 (P)
Transportation Commission Amendments *(Phelps)* ..... H.B. 403 (F)
Utah Caboose Law *(Black)* ..... S.B. 122 (F)

REAL ESTATE
(See also HOMESTEADS AND HOUSING)

Amendments to Timeshare Sales Practices *(Bradford)* ..... H.B. 285 (P)
Conservation Easements *(Myrin)* ..... H.B. 131 (P)
Exemption from Workmen's Compensation *(Jenkins)* ..... H.B. 65 (P)
Limitation on Enforcement of Due-on-Sale
Clauses *(H. C. Moody)* ..... H.B. 29 (P)
Local Rent Control Prohibition *(H. C. Moody)* ..... H.B. 1 (F)
Owner-Renter Relations *(Pace)* ..... H.B. 97 (F)
Real Estate Amendments *(Bradford)* ..... H.B. 284 (P)
Real Estate Deficiency Judgments *(Jenkins)* ..... H.B. 219 (F)
Sales of Securities Involving Real Estate *(Cornaby)* ..... S.B. 130 (P)
Subdivision Plats *(Finlinson)* ..... S.B. 242 (F)
Trust Deed Amendments *(Matheson)* ..... S.B. 66 (P)
Trust Deed Changes *(Carling)* ..... S.B. 125 (P)

REGISTRATION
(See also LICENSES-REGULATION; BUSINESS REGULATION)

Boating Registration Penalties *(Lewis)* ..... H.B. 351 (F)
Contraband Forfeiture Act *(Fullmer)* ..... H.B. 151 (F)
Controlled Substance Act *(Cornaby)* ..... S.B. 254 (P)
Cosmetologists and Barbers *(Goodfellow)* ..... H.B. 220 (F)
Dietitian Licensing Act *(Richards)* ..... H.B. 221 (F)
Hospital Disciplinary Proceedings Amendments *(Cornaby)* ..... S.B. 155 (P)
Informed Consent Requirements *(Asay)* ..... S.B. 196 (F)
Medical Practices Penalties *(Selleneit)* ..... H.B. 306 (F)
Motor Vehicle Registration Amendments *(C. Peterson)* ..... S.B. 268 (P)
Nurse Practice Act-Sunset Reauthorization *(Carling)* ..... S.B. 8 (P)
Nurse Practitioner's Prescriptive Practice Act-
Sunset Reauthorization *(Carling)* ..... S.B. 6 (P)

Optometry Amendments *(Barlow)* ..... S.B. 74 (F)
Per Diem Amendments for Registration Division *(Swan)* ..... S.B. 263 (F)
Pharmacy Practice Act *(Anderson)* ..... H.B. 59 (P)
Physician Assistant Amendments *(Carling)* ..... S.B. 93 (P)
Public Accountants Education Requirements *(Rees)* ..... H.B. 20 (F)
Security Personnel Sunset Review *(H. C. Moody)* ..... H.B. 3 (P)
Sunset Review-Athletic Commission *(Black)* ..... S.B. 10 (P)
Sunset Review-Dentists and Dental Hygienists Act *(Carling)* ..... S.B. 3 (P)
Sunset Review-Health Facility Administrators *(Carling)* ..... S.B. 1 (P)
Sunset Review-Occupational Therapy *(Carling)* ..... S.B. 2 (P)
Sunset Review-Physical Therapy Practice Act *(Carling)* ..... S.B. 4 W/O S
Sunset Review-Podiatrists *(Black)* ..... S.B. 11 (P)
Sunset Review-Recreational Therapy *(Carling)* ..... S.B. 7 (P)
Sunset Review-Veterinary Practice Act *(L. Peterson)* ..... S.B. 9 (P)

RESOLUTIONS

Afghani Freedom Fighters Resolution *(Matheson)* ..... S.J.R. 12 (P)
Agency Cooperation for Efficiency Resolution *(Barton)* ..... S.J.R. 5 (F)
Alma V. Smoot Resolution *(Holmgren)* ..... S.J.R. 17 (P)
Amtrak Rail Passenger Resolution *(Phelps)* ..... H.J.R. 29 (F)
Arvo Van Alstyne Resolution *(Richards)* ..... H.C.R. 6 (P)
Boy Scout Week Resolution *(Lewis)* ..... H.C.R. 3 (P)
BYU Football Team Commendation *(Christensen)* ..... S.C.R. 3 (P)
Carl Hatfield Resolution *(James)* ..... H.C.R. 4 (P)
Citizens Against Waste Foundation *(Barlow)* ..... S.J.R. 16 (F)
Class Size Resolution *(Bangerter)* ..... S.J.R. 8 (F)
Constitution Amendment by Popular Initiative *(Taylor)* ..... H.J.R. 4 (F)
Dan Lawrence Commendation *(Christensen)* ..... H.C.R. 18 (P)
Dan Valentine Commendation *(Pugh)* ..... S.J.R. 14 (P)
Data Processing Study Committee Resolution *(Cromar)* ..... H.J.R. 23 (F)
Defense Jobs for Utah Resolution *(Garff)* ..... H.J.R. 18 (F)
Don Lind Resolution *(McMullin)* ..... S.C.R. 7 (P)
Draft Registration Resolution *(Taylor)* ..... H.J.R. 5 (F)
Federal Commission on Youth Suicide Prevention Resolution *(Stephens)* ..... H.J.R. 13 (F)
Federal Reserve System Audit Resolution *(Dahl)* ..... H.J.R. 1 (P)
General Motors Saturn Plant Resolution *(J. Moody)* ..... H.C.R. 24 (P)
George E. Wahlen Commendation *(Karras)* ..... H.C.R. 20 (P)
Governmental Jurisdiction Resolution *(Cromar)* ..... H.J.R. 30 (F)
Governmental Property Tax Exemption Amendment *(Pace)* ..... H.J.R. 19 (F)
Grace Commission Resolution *(Tomlinson)* ..... H.C.R. 19 (F)
High Frontier Nuclear Deterrent Resolution *(Skousen)* ..... H.J.R. 11 (F)
Hiring Practices Resolution *(Dmitrich)* ..... H.J.R. 24 (F)
House Rules Resolution *(Broum)* ..... H.R. 1 (P)

Instruction in the Traits of Good Citizenship Resolution *(Wasden)* ..... H.J.R. 8 (F)
Interim Study Assignments *(C. Peterson)* ..... S.J.R. 18 (P)
Interstate Construction Completion Resolution *(Pugh)* ..... S.J.R. 6 (P)
Ione Davis Resolution *(Bradshaw)* ..... H.C.R. 26 (P)
Jesse Anderson Commendation (J. Arrington) ..... H.R. 2 (P)
Joint Rules Resolution *(Moss)* ..... H.J.R. 10 (P)
Jon M. Memmott Commendation *(Lewis)* ..... H.J.R. 27 (P)
Joseph Lennox Federal Commendation Resolution *(Wharton)* ..... H.J.R. 22 (P)
Judicial Article Amendments *(Pace)* ..... H.J.R. 16 (F)
Lee Rex Huntsman Resolution *(Dmitrich)* ..... H.J.R. 32 (F)
Legislative Carryover Amendment *(Taylor)* ..... H.J.R. 2 (F)
Legislative Employees' Compensation *(Stratford)* ..... S.J.R. 3 (P)
Martin Luther King, Jr., State Holiday *(Williams)* ..... S.B. 250 (F)
Martin Luther King Resolution *(Williams)* ..... S.C.R. 2 (P)
Marvin G. Jenson Honorary Senator Resolution *(All Senators)* ..... S.R. 2 (P)
Mine Rescue Teams Commendation *(Dmitrich)* ..... H.C.R. 13 (P)
Miss America Sharlene Wells Commendation *(Cornaby)* ..... S.C.R. 1 (P)
National Park Buffer Zone Restriction Resolution *(Matheson)* ..... S.J.R. 4 (F)
Neil Dean Schaerrer Resolution *(Sykes)* ..... H.C.R. 14 (P)
Oath of Office Amendment *(Wayment)* ..... S.J.R. 10 (F)
Paul Thomas Resolution *(Allen)* ..... H.J.R. 6 (P)
President Reagan Inauguration Resolution *(Cromar)* ..... H.C.R. 7 (P)
Presidential Line Item Veto Resolution *(Selleneit)* ..... H.J.R. 17 (F)
Primary Children's Medical Center Resolution *(McAllister)* ..... S.J.R. 11 (P)
Proposition One Study Resolution *(Renstrom)* ..... H.J.R. 9 (F)
Public Service Commission Study Resolution *(Renstrom)* ..... S.J.R. 13 (F)
Purchasing Policies of Local School Districts *(Tomlinson)* ..... H.J.R. 9 (F)
Raoul Wallenberg Information Resolution *(Sykes)* ..... H.C.R. 15 (F)
Reforms for Educational Excellence Resolution *(Frandsen)* ..... H.C.R. 22 (F)
Religious Persecution Resolution *(Williams)* ..... S.J.R. 2 (P)
Rural Electrification Administration *(Sowards)* ..... S.C.R. 6 (P)
Salt Lake City and County Building Restoration *(Richards)* ..... H.C.R. 2 (F)
Sanctions Against South Africa Resolution *(Wharton)* ..... H.J.R. 26 (F)
Southern Utah Fuel Company Resolution *(Christensen)* ..... H.C.R. 5 (P)
State Jurisdiction over Speed Limit Resolution *(Tomlinson)* ..... H.J.R. 15 (F)
Summum Farm Comendation *(Taylor)* ..... H.J.R. 28 (F)
Tax Recodification Commission Resolution *(Karras)* ..... H.C.R. 1 (F)
Teachers' Salaries *(Dmitrich)* ..... H.J.R. 21 (F)
Uniform Marital Property Act Study Resolution *(Skousen)* ..... H.J.R. 3 (F)

Unitary Tax Resolution *(F. Knowlton)* ..... H.C.R. 25 (P)
United States Olympic Gymnasts Resolution *(Williams)* ..... S.J.R. 9 (P)
Utah Academic Decathalon Resolution *(Barlow)* ..... S.C.R. 4 (F)
Utah Highway Patrol Commendation *(Carling)* ..... S.J.R. 7 (P)
Utah Teacher Commendation *(Sykes)* ..... H.C.R. 21 (F)
Utah Technology Finance Corporation
Resolution *(Richards)* ..... H.C.R. 23 (F)
Victims Rights Resolution *(Karras)* ..... H.J.R. 12 (P)
Wednesday's Child Resolution *(Tuttle)* ..... H.C.R. 17 (P)
Weston E. Hamilton Resolution *(C.E. Peterson)* ..... S.J.R. 15 (P)
Wilberg Mine Disaster Resolution *(Christensen)* ..... H.C.R. 12 (P)
World Cup Competition Resolution *(Brown)* ..... H.J.R. 20 (P)
Year of the Teacher Resolution *(Walker)* ..... H.C.R. 16 (P)
Year of the Teacher Resolution *(Walker)* ..... H.J.R. 7 (F)

RETIREMENT

(See PENSIONS)

REVENUE AND TAXATION

(See TAXES)

SCHOOLS

Career Teaching Scholarship Fund Tax Credits *(Moss)* ..... H.B. 95 (V)
Centers for Technological Excellence *(LeBaron)* ..... H.B. 255 (P)
Education Responsibility at the State Training
School *(Burningham)* ..... H.B. 21 (P)
Instruction in the Traits of Good Citizenship
Resolution *(Wasden)* ..... H.J.R. 8 (F)
Minimum Basic Tax Levy Adjustment *(Hillyard)* ..... S.B. 219 (F)
Public Accountants Education Requirements *(Rees)* ..... H.B. 20 (F)
Purchasing Policies of Local School Districts *(Tomlinson)* ..... H.J.R. 9 (F)
Reforms for Educational Excellence
Resolution *(Frandsen)* ..... H.C.R. 22 (F)
School Finance Act Amendments *(Barlow)* ..... S.B. 291 W/O S
Special Education Amendments *(Ellertson)* ..... H.B. 57 (F)
Utah Private Activity Bond Ceiling
Allocation Act *(DeMann)* ..... H.B. 195 (P)
Utah Teacher Commendation *(Sykes)* ..... H.C.R. 21 (F)
Year of the Teacher Resolution *(Walker)* ..... H.J.R. 7 (F)

SCHOOLS, Public Education

Administrative Services Act Amendments *(Hillyard)* ..... S.B. 129 (P)
Aid Station Pilot Program in the Public Schools *(Fullmer)* ..... H.B. 236 (F)
Board Of Education Powers *(Barton)* ..... S.B. 17 (P)
Career Ladder Amendments *(Pugh)* ..... S.B. 14 (P)
Career Ladder-Extended Contract Days *(Garff)* ..... H.B. 373 (F)
Career Ladders *(Alford)* ..... H.B. 293 (F)
Children's Museum Appropriation *(Sykes)* ..... H.B. 213 (F)
Class Size Reduction Program *(Bishop)* ..... H.B. 63 (F)
Class Size Resolution *(Bangerter)* ..... S.J.R. 8 (F)
College Preparation Pilot Program in the Public Schools *(Walker)* ..... H.B. 343 (F)
Compulsory School Age Limitation *(Schmutz)* ..... H.B. 125 (F)
Critical School Building Fund *(Cromar)* ..... H.B. 408 (F)
Driver Education Amendments *(Finlinson)* ..... S.B. 69 (F)
Education Joint Liaison Committee *(Moss)* ..... H.B. 225 (F)
Educational Professional Practices Amendments *(Burningham)* ..... H.B. 58 (P)
Educator Evaluation *(Bishop)* ..... H.B. 230 (F)
Elementary Guidance and In-School Suspension Pilot Program *(Frandsen)* ..... H.B. 367 (F)
Filling Vacancies on the State Board of Education *(Walker)* ..... H.B. 155 (F)
Incentive Bonus Plan for Teachers *(Maxfield)* ..... H.B. 318 (F)
Incentives for Excellence in Public School Districts *(L. Peterson)* ..... S.B. 164 (P)
Individual Tax Credit for Donated Services to Public Education *(Asay)* ..... S.B. 118 (F)
Inspection of School Buildings *(Tomlinson)* ..... H.B. 4 (F)
Limitations on School District Expenditure of Tax *(Pace)* ..... H.B. 203 (F)
Local Board Powers *(Stratford)* ..... S.B. 71 (P)
Local Option School District Sales Tax *(Rogers)* ..... S.B. 114 (F)
Mandatory Scoliosis Screening *(Skousen)* ..... H.B. 30 (F)
Math and Science Teacher Stipends *(Sykes)* ..... H.B. 298 (F)
Nonrenewable Resources Account *(Skousen)* ..... H.B. 27 (F)
Nonresident Partial Tuition Scholarships *(Hillyard)* ..... S.B. 169 (F)
Orderly Termination Procedures Amendments *(Schmutz)* ..... H.B. 358 (F)
Outcome Based Education *(Bradford)* ..... H.B. 377 (F)
Power of the State Superintendent of Public Instruction *(Rogers)* ..... S.B. 91 (P)
Prohibition of Alcoholic Beverages in Public Schools *(Stephens)* ..... H.B. 106 (P)

Public Education Impact Fee *(Schmutz)* ..... H.B. 253 (F)
Public Education Orderly School Termination
Procedures *(Sykes)* ..... H.B. 368 (F)
Public Education Professional Staff Cost Formula
Amendment *(Bishop)* ..... H.B. 273 (F)
Public School Children Income Tax Exemption *(Anderson)*..... H.B. 66 (F)
Public School Pass Through Tax Exemption *(Walker)* ..... H.B. 156 (F)
Public School Reform Options *(Stephens)*..... H.B. 376 (F)
Public School Textbook Appropriation *(Cromar)*..... H.B. 292 (F)
Purchasing Policies of Local School Districts *(Tomlinson)* ..... H.B. 54 (F)
Rule-Making Act Amendments *(Stephens)*..... H.B. 107 (F)
Sales Tax on School Sales *(Matheson)* ..... S.B. 90 (F)
School Building Construction *(Tomlinson)*..... H.B. 9 (F)
School Income Surtax *(Burningham)*..... H.B. 380 (F)
School Maintenance Contracts *(Tomlinson)*..... H.B. 53 (F)
School Mill Levy Reduction *(Schmutz)* ..... H.B. 126 (F)
School Residency Amendments *(Walker)* ..... H.B. 154 (P)
State School Fund Appropriation *(Schmutz)*..... H.B. 81 (F)
State Superintendent of Public Instruction
Salary Authority *(Stephens)*..... H.B. 108 (F)
Student Discipline in Public Schools *(Pace)*..... H.B. 204 (F)
Student Members of School Boards *(Swan)* ..... S.B. 160 (F)
Suspension from the Public Schools *(Dickamore)* ..... H.B. 127 (F)
Tax Credit and Deduction for Donated Services *(Moss)* ..... H.B. 80 (F)
Teacher Career Ladder Modifications *(Sykes)*..... H.B. 268 (F)
Teacher Certification Background Check *(Carling)* ..... S.B. 168 (F)
Teacher Excellence Incentives *(Sykes)*..... H.B. 321 (F)
Teacher Responsibility for After School Activities *(Overson)* ..... S.B. 217 (F)
Teachers' Salaries *(Dmitrich)*.....H.J.R. 21 (F)
Title 53 Repealers *(Hillyard)* ..... S.B. 31 (P)
Title 53 Revision-Professional Practices *(Hillyard)* ..... S.B. 34 (P)
Title 53 Revision-School Buildings and Construction *(Hillyard)*..... S.B. 33 (P)
Title 53 Revision-Vocational Education *(Hillyard)* ..... S.B. 32 (P)
Transit District Passes for Students *(Taylor)*..... H.B. 18 (F)
Trespass on School Property *(Walker)*..... H.B. 157 (P)
Voted Leeway Modification *(Brown)*..... H.B. 164 (P)
Work Restoration Program *(Skousen)* ..... H.B. 366 (F)
Year of the Teacher Resolution *(Walker)*..... H.C.R. 16 (P)

SCHOOLS, Higher Education

Career Teaching Scholarships Amendments *(L. Peterson)*..... S.B. 186 (F)

Commissioner of Higher Education Salary *(Richards)*..... H.B. 15 (F)
Higher Education Classified Staff Employee Salary *(Wharton)*..... H.B. 402 (F)
Industrial Facilities Development Act Amendments *(Sowards)*..... S.B. 131 (P)
Receipts for Educational Loan Forms *(Merrill)*..... H.B. 223 (F)
Scholarship Fund Tax Credit *(Moss)*..... H.B. 95 (V)
State Building Board Prerogatives for Higher Education *(L. Peterson)*..... S.B. 185 (F)
UGMS Amendments *(Phelps)*..... H.B. 162 (P)
Utah Financial Assistance Act for Nonpublic Institutions *(Carling)*..... S.B. 258 (F)

SCHOOLS, Technical and Vocational

Authorization for Associate Degree at Technical Colleges *(Moss)*..... H.B. 13 (P)
Title 53 Revision-Vocational Education *(Hillyard)*..... S.B. 32 (P)
Utah Technical College at Salt Lake Revenue Bonds *(Goodfellow)*..... H.B. 207 (P)
Vocational-Technical Curriculum Coordination Commission *(Wasden)*..... H.B. 104 (F)

SECURITIES-BONDS

Bond Validation Act *(Strong)*..... H.B. 409 (F)
Exemptions to General County Mill Levy Ceilings *(Finlinson)*..... S.B. 144 (P)
Industrial Facilities Development Act Amendments *(Sowards)*..... S.B. 131 (P)
Municipal Bond Act Amendments *(Pace)*..... H.B. 101 (P)
Neighborhood Redevelopment *(McAllister)*..... S.B. 139 (F)
Payment and Performance Bonds *(McKeachnie)*..... H.B. 138 (P)
Public Sale of Bonds *(Finlinson)*..... S.B. 116 (F)
Real Estate Amendments *(Bradford)*..... H.B. 284 (P)
Sales of Securities Involving Real Estate *(Cornaby)*..... S.B. 130 (P)
Surety Bond Act *(DeMann)*..... H.B. 378 (F)
Time of Bond Elections *(Taylor)*..... H.B. 68 (F)
Utah Private Activity Bond Ceiling Allocation Act *(DeMann)*..... H.B. 195 (P)
Utah Technical College at Salt Lake Revenue Bonds *(Goodfellow)*..... H.B. 207 (P)

SOCIAL SERVICES
(See also HANDICAPPED; HEALTH AND MEDICINE)

Area of Operation for City Housing Authority *(Goodfellow)*..... H.B. 369 (F)
Certificate of Need for Nursing Homes *(Rogers)*..... S.B. 195 (F)

Child-Care Employee Background Investigations *(Overson)* ..... S.B. 189 (F)
Day Care Loan *(Maxfield)* ..... H.B. 112 (F)
Day Care Operations Amendment *(Phelps)* ..... H.B. 105 (P)
Department of Corrections-Reorganization *(Fullmer)* ..... H.B. 168 (F)
Detention of Juveniles in Law Enforcement *(Goodfellow)* ..... H.B. 382 (P)
Displaced Homemaker Act *(White)* ..... H.B. 183 (F)
Division of Youth Corrections Responsibility for
Detention Facilities *(Fullmer)* ..... H.B. 84 (F)
Energy Assistance Amendments *(Stephens)* ..... H.B. 100 (F)
Food Stamp I.D. *(H. C. Moody)* ..... H.B. 17 (F)
Interstate Compact on Adoption and Medical
Assistance *(Skousen)* ..... H.B. 109 (P)
Job Training Coordination Act *(Barlow)* ..... S.B. 188 (P)
Juvenile Detention *(Stratford)* ..... S.B. 89 (F)
Juvenile Evaluation *(Dickamore)* ..... H.B. 353 (F)
Licensure Authority for Adult Day Care *(Skousen)* ..... H.B. 67 (P)
Personal Care Assistance to the Disabled Adult *(Skousen)* ..... H.B. 301 (F)
Public Assistance Fraud Amendments *(Frandsen)* ..... H.B. 86 (P)
Tax Abatement for Indigents *(Wharton)* ..... H.B. 258 (F)
Youth Offenders Program Certification *(Stratford)* ..... S.B. 88 (P)
Youth Offenders Victim Restitution *(Walker)* ..... H.B. 250 (P)

STATE AFFAIRS, General, Buildings and Grounds, History and Preservation

Accounts Receivable Collections *(Burningham)* ..... H.B. 191 (P)
Administrative Rulemaking Act *(Olsen)* ..... H.B. 217 (P)
Administrative Services Act Amendments *(Hillyard)* ..... S.B. 129 W/O S
Alcoholic Beverage Control Act *(Pugh)* ..... S.B. 108 (P)
Appropriations Act Distribution *(Merrill)* ..... H.B. 251 (F)
Board of Industrial Promotion Membership *(Rogers)* ..... S.B. 246 (P)
Centers for Technological Excellence *(LeBaron)* ..... H.B. 255 (P)
Certificates of Participation *(Jenkins)* ..... H.B. 51 (P)
Committee of Consumer Services Continuation *(Swan)* ..... S.B. 99 (F)
Concurrent Jurisdiction of Defense Depot-Ogden *(L. Peterson)* ..... S.B. 111 (P)
Criminal and Juvenile Commission Membership *(Karras)* ..... H.B. 325 (F)
Department of Corrections-Organization
and Functions *(Karras)* ..... H.B. 247 (P)
Department of Corrections-Organization and Functions
Technical Amendments *(Karras)* ..... H.B. 248 (P)
Department of Corrections Technical Amendments *(Karras)* ..... H.B. 246 (F)
DFCM Amendments *(Sandberg)* ..... S.B. 107 W/O S
Division of Indian Affairs-Title to Property *(Adams)* ..... H.B. 397 (P)

Duties of Division of State History *(E. U. Knowlton)* ..... H.B. 279 (F)
Energy Conservation and Alternative Financing for
State Buildings *(McKeachnie)* ..... H.B. 315 (P)
Energy Resource and Technology Incentives *(Sowards)* ..... S.B. 218 (P)
Enforcement of Legislative Intent *(Selleneit)* ..... H.B. 94 (F)
Expositions Appropriation *(Hillyard)* ..... S.B. 244 (F)
Governmental Immunity *(Barlow)* ..... S.B. 58 (P)
Governmental Immunity Act Correction *(McKeachnie)* ..... H.B. 272 (F)
Governmental Immunity Act Modifications *(McKeachnie)* ..... H.B. 120 (P)
Governmental Immunity for Geologic Hazards *(Browning)* ..... H.B. 177 (P)
Governmental Planning Coordination *(Christensen)* ..... H.B. 136 (P)
Grant for Hogle Zoo *(Rogers)* ..... S.B. 251 (F)
Hill Air Force Museum Appropriation *(Karras)* ..... H.B. 93 (F)
Hill Air Force Museum Appropriation *(L. Peterson)* ..... S.B. 162 (F)
Incentive Bonus Repeal *(F. Knowlton)* ..... H.B. 370 (F)
Indemnification of Public Employee DUI *(McKeachnie)* ..... H.B. 119 (F)
Indian Affairs Membership *(Yardley)* ..... H.B. 46 (P)
Information Practices Amendments *(Moss)* ..... H.B. 140 (P)
Land Grant Trust Funds Repayment *(Skousen)* ..... H.B. 201 (F)
Lease-Purchase Amendments *(Lewis)* ..... H.B. 50 (P)
Local Alcohol and Drug Authority *(Karras)* ..... H.B. 286 (P)
Martin Luther King, Jr., State Holiday *(Williams)* ..... S.B. 250 (F)
Payment and Performance Bonds *(McKeachnie)* ..... H.B. 138 (P)
Powers and Duties of Tax Commission *(Hillyard)* ..... S.B. 223 (F)
Preferred Bidder Status *(Tomlinson)* ..... H.B. 407 (F)
Prequalification of Contractors and Subcontractors on
Public Construction Projects *(Bishop)* ..... H.B. 35 (F)
Procurement Code Amendment *(McKeachnie)* ..... H.B. 141 (F)
Public Procurement Officer Appointment *(Rogers)* ..... S.B. 187 (P)
Resource Development Coordinating
Committee Amendment *(Christensen)* ..... H.B. 189 (P)
Right to Work Amendments *(Dahl)* ..... H.B. 110 (F)
Rule-Making Act Amendments *(Stephens)* ..... H.B. 107 (F)
State Building Board Prerogatives for Higher
Education *(L. Peterson)* ..... S.B. 185 (F)
State Contracting For Services *(Rogers)* ..... S.B. 288 (F)
State Employees' Holidays *(Merrill)* ..... H.B. 222 (F)
State Fire Marshal-Division Status *(LeBaron)* ..... H.B. 71 (P)
State Song *(Stephens)* ..... H.B. 184 (F)
State Water Authority *(Finlinson)* ..... S.B. 82 (P)
State Zoo Amendments *(Walker)* ..... H.B. 62 (P)
Sunset Act Amendments *(Carling)* ..... S.B. 5 (P)

Sunset Review-Athletic Commission *(Black)* ..... S.B. 10 (P)
Surplus Revenue Trust Fund *(Walker)* ..... H.B. 197 (F)
Transportation Commission Amendments *(Phelps)* ..... H.B. 403 (F)
Truth In State Budgeting *(F. Knowlton)* ..... H.B. 296 (F)
Utah Code Recodification *(Stratford)* ..... S.B. 202 (F)
Utah Fireworks Act *(DeMann)* ..... H.B. 340 (F)
Utah Foreign Judgment Technical Amendments *(Carling)* ..... S.B. 137 (F)
Utah Percent-For-Art Act *(Wayment)* ..... S.B. 73 (P)
Utah Procurement Finance Authority *(Holt)* ..... H.B. 283 (V)
Utah Travel Council Board *(Finlinson)* ..... S.B. 172 (F)
Winter Recreational Parking *(Williams)* ..... S.B. 235 (F)

STATE BUILDINGS AND GROUNDS
(See STATE AFFAIRS)

STATE HISTORY AND PRESERVATION
(See STATE AFFAIRS)

STATE INSTITUTIONS

Board Of Expositions Amendment *(Carling)* ..... S.B. 42 (F)
Department of Corrections-Organization *(Karras)* ..... H.B. 74 (P)
Department of Corrections-
Organization and Functions *(Karras)* ..... H.B. 247 (P)
Department of Corrections-Organization and
Functions Technical Amendments *(Karras)* ..... H.B. 248 (P)
Department of Corrections-Reorganization *(Fullmer)* ..... H.B. 168 (F)
Department of Corrections Technical Amendments *(Karras)* ..... H.B. 246 (F)
Education Responsibility at the State Training
School *(Burningham)* ..... H.B. 21 (P)
Prosecution for State Violations at Correctional
Facilities *(Sykes)* ..... H.B. 200 (F)
Sunset Review-Health Facility Administrators *(Carling)* ..... S.B. 1 (P)
Utah Arts Endowment *(F. Knowlton)* ..... H.B. 290 (F)

STATE AND FEDERAL LANDS

Concurrent Jurisdiction of Defense Depot-Ogden *(L. Peterson)* ..... S.B. 111 (P)
In Lieu Payments to Counties *(Schmutz)* ..... H.B. 295 (F)
Land Grant Trust Funds Repayment *(Skousen)* ..... H.B. 201 (F)
National Park Buffer Zone Restriction Resolution *(Matheson)* ..... S.J.R. 4 (F)
State Land Law Act *(Finlinson)* ..... S.B. 194 (F)
Wolfcreek Appropriation *(L. Peterson)* ..... S.B. 201 (P)

STATE OFFICERS AND EMPLOYEES

Appointed Officials' Salaries *(McAllister)* ..... S.B. 138 (P)
Attorney General Act Amendments *(Hillyard)* ..... S.B. 257 (F)
Attorney General Career Service Amendments *(Moss)* ..... H.B. 139 (F)
District Attorney *(Fullmer)* ..... H.B. 233 (F)
Equal Opportunity for Employment *(Maxfield)* ..... H.B. 43 (F)
Executive and Judicial Salary Increase *(Sykes)* ..... H.B. 146 (F)
Executive Residence Commission *(Barlow)* ..... S.B. 40 (F)
Governmental Immunity Act Modifications *(McKeachnie)* ..... H.B. 120 (P)
Health Insurance Benefits *(Black)* ..... S.B. 278 (P)
Incentive Bonus Repeal *(F. Knowlton)* ..... H.B. 370 (F)
Long Term Disability Health Benefits *(Sowards)* ..... S.B. 281 (F)
Noncontributory Retirement Plan *(Sandberg)* ..... S.B. 280 (F)
Orderly Termination Procedures Amendments *(Schmutz)* ..... H.B. 358 (F)
Peace Officer Training *(Fullmer)* ..... H.B. 167 (F)
Protection of Public Employees Act *(Johnson)* ..... H.B. 339 (P)
Public Employees Compensation Restrictions *(Maxfield)* ..... H.B. 44 (F)
Public Employees Early Retirement *(Pace)* ..... H.B. 190 (V)
Public Safety Retirement Credit Purchase *(Swan)* ..... S.B. 46 (P)
Retirement Exemption Amendments *(Rogers)* ..... S.B. 123 (P)
Salary Adjustment Amendments *(Pugh)* ..... S.B. 94 (P)
Salary Increase Amendments *(Maxfield)* ..... H.B. 256 (F)
State Employees' Holidays *(Merrill)* ..... H.B. 222 (F)
State Superintendent of Public Instruction
Salary Authority *(Stephens)* ..... H.B. 108 (F)
Utah Public Employee Bargaining Act *(Wharton)* ..... H.B. 310 (F)
Utah State Criminal Justice Training Council *(Carling)* ..... S.B. 225 (F)

STATUTES

Utah Code Recodification *(Stratford)* ..... S.B. 202 (F)

TAXES

Actions to Resolve Outstanding Warrants
Amendments *(Carling)* ..... S.B. 236 (F)
Ad Valorem Cigarette Tax *(Browning)* ..... H.B. 36 (F)
Business and Energy Credit Amendments *(Sowards)* ..... S.B. 206 (P)
Career Teaching Scholarship Fund Tax Credits *(Moss)* ..... H.B. 95 (V)
Cheese Processing Use Tax Exemption *(Bodily)* ..... H.B. 176 (F)
Class Size Reduction Program *(Bishop)* ..... H.B. 63 (F)

Completion and Delivery of Assessment Books *(Hillyard)* ..... S.B. 220 (F)
Delinquent Motor Fuel Tax Collections *(Barton)* ..... S.B. 285 (F)
Election Campaign Fund Designation *(Cromar)* ..... H.B. 5 (F)
Excess Levies *(Hillyard)* ..... S.B. 222 (F)
Exemptions to General County Mill Levy Ceilings *(Finlinson)* ..... S.B. 144 (P)
Franchise Tax Exemption For Homeowners and
Condominium Associations *(Barlow)* ..... S.B. 50 (F)
Governmental Property Tax Exemption Amendment *(Pace)* ..... H.J.R. 19 (F)
Interest Rates on Delinquent Taxes *(E. U. Knowlton)* ..... H.B. 307 (P)
Mine and Mineral Definitions *(Pace)* ..... H.B. 270 (F)
Minimum Basic Tax Levy Adjustment *(Hillyard)* ..... H.B. 219 (F)
Municipal Fiscal Procedures Amendment *(Overson)* ..... S.B. 53 (P)
Notice of Excess Levy *(Hillyard)* ..... S.B. 229 (F)
Occupation Tax Amendments *(Finlinson)* ..... S.B. 207 (F)
Placement of Cigarette Tax Money in Children's
Trust Account *(Walker)* ..... H.B. 322 (F)
Powers and Duties of Tax Commission *(Hillyard)* ..... S.B. 223 (F)
Privilege Tax Amendments *(H. C. Moody)* ..... H.B. 159 (F)
Privilege Tax Exemption Repeal *(Cromar)* ..... H.B. 371 (F)
Proposition One Study Resolution *(Dickamore)* ..... H.J.R. 31 (F)
Redetermination of Tax Deficiency Amendments *(DeMann)* ..... H.B. 365 (F)
Retirement Income Deduction Increase *(Hollingshaus)* ..... H.B. 263 (F)
Special Fuel Permit Exemption *(Overson)* ..... S.B. 261 (F)
State School Fund Appropriation *(Schmutz)* ..... H.B. 81 (F)
Tax Abatement for Indigents *(Wharton)* ..... H.B. 258 (F)
Tax Commission Administrative Subpoenas *(McMullin)* ..... S.B. 260 (F)
Tax Commission Continuous Garnishments *(McMullin)* ..... S.B. 241 (F)
Tax Commission Special Agents *(McMullin)* ..... S.B. 255 (F)
Tax Credit and Deduction for Donated Services for
Public Education *(Moss)* ..... H.B. 80 (F)
Tax Due Dates *(Knowlton)* ..... H.B. 356 (P)
Tax Increase Disclosure Act *(Knowlton)* ..... H.B. 388 (P)
Tax Information Disclosure *(Matheson)* ..... S.B. 177 (F)
Tax Recodification Commission Resolution *(Karras)* ..... H.C.R. 1 (F)
Uniform Mill Limitations for Counties *(F. Knowlton)* ..... H.B. 347 (F)
Use Tax Penalty Amendments *(McMullin)* ..... S.B. 286 (F)
Valuation of Mining Production *(Pace)* ..... H.B. 354 (F)

TAXES, Excise

Cigarette Tax Amendments *(Anderson)* ..... H.B. 8 (F)
Cigarette Tax Increase *(Frandsen)* ..... H.B. 28 (F)

Conditional Cigarette Tax Increase *(Browning)* ..... H.B. 22 (P)
Fuel Tax Transfer for Recreation Vehicles *(Skousen)* ..... H.B. 282 (F)

TAXES, Corporate Tax 'Franchise'

Corporate Unitary Tax Repeal *(Tomlinson)* ..... H.B. 314 (F)
Homeowner Association Corporate Tax *(Schmutz)* ..... H.B. 202 (P)
Utility Franchise Tax Reduction *(Barlow)* ..... S.B. 252 (F)

TAXES, Income

Dependent Care Tax Incentives *(Walker)* ..... H.B. 196 (F)
Flat Rate Income Tax *(Knowlton)* ..... H.B. 386 (F)
Income Tax Brackets *(Walker)* ..... H.B. 158 (F)
Income Tax Citation Correction *(DeMann)* ..... H.B. 411 (F)
Income Tax Credit-Personal Property Tax *(Olsen)* ..... H.B. 144 (F)
Income Tax Filing Amendments *(DeMann)* ..... H.B. 363 (F)
Income Tax-Filing Penalties *(Hillyard)* ..... S.B. 117 (P)
Income Tax Filing Requirements *(DeMann)* ..... H.B. 364 (F)
National Guard Income Tax Exemption *(Selleneit)* ..... H.B. 229 (F)
Public School Children Income Tax Exemption *(Anderson)* ..... H.B. 66 (F)
School Income Surtax *(Burningham)* ..... H.B. 380 (F)
Social Security-Retirement Income Tax Exemption *(Carling)* ..... S.B. 110 (F)
Spouse of the Governor *(Rogers)* ..... S.B. 279 (P)
State Income Tax Intercept for Delinquent
Child Support *(Frandsen)* ..... H.B. 91 (P)
Utah Private Activity Bond Ceiling
Allocation Act *(DeMann)* ..... H.B. 195 (P)
Utility Franchise Tax Deduction *(Barton)* ..... S.B. 27 (F)

TAXES, Inheritance

TAXES, Property

Circuit Breaker Property Tax Relief *(Wharton)* ..... H.B. 257 (F)
Cost of Assessing and Collecting Property Taxes *(Karras)* ..... H.B. 336 (F)
Delinquent Property Tax Sales *(Brown)* ..... H.B. 385 (F)
Hunting Preserve Property Taxation *(Selleneit)* ..... H.B. 360 (F)
In Lieu Payments to Counties *(Schmutz)* ..... H.B. 295 (F)
Livestock Inspection and Quarantine Amendments *(Matheson)* ..... S.B. 19 (P)
Municipal-Owned Utility Taxation *(Bunnell)* ..... S.B. 95 (F)
Optional Form of Valuation and Tax Notice *(Rees)* ..... H.B. 327 (F)

Property Assessment Appeal *(Overson)* ..... S.B. 135 (F)
Property Tax Assessment Amendments *(Knowlton)* ..... H.B. 404 (P)
Property Tax Assessment Change *(E. U. Knowlton)* ..... H.B. 328 (P)
Property Tax Collection Costs *(Walker)* ..... H.B. 160 (P)
Property Tax Limitation Amendments *(Knowlton)* ..... H.B. 384 (F)
Residential Property Tax Assessment *(Carling)* ..... S.B. 59 (F)
State Assessed Property Amendments *(Pace)* ..... H.B. 271 (F)
Transitory Personal Property *(F. Knowlton)* ..... H.B. 348 (F)

TAXES, Sales

Agriculture Sales Tax Exemption Amendments *(Olsen)* ..... H.B. 281 (F)
Extension of Sales and Use Tax Exemption for
Pollution Control Equipment *(Pugh)* ..... S.B. 231 (F)
Flood Relief Funding *(Myrin)* ..... H.B. 345 (F)
Increase in Sales Tax on Domestic Energy Use *(Pace)* ..... H.B. 205 (F)
Interest Payment on Sales Tax Collection *(McKeachnie)* ..... H.B. 161 (F)
Local Option School District Sales Tax *(Rogers)* ..... S.B. 114 (F)
Prosthesis and Hearing Aid Sales Tax Exemption *(Money)* ..... S.B. 23 (F)
Sales and Use Tax Exemption for Manufacturing
Machinery and Equipment *(Karras)* ..... H.B. 103 (P)
Sales Tax and Use Tax Exemption for
Consumable Property *(Jenkins)* ..... H.B. 291 (F)
Sales Tax Exemption on Receivables *(Sandberg)* ..... S.B. 106 (F)
Sales Tax Exemption-Prosthetic Devices *(Cromar)* ..... H.B. 137 (F)
Sales Tax on School Sales *(Matheson)* ..... S.B. 90 (F)
Sales Tax Reduction *(Matheson)* ..... S.B. 157 (F)
Temporary Sales Tax Reduction *(F. Knowlton)* ..... H.B. 165 (F)
Temporary Sales Tax Removal *(Barton)* ..... S.B. 55 (F)
Water and Flood Financing *(Finlinson)* ..... S.B. 97 (P)

TAXES, Severance

TRAFFIC RULES AND REGULATIONS

Left Lane Travel-Speed Requirements *(Browning)* ..... H.B. 311 (F)
New Automobile Warranties *(L. Peterson)* ..... S.B. 29 (P)
School Bus Flashing Lights Modification *(Warnick)* ..... H.B. 134 (P)
Traffic-Related Criminal Offenses-Amendments *(Carling)* ..... S.B. 145 (F)

TRANSPORTATION
(See also HIGHWAYS)

Audit of Public Transit Districts *(Taylor)* ..... H.B. 23 (F)
Off-Peak No-Fare Public Transit *(Taylor)* ..... H.B. 19 (F)
Transit District Passes for Students *(Taylor)* ..... H.B. 18 (F)

UNIFORM COMMERCIAL CODE

Amendments to Uniform Commercial Code *(Carling)* ..... S.B. 121 (F)

UNIFORM CONSUMER CODE

Uniform Consumer Credit Code *(Walker)* ..... H.B. 245 (P)

UTILITIES, PUBLIC

Amendment to Annexation Provision *(Bangerter)* ..... S.B. 191 (P)
Amendments to Motor Carrier Regulation *(Phelps)* ..... H.B. 374 (F)
Audits of Public Utilities *(Barton)* ..... S.B. 226 (F)
CATV Facilities Protection *(Bunnell)* ..... S.B. 182 (P)
Committee of Consumer Services Continuation *(Swan)* ..... S.B. 99 (F)
Competitive Bidding for Public Utilities *(Barton)* ..... S.B. 208 (F)
Consumer Utility Board *(Maxfield)* ..... H.B. 235 (F)
Consumer Utility Board *(Overson)* ..... S.B. 79 (F)
Deregulation of Telecommunication Distributors and
Independent Energy Producers *(Finlinson)* ..... S.B. 212 (P)
Division of Public Utilities Amendments *(Tomlinson)* ..... H.B. 331 (P)
Elected Public Service Commission *(Renstrom)* ..... S.B. 203 (F)
Emergency Telephone Finance Act *(Stephens)* ..... H.B. 342 (F)
Eminent Domain Powers of Political Subdivisions *(Pugh)* ..... S.B. 176 (F)
Increase in Sales Tax on Domestic Energy Use *(Pace)* ..... H.B. 205 (F)
Interim Increase Amendments *(Taylor)* ..... H.B. 11 (F)
Intrastate Transmission of Electricity *(Pace)* ..... H.B. 152 (F)
Irrigation District Electric Power Plants *(Finlinson)* ..... S.B. 259 (F)
Motor Carriers Amendments to Regulations *(Bangerter)* ..... S.B. 272 (F)
Motor Carriers Rate Amendments *(Strong)* ..... H.B. 381 (F)
Motor Carriers-Regulation Amendments *(Myrin)* ..... H.B. 133 (F)
Motor Carriers-Regulation Amendments *(Pugh)* ..... S.B. 276 (F)
Motor Carriers-Deregulation *(Fox)* ..... H.B. 359 (F)
Municipal-Owned Utility Taxation *(Bunnell)* ..... S.B. 95 (F)
Paging Definition *(Carling)* ..... S.B. 238 (F)

PSC Jurisdiction Over Telecommunications Corporations *(Hillyard)* ..... S.B. 102 W/O S
PSC Retention Elections *(Renstrom)* ..... S.B. 234 (F)
Public Service Commission Study Resolution *(Renstrom)* ..... S.J.R. 13 (F)
Public Service Commissioners *(F. Knowlton)* ..... H.B. 228 (F)
Public Utility Districts *(Pace)* ..... H.B. 304 (F)
Public Utility Efficiency Audits *(Taylor)* ..... H.B. 12 (F)
Radio Telephone Exemption *(McKeachnie)* ..... H.B. 320 (P)
Rate Increase Moratorium *(Fullmer)* ..... H.B. 192 (F)
Rates for Electric Cooperatives *(Myrin)* ..... H.B. 174 W/O S
Reporting of Private Telecommunications Systems *(White)* ..... H.B. 198 (P)
Retention Elections and Nominating Commission for Public Service Commissioners *(Stratford)* ..... S.B. 85 (F)
Rural Electrification Administration *(Sowards)* ..... S.C.R. 6 (P)
Small Power Production and Cogeneration *(Finlinson)* ..... S.B. 159 (P)
Telephone Corporation Definition *(LeBaron)* ..... H.B. 199 (P)
Thermal Power Facilities Act Amendments *(Money)* ..... S.B. 227 (P)
Transmission of Electric Power *(Pace)* ..... H.B. 305 (F)
Utility Franchise Tax Deduction *(Barton)* ..... S.B. 27 (F)
Utility Franchise Tax Reduction *(Barlow)* ..... S.B. 252 (F)
Utility Rate Flexibility *(Taylor)* ..... H.B. 10 (F)
Utility Shut-Off Prohibition *(Maxfield)* ..... H.B. 113 (F)

VETERAN'S AND MILITARY CONCERNS

Draft Registration Resolution *(Taylor)* ..... H.J.R. 5 (F)
George E. Wahlen Commendation *(Karras)* ..... H.C.R. 20 (P)
Military Police-Department Creation *(Fullmer)* ..... H.B. 390 (F)
National Guard Income Tax Exemption *(Selleneit)* ..... H.B. 229 (F)
National Guard License Plate Fee Exemption *(Selleneit)* ..... H.B. 349 (F)
Utah Veterans Memorial Park *(Rogers)* ..... S.B. 48 (F)
Veteran's Preferred Employment *(Christensen)* ..... H.B. 49 (P)

WATER

Boat Operation Under the Influence of Alcohol or Drugs *(Selleneit)* ..... H.B. 319 (F)
Boating and Water Safety Amendments *(Dmitrich)* ..... H.B. 300 (F)
Boating Registration Penalties *(Lewis)* ..... H.B. 352 (F)
Committee on Water Pollution Amendments *(Schmutz)* ..... H.B. 330 (P)
Drinking Water and Wastewater Loan Program *(Finlinson)* ..... S.B. 96 (P)
Filing Applications to Exchange Water *(Finlinson)* ..... S.B. 200 (P)

Flood Mitigation Financing *(Barlow)* ..... S.B. 284 (F)
Flood Relief Funding *(Myrin)* ..... H.B. 345 (F)
Instream Flow Amendment *(McKeachnie)* ..... H.B. 130 (F)
Irrigation District Electric Power Plants *(Finlinson)* ..... S.B. 259 (F)
Jordan River Appropriation *(LeBaron)* ..... H.B. 312 (F)
Licensing Requirements for Drilling Water Wells *(Finlinson)* ..... S.B. 204 (F)
Metropolitan Water Districts Board of Directors *(Lewis)* ..... H.B. 114 (F)
Middle Fork Ogden River Appropriation-
Wolfcreek *(L. Peterson)* ..... S.B. 201 (P)
Municipally Owned Water System
Application Amendments *(Pace)* ..... H.B. 289 (V)
Privilege Tax Exemption Repeal *(Cromar)* ..... H.B. 371 (F)
Public Water Supply Eminent Domain *(Finlinson)* ..... S.B. 115 (F)
Requirements for Altering Natural Streams *(Finlinson)* ..... S.B. 199 (P)
State Assessed Property Amendments *(Pace)* ..... H.B. 271 (F)
State Engineer Approval of Applications *(Finlinson)* ..... S.B. 198 (P)
State Water Authority *(Finlinson)* ..... S.B. 82 (P)
State Water Plan *(Myrin)* ..... H.B. 346 (F)
Utah Privatization Act Amendments *(Finlinson)* ..... S.B. 266 (P)
Water and Flood Financing *(Finlinson)* ..... S.B. 97 (P)
Water and Sewage District Trustees Amendment *(Overson)* ..... S.B. 287 (F)
Water Conditioner Installers *(Anderson)* ..... H.B. 37 (P)
Water Conservancy District Board Per Diem *(Finlinson)* ..... S.B. 197 (P)
Water District Indebtedness Amendments *(Finlinson)* ..... S.B. 240 (P)
Water Pollution Control Standards *(Schmutz)* ..... H.B. 102 W/O S
Water Resources Amendments *(Stratford)* ..... S.B. 20 (P)
Wildlife Land and Water Acquisition *(Myrin)* ..... H.B. 226 (F)

pg. 1022

Pg 1023

PAGE
INDEX

SENATE BILLS AND RESOLUTIONS

FORTY-SIXTH LEGISLATURE

GENERAL SESSION

January 14 through February 27, 1985

(Check Reference Code on Page 44)

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SB 1	Sunset Review - Health Facility Administrators *Carling*	90(R) R	129	159(R) 161 171 175 183 C of W A V	196(R) A C of W A, V 207 216 218 A, A V 228 243 262 A, V	263 551	551 HA SC V	582 2/15/85	Signed by Governor 3/13/85 Effective 7/1/85
SB 2	Sunset Review - Occupational Therapy *Carling*	91(R) R	130 BL-ED	163(R) C.R. C.C.	194(R) V	195	550	551 2/14/85	Signed by Governor 3/19/85 Effective 7/1/85
SB 3	Sunset Review - Dentists and Dental Hygienists Act *Carling*	91(R) R	129	159 171 175 185(R) A, V	198 207 216(R) V	217 552	552 HA SC V	581 2/15/85	Signed by Governor 3/13/85 Effective 7/1/85
SB 4	Sunset Review - Physical Therapy Practice Act *Carling*	92(R) R	129	159 171 175 192 203(R) V	220(R) V	220 583	583 HA SC V	605 2/18/85	Became law without Governor's signature. Effective 7/1/85
SB 5	Sunset Act Amendments *Carling*	92(R) R	129	159(R) V	170(R) V	170 554 589	554 HA, SC V 589 HA, SC V	621 2/19/85	Signed by Governor 3/13/85 Effective 7/1/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sitting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SB 6	Nurse Practitioner's Prescriptive Practice Act - Sunset Reauthorization *Carling*	93(R) R	129	159 171 175 192 207 223(R) 229T 346 V	356(R) V	357	581	581 2/15/85	Signed by Governor 3/13/85 Effective 7/1/85
SB 7	Sunset Review - Recreational Therapy *Carling*	93(R) R	130 BL-ED	163(R) C.R. C.C.	195(R) V	196	550	551 2/14/85	Signed by Governor 3/13/85 Effective 7/1/85
SB 8	Nurse Practice Act - Sunset Reauthorization *Carling*	94(R) R	129	159 171 175 192 203(R) V	221(R) V	221	550	551 2/14/85	Signed by Governor 3/13/85 Effective 7/1/85
SB 9	Sunset Review - Veterinary Practice Act *L. Peterson*	95(R) R	129	134(R) V	158(R) V	159	350	351 1/31/85	646 Signed by Governor 2/18/85 Effective 7/1/85
SB 10	Sunset Review - Athletic Commission *Black, Cornaby, Carling*	95(R) R	129	159(R) V	171(R) 174 A V	175 463	463 HA SC V	499 2/12/85	Signed by Governor 3/1/85 Effective 7/1/85
SB 11	Sunset Review - Podiatrists *Black, Carling*	95(R) R	129	159 160(R)	171(R) V	171 352	352 HA SC V 378	378 2/1/85	646 Signed by Governor 2/18/85 Effective 7/1/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SB 12	**Pawnbroker Redemption Charge Repeal** *Carling*	96(R) R	130 BL-ED 163	192 203(R) C.R. V	221(R) V	221 583	583 HA SC V	605 2/18/85	Signed by Governor 3/13/85 Effective 4/29/85
SB 13	**Credit Services Organizations (Credit Repair Clinics)** *Carling*	96(R) R	257 BL-ED 302	328(R) C.R. V	345(R) V	346	550	551 2/14/85	Signed by Governor 3/1/85 Effective 4/29/85
SB 14	**Career Ladder Amendments** *Pugh, Barlow*	96(R) R	129	134(R) V 140 E 206 261 C.R. V	270(R) V	271	786	786 2/25/85	Signed by Governor 3/13/85 Effective 4/29/85
SB 15	**Contractor's Bond Law Amendments** *Carling, Cornaby, Finlinson*	97(R) R	130 BL-ED 163	192 203(R) C.R. V	222(R) V	222	581	581 2/15/85	Signed by Governor 3/19/85 Effective 4/29/85
SB 16	**Special Improvement District Protests** *Carling*	97(R) R	130 S-LA	164(R) C.R. C.C.	195(R) V	196	846	846 2/26/85	Signed by Governor 3/18/85 Effective 4/29/85
SB 17	**Board of Education Powers** *Barton, Barlow*	97(R) R	129	171(R) V	181(R) A V	182 552	552 HA SC V	581 2/15/85	Signed by Governor 3/19/85 Effective 4/29/85
SB 18	**Agricultural Advisory Board** *Matheson*	96(R) R	129	172(R) A V	182(R) V	182	550	551 2/14/85	Signed by Governor 2/28/85 Effective 4/29/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SB 19	**Livestock Inspection and Quarantine Amendments** *Matheson*	98(R) R	129	173(R) V	182(R) V	182	606	606 2/18/85	Signed by Governor 3/16/85 Effective 3/16/85
SB 20	**Water Resources Amendment** *Stratford*	98(R) R	158 E-NR, A 174	226(R) C.R.(a) V	235(R) V	236 483	482 HA SC V	515 2/12/85	Signed by Governor 3/19/85 Effective 3/19/85
SB 21	**Judicial Conduct Commission Amendments** *Carnaby*	99(R) R	158 J 174	237(R) C.R.(a) V	259(R) A V	261	465	466 2/8/85	902 Signed by Governor 2/27/85 Effective 4/29/85
SB 22	**Sheriff Candidate Certification** *Hillyard*	99(R) R	158 T-PS 174	241(R) C.R. A V 256 261 A, V	270(R) V	270 464	464 HA SC V	499 2/12/85	Signed by Governor 2/28/85 Effective 4/29/85
SB 23	**Prosthesis and Hearing Aid Sales Tax Exemption** *Money*	98(R) R	170 R-T 185	255(R) C.R.(a) V	256 T 661 670(R) V 679 688 698 V	699			968 HSEC 2/27/85
SB 24	**Boulder to Bullfrog Scenic Road Appropriation** *Matheson*	99(R) R	158 T-PS 185	256(R) C.R. C of W, V	257 T 661 662 668(R) A, V	669	844	844 2/26/85	Signed by Governor 3/18/85 Effective 4/29/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SB 25	Municipal Government Changes Amendment *Ostler*	100(R) R	131 S-LA	164(R) C.R. C.C.	192(R) V	192	846	846 2/26/85	Signed by Governor 3/19/85 Effective 4/29/85
SB 26	Produce Dealers' Act Amendments *Money*	100(R) R	158 E-NR, A	286(R) C.R. (Sub) C.C.	337(R) V	338	550	551 2/14/85	Signed by Governor 2/28/85 Effective 7/1/85
SB 27	Utility Franchise Tax Deduction *Barton*	100(R) R	258 R-T 399	420(R) C.R. V					Rejected by Senate 2/5/85
SB 28	Utah Noxious Weed Act Amendments *Money*	101(R) R	158 E-NR, A 174	227(R) C.R.(a) A V	236(R) V	236	450	451 2/7/85	902 Signed by Governor 2/27/85 Effective 2/27/85
SB 29	New Motor Vehicle Warranties - (Lemon Law) (New Automobile Warranties) *L. Peterson*	101(R) R	239 BL-ED 302 (Sub)	329(R) C.R. (Sub) V	346(R) T 452 459 469 A. V	469 890 904	889 903 HA SC 927	927 2/27/85	Signed by Governor 3/18/85 Effective 4/29/85
SB 30	Public Employee Retirement Credit Purchase *Swan*	101(R) R	169 S-LA 243	279(R) C.R.(a) V	288(R) V	289	581	581 2/15/85	Signed by Governor 3/16/85 Effective 4/29/85
SB 31	Title 53 Repealers *Hillyard*	102(R) R	140 E 174	202(R) C.R. V	219(R) V	220	550	551 2/14/85	Signed by Governor 3/13/85 Effective 4/29/85

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SB 32	**Title 53 Revision - Vocational Education** *Hillyard*	102(R) R	140 E 174	205(R) C.R.(a) V	222(R) V	222	550	551 2/14/85	Signed by Governor 3/13/85 Effective 4/29/85
SB 33	**Title 53 Revision - School Buildings and Construction** *Hillyard*	103(R) R	140 E 174	224(R) C.R.(a) V	235 240(R) V	240 553 624	553 HA SRC 582 HRR Hc, Sc 606 JCCR HC 623 SC V	653 2/20/85 787 808 JCCR HC SC 846 2/26/85	Signed by Governor 3/19/85 Effective 4/29/85
SB 34	**Title 53 Revision - Professional Practices** *Hillyard*	103(R) R	140 E 206	225(R) C.R.(a) V	235 240(R) V	241	550	551 2/14/85	Signed by Governor 3/13/85 Effective 4/29/85
SB 35	**Title to Trusts and Joint Ventures** *Hillyard*	104(R) R	158 J 174	238(R) C.R. V	251(R) A V	252	465	466 2/8/85	769 Signed by Governor 2/22/85 Effective 4/29/85
SB 36	**Maximum Unemployment Contribution Rate Reduction (Maximum Unemployment)** *Bangerter*	105(R) R	291 R-T 302	366(R) C.R. C of W V					Rejected by Senate 1/31/85
SB 37	**Child Abuse Reporting Act Amendment** *Overson*	105(R) R	169 SS 243	277(R) C.R.(a) V	288(R) V	288	551	551 2/14/85	769 Signed by Governor 2/22/85 Effective 4/29/85

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SB 38	**Child Abuse - Criminal Homicide** *Overton, Asay, Williams*	105(R) R	131 SS 163	192(R) C.R. V	217(R) V	217	465	466 2/8/85	769 Signed by Governor 2/22/85 Effective 4/29/85
SB 39	**Child Abuse - Criminal Penalties** *Overton*	106(R) R	131 SS	199(R) C.R.(a) V	217 222(R) A, V	223			968 HSEC 2/27/85
SB 40	**Executive Residence Commission** *Barlow*	106(R) R	131 S-LA 163	201(R) C.R.(a) V	219(R) V	219			968 HSEC 2/27/85
SB 41	**Nonconforming Property Uses** *Overton*	106(R) R							963 SSEC 2/27/85
SB 42	**Board of Expositions Amendment** *Carling*	107(R) R	169 S-LA 243	293(R) C.R. A, A V	310(R) V	311			968 HSEC 2/27/85
SB 43	**Business Information Office and Consumer Protection Advisory Council** *Carling*	107(R) R	290 BL-ED 356	372(R) C.R.(a) V	374 T 661 662 666(R) V	667 838	837 HA SC V 899	901 2/27/85	Signed by Governor 3/16/85 Effective 4/29/85
SB 44	**Computer Crimes Act** *Carling*	107(R) R	158 J 232	271(R) C.R.(a) A 273 V	287 299 309 311(R) A V	312	592		592 Rejected by House 2/14/85
SB 45	**Constable Residency Requirement** *Carling*	109(R) R	158 J	231(R) C.R.(a) C.C.	285(R) V	285			968 HSEC 2/27/85

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SB 46	**Public Safety Retirement Credit Purchase** *Swan*	108(R) R	169 S-LA	243(R) C.R. C.C.	286(R) V	286	636	636 2 19 85	Signed by Governor 3/13/85 Effective 3/13/85
SB 47	**Political Convention Expenses** *Rogers*	108(R) R	169 S-LA 566 R						963 SSEC 2/27/85
SB 48	**Utah Veterans Memorial Park** *Rogers*	108(R) R	158 T-PS 174	253(R) C.R. V	254 T 661 662 V 663(R) V	663			968 HSEC 2/27/85
SB 49	**Jury Fee Amendment** *Hillyard*	109(R) R	158 J 174	241(R) C.R. V	252(R) V	252 465	464 HA SC V	499 2 12 85	Signed by Governor 3/13/85 Effective 4/29/85
SB 50	**Franchise Tax Exemption for Homeowners and Condominium Associations** *Barlow*	109(R) R	587 R-T 767 R						963 SSEC 2/27/85
SB 51	**Interlocal Cooperation Act Amendment** *Barton*	109(R) R	131 S-LA 163 196 S-LA 566 R						963 SSEC 2/27/85

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SB 52	**Handicapped Parking Fine and Transferrable I.D. Cards For the Handicapped (Handicapped Parking Fine)** *Overson, Asay, Barton, Finlinson, Matheson, McMullin, Money, Swan, Brastrom, Bangerter, Cary Peterson, Wayment, Pugh, Sowards*	110(R) R	169 J 232	272(R) C.R.(a) Sub 280 292 A 299 313 A, V	338(R) A V	339	845	845 2/26/85	Signed by Governor 3/13/85 Effective 4/29/85
SB 53	**Municipal Fiscal Procedures Amendment** *Overson*	110(R) R	169 S-LA	507(R) C.R. Sub V	539(R) V	540	859	859 2/26/85	Signed by Governor 3/16/85 Effective 3/16/85
SB 54	**Acquisition of Property By Municipality** *Barton*	110(R) R	131 S LA R						963 SSEC 2/27/85
SB 55	**Temporary Sales Tax Removal** *Barton*	111(R) R	699 R T 767 R						963 SSEC 2/27/85
SB 56	**Trapper's Loop Road Amendment and Appropriation** *Stratford, L. Peterson, Brastrom, Sowards, Barlow, Wayment, Bangerter*	111(R) R	158 T-PS 174	254(R) C.R.(a) V	255 T 661 662 663(R) A, V	664 890	851 889 899	901 2/27/85	Signed by Governor 3/19/85 Effective 4/29/85
SB 57	**Fire Chief and Public Safety Retirement Amendment (Fire Chief Retirement Exemption)** *Barlow*	111(R) R	169 S LA	242(R) C.R.(a) C.C.	286(R) V	286 592	591 HA SC V	622 2/19/85 641 SRC HA 666 HRR Hc, Sc 714 JCCR HC 715 SC 736 2/22/85	Became law without Governor's signature. Effective 4/29/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SB 58	**Governmental Immunity** *Barlow*	112(R) R	131 S-LA 243	294(R) C.R. A V	313(R) V	313	581	581 2/15/85	Signed by Governor 3 18 85 Effective 3 18 85
SB 59	**Residential Property Tax Assessment** *Carling*	112(R) R							903 SSEC 2 27 85
SB 60	**Delayed Distribution of Estate to Minors** *Hillyard*	112(R) R	169 J 232	273(R) C.R. V	287(R) V	287	606	606 2/18/85	Signed by Governor 3 18 85 Effective 4 29 85
SB 61	**Juvenile and District Court Jurisdiction - Domestic Matters** *Hillyard*	112(R) R	169 J 232	274(R) C.R. V	287(R) V	288	665	665 2/20/85	Signed by Governor 3 13 85 Effective 4 29 85
SB 62	**Utah Arbitration Act** *Stratford, Williams*	113(R) R	169 J 266	318(R) C.R. V	342(R) V	342 582 945	582 HA SRC V 607 HRR Hc. Sc 823 JCCR HRC Hc. Sc 945 JCCR HC, SC 969	969 2/27/85	Signed by Governor 3 19 85 Effective 4 29 85
SB 63	**State Road Designations** *Black, McMullin*	113(R) R	158 T-PS 185	260(R) C.R. V	269(R) V	269	378	378 2 1/85	646 Signed by Governor 2 19 85 Effective 4 29 85

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SB 64	**Accessibility for the Handicapped on Private Property** *Overson*	113(R) R	140 H 171 SS 302(Sub)	367(R) C.R. (Sub) V	381(R) V	382			968 HSEC 2/27/85
SB 65	**County Designation on Vehicle License Plates** *Hillyard*	114(R) R	169 T-PS 302	358(R) C.R.(a) A V	381(R) T 452 454 Sub V	455 839	838 HA SC V 899	901 2/27/85	Became Law without Governor's signature. Effective 7/1/85
SB 66	**Trust Deed Amendments** *Matheson*	114(R)	258 E-NR,A	301(R) C.R. C.C.	395(R) V	395	786	786 2/25/86	Signed by Governor 3/13/85 Effective 4/29/85
SB 67	**DUI Restitution Claim Procedures** *Barlow*	114(R) R	174 T-PS 302	358(R) C.R. (Sub a) C of W A V	381(R) 382, A 384, A V	385			968 HSEC 2/27/85
SB 68	**Liquor Law Enforcement Amendments** *Finlinson*	115(R) R	257 T-PS 302	361(R) C.R. V	381(R) 382 V 383 T 661 672 V				672 Rejected by Senate 2/20/85
SB 69	**Driver Education Amendments** *Finlinson*	115(R) R	140 E 174	226(R) C.R. 229 T 246 A, V	250 252(R) C of W V	253			968 HSEC 2/27/85

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SB 70	**Insurance Anti-Discrimination Clause Repeal** *Matheson*	116(R) R	140 H 243	276(R) C.R. T 766 R					963 SSEC 2/27/85
SB 71	**Local Board Powers** *Stratford*	116(R) R	140 E 243	276(R) C.R. V	288 289(R) V	290	581	581 2/15/85	Signed by Governor 2/28/85 Effective 4/29/85
SB 72	**Amendments - Sexual Exploitation of Minors** *Wayment, L. Peterson, Asay*	116(R) R	206 SS 291	324(R) C.R. (sub) V	343(R) V	344 553	553 HA SC V	581 2/15/85	Signed by Governor 3/19/85 Effective 4/29/85
SB 73	**Utah Percent-for-Art Act** *Wayment, Cornaby, Bangerter*	116(R) R	206 R-T 243	277(R) C.R. 280 292 C of W A, V	309(R) A A V	310 938	938 HA SC V 961	961 2/27/85	Signed by Governor 3/18/85 Effective 7/1/85
SB 74	**Optometry Amendment** *Barlow*	117(R) R	239 BL-ED 258 H 457	511(R) C.R.(a) 514 546 A C of W 562 579 680 692 700					963 SSEC 2/27/85
SB 75	**Division of Contractors** *Cornaby*	117(R) R	257 BL-ED 302	330(R) C.R.(a) 332 347 A A V	356(R) Sub 360 V	361 926	925 Second Sub SC V 961	961 2/27/85	Signed by Governor 3/18/85 Effective 7/1/85

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SB 76	**Funding of Municipal Services** *McMullin*	117(R) R	206 S-LA 224 R 319 S-LA 500	628(R) C.R. Sub V	656(R) 674 A V	675	859	859 2/26/85	Signed by Governor 3/16/85 Effective 3/16/85
SB 77	**County Fire Department Appointment** *Barton*	118(R) R							963 SSEC 2/27/85
SB 78	**Mosquito Abatement Districts** *Black, Renstrom, Williams, Carling, Cornaby, Barton, Finlinson*	118(R) R	207 S-LA 291	326(R) C.R. V	344(R) V	344 592	592 HA SRC 635 HRR Hc, Sc 683 JCCR HC, SC	720 2/22/85	Signed by Governor 3/13/85 Effective 4/29/85
SB 79	**Consumer Utility Board** *Overson*	119(R) R							963 SSEC 2/27/85
SB 80	**Municipal Initiative and Referendum Provisions** *Black, Renstrom, Williams, Cornaby, Carling, Finlinson*	119(R) R	206 S-LA 291	327(R) C.R.(a) V	344(R) V	345 584	584 HA SC, V 606	606 2/18/85	Signed by Governor 3/19/85 Effective 4/29/85
SB 81	**Indigent Medical Assistance Program** *Matheson*	119(R) R	320 H						963 SSEC 2/27/85
SB 82	**State Water Authority** *Finlinson, Sowards*	120(R) R	206 E-NR, A	295(R) C.R.(a) V	312(R) V	312 856	856 HA SC V 901	901 2/27/85	Signed by Governor 3/19/85 Effective 4/29/85
SB 83	**Big Game Hunting Tags (Big Game Hunting Registration and Fees)** *Barton*	120(R) R							963 SSEC 2/27/85

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SB 84	**Increased Penalty for Dealing in Harmful Matter** *Asay*	120(R) R	206 J 495	516(R) C.R. Sub V 522 525 Sec Sub V	545(R) V	546			968 HSEC 2/27/85
SB 85	**Retention Elections and Nominating Commission for Public Service Commissioners** *Stratford*	121(R) R							963 SSEC 2/27/85
SB 86	**Court Authority for Custodial Parent's Travel** *Stratford*	121(R) R	169 J 495	519(R) C.R.(a) V	543(R) V	543			968 HSEC 2/27/85
SB 87	**Supervised Probation Amendments** *Stratford*	121(R) R	206 J 266	320(R) C.R.(a) V	342 346 T 661 669(R) Sub V	670	951	951 2/27/85	Signed by Governor 3-19-85 Effective 4/29/85
SB 88	**Youth Offenders Program Certification** *Stratford, Williams*	122(R) R	206 J 266	321(R) C.R.(a) V	342(R) V	343	927	927 2/27/85	Signed by Governor 3/19/85 Effective 4/29/85
SB 89	**Juvenile Detention** *Stratford*	122(R) R							963 SSEC 2/27/85
SB 90	**Sales Tax on School Sales** *Matheson*	122(R) R	387 E 406	495(R) C.R. 497 504 509 A. V	541(R) V	541			968 HSEC 2/27/85

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SB 91	Powers of the State Superintendent of Public Instruction *Rogers*	123(R) R	439 E	604(R) C.R.(a) C.C.	684(R) 685 V	685 936	925 HA SC, V 935 HA SRC 946 HR	946 2/27/85	Signed by Governor 3/19/85 Effective 4/29/85
SB 92	Uniform Determination of Death Act *Carling*	123(R) R	206 H 566						963 SSEC 2/27/85
SB 93	Physician Assistant Amendments *Carling*	123(R) R	230 BL-ED	301(R) C.R.(a) C.C.	396(R) T 452 V	452	844	844 2/26/85	Signed by Governor 3/13/85 Effective 4/29/85
SB 94	Salary Adjustment Amendments *Pugh*	124(R) R	634 S-LA 656	742(R)	749(R) Sec Sub A V	751	859	859 2/26/85	Signed by Governor 3/16/85 Effective 3/16/85
SB 95	Municipal-Owned Utility Taxation *Bunnell*	124(R) R	699	699					963 SSEC 2/27/85
SB 96	Drinking Water and Wastewater Loan Program *Finlinson, McAllister*	124(R) R	207 E-NR, A 266	314(R) C.R. V	339(R) V	340 814	813 HA SC V	846 2/26/85	Signed by Governor 3/16/85 Effective 4/29/85

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SB 97	**Water Development and Flood Mitigation G.O. Bonds (Water and Flood Financing)** *Finlinson, Swan*	125(R) R	239 E-NR, A 364	396 403 413 420 T 457(R) C.R. Sub Second Sub C of W A 493 Third Sub A 497 574 Fourth Sub C of W 575 A C of W A, V	600(R) A A V	603 660 720 889 919	660 Fifth Sub HA SRC 720 HRR Hc, Sc 889 Sixth Sub 919 Seventh Sub HA SC V	950 2/27/85	Signed by Governor 3/18/85 Effective 3/18/85
SB 98	**Wildlife License Amendments** *Finlinson, Swan*	125(R) R	207 E-NR, A 266	315(R) C.R.(a) A, V 317 A, V	340(R) A V	341 617	617 HA SC V 636	636 2/19/85	Signed by Governor 3/16/85 Effective 4/29/85
SB 99	**Committee on Consumer Services Continuations** *Swan*	125(R) R							963 SSEC 2/27/85
SB 100	**Election Law Amendments** *Finlinson*	126(R) R	207 S-LA 399	451(R) C.R.(a) V	486(R) V	486			968 HSEC 2/27/85
SB 101	**Unemployment Compensation Modifications** *L. Peterson*	136(R) R	387 R T	505(R) C.R.(a) V	538(R) V	539	846	846 2/26/85	Signed by Governor 3/19/85 Effective 4/1/85

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SB 102	**PSC Jurisdiction over Telecommunications Corporations** *Hillyard, Sowards, Bunnell*	137(R) R	260 BL ED 406	456(R) C.R. (Sub) C of W V	486(R) V	487 840	839 HA SC V 899	901 2/27/85	Became law without Governor's signature. Effective 4/29/85
SB 103	**Personal Choice and Living Will Act** *Bangerter, Hillyard, Bunnell*	137(R) R	228 J 364	388(R) C.R. 414 C of W 416 417 C of W A A A. V	432(R) V	432	846	846 2/26/85/	Signed by Governor 3/18/85 Effective 4/29/85
SB 104	**Peace Officer Designation** *Bangerter, Brastrom*	137(R) R	239 T PS 302	362(R) C.R.(a) 377 395 Sub 403 410 A. V	430(R) V	430 904	904 HA SC V 951	951 2/27/85	Signed by Governor 3/18/85 Effective 4/29/85
SB 105	**Alcohol Motor Fuel Amendment** *McMullin, Black*	138(R) R	387 T PS 495	523 529 615(R) C.R. Sub 618 628 V	656(R) 680 686 Sec Sub A 709 V	709	887	887 2/27/85	Signed by Governor 3/16/85 Effective Retro. 7/1/84
SB 106	**Sales Tax Exemption on Receivables** *Sandberg*	138(R) R							963 SSEC 2/27/85

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SB 107	**DFCM Amendments** *Sandberg*	148(R) R	527 S-LA 656	711(R) C.R. 713 C of W V	732(R) 735 V	736	869	869 2/26/85	Became law without Governor's signature. Effective 3/20/85
SB 108	**Alcoholic Beverage Control Act** *Pugh, Barlow, McMullin, C. Peterson, Christensen, Carling, Rogers, L. Peterson, Wayment, Overson, McAllister, Asay, Hillyard, Bunnell, Swan, Renstrom, Williams, Matheson, Barton, C.E. Peterson, Holmgren, Money, Stratford, Black, Cornaby, Bangerter, Sandberg, Finlinson, Sowards*	149(R) R	257 J	296(R) C.R.(a) A V	308(R) A V 325 A V	326	971	971 2/25/85	Signed by Governor 3/18/85 Effective 7/1/85
SB 109	**Fair Housing Law** *Williams*	150(R) R	439 BL-ED 506 S-LA	740(R)	740(R) C.R. V	741			968 HSEC 2/27/85
SB 110	**Social Security - Retirement Income Tax Exemption** **Carling**	150(R) R							963 SSEC 2/27/85
SB 111	**Concurrent Jurisdiction of Defense Depot - Ogden** *L. Peterson*	151(R) R	239 T-PS 302	362(R) C.R. V	381(R) 385 V	385	606	606 2/18/85	Signed by Governor 3/19/85 Effective 4/29/85
SB 112	**Certificate of Merit in Medical Malpractice Actions** *Pugh*	151(R) R	228 H 566 R						963 SSEC 2/27/85

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SB 113	**Limitation of Attorney Fees in Medical Malpractice Actions** *Pugh, McMullin, Overson, Barlow*	151(R) R	228 H 406	432 442 472(R) C.R.(a) A, V	488 489(R) V	489	818	818 2/26/85	Signed by Governor 3/13/85 Effective 7/1/85
SB 114	**Local Option School District Sales Tax** *Rogers*	152(R) R	528 E 656	707(R) C.R. 717 733 765 A, V					766 Rejected by Senate 2/22/85
SB 115	**Public Water Supply Eminent Domain** *Finlinson*	152(R) R	207 H 356	396(R) C.R.(a) 403 413 A, V	430(R) A A V	431			968 HSEC 2/27/85
SB 116	**Public Sale of Bonds** *Finlinson*	152(R) R	527 RT 656	712(R) C.R 768 R					963 SSEC 2/27/85
SB 117	**Income Tax - Filing Penalties** *Hillyard*	152(R) R	743	751(R)	751(R) Sub V	751 839 932	839 HA SC V 899	901 2/27/85 932 SRC HA 950 HR 2/27/85	Signed by Governor 3/19/85 Effective Retro. 1/1/85
SB 118	**Individual Tax Credit for Donated Services to Public Education** *Asay*	153(R) R							963 SSEC 2/27/85
SB 119	**Hazardous Materials Investigation and Response Act** *Finlinson*	153(R) R	257 H 525	631(R) C.R. Sub 641 C of W V	641 T 661 673(R) A V	674 903	902 HA SC V 915	915 2/27/85	Signed by Governor 3/18/85 Effective 3/18/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SB 120	**Child Abuse and Reporting Act Amendment** *Rogers*	153(R) R	239 S.S. 767 R						963 SSEC 2 27 85
SB 121	**Amendments to the Uniform Commercial Code** *Richard J. Carling*	154(R) R	387 R-T 500	616(R) C.R. V	625(R) V	626			968 HSEC 2/27 85
SB 122	**Utah Caboose Law** *Black*	155(R) R	239 T-PS 566						963 SSEC 2/27 85
SB 123	**Retirement Exemption Amendments** *Rogers*	155(R) R	207 S-LA 291	327(R) C.R. V	345(R) V	345	590	590 2/18/85	Signed by Governor 3/16 85 Effective 3/16 85
SB 124	**Mandatory Sewer Hookup** *Hillyard*	156(R) R	239 S LA 302	368(R) C.R.(a) V	383(R) A V	384			968 HSEC 2 27 85
SB 125	**Trust Deed Changes** *Carling*	156(R) R	207 J 266	322(R) C.R.(a) V	343(R) V	343	606	606 2/18/85	Signed by Governor 3/13 85 Effective 4/29 85
SB 126	**Racketeering Enterprises Amendments** *Gurnsby*	156(R) R	239 J 364	398(R) C.R. V	410(R) V	410	927	927 2/27/85	Signed by Governor 3 19 85 Effective 3 19 85
SB 127	**Manslaughter Amendments** *Hillyard*	157(R) R	258 J 364	416(R) C.R. Sub V	431(R) V	431	899	901 2/27/85	Signed by Governor 3/18 85 Effective 4 29 85

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SB 128	**Livestock Highway Death Reporting** *Hillyard*	157(R) R	239 T-PS 302	363(R) C.R.(a) 377 396 403 413 421 A, V	432(R) V	433	845	845 2/26/85	Signed by Governor 3/16/85 Effective 4/29/85
SB 129	**Administrative Services Act Amendments** *Hillyard*	165(R) R	439 E 603	650(R) C.R. Sub Sec Sub C of W V	660(R) 680 688 717 723 744 A, V	745	845	845 2/26/85	Became law without Governor's signature. Effective 4/29/85
SB 130	**Sale of Securities Involving Real Estate** *Cornaby*	165(R) R	387 S-LA	506(R) C.R.(a) V	539(R) V	539	786	786 2/25/85	Signed by Governor 3/19/85 Effective 4/29/85
SB 131	**Industrial Facilities Development Act Amendments** *Sowards*	166(R) R	290 H 525	633(R) CR 640 C of W V	657(R) V	658	859	859 2/26/85	Signed by Governor 3/16/85 Effective 4/29/85
SB 132	**Transfer of Foreign Nationals Convicted of a Crime** *Cornaby*	166(R) R	239 J 415	496(R) C.R. V	503(R) V	503			968 HSEC 2/27/85
SB 133	**Notary Public Amendments** *Cornaby*	166(R) R	402 J	492 C.R. 493(R) C.C.	560(R) V	560	786	786 2/25/85	Signed by Governor 3/16/85 Effective 4/29/85
SB 134	**Corporate and Commercial Filing Amendments** *Cornaby*	166(R) R	387 BL ED 457	511(R) C.R. 523 A V	544(R) A V	545	845	845 2/26/85	Signed by Governor 3/18/85 Effective 4/29/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SB 135	**Property Assessment Appeal** *Overson*	168(R) R	528 R-T 579	647(R) C.R. C of W V	659(R) 674 R				963 SSEC 2/27/85
SB 136	**Terroristic Threat Amendments** *Carling*	179(R) R	257 J 495	520(R) C.R.(a) V	543(R) A V	544			968 HSEC 2/27/85
SB 137	**Utah Foreign Judgment Technical Amendments** *Carling*	179(R) R	402 J	492 C.R. 493(R) C.C.	560(R) 564 V	564			968 HSEC 2/27/85
SB 138	**Appointed Officials Salaries** *McAllister*	179(R) R	257 S-LA 399	452(R) C.R.(a) Sub V 471 494 V	503(R) 521 V	522	869	869 2/26/85	Signed by Governor 3/19/85 Effective 4/29/85
SB 139	**Neighborhood Redevelopment** *McAllister*	180(R) R	678 R-T 767 R						963 SSEC 2/27/85
SB 140	**Public Safety Retirement Cost of of Living Adjustments** *Carling*	180(R) R							964 SSEC 2/27/85
SB 141	**Agricultural Fee Structure Amendments** *Money*	180(R) R	402 E-NR, A	603(R) C.R. C.C.	644(R) V	644	845	845 2/26/85	Signed by Governor 3/16/85 Effective 7/1/85
SB 142	**Solid Waste Management** *Rogers*	180(R) R	258 S-LA 399	455(R) C.R. 459 495 497 504 SSEC					504 SSEC 2-12-85

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SB 143	**Municipal Jails** *Rogers*	189(R) R							964 SSEC 2/27/85
SB 144	**Exemptions to General County Mill Levy Ceilings** *Pinkinson, Cornaby*	189(R) R		762(R)	762(R) V 764 V	765	859	859 2/26/85	Signed by Governor 3/16/85 Effective 4/29/85
SB 145	**Traffic Related Criminal Offenses - Amendments** *Carling*	190(R) R	403 T-PS 566	646(R) C.R.(a) 651 A V 688 710 A. V	688(R) 710 A V	711			968 HSEC 2/27/85
SB 146	**Criminal Code Firearm Amendments** *Carling*	190(R) R	403 J 566 R						964 SSEC 2/27/85
SB 147	**Municipal Cemeteries** *Bunnell*	190(R) R	258 S-LA 302	369(R) C.R. A V	385(R) V	386	900	901 2/27/85	Signed by Governor 3/16/85 Effective 4/29/85
SB 148	**Public Safety Contributions** *Carling*	191(R) R							964 SSEC 2/27/85
SB 149	**Criminal Code - Dishonored Check Amendments** *Carling*	191 (R) R	387 RL-ED 566 R						964 SSEC 2/27/85
SB 150	**Restitution Amendments - Court Assessment** *Carling*	191(R) R	449 J 566	644(R) C.R.(a) V	659(R) V	659			968 HSEC 2/27/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SB 151	**Misdemeanor Offenses - Penalty Modifications** *Carling*	192(R) R	449 J 767 R						964 SSEC 2/27/85
SB 152	**Collateral Source Rule for Medical Malpractice Damages** *Pugh, Bunnell*	210(R) R	290 H	442 457 472 478(R) C.R.(a) 488 Sub V	490(R) V	491	818	818 2/26/85	Signed by Governor 3/19/85 Effective 7/1/85
SB 153	**Prelitigation Panel Requirement for Medical Malpractice Claims** *Pugh, Bunnell*	210(R) R	332 H 406	432 442 472 473(R) C.R.(a) Sub A, V	488 489(R) V	489 662	846	846 2/26/85	Signed by Governor 3/19/85 Effective 7/1/85
SB 154	**Deferred Periodic Payments for Medical Malpractice** *Cornaby*	211(R) R	258 H 406	432 442 472 477(R) C.R.(a) T 766 R					964 SSEC 2/27/85
SB 155	**Hospital Disciplinary Proceedings Amendments** *Cornaby*	211(R) R	258 H 406	432 442 472 477(R) C.R.(a) A, V	488 490(R) A V	490 841	840 HA SC V 900	901 2/27/85	Signed by Governor 3/18/85 Effective 7/1/85
SB 156	**Notice of Civil Liability for Bad Checks** *Carling*	212(R) R	387 BL ED 566 R						964 SSEC 2/27/85

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SB 157	**Sales Tax Reduction** *Matheson*	212(R) R							964 2/27/85
SB 158	**Workers Compensation Amendments** *Stratford*	212(R) R	449 BL-ED 656	702(R) C.R. V	729(R) V	729			968 HSEC 2/27/85
SB 159	**Small Power Production and Cogeneration** *Finlinson*	213(R) R	605 ENR, A	738(R)	738(R) C.R.(a) V	739	969	969 2/27/85	Signed by Governor 3/18/85 Effective 4/29/85
SB 160	**Student Members of School Boards** *Swan*	213(R) R	527 E	655(R) C.R. C.C.	721(R) V	721			968 HSEC 2/27/85
SB 161	**Insanity Defense Amendments** *Hillyard*	213(R) R	387 J 566	644(R) C.R. Sub V	646 T 661 670(R) V, V	671			968 HSEC 2/27/85
SB 162	**Hill Air Force Museum Appropriation** *L. Peterson*	214(R) R	290 S-LA 356	373(R) C.R. V	374 T 661 732(R) V	733			968 HSEC 2/27/85
SB 163	**Utah Emergency Medical Services System Act Amendment** *Money, Carnahy, Swan, Bunnell, Bangerter, Renstrom, Cary Peterson, Barlow*	214(R) R	290 H 406	495(R) C.R. V	504(R) V	504	900	901 2/27/85	Signed by Governor 3/18/85 Effective 7/1/85
SB 164	**Incentives for Excellence in Public School Districts** *L. Peterson, Wingmeut, McAllister*	214(R) R	320 E 356	376(R) C.R. V	377 T 661 670(R) 680 686 709 Sub V	710 872	871 HA SC V 900	901 2/27/85	Signed by Governor 3/19/85 Effective 7/1/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SB 165	Criminal Procedure Amendments *Carling*	215(R) R	449 J 767 R						964 SSEC 2/27/85
SB 166	City Attorney - State Law Misdemeanor Prosecutions *Carling*	215(R) R							964 SSEC 2/27/85
SB 167	Assault Offenses Amendments *Carling*	216(R) R	449 J 622	694(R) C.R.(a) V	727(R) V	727			968 HSEC 2/27/85
SB 168	Teacher Certification Background Check *Carling*	216(R) R	320 E	364(R) C.R. C.C.	409(R) V	409			968 HSEC 2/27/85
SB 169	Nonresident Partial Tuition Scholarships *Hillyard*	216(R) R	634 E 700	742(R)	742(R) C.R. V	743			968 HSEC 2/27/85
SB 170	Limitations on Insurance for Abortion *Overson*	232(R) R							964 SSEC 2/27/85
SB 171	Insect Infestation Emergency Control Act *Money*	232(R) R	290 E-NR, A 364	396(R) C.R.(a) Sub 401 V	401 T 561 Sec Sub V	562 662 841	841 HA SC 900	901 2/27/85	Signed by Governor 3 16/85 Effective 4 29/85
SB 172	Utah Travel Council Board *Finlinson*	233(R) R	290 S-LA 500	630(R) C.R. Sub 639 A					640 Rejected by Senate 2/19/85
SB 173	Beef Promotion Fees *L. Peterson*	233(R) R	449 E-NR, A 496	511(R) C.R.(a) 517 A V	542(R) V	543	845	845 2/26/85	Signed by Governor 3 16/85 Effective 3 16/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SB 174	**Public Safety Retirement Service Credit** *Carling*	233(R) R							964 SSEC 2/27/85
SB 175	**Northern Microwave System Appropriation** *Hillyard*	234(R) R	319 S-LA	509(R) C.R. 529 612 A V	613 T 661 662 667(R) V	667			968 HSEC 2/27/85
SB 176	**Eminent Domain Powers of Political Subdivisions** *Pugh*	234(R) R	449 S-LA	741(R) C.R.	759(R) A SSEC				760 SSEC 2/22/85
SB 177	**Tax Information Disclosure** *Matheson*	234(R) R							964 SSEC 2/27/85
SB 178	**Penalty for Wrongful Lien** *Matheson*	245(R) R	439 BL-ED 656	702(R) C.R A 706 A, V	731(R) V	732	951	951 2/27/85	Signed by Governor 3/18/85 Effective 4/29/85
SB 179	**Insurance for Adopted Children** *Cornaby*	245(R) R	449 BL-ED 506 S.S. 579	648(R) C.R. V	659(R) V	660	845	845 2/26/85	Signed by Governor 3/19/85 Effective 4/29/85
SB 180	**Missing Children Registry Ammendments** *Cornaby*	246(R) R	527 J 622	695(R) C.R. Sub V	727(R) V	728			968 HSEC 2/27/85
SB 181	**Voluntary Adoption Registry** *Cornaby*	246(R) R							964 SSEC 2/27/85
SB 182	**CATV Facilities Protection** *Bunnell*	246(R) R	449 BL-ED 656	703(R) C.R.(a) V	730(R) A V	731	927	927 2/27/85	Signed by Governor 3/18/85 Effective 4/29/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SB 183	**Service Retirement Credit Benefit to Spouse** *Finkinson*	247(R) R	527 S-LA	742(R) C.R. 766 R					964 SSEC 2/27/85
SB 184	**State Money Management Council** *L. Peterson*	247(R) R	439 S-LA 500	630(R) C.R.(a) A V	656(R) V	656 905	905 HA SC V 915	915 2/27/85	Signed by Governor 3/16/85 Effective 4/29/85
SB 185	**State Building Board Prerogatives for Higher Education** *L. Peterson*	247(R) R							964 SSEC 2/27/85
SB 186	**Career Teaching Scholarship Amendments** *L. Peterson*	248(R) R	439 E 700	743(R)	743(R) C.R. V	744			968 HSEC 2/27/85
SB 187	**Public Procurement Officer Appointment** *Rogers*	248(R) R	449 S-LA	655(R) C.R. C.C.	722(R) V	722	915	915 2/27/85	Signed by Governor 3/16/85 Effective 4/29/85
SB 188	**Job Training Coordination Act** *Barlow*	248(R) R	439 SS 500	616(R) C.R.(a) V	626(R) V	626	900	901 2/27/85	Signed by Governor 3/16/85 Effective 4/29/85
SB 189	**Child-Care Employee Background Investigations** *Overson*	249(R) R	528 SS	740 787(R) C.R. Sub A 792 A. A	793(R) V				793 Rejected by Senate 2/25/85
SB 190	**Criminal Threats Amendments** *Carling*	249(R) R	449 J	623(R) C.R. C.C.	721(R) 733 V	733			968 HSEC 2/27/85

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SB 191	**Amendment to Annexation Provision** *Bangerter*	250(R) R	449 S-LA 656	712(R) C.R.(a) V	732(R) V	732 898	897 HA SC V 915	915 2/27/85 957 SRC 960 HR 2/27/85	Signed by Governor 3/16/85 Effective 4/29/85
SB 192	**Impersonating a Peace Officer** *Carling*	250(R) R	403 T-PS 495	528(R) C.R. V	546(R) V	546			968 HSEC 2/27/85
SB 193	**Interference with Arresting Officer - Amendment** *Carling*	250(R) R	403 T-PS	492 C.R. 493(R) C.C.	561(R) 565 V	565			968 HSEC 2/27/85
SB 194	**State Land Law Act** *Pinkinson*	267(R) R							964 SSEC 2/27/85
SB 195	**Certificate of Need for Nursing Homes** *Rogers*	267(R) R	449 H	753(R) C.R. Sub A				Rejected	753 by Senate 2/22/85
SB 196	**Informed Consent Requirements** *Assay*	267(R) R	403 J 495	522(R) C.R. A V	544(R) 548 561 579 593 618 625 637 A, V	639			968 HSEC 2/27/85
SB 197	**Water Conservancy District Board Per Diem** *Pinkinson*	268(R) R	403 E-NR, A	416(R) C.R. C.C.	468(R) V	469 842	841 HA SC V 900	901 2/27/85	Signed by Governor 3/18/85 Effective 4/29/85

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SB 198	**State Engineer Approval of Applications** *Finlinson*	268(R) R	439 E-NR, A 495	512(R) C.R.(a) V	542(R) V	542	786	786 2/25/85	Signed by Governor 3/16/85 Effective 4/29/85
SB 199	**Requirements for Altering Natural Streams** *Finlinson*	268(R) R	439 E-NR, A 566	642(R) C.R.(a) 643 C of W V	658(R) V	658	951	951 2/27/85	Signed by Governor 3/18/85 Effective 4/29/85
SB 200	**Filing Applications to Exchange Water** *Finlinson*	268(R) R	403 E-NR, A 415	506(R) C.R.(a) 508 V	540(R) V	540	786	786 2/25/85	Signed by Governor 3/16/85 Effective 4/29/85
SB 201	**Middle Fork Ogden River Appropriation (Wolfcreek Appropriation)** *L. Peterson*	268(R) R	439 E-NR, A 495	513 529 613(R) C.R.(a) A A V	615 T 661 672(R) V	673 843	842 HA SC V 847 V 900	901 2/27/85	Signed by Governor 3/16/85 Effective 7/1/85
SB 202	**Utah Code Recodification** *Stratford, Hillyard*	283(R) R	439 S-LA 656	716(R) C.R. V					716 Rejected by Senate 2/21/85
SB 203	**Elected Public Service Commission** *Brastrom*	283(R) R							964 SSEC 2/27/85
SB 204	**Licensing Requirements for Drilling Water Wells** *Finlinson*	284(R) R	439 E-NR, A 566	642(R) C.R.(a) 643 C of W V	658(R) V	659	952		952 Rejected by House 2/27/85
SB 205	**Disposition of Unclaimed Property** *Hillyard*	284(R) R	439 S-LA	655(R) C.R. C.C.	722(R) V	722			968 HSEC 2/27/85

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SB 206	**Business and Energy Credit Amendments** *Sowards*	284(R) R	588 E-NR, A 622	675(R) C.R. 680 689 A V	725(R) V	725	915	915 2/27/85	Signed by Governor 3/18/85 Effective Retro. 1/1/85
SB 207	**Occupation Tax Amendment** *Pinkinson*	285(R) R							964 SSEC 2/27/85
SB 208	**Competitive Bidding for Public Utilities** *Barton*	285(R) R							964 SSEC 2/27/85
SB 209	**Division of Occupational and Professional Licensing** *Carnahy*	302(R) R	527 S-LA	579(R) C.R. C.C.	625(R) V	625 858	857 HA SC V 900	901 2/27/85	Signed by Governor 3/18/85 Effective 7/1/85
SB 210	**Mobile and Modular Home Zoning** *Asay*	305(R) R	439 S-LA 656						964 SSEC 2/27/85
SB 211	**Wage, Hour and Working Condition Amendments** *Stratford*	306(R) R	605 BL-ED 656						964 SSEC 2/27/85
SB 212	**Deregulation of Telecommunications Distributors and Independent Energy Producers (Public Utilities Definitional Changes)** *Pinkinson, Barton, Sowards, McAllister, C.E. Peterson*	306(R) R 332	588 E-NR, A 622	676(R) C.R.(a) C of W A V	689(R) 707 709 717 723 A 726 734 A, V	735 955	964 HA SC V 970	970 2/27/85	Signed by Governor 3/18/85 Effective 4/29/85
SB 213	**Industrial Rehabilitation** *Stratford*	306(R) R	528 BL-ED 656	704(R) C.R.(a) V	729(R) A 739 A, V	739			968 HSEC 2/27/85

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SB 214	**Business Opportunity Disclosure Act** *Overson*	307(R) R	449 BL-ED 485 SS 579	648(R) C.R.(a) A V 661 675 680 688 V 700 717					717 Rejected by Senate 2 21 85
SB 215	**Retirement Final Average Salary** *McMullin*	307(R) R							964 SSEC 2 27 85
SB 216	**Anti-Discrimination Act Amendments** *Stratford, Williams*	308(R) R	547 BL-ED 656	704(R) C.R.(a) V	730(R) A V	730	886	886 2/27/85	Signed by Governor 3 18 85 Effective 4 29 85
SB 217	**Teacher Responsibility for After School Activities** *Overson*	337(R) R							964 SSEC 2 27 85
SB 218	**Energy Resource and Technology Incentives** *Sowards*	337(R) R	439 E.NR, A	491 C.R.(a) 493(R) C.C.	557(R) V	557	971	971 2/25 85	Signed by Governor 3 16 85 Effective 4 29 85
SB 219	**Minimum Basic Tax Levy Adjustment** *Hillyard*	353(R) R	699 R T 767 R						964 SSEC 2 27 85
SB 220	**Completion and Delivery of Assessment Books** *Hillyard*	354(R) R	715 H						964 SSEC 2 27 85
SB 221	**Changes in Assessment Roll** *Hillyard*	354(R) R	715 H						964 SSEC 2 27 85

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SB 222	Excess Levies *Hillyard*	354(R) R	715 H						964 SSEC 2/27/85
SB 223	Powers and Duties of Tax Commission *Hillyard*	354(R) R	715 H						964 SSEC 2/27/85
SB 224	Statue of Limitations for Civil Rights Cases *Hillyard*	355(R) R	634 J 767 R						964 SSEC 2/27/85
SB 225	Utah State Criminal Justice Training Council *Carling*	355(R) R							964 SSEC 2/27/85
SB 226	Audits of Public Utilities *Barton*	365(R) R							964 SSEC 2/27/85
SB 227	Thermal Power Facilities Act Amendment *Money, Cary Peterson*	365(R) R	449 S-LA 566 R 588 E-NR, A	608(R) C.R. Sub C.C.	685(R) V	686	908	908 2/27/85	Signed by Governor 3/19/85 Effective 3/19/85
SB 228	Motor Vehicle Amendments *C.E. Peterson*	379(R) R	528 T-PS 656	733(R) C.R.(a) A C of W T 752 Sub	753(R) V	753 906	906 HA SC V 915	915 2/27/85	Signed by Governor 3/16/85 Effective 7/1/85
SB 229	Notice of Excess Levy *Hillyard*	380(R) R	699 R-T 767 R						964 SSEC 2/27/85
SB 230	Retirement Benefits *McMullin*	380(R) R							964 SSEC 2/27/85

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SB 231	**Extension of Sales and Use Tax Exemption for Pollution Control Equipment** *Pugh, Carling*	380(R) R 662	715 E-NR, A 736	755(R)	755(R) V	755	837		837 Rejected by House 2/25/85
SB 232	**Insurance Law Recodification** *Pinkinson*	392(R) R	493 BL-ED 525	579 609(R) C.R.(a) C of W A A, V V	625(R) 626 A A V	628 662	814	814 2/25/85	Signed by Governor 3/19/85 Effective 7/1/86
SB 233	**DUI Penalties** *Hillyard*	407(R) R	527 T-PS 622	606(R) C.R.(a) V	728(R) V	729			969 HSEC 2/27/85
SB 234	**PSC Retention Elections** *Renstrom*	407(R) R							964 SSEC 2/27/85
SB 235	**Winter Recreational Parking** *Williams*	408(R) R							964 SSEC 2/27/85
SB 236	**Public Information Disclosure** *Matheson*	408(R) R	449 T-PS	566 C.R. 567(R) C.C.	624(R) V	624			969 HSEC 2/27/85
SB 237	**Actions to Resolve Outstanding Warrants Amendments** *Carling*	408(R) R	634 J 700	747(R)	747(R) C.R. V	747	886	887 2/27/85	Signed by Governor 3/19/85 Effective 4/29/85
SB 238	**Paging Definition** *Carling*	408(R) R	528 BL-ED 656						964 SSEC 2/27/85
SB 239	**Amendments to Interlocal Cooperation Act** *Money*	409(R) R	589 E-NR, A	608(R) C.R. C.C.	686(R) V	686 899	888 HA SC V 915	915 2/27/85	Signed by Governor 3/16/85 Effective 3/16/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sitting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SB 240	**Water District Indebtedness Amendments** *Pittinson*	427(R) R	527 E-NR, A 622	691(R) C.R. V	726(R) V	726	845	845 2/26/85	Signed by Governor 3/18/85 Effective 3/18/85
SB 241	**Tax Commission Continuous Garnishments** *McMullin, Overson*	428(R) R	634 R-T 656	740(R)	740(R) C.R. V	740			960 HSEC 2/27/85
SB 242	**Subdivision Plats** *Pittinson*	428(R) R							964 SSEC 2/27/85
SB 243	**Uniform Probate Code Amendments** *Carling*	428(R) R	527 J 622	696(R) C.R. V	728(R) V	728			960 HSEC 2/27/85
SB 244	**Expositions Appropriation** *Hillyard*	429(R) R							964 SSEC 2/27/85
SB 245	**Public Firework Shows** *McMullin*	429(R) R	588 T-PS 622	697(R) C.R. A V 700 717	748(R) V				748 Rejected by Senate 2/22/85
SB 246	**Board of Industrial Promotion Membership** *Rogers*	429(R) R	527 RL ED	653(R) C.R. Sub C.C. 660 737 A	737(R) V	738 902	902 HA SC V 927	927 2/27/85	Signed by Governor 3/16/85 Effective 3/16/85
SB 247	**County Recorder Abstract Search Repeal** *Carnahy*	441(R) R	715 S LA						964 SSEC 2/27/85
SB 248	**Legislative and Congressional License Plates** *Carnahy*	441(R) R	876	876(R)	876(R) V	877	901	901 2/27/85	Signed by Governor 3/18/85 Effective 4/29/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SB 249	**Registration of Sex Offenders Amendments** *Hillyard*	441(R) R	605 T-PS 736	760(R)	760(R) C.R.(a) V	761			969 HSEC 2/27/85
SB 250	**Martin Luther King, Jr. - State Holiday** *Williams*	441(R) R							964 SSEC 2/27/85
SB 251	**Grant for Hogle Zoo** *Rogers*	461(R) R							964 SSEC 2/27/85
SB 252	**Utility Franchise Tax Reduction** *Barlow*	461(R) R							964 SSEC 2/27/85
SB 253	**Utah Highway Patrol - License Plates** *Carling*	461(R) R	549	556(R)	556(R) V	556	582	582 2/15/85	Signed by Governor 3/1/85 Effective 4/29/85
SB 254	**Controlled Substance Act** *Cornaby*	461(R) R	605 T-PS 736	761(R)	761(R) C.R. A V	761	872	872 2/26/85	Signed by 3/16/85 Effective 4/29/85
SB 255	**Tax Commission Special Agents** *McMullin, Overson*	462(R) R							964 SSEC 2/27/85
SB 256	**Forcible Entry and Detainer Amendments** *Black*	462(R) R	605 BL-ED 656						964 SSEC 2/27/85
SB 257	**Attorney General Act Amendments** *Hillyard*	463(R) R	678 R-T 736	757(R)	757(R) C.R. A V	758			969 HSEC 2/27/85
SB 258	**Utah Financial Assistance Act for Nonpublic Institutions** *Carling*	484(R) R	646 E 700	745(R) C.R. C of W A	745(R) V	746			969 HSEC 2/27/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SB 259	**Irrigation District Electric Power Plants** *Finlinson*	484(R) R	699 E-NR, A						964 SSEC 2/27/85
SB 260	**Tax Commission Administrative Subpoenas** *McMullin, Overson*	485(R) R							964 SSEC 2/27/85
SB 261	**Special Fuel Permit Exemption** *Overson*	500(R) R	715 T-PS						964 SSEC 2/27/85
SB 262	**Financial Institution Amendments** *Cornaby*	500(R) R	678 R-T 736	758(R)	758(R) C.R. V	759	872	872 2/26/85	Signed by Governor 3/19/85 Effective 4/29/85
SB 263	**Per Diem Amendments for Registration Division** *Suran*	502(R) R							964 SSEC 2/27/85
SB 264	**Jury List Amendments** *Hillyard*	502(R) R	634 J 700	747(R)	747(R) C.R. V	748			969 HSEC 2/27/85
SB 265	**Motor Fuel Sales** *McMullin, Bangerter*	502(R) R	715 T-PS 767 R						964 SSEC 2/27/85
SB 266	**Utah Privatization Act Amendments** *Finlinson*	532(R) R	699 H	737(R) C.R. 749	749(R) V	749 939	938 HA SC V 951	951 2/27/85	Signed by Governor 3/19/85 Effective 3/19/85
SB 267	**Logo Advertising on Highway Signs Authorization** *Cary Peterson*	532(R) R							964 SSEC 2/27/85
SB 268	**Motor Vehicle Registration Amendments** *C.E. Peterson*	533(R) R	752	759(R)	759(R) V	759	937	937 2/27/85	Signed by Governor 3/19/85 Effective 4/29/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SB 269	South Africa Investment Transfer Act *Williams*	533(R) R							964 SSEC 2/27/85
SB 270	Vehicle Length, Width, and Axle Amendments *Sowards*	533(R) R	664 T-PS 736	762(R)	762(R) C.R.(a) V	763 931	931 HA SRC 937 HR	937 2/27/85	Signed by Governor 3/19/85 Effective 4/29/85
SB 271	Recreation Vehicle Titles *McMullin*	534(R) R	699 T-PS 767 R						964 SSEC 2/27/85
SB 272	Motor Carriers Amendments to Regulations *Bangerter*	534(R) R							965 SSEC 2/27/85
SB 273	Pest Control Compact *Stratford*	534(R) R	634 E-NR, A	701 C.R. 702(R) C.C.	723(R) V	723	951	951 2/27/85	Signed by Governor 3/18/85 Effective 7/1/85
SB 274	Salaries in Municipalities *Black*	535(R) R	678 S-LA 700						965 SSEC 2/27/85
SB 275	Transportation Fund Distribution *Black*	535(R) R	716 T-PS 767 R						965 SSEC 2/27/85
SB 276	Motor Carriers - Regulation Amendments *Pugh*	535(R) R							965 SSEC 2/27/85
SB 277	Peace Officer Power to Arrest *Sowards*	535(R) R	664 T-PS 736	763(R)	763(R) C.R. A	764	949	949 2/27/85	Signed by Governor 3/18/85 Effective 4/29/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SB 278	**Health Insurance Benefits** *Black, Swan, Carling, Cary Peterson, McMullin, Renstrom, C.E. Peterson, Hillyard, McAllister*	536(R) R	716 H 736	756(R)	756(R) C.R. V	756	860	860 2/26/85	Signed by Governor 3/13/85 Effective 4/29/85
SB 279	**Spouse of the Governor (First Lady Duties)** *Rogers*	536(R) R		756(R)	756(R) A A V	757	860	860 2/26/85	Signed by Governor 3/13/85 Effective Retro. 1/1/85
SB 280	**Noncontributory Retirement Plan** *Sandberg*	536(R) R							864 SSEC 2/27/85
SB 281	**Long Term Disability Health Benefits** *Sowards*	536(R) R							864 SSEC 2/27/85
SB 282	**Bail Bond Forfeiture** *Barlow*	537(R) R							864 SSEC 2/27/85
SB 283	**Motor Fuel Bonds and Fees** *Sowards*	537(R) R							864 SSEC 2/27/85
SB 284	**Flood Mitigation Financing** *Barlow, Holmgren*	537(R) R							865 SSEC 2/27/85
SB 285	**Delinquent Motor Fuel Tax Collection** *Barlow*	538(R) R							865 SSEC 2/27/85
SB 286	**Use Tax Penalty Amendments** *McMullin*	538(R) R							865 SSEC 2/27/85
SB 287	**Water and Sewage District Trustees Amendment** *Overson*	623(R) R	715 E-NR, A						865 SSEC 2/27/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SB 288	State Contracting for Services *Rogers*	679(R) R	743	746(R)	746(R) V	746			960 HSEC 2/27/85
SB 289	Legislative Compensation Limitations *McMullin*	721(R) R	743	752(R)	752(R) V	752			960 HSEC 2/27/85
SB 290	(No Bill Introduced with this Number)								
SB 291	School Finance Act Amendment *Barlow*	816(R)		835(R) A V	874(R) A V	876 908	907 HA SC V 951	951 2/27/85	960 Became law without Governor's signature. Effective 7/1/85
SB 292	Supplemental Appropriations Act *Pugh*	918(R)		918(R)	918(R) V	919	932	932 2/27/85	Signed by Governor 3/18/85 Effective 4/29/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SCR 1	**Miss America, Sharlene Wells Commendation** *Cornaby*	127(R)		127 131(R)	131(R) V 132 C of W	132	132	132 1/14/85 350	Signed by Governor 1/29/85
SCR 2	**Martin Luther King Resolution** *Williams*	139(R)		139(R)	139(R) V	140 244 390	244 HA SRC 284 HRR Hc, Sc 389 HA SC, V 414	414 2/5/85	Signed by Governor 3/16/85
SCR 3	**BYU Football Team Commendation** *Christensen, C.E. Peterson, McAllister, Rogers, Barlow, Barton, Sowards, Finlinson, Pugh, Cary Peterson, Overson, Asay, Bunnell, Swan, Arnstrom, Williams, Hillyard, McMullin, Matheson, Holmgren*	148(R)		148(R)	148(R) V	148	177 350	177 1/18/85 1/29/85	Signed by Governor
SCR 4	**Utah Academic Decathalon Resolution** *Barlow*	210(R) R	450	509(R) V	540(R) V	541			968 HSEC 2/27/85
SCR 5	**T.H. Bell Commendation** *Barlow, Christensen, C.E. Peterson, Cary Peterson, McMullin, Sowards, Waymont, Rogers, Swan, Bunnell, Holmgren, Hillyard, Sandberg, Asay, Bangerter, Overson, McAllister, Barton, Matheson, Black, Williams, Cornaby, Carling, Finlinson, L. Peterson*	302(R) R	320	372(R)	372(R) V	372	465	466 2/8/85 497 504	902 Signed by Governor 2/27/85
SCR 6	**Rural Electrification Administration** *Sowards*	353(R) R		357(R)	357(R) V	357 390	390 HA SRC 414 HR	414 2/5/85	530 Signed by Governor 2/12/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sitting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SCR 7	**Don Lind Resolution** *McMullin, Christensen, Finlinson*	365(R)		399(R)	399(R) A V	400	483	483 2/11/85	902 Signed by Governor 2 27/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sifting) and Soc. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SJR 1	**Joint Rules Resolution** *Sowards*	127(R)		127 132(R) 135 T 766 R					965 SSEC 2/27/85
SJR 2	**Religious Persecution Resolution** *Williams*	378(R) R	259	291(R)	291(R) V	291	278	378 2/1/85	Transmitted to Lieutenant Governor.
SJR 3	**Legislative Employees Compensation** *Stratford*	178(R)		178(R)	178(R) V	178	188	188 1/21/85	Transmitted to Lieutenant Governor
SJR 4	**National Park Buffer Zone Restriction** *Matheson*	266(R) R	402 E-NR, A 495	513(R) C.R.	514(R) V	514			968 HSEC 2/27/85
SJR 5	**Agency Cooperation for Efficiency Resolution** *Barton*	266(R) R	319 S-LA	500(R) C.R. C.C.	585(R) V	585			968 HSEC 2/27/85
SJR 6	**Interstate Construction Completion Resolution** *Pugh*	282(R) R	388	420 425 444(R)	444(R) V	444	549	551 2/14/85	Transmitted to Lieutenant Governor
SJR 7	**Utah Highway Patrol Commendation** *Carling, et al*	392(R) R 454		549 555(R) C of W	555(R) V	556	580	582 2/15/85	Transmitted to Lieutenant Governor
SJR 8	**Class Size Resolution** *Bangerter, Barlow*	392(R) R	529	633(R) V	657(R) V	657			968 HSEC 2/27/85
SJR 9	**United States Olympic Gymnasts Resolution** *Williams*	400(R)		400(R)	400(R) C of W V	401	406	406 2/5/85	Transmitted to Lieutenant Governor

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SJR 10	**Oath of Office Amendment** *Waymeni*	407(R) R	450	510(R) V	541(R) V	542			968 HSEC 2/27/85
SJR 11	**Primary Children's Medical Center Resolution** *McAllister*	441(R) R	487	487(R)	487(R) Sub V	487	490	490 2/12/85	Transmitted to Lieutenant Governor
SJR 12	**Afghani Freedom Fighters Resolution** *Matheson*	479(R)		479(R)	479(R) C of W V	480	549	551 2/14/85	Transmitted to Lieutenant Governor
SJR 13	**Public Service Commission Study Resolution** *Renstrom*	484(R) R							964 SSEC 2/27/85
SJR 14	**Dan Valentine Commendation** *Pugh*	525(R)		525(R)	525(R) V	525	555	555 2/14/85	Transmitted to Lieutenant Governor
SJR 15	**Weston E. Hamilton Resolution** *C.E. Peterson, Bunnell*	693(R)		693(R)	693(R) V	694	844	844 2/26/85	798 C of W Transmitted to Lieutenant Governor
SJR 16	**Citizens Against Waste Foundation** *Barlow, Cornaby, Mathesen, C. Peterson, Barton, Bangerter, Overson, Rogers, Steuards, C.E. Peterson, Holmgren, Hillyard, Stratford, Renstrom, Asay, Sandberg, Money, McMullin, Bunnell, Waymeni, Pugh, McAllister, Williams, Carling, Christensen*	810(R)		810(R)	810(R) A A V	810			968 HSEC 2/27/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sitting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SJR 17	**Alma V. Smoot Resolution** *Holmgren, Money, Cary Peterson, L. Peterson*	833(R)		833(R)	833(R) V	833	844	844 2/26/85	Transmitted to Lieutenant Governor
SJR 18	**Interim Study Assignments** *Cary Peterson*	920(R)		920(R)	920(R) A A A V	921 947	947 HA SC V 970	970 2/27/85	Transmitted to Lieutenant Governor

No.	*(Check Reference Code on Page 44)* Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SR 1	**Senate Rules Resolution** *Sowards*	128(R)		128 132(R) 133 V	139(R) A A A V			139 1/15/85	
SR 2	**Marvin G. Jensen Honorary Senator Resolution** *Black*	448(R)		448(R)	448(R) C of W V			449 2/7/85	

Pg. 1070

PG 1071

PAGE
INDEX

HOUSE BILLS AND RESOLUTIONS

FORTY-SIXTH LEGISLATURE

GENERAL SESSION

January 14 through February 27, 1985

(Check Reference Code on Page 44)

No.	*(Check Reference Code on Page 44)* Title and Sponsors *(Co-sponsors in House Journal)*	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SUB HB 1	**Local Rent Control Prohibition** *Moody*	300(R) R	371 S-LA 500	578(R) C.R. V					Rejected by Senate 2/14/85
HB 2	**Credit Reporting Agencies** *Garbett*	210(R) R	228 BL-ED 566 R						966 SSEC 2/27/85
HB 3	**Security Personnel - Sunset Review** *Moody*	210(R) R	371 T-PS	415(R) C.R. C.C.	467(R) V	467		467 2/8/85	Signed by Governor 3/1/85 Effective 7/1/85
HB 5	**Garnishment Lien Law** *Hunter*	210(R) R	228 BL-ED 302	346 349 T 357 BL-ED 736 856(R)	856(R) C.R. V 859 V	859		859 2/26/85	Declared invalid by Leg. General Counsel 3/19/85
HB 6	**Weights and Measures Amendments** *Schmutz*	176(R) R	371 E-NR, A	415(R) C.R.(a) C.C.	468(R) V	468	499 HC	499 2/12/85	Signed by Governor 2/28/85 Effective 4/29/85
HB 7	**Livestock Market Committee** *Schmutz*	282(R) R	815	887(R)	887(R) V	887		887 2/27/85	Signed by Governor 3/16/85 Effective 4/29/85
HB 11	**Interim Increase Amendments** *Taylor*	530 532(R) R	962 V						966 SSEC 2/27/85
HB 13	**Authorization for Associate Degree at Technical Colleges** *Moss*	259(R) R	371 E 406	444(R) C.R. A C of W V	470(R) V	470	499 HC	499 2/12/85	Signed by Governor 3/1/85 Effective 4/29/85

No.	*(Check Reference Code on Page 44)* **Title and Sponsors** *(Co-sponsors in House Journal)*	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
HB 14	**County Service Area Act** *Dahl*	210(R) R	371 S-LA 700	848(R)	848(R) C.R. V	849		849 2/26/85	Signed by Governor 3 13/85 Effective 4 29/85
HB 20	**Public Accountants Education Requirements** *Reese*	390(R) R	419 E 525	579 586(R)	586(R) C.R. V	587			587 Rejected by Senate 2 15 85
HB 21	**Education Responsibility at the State Training School** *Burningham*	282(R) R	419 E 457	570(R) C.R. V	597(R) V	597		597 2/18/85	Signed by Governor 3 13/85 Effective 4 29/85
HB 22	**Conditional Cigarette Tax Increase** *Browning*	531 532(R) R	548 R-T 700	812(R)	812(R) C.R. V	812		812 2/25/85	Signed by Governor 3 18 85 Effective 4 29/85
SUB HB 24	**Working Women Child Care Costs** *Maxfield*	426(R) R	587 S.S.	799(R)	799(R) C.R. V	800		800 2/25/85	Signed by Governor 3 16/85 Effective 4 29 85
HB 25	**Divorce Law Waiting Period Amendments** *Maxfield*	176(R) R	419 J 622	795(R)	795(R) C.R. V 867 880 V	881		881 2/27/85	Signed by Governor 3 13/85 Effective 4 29 85
HB 29	**Limitation on Enforcement of Due-On-Sale Clauses** *Mundy*	231(R) R	319 BL/ED	374(R) C.R. V	386(R) V	386		386 2/1/85	Signed by Governor 2 18 85 Effective 4 29 85

No.	*(Check Reference Code on Page 44)* Title and Sponsors *(Cosponsors in House Journal)*	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SUB HB 30	**Voluntary Scoliosis Screening** *Stevens*	719(R) R		956(R)	956(R)				967 SSEC 2/27/85
SUB HB 31	**Legislator Compensation Limitations** *Arber*	259(R) R							966 SSEC 2/27/85
HB 37	**Water Conditioner Installers** *Anderson*	231(R) R	678 BL-ED 736	865(R)	865(R) C.R. V	866		866 2/26/85	Signed by Governor 3/13/85 Effective 4/29/85
HB 38	**Left-Lane Travel Restrictions** *Browning*	210(R) R	371 T-PS	415(R) C.R. C.C. 442 568 A, V	508(R) V	508	621 HC	622 2/19/85	Signed by Governor 3/19/85 Effective 4/29/85
HB 40	**Uniform Firearms Laws** *Dahl*	378(R) R	419 T-PS 566	776(R) C.R. 783 816	847(R) V	847		847 2/26/85	Signed by Governor 3/13/85 Effective 4/29/85
HB 41	**Judicial DUI Reporting** *Dahl*	481(R) R							966 SSEC 2/27/85
HB 46	**Indian Affairs Membership** *Yardley*	210(R) R	371 S-LA	442 567(R) C.R.(a) V	596(R) V	596	621 HC	621 2/19/85	Signed by Governor 3/19/85 Effective 7/1/85
HB 47	**Firemen Minimum Monthly Retirement Allowance** *Ellerton*	259(R) R	371 S-LA	442 563(R) C.R. V	594(R) V	594		594 2/18/85	Signed by Governor 3/13/85 Effective 7/1/85

No.	*(Check Reference Code on Page 44)* **Title and Sponsors** *(Co-sponsors in House Journal)*	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
HB 48	**Interest Payments from Firemen Retired Reserve Fund** *Ellertson*	300(R) R	371 S-LA	442 565(R) C.R. V	595(R) V	596		596 2/18/85	Signed by Governor 3/13/85 Effective 7/1/85
HB 49	**Veteran's Preferred Employment** *Christensen*	231(R) R	319 BL-ED 457	569(R) C.R. A A V	596(R) V	597	621 HC	621 2/19/85	Signed by Governor 3/16/85 Effective 4/29/85
SUB HB 50	**Lease-Purchase Amendments** *Lewis*	580(R) R	635 S-LA 824	830 831(R) V	873(R) V	873		873 2/27/85	Signed by Governor 3/19/85 Effective 7/1/85
HB 51	**Certificates of Participation** *Jenkins*	210(R) R	371 S-LA 579	778(R) C.R	797(R) V	798		798 2/25/85	Signed by Governor 3/18/85 Effective 7/1/85
HB 52	**Videotaping of Children's Testimony** *Skousen*	481(R) R	547 SS 656	800(R)	800(R) C.R. V	801		801 2/25/85	Signed by Governor 3/16/85 Effective 4/29/85
HB 56	**Simplified Mechanics Lien Notice** *Holt*	245(R) R	319 BL-ED	491 C.R. 493(R) C.C.	556(R) V	557		557 2/14/85	Signed by Governor 3/19/85 Effective 4/29/85
SUB HB 58	**Educational Professional Practices Amendments** *Burningham*	391(R) R	419 E 457	570(R) C.R. A V	588(R) V	589	621 HC	621 2/19/85	Signed by Governor 3/13/85 Effective 4/29/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors *(Co-sponsors in House Journal)*	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SUB HB 59	**Pharmacy Practice Act** *Anderson*	351(R) R	419 H	503(R) C.R.(a) C.C.	684(R) V	685	718	718 2/22/85	Signed by Governor 3/13/85 Effective 7/1/85
SUB HB 62	**State Zoo Amendments** *Walker*	662 719(R) R	824	834(R) V 860 V	861(R) A V	861 889	883 SA HRC SRR Sc 889 920 HA, SC V	920 2/27/85	Signed by Governor 3/18/85 Effective 7/1/85
HB 64	**Prompt Construction Payments** *Tomlinson*	245(R) R	319 BL-ED	375(R) C.R. V	386(R) V	387		387 2/1/85	768 Signed by Governor 2/22/85 Effective 4/29/85
HB 65	**Exemption from Workmen's Compensation** *Jenkins*	406(R) R	679 BL-ED 736	866(R)	866(R) C.R. V	866		866 2/26/85	Signed by Governor 3/16/85 Effective 4/29/85
HB 67	**Licensure Authority for Adult Day Care** *Shearin*	282(R) R	419 S.S.	499 C.R. 500(R) C.C.	585(R) V	585		585 2/15/85	Signed by Governor 3/18/85 Effective 4/29/85
HB 70	**Independent Contractors Exemption** *Garbutt*	245(R) R	319 BL-ED 566						866 SSEC 2/27/85
HB 71	**State Fire Marshal - Division Status** *Le Barron*	210(R) R	T-PS	415(R) C.R. C.C.	467(R) V	468		468 2/28/85	Signed by Governor 3/13/85 Effective 4/29/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors *(Co-sponsors in House Journal)*	Read (1)	Rules (Sitting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
HB 72	**Probate - Guardian Appointment Amendments** *Lewis*	636(R) R							966 SSEC 2 27 85
HB 73	**Probate - Guardian Appointment Amendments** *Walker*	231(R) R	618 J 700	806(R)	806(R) C.R. V	807		807 2/25/85	Signed by Governor 3/13 85 Effective 4/29 85
HB 74	**Department of Corrections - Organization** *Karras*	498(R) R	528 S-LA 579	778(R) C.R. C of W V	825(R) V	826		826 2/26/85	Signed by Governor 3 19 85 Effective 4/29/85
HB 75	**Court Commissioner - Domestic Matters** *Walker*	701(R) R	824	831(R) V	872(R) V	873		873 2/27/85	Signed by Governor 3 18 85 Effective 4/29 85
HB 76	**Juvenile Court - Permanent Deprivation Amendments** *Walker*	265(R) R	618 J 700	807(R)	807(R) C.R. A 810 V	811	843 HC	843 2/26/85	Signed by Governor 3/19 85 Effective 4/29/85
HB 77	**Juvenile Court Jurisdiction - Failure to Report Child Abuse** *Walker*	265(R) R	419 J 566	775(R) C.R. V	819(R) 822 V	822		822 2/26/85	Signed by Governor 3/16 85 Effective 4/29/85
HB 78	**Adoptions and Birth Certificates Juvenile Court** *Walker*	281(R) R	371 J 415	446(R) C.R. V	471(R) V	471		471 2/8/85	Signed by Governor 3/16/85 Effective 4/29/85
HB 79	**Support and Maintenance Payments** *Mayfield*	176(R) R	419 J 622	796(R)	796(R) C.R. V	796		796 2/25/85	Signed by Governor 3/16/85 Effective 4/29 85

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HB 82	**Informed Consent for Abortion Amendments** *Moss*	481(R) R	547 H 656	799(R)	799(R) C.R. 800 V	800		800 2/25/85	Signed by Governor 3/13/85 Effective 3/13/85
HB 85	**Medical Examiner's Amendments** *Prandoni*	176(R) R	228 H 291	323(R) C.R. V	338(R) V	338		338 1/30/85	Signed by Governor 2/12/85 Effective 4/29/85
HB 86	**Public Assistance Fraud Amendments** *Prandoni*	177(R) R	349 S.S. 399	422(R) C.R. C of W V	433(R) V	434		434 2/6/85	768 Signed by Governor 2/22/85 Effective 4/29/85
HB 87	**Interstate Child Support Collection** *Prandoni*	177(R) R	349 S.S. 399	423(R) C.R. V	434(R) V	434		434 2/6/85	768 Signed by Governor 2/22/85 Effective 4/29/85
HB 88	**Child Support Bond** *Prandoni*	177(R) R	349 S.S. 399	423(R) C.R. A V	434(R) A V	435 450	450 HC	450 2/6/85	768 Signed by Governor 2/22/85 Effective 7/1/85
HB 89	**Child Support Statute of Limitation Clarification** *Prandoni*	300(R) R	349 S.S. 399	424(R) C.R. V	435(R) V	436		436 2/6/85	768 Signed by Governor 2/22/85 Effective 4/29/85
HB 90	**Income Withholding Amendments** *Prandoni*	231(R) R	319 S.S. 399	425(R) C.R. 436 A, A A V	442(R) V	443	465 HC	466 2/6/85	768 Signed by Governor 2/22/85 Effective 7/1/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors *(Co-sponsors in House Journal)*	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
HB 91	**State Income Tax Intent** *Prendergast*	231(R) R	319 S.S. 399	437(R) C.R. V	443(R) V	443		443 2/7/85	768 Signed by Governor 2/22/85 Effective 4/29/85
HB 92	**Credit Reporting of Support Delinquency** *Prendergast*	231(R) R	319 S.S. 399	439(R) C.R. V	443(R) V	444		444 2/7/85	Signed by Governor 2/22/85 Effective 4/29/85
HB 94	**Enforcement of Legislative Intent** *Sellmeyer*	351(R) R							966 SSEC 2/27/85
HB 95	**Career Teaching Scholarship Fund Tax Credits** *Moss*	482(R) R	547 E 603	793(R)	793(R) A V	794	843 HC	843 2/26/85 974	Vetoed by Governor 3/19/85
HB 96	**Adoption Petition Requirements** *Mayfield*	301(R) R	371 S.S.	442 447(R) C.R.(a) V	485(R) V	486	515 HC	515 2/12/85	Signed by Governor 2/28/85 Effective 4/29/85
SEC SUB HB 97	**Owner-Renter Relations** *Pace*	467(R) R							966 SSEC 2/27/85
SUB HB 99	**Budgetary Procedures Incentive Program** *Browning*	719(R) R							966 SSEC 2/27/85
HB 100	**Energy Assistance Amendments** *Stephens*	783(R) R							966 SSSEC 2/27/85
HB 101	**Municipal Bond Act Amendments** *Pace*	591(R) R	634 S-LA 656 R 870	933(R)	933(R) V	933		933 2/27/85	Signed by Governor 3/16/85 Effective 3/16/85

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HB 102	**Water Pollution Control Standards** *Schmutz*	282(R) R	371 H 525	774(R) C.R. V	819(R) V	819		819 2/26/85 974	Became law without Governor's signature Effective 7/1/85
SUB HB 103	**Sales and Use Tax Exemption for Manufacturing Machinery and Equipment** *Karras*	769(R) R	824	831 837(R) C of W 863 A	864(R) V	865	883 HC	883 2/27/85	Signed by Governor 3/16/85 Effective 7/1/85
HB 106	**Day Care Operations Amendments** *Phelps*	379(R) R	419 S.S. 579	776(R) C.R.(a) V	824(R) V	224 867	867 SA HRC Sc 896 Hc JCCR SV	897 2/27/85	Signed by Governor 3/18/85 Effective 4/29/85
SUB HB 106	**Prohibition of Alcoholic Beverages in Public Schools** *Stephens*	391(R) R	419 E 500	571(R) C.R.(a) V	599(R) V	600	622 HC	622 2/19/85	Signed by Governor 3/13/85 Effective 4/29/85
HB 109	**Interstate Compact on Adoption and Medical Assistance** *Showers*	301(R) R	371 S.S.	442 562(R) C.R. V	583(R) A V	584	622 HC	622 2/19/85	Signed by Governor 3/18/85 Effective 4/29/85
SEC SUB HB 110	**Right to Work Amendments** *Dahl*	391(R) R	815	924 960 R					966 SSEC 2/27/85
SEC SUB HB 115	**Interlocal Cooperation Act Changes** *Richards*	406(R) R							966 SSEC 2/27/85

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SUB HB 116	**Detection of Uninsured Motorists** *Browning*	636(R) R	815	888(R)	888(R) V	888		888 2/27/85	Signed by Governor 3/18/85 Effective 1/1/86
SUB HB 118	**Medical Emergency Assistance Account** *DeMann*	531 532(R) R	618 H	856(R) C.R.	860(R) V	860		860 2/26/85	Signed by Governor 3/19/85 Effective 7/1/85
HB 120	**Governmental Immunity Act Amendments** *McKeachnie*	590 591(R) R	634 S-LA 700	854(R)	854(R) C.R. C of W V	854		854 2/26/85	Signed by Governor 3/16/85 Effective 4/29/85
HB 121	**Juvenile Court District and Judges** *Walker*	719(R) R	824	832(R) A V	873(R) V	874	901 HC	901 2/27 85	Signed by Governor 3/16/85 Effective 7/1/85
HB 122	**Juvenile Court - Juveniles and Adults** *Walker*	379(R) R	419 J 566	775(R) C.R. V	822(R) V	823		823 2/26/85	Signed by Governor 3/18/85 Effective 4/29/85
HB 123	**Juvenile Court Detention Orders** *Brown*	351(R) R							966 SSEC 2/27/85
HB 124	**DUI Victim Restitution Amendments** *Rees*	334(R) R	371 T-PS 495	573(R) C.R.(a) A V	600(R) T 661 662 773 V	773	970 HC	970 2/27/85	Signed by Governor 3/13/85 Effective 4/29/85
HB 125	**Compulsory School Age Limitation** *Schmutz*	301(R) R	371 E 406 413 E						966 SSEC 2/27/85

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HB 129	**Publication of Wildlife Rules** *Phelps*	265(R) R	419 E-NR, A	491 C.R. 493(R) C.C.	557(R) V	558		558 2/14/85	Signed by Governor 3/16/85 Effective 4/29/85
SUB HB 131	**Conservation Easements** *Myrin*	351(R) R	419 E-NR, A	802(R)	802(R) C.R.(a) V	803	843 HC	843 2/26/85	Signed by Governor 3/18/85 Effective 4/29/85
HB 132	**Utah Correctional Industries Act** *Jenkins*	428(R) R	528 S-LA 579	778 779(R) C.R. 782 C of W A, V	828(R) V	829		858 2/26/85	Signed by Governor 3/19/85 Effective 4/29/85
SUB HB 133	**Motor Carriers - Regulation Amendments** *Myrin*	719(R) R	814 T-PS 819 V V V V V T-PS 843	922(R) Second SUB A V 924 R					966 SSEC 2/27/85
HB 134	**School Bus Flashing Lights Modification** *Warnick*	351(R) R	419 T-PS	567(R) C.R. C.C.	624(R) V	625		625 2/19/85	Signed by Governor 3/13/85 Effective 4/29/85
HB 135	**Fuel Conservation Speed Limit** *Sellaresit*	467(R) R	587 T-PS 656	801(R) C.R. C of W V	828(R) A V 836 V	837	883 HC	883 2/27/85 974	Vetoed by Governor 3/19/85

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HB 136	**Governmental Planning Coordination** *Christensen*	351(R) R	419 E-NR, A	491 C.R. 493(R) C.C.	558(R) V	558		558 2/14/85	Signed by Governor 3/16/85 Effective 4/29/85
HB 138	**Payment and Performance Bonds** *McKeachnie*	406(R) R	679 BL-ED	737(R) C.R. C.C.	772(R) V	773		773 2/25/85	Signed by Governor 3/19/85 Effective 4/29/85
HB 139	**Attorney General Career Service Amendments** *Moss*	391(R) R	419 S-LA 457 S-LA	572(R) C.R. V	599(R) V	599		599 2/18/85	Signed by Governor 3/19/85 Effective 4/29/85
SUB HB 140	**Information Practices Amendments** *Moss*	590 591(R) R	635 S-LA	854(R)	854(R) V	854		854 2/26/85	Signed by Governor 3/16/85 Effective 4/29/85
HB 141	**Procurement Code Amendment** *McKeachnie*	467(R) R							966 SSEC 2/27/85
HB 142	**Notice of Political Subdivision Boundary Change** *McKeachnie*	665(R) R							966 SSEC 2/27/85
HB 145	**Zoning** *Pace*	590 591(R) R	635 S-LA 656 815	893(R)	893(R) V	894		894 2/27/85	Signed by Governor 3/16/85 Effective 4/29/85
HB 154	**School Residency Amendments** *Walker*	531 532(R) R	869	912(R)	912(R) C of W V	913		913 2/27/85	Signed by Governor 3/19/85 Effective 4/29/85

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HB 155	**Filling Vacancies on the State Board of Education** *Walker*	531 532(R) R							966 SSEC 2/27/85
HB 157	**Trespass on School Property** *Walker*	531 532(R) R	548 E	622(R) C.R. C.C.	721(R) 771 V	771		771 2/25/85	Signed by Governor 3/19/85 Effective 4/29/85
SEC SUB HB 158	**Income Tax Brackets** *Call*	719(R) R							966 SSEC 2/27/85
SUB HB 160	**Property Tax Collection Costs** *Walker*	784(R) R	815	852(R) C of W V	877(R) V	878		878 2/27/85	Signed by Governor 3/16/85 Effective 4/29/85
HB 162	**UCMS Amendments** *Phelps*	379(R) R	419 E.NR. A	492 C.R. 493(R) C.C.	558(R) V	559		559 2/14/85	Signed by Governor 3/16/85 Effective 4/29/85
HB 163	**Deposit of Fines and Penalties Collected by the Division of Oil, Gas, and Mining** *Dmitrich*	482(R) R	547 E.NR. A 700	804(R)	804(R) C.R. A V	806	843 HC	843 2/28/85	Signed by Governor 3/16/85 Effective 4/29/85
HB 164	**Voted Leeway Modification** *Brown*	482(R) R	547 E 656	798(R)	798(R) C.R. V	798		798 2/25/85	Signed by Governor 3/19/85 Effective 4/29/85
SUB HB 169	**Victim Reparations** *Fullmer*	719(R) R							966 SSEC 2/27/85

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SUB HB 170	**Class B & C Road Funds** *Strong*	391(R) R	419 T-PS	604(R) C.R.(a) C.C. 619	794(R) V	795	843 HC	843 2/26/85	Signed by Governor 3/16/85 Effective 4/29/85
HB 171	**Juror Competency in Cases Involving Ordinances** *Strong*	482(R) R	547 J 700	811(R)	811(R) C.R. V 861 A. V	862	901 HC	901 2/27/85	Signed by Governor 3/16/85 Effective 4/29/85
HB 172	**Legislative Committee Membership** *Moss*	163(R) R	371 S-LA	442 563(R) C.R. V	594(R) V	595		595 2/18/85	Signed by Governor 3/13/85 Effective 4/29/85
HB 173	**Revisors Statute** *Moss*	177(R) R	372	420 421 V	433(R) V	433		433 2 6 85	Signed by Governor 2/28/85 Effective 4/29/85
HB 174	**Rates for Electric Cooperatives** *Myrin*	467(R) R	679 BL-ED 736	867(R)	867(R) C.R. C of W V	868		868 2/26/85 883 2/27/85	Became law without Governor's signature 4/29/85
HB 176	**Cheese Processing Use Tax Exemption** *Bodily*	620(R) R							966 SSEC 2/27/85
HB 177	**Governmental Immunity for Geologic Hazards** *Browning*	406(R) R	664 E-NR, A	701 C.R. 702(R) C.C.	771(R) V	772		772 2/25/85	Signed by Governor 3/16/85 Effective 4/29/85
SUB HB 180	**Oil, Gas, and Mining Amendment** *Christensen*	440(R) R	664 E-NR, A	701 C.R.(a) 702(R) C.C.	772(R) V	772		858 2/26/85	Signed by Governor 3/16/85 Effective 4 29 85

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SUB HB 181	**Regulation of Oil Treatment Plants** *Myrin*	379(R) R	419 E-NR, A	492 C.R. 493(R) C.C.	559(R) V	559		559 2/14/85	Signed by Governor 3/19/85 Effective 4/29/85
HB 189	**Resource Development Coordination Committee** *Shousen*	391(R) R	419 E-NR, A	492 C.R. 493(R) C.C.	559(R) V	559		560 2/14/85	Signed by Governor 3/16/85 Effective 4/29/85
SUB HB 190	**Public Employees Early Retirement** *Walker*	769(R) R	882 V R 928	928(R)	928(R) A A V	930	950 HC	950 2/27/85 974	Vetoed by Governor 3/19/85
HB 191	**Accounts Receivable Collection** *Burningham*	482(R) R	547 R-T 736	813(R)	813(R) C.R.(a) V	813	843 HC	843 2/26/85	Signed by Governor 3/16/85 Effective 4/29/85
HB 193	**Warrantless DUI Arrests** *Walker*	531 532(R) R	548 T-PS 622	796(R)	796(R) C.R. V	797		797 2/25/85	Signed by Governor 3/13/85 Effective 4/29/85
HB 195	**Utah Private Activity Bond Ceiling Allocation Act** *DeMann*	379(R) R	419 R-T	577(R) C.R.(a) 579 773 V	823 829(R) V	830	858 HC	858 2/26/85	Signed by Governor 3/19/85 Effective 1/1/86
SUB HB 197	**Surplus Revenue Trust Fund** *Walker*	784(R) R	928	961(R)	961(R) V	961			961 Rejected by Senate 2/27/85
HB 198	**Reporting of Private Telecommunications Systems** *White*	415(R) R	679 BL-ED 736	881(R)	881(R) C.R.(a) A V	882	914 HC	914 2/27/85	Signed by Governor 3/16/85 Effective 4/29/85

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HB 199	**Telephone Corporation Definition** *LeBaron*	426(R) R	679 BL-ED 736	884(R)	884(R) C.R. V	884		884 2/27/85	Signed by Governor 3/16/85 Effective 4/29/85
HB 202	**Homeowner Association Corporate Tax** *Schmutz*	482(R) R	547 R-T 736	847(R)	847(R) C.R. V	848		848 2/26/85	Signed by Governor 3/16/85 Retro 1/1/85
HB 207	**Utah Technical College at Salt Lake Revenue Bonds** *Goodfellow*	608(R) R	870	913(R)	913(R) V	913		913 2/27/85	Signed by Governor 3/18/85 Effective 4/29/85
HB 210	**Unfair Competition in Ridesharing** *Bishop*	531 532(R) R	869	906(R)	906(R) A 909 A V	909	926 HC	926 2/27/85	Signed by Governor 3/19/85 Effective 4/29/85
HB 215	**Communications Fraud** *McKeachnie*	515(R) R	870	934(R)	934(R) C of W V	934		934 2/27/85	Signed by Governor 3/18/85 Effective 4/29/85
HB 216	**County Fiscal Year Budgeting** *Cromar*	769(R) R	815	887(R)	887(R) V			887 2/27/85	Signed by Governor 3/19/85 Effective 7/1/87
SUB HB 217	**Administrative Rulemaking Act** *Olsen*	682(R) R	824	833(R) V	874(R) V	874		874 2/27/85	Signed by Governor 3/18/85 Effective 4/29/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors *(Co-sponsors in House Journal)*	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
HB 218	**Child Custody Court Costs** *Merrill*	379(R) R	419 S.S. 579	777(R) C.R. V	825(R) V	825		825 2/26/85	Signed by Governor 3/16/85 Effective 4/29/85
SUB HB 219	**Real Estate Deficiency Judgements** *Jenkins*	482(R) R	815 894 R						966 SSEC 2/27/85
SUB HB 220	**Cosmetologists and Barbers** *Goodfellow*	682(R) R							966 SSEC 2/27/85
HB 225	**Education Joint Liaison Committee** *Moss*	682(R) R							967 SSEC 2/27/85
HB 227	**Notice of Buyer's Right to Cancel** *Tomlinson*	682(R) R	869	906(R)	906(R) 910 A V	910	926 HC	926 2/27/85 974	Became law without Governor's signature Effective 4/29/85
HB 238	**Retirement Participation Amendment** *Tomlinson*	665(R) R	815	891(R)	891(R) V	891		891 2/27/85	Signed by Governor 3/16/85 Effective 7/1/85
HB 240	**Home Energy Assistance Act Amendments** *Prunden*	719(R) R	815	894(R)	894(R) V	894		894 2/27/85 974	Became law without Governor's signature Effective 4/29/85
HB 241	**Clear Creek Canyon Appropriation** *Christensen*	719(R) R	824	830(R) C of W V	872(R) 877 V	877		877 2/27/85	Signed by Governor 3/16/85 Effective 7/1/85

No.	*(Check Reference Code on Page 44)* **Title and Sponsors** *(Co-sponsors in House Journal)*	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
HB 242	**Street Lighting Special Service Districts** *Walker*	682(R) R	928	956(R)	956(R) V	956		956 2/27/85	Signed by Governor 3/16/85 Effective 4/29/85
HB 244	**Post-Retirement Employment** *Jenkins*	555(R) R	870	966(R)	966(R) 980 A V	961			961 Rejected by Senate 2/27/85
HB 245	**Uniform Consumer Credit Code** *Walker*	515(R) R	636 BL-ED 736	884(R)	884(R) C.R. V	885		885 2/27/85	Signed by Governor 3/18/85 Effective 7/1/85
HB 246	**Department of Corrections Technical Amendments** *Karras*	785(R) R							966 SSEC 2/27/85
HB 247	**Department of Corrections Organization and Functions** *Karras*	496(R) R	528 S-LA 579	778 780(R) C.R. V	826(R) V	826		826 2/26/85	Signed by Governor 3/19/85 Effective 4/29/85
HB 248	**Department of Corrections - Organization and Function Technical Amendments** *Karras*	515(R) R	528 S-LA 579	778 781(R) C.R. V	827(R) V	827		827 2/26/85	Signed by Governor 3/19/85 Effective 4/29/85
HB 249	**Board of Pardons** *Karras*	516(R) R	528 S-LA 579	778 781(R) C.R. V	827(R) V	827		828 2/26/85	Signed by Governor 3/19/85 Effective 4/29/85
HB 250	**Youth Offenders Victim Restitution** *Walker*	769(R) R	927	952(R)	952(R) V	952		952 2/27/85	Signed by Governor 3/19/85 Effective 4/29/85

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HB 251	**Appropriations Act Distribution** *Merrill*	531 532(R) R							966 SSEC 2/27/85
HB 252	**Noncustodial Parent Visitation Rights**	591(R) R							966 SSEC 2/27/85
HB 254	**Confiscation and Forefeiture Amendments** *Sellerett*	620(R) R							966 SSEC 2/27/85
SUB HB 255	**Centers for Technological Excellence** *LeBaron*	701(R) R	815	887 894(R)	894(R) V	895		895 2/27/85	Signed by Governor 3/16/85 Effective 4/29/85
HB 264	**Terms of Office for County Commissioners** *Yardley*	769(R) R							966 SSEC 2/27/85
HB 265	**Improvement District Contracts** *Wharton*	665(R) R							966 SSEC 2/27/85
SUB HB 266	**Agricultural Code Civil Penalty Amendments** *Olsen*	590 591(R) R	679 E-NR, A 870	933(R)	933(R) V	934		934 2/27/85	Signed by Governor 3/16/85 Effective 7/1/85
SUB HB 272	**Governmental Immunity Act Correction** *McKechnie*	607(R) R							966 SSEC 2/27/85
SUB HB 274	**Mining Amendments** *Dwinnell*	636(R) R							967 SSEC 2/27/85
HB 275	**Second Injury Disability Benefits** *Tuttle*	770(R) R	870	932(R)	932(R) V	932		932 2/27/85	Signed by Governor 3/18/85 Effective 3/18/85

No.	*(Check Reference Code on Page 44)* **Title and Sponsors** *(Co-sponsors in House Journal)*	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
HB 276	**Amendments to OSHA** *Stephens*	636(R) R	928	955(R)	955(R) V	955		955 2/27/85	Signed by Governor 3/18/85 Effective 4/29/85
HB 277	**Zoning of Residential Facilities for Mentally Ill and Handicapped** *Frandsen*	784(R) (R)	869	906(R)	906(R) A V	907	926 Hc	926 2/27/85	Signed by Governor 3/16/85 Effective 4/29/85
HB 279	**Duties of Division of State History** *L. Knowlton*	770(R) R							967 SSEC 2/27/85
HB 280	**Election Contests** *Hunter*	770(R) R							966 SSEC 2/27/85
HB 283	**Utah Procurement Finance Authority** *Holt*	784(R) R	815	899(R) C of W V	946(R) A V	947	954 HC	954 2/27/85 974	Vetoed by Governor 3/19/85
SEC SUB HB 284	**Real Estate Amendments** *Bradford*	784(R) R	869	895(R)	895(R) V 917 A V	918	937 Hc	937 2/27/85	Signed by Governor 3/18/85 Effective 4/29/85
HB 285	**Amendments to Timeshare Sales Practices** *Bradford*	770(R) R	869	896(R)	896(R) V	896		896 2/27/85	Signed by Governor 3/13/85 Effective 4/29/85
HB 286	**Local Alcohol and Drug Authority** *Karras*	591(R) R	870	948(R)	948(R) V	948		948 2/27/85	Signed by Governor 3/16/85 Effective 3/16/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors *(Co-sponsors in House Journal)*	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
HB 288	**Railroad Special Agents** *F. Knowlton*	770(R) R	815	893(R)	893(R) V	893		893 2/27/85	Signed by Governor 3/19/85 Effective 4/29/85
HB 289	**Municipally Owned Water System Application Amendments** *Pace*	636(R) R	815	887 915(R)	915(R) SUB V	916	931 HC	931 2/27/85	Vetoed
HB 294	**Distribution of Legislative Publications** *Moss*	665(R) R	803	804(R)	804(R) A V	804	844 HC	844 2/26/85	Signed by Governor 3/16/85 Effective 7/1/85
HB 299	**Retirement Law Amendments** *Bishop*	783(R) R	870	935(R)	935(R) V	935		935 2/27/85	Signed by Governor 3/16/85 Effective 4/29/85
HB 302	**Powers of Towns** *Bishop*	784(R) R	949	949(R)	949(R) V	949		949 2/27/85	Signed by Governor 3/16/85 Effective 4/29/85
HB 307	**Interest Rates on Delinquent Taxes** *F. Knowlton*	784(R) R	815	851(R) 853 V	880(R) V	880	916 HA SC V	880 2/27/85 917 2/27/85	Signed by Governor 3/18/85 Effective 4/29/85
SUB HB 308	**Defense of Residence** *Sellers II*	666(R) R	928	959(R)	959(R) V	959		959 2/27/85	Became law without Governor's signature Effective 4/29/85
HB 309	**Expansion of Interstate Banking** *Garbett*	621(R) R	869	8895 924(R)	924(R) R				9661 SSEC 2/27/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors *(Co-sponsors in House Journal)*	Read (1)	Rules (S/Ring) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
HB 315	**Energy Conservation and Alternative Financing for State Buildings** *McKeachnie*	666(R) R	815	892(R)	892(R) V	893		893 2/27 85	Signed by Governor 3 18 85 Effective 4 29 85
HB 317	**Vehicle Size and Weight Regulation** *Warwick*	720(R) R	870	934(R)	934(R) C of W R				966 SSEC 2/27 85
HB 320	**Radio Telephone Exemption** *McKeachnie*	532(R) R	716 BLED 736	885(R)	885(R) C.R. C of W V	886		886 2/27 85 974	Became law without Governor's signature Effective 4 29 85
HB 328	**Property Tax Assessment Change** *F. Knowlton*	785(R) R	815	849(R)	849(R) V	849		849 2 26 85	Signed by Governor 3 18 85 Effective 1 1 86
HB 329	**Suspension of Driving Privileges** *Burningham*	785(R) R							966 SSEC 2/27/85
HB 330	**Committee on Water Pollution Amendments** *Schmutz*	636(R) R	927	953(R)	953(R) V	954		954 2 27 85	Signed by Governor 3 18 85 Effective 4/29 85
HB 333	**Municipal Building Authority Lease** *Knowlton*	682(R) R	870	944(R)	944(R) V	944		944 2/27 85	Signed by Governor 3/16 85 Effective 4/29 85
HB 338	**Annexation Law Amendments** *Cromar*	770(R) R							966 SSEC 2 27 85

No.	*(Check Reference Code on Page 44)* Title and Sponsors *(Co-sponsors in House Journal)*	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SUB HB 339	**Protection of Public Employees Act** *Johnson*	770(R) R	869	910(R)	910(R) A V	912	931 HC	931 2/27/85	Signed by Governor 3/19/85 Effective 3/19/85
SUB HB 340	**Utah Fireworks Act** *DeMann*	785(R) R							967 SSEC 2/27/85
SUB HB 341	**Vote Recount Costs** *Sykes*	701(R) R							967 SSEC 2/27/85
HB 356	**Tax Due Dates** *F. Knowlton*	770(R) R	815	850(R)	850(R) V	850		850 2/26/85	Signed by Governor 3/16/85 Effective 7/1/85
HB 357	**License Plate Mailing Costs** *LeBaron*	784(R) R	815	892 909(R)	909(R) V	909		909 2/27/85	Signed by Governor 3/16/85 Effective 7/1/85
HB 373	**Career Ladder - Extended Contract Days** *Garff*	770(R) R							967 SSEC 2/27/85
HB 382	**Detention of Juveniles in Law Enforcement Facilities** *Gundfelfor*	771(R) R	927	953(R)	953(R) V	953		953 2/27/85	Signed by Governor 3/16/85 Effective 4/29/85
HB 388	**Tax Increase Disclosure Act** *F. Knowlton*	785(R) R	815	850(R)	850(R) V	851		851 2/26/85	Signed by Governor 3/16/85 Effective 7/1/85
HB 392	**Motor Vehicle Seat Belt Usage** *Garff*	771(R) R	914	955 956					967 SSEC 2/27/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors *(Co-sponsors in House Journal)*	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
HB 397	**Division of Indian Affairs - Title to Property** *Adams*	785(R) R	815	891(R)	891(R) V	892		892 2/27/85	Signed by Governor 3 19 85 Effective 4 29 85
HB 404	**Property Tax Assessment Amendments** *F. Knowlton*	785(R) R	815	851(R)	851(R) V	851		851 2/26/85	Signed by Governor 3/16 85 Effective 3 16 85
HB 412	**Appropriations Acts** *Karras*	924(R)		924(R)	924(R) V	925		925 2/27/85 974	Became law without Governor's signature Effective 7 1 85
HB 413	**Capital Facilities** *F. Knowlton*	935(R)		935(R)	935(R) A V	935 957	953 HRC 957 A V 970 HC	970 2 27 85	Signed by Governor Governor 3 19 85 Effective 4 29 85
HB 414	**Appropriations Act** *Karras*	939(R)		939(R)	939(R) V	939		940 2/27 85	Signed by Governor 3 19 85 Effective 7 1 85

No.	*(Check Reference Code on Page 44)* Title and Sponsors *(Co-sponsors in House Journal)*	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
HJR 1	**Federal Reserve System Audit** *Dahl*	282(R) R	815	890(R)	890(R) V	890		890 2/27/85	
HJR 6	**Paul Thomas Resolution** *Allen*	186(R)		186(R)	186(R) V	187		187 1/18/85	
HJR 8	**Instruction in the Traits of Good Citizenship** *Wasden*	607(R) R							967 SSEC 2/27/85
HJR 9	**Purchasing Policies of Local School Districts** *Tomlinson*	636(R) R							967 SSEC 2/27/85
HJR 10	**Joint Rules Resolution** *Moss*	147(R) R	173	173(R) C of W 175 T 198 A A V	228 T 235(R) 243 T 250 A V	260 276 336	276 HRC SA SRR 281 Hc. Sc 334 JCCR HC. SC 364	364 1/31/85	
HJR 11	**High Frontier Nuclear Deterrent Resolution** *Stevens*	391(R) R							967 SSEC 2/27/85
HJR 12	**Victims Rights Resolution** *Kerrus*	591(R) R	961	962(R)	962(R) V	962		962 2/27/85	
HJR 13	**Federal Commission on Youth Suicide Prevention Resolution** *Stephens*	467(R) R							967 SSEC 2/27/85
HJR 14	**Park City Winter Olympics Resolution** *Brown*	348(R)		348(R)	348(R) C of W V	348		348 1/30/85	
HJR 15	**State Jurisdiction Over Speed Limit Resolution** *Tomlinson*	530 532(R) R							967 SSEC 2/27/85
HJR 17	**Presidential Line Item Veto Resolution** *Sellers*	580 581(R) R							967 SSEC 2/27/85

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HJR 17	**Presidential Line Item Veto Resolution** *Sellenrit*	590 591(R) R							967 SSEC 2/27/85
HJR 18	**Defense Jobs for Utah Resolution** *Garff*	466(R) R							967 SSEC 2/27/85
HJR 20	**World Cup Competition Resolution** *Brown*	471(R)		471(R)	471(R) V	471		471 2/8/85	
HJR 22	**Joseph Lemon Federal Commendation Resolution** *Wharton*	575(R)		575(R)	575(R) C of W V	575		575 2/14/85	
HJR 23	**Data Processing Study Committee Resolution** *Cromar*	682(R) R							967 SSEC 2/27/85
HJR 24	**Hiring Practices Resolution** *Dmitrich*	682(R) R							967 SSEC 2/27/85
HJR 27	**Jon M. Memmott Commendation** *Lewis*	682(R) R	914	948(R)	948(R) V	949		949 2/27/85	
HJR 28	**Sammam Farm Commendation** *Taylor*	700(R) R							967 SSEC 2/27/85
HJR 32	**Lee Rex Huntsman Resolution** *Christensen*	783(R) R							967 SSEC 2/27/85

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HCR 2	**Salt Lake City and County Building Restoration** *Richards*	681(R) R							967 SSEC 2/27/85
HCR 3	**Boy Scout Week Resolution** *Lewis*	333(R)		333(R)	333(R) V	334	1/30/85	334 Governor	Signed by 2 8 85
HCR 4	**Carl Hatfield Resolution** *James*	208(R)		208(R)	208(R) V	209		209 1 22/85	Signed by Governor 2/12/85
HCR 5	**Southern Utah Fuel Company Resolution** *Christensen*	370(R)		370(R)	370(R) V	370		370 1/31/85	Signed by Governor 2/8 85
HCR 6	**Arvo Van Alstyne Resolution** *Richards, Moss*	162(R)		162(R)	162(R) V	163		163 1/17/85	Signed by Governor 1 29 85
HCR 7	**President Reagan Inauguration Resolution** *Cromar*	197(R)		197(R)	197(R) V	197		198 1 21 85	Signed by Governor 2 12 85
HCR 8	**Intermountain Power Project Expansion Resolution** *Moody*	466(R) R	815	890(R)	890(R) V	891		891 2/27/85	Signed by Governor 3/16/85
HCR 9	**G. Homer Durham Resolution** *Moss*	402(R)		402(R)	402(R) V	402		402 2 4 85	Signed by Governor 2 18 85
HCR 10	**Utah's Grand Circle of the Southwest** *Yardley*	352(R)		352(R)	352(R) V	353		353 1/31/85	Signed by Governor 2/12/85
HCR 11	**Surface Mining Cooperative Agreement Resolution** *Dmitrich*	909(R) R	869	912(R)	912(R) V	912		912 2/27/85	Signed by Governor 3/16/85
HCR 12	**Wilberg Mine Disaster Resolution** *Christensen*	404(R)		404(R)	404(R) V	405		405 2 5 85	Signed by Governor 2 18 85

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HCR 13	**Mine Rescue Teams Commendation** *Dmitrich*	405(R)		405(R)	405(R) V	405		405 2/5/85	Signed by Governor 2/18/85
HCR 14	**Neil Dean Shearrer Resolution** *Sykes*	275(R)		275(R)	275(R) V	275		276 1/25/85	Signed by Governor 2/12/85
HCR 16	**Year of the Teacher Resolution** *Walker*	390(R) R	548	548(R) C.C.	592(R) V	593		593 2/18/85	Signed by Governor 3/11/85
HCR 17	**Wednesday's Child Resolution** *Tuttle*	427(R)		427(R)	427(R)	427		427 2/6/85	Signed by Governor 3/1/85
HCR 18	**Dan Lawrence Commendation** *Christensen*	513(R)		513(R)	513(R) V	513		513 2/12/85	769 Signed by Governor 2/22/85
HCR 19	**Grace Commission Resolution** *Tomlinson*	591(R) R							967 SSEC 2/27/85
HCR 20	**George E. Wahlen Commendation** *Karras*	690(R)		690(R)	690(R) V	691		691 2/21/85	Signed by Governor 3/16/85
HCR 22	**Reforms for Education Excellence Resolution** *Frandsen*	681(R) R							967 SSEC 2/27/85
HCR 23	**Utah Technology Finance Corporation Resolutions** *Richards*	681(R) R							967 SSEC 2/27/85
HCR 24	**General Motors Saturn Plant Resolution** *Moody*	620(R) R		673(R)	673(R) V	673		673 2/20/85	Signed by Governor 3/16/85
HCR 25	**Unitary Tax Resolution** *F. Knowlton*	785(R) R	823	852(R) A V	878(R) A V	879	914	914 2/27/85	Signed by Governor 3/16/85

No.	*(Check Reference Code on Page 44)* Title and Sponsors *(Co-sponsors in House Journal)*	Read (1)	Rules (Sitting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
HCR 26	**Ione Davis Resolution** *Bradshaw*	930(R)		930(R)	930(R) V	931		931 2/27/85	Signed by Governor 3/16/85

LEGISLATIVE SUMMARY

	Senate	House	Total
Number of Bills Introduced	292	414	706
Number of Bills Passed by Legislature	135	138	273
Number of Bills Invalidated		1	1
Number of Bills Vetoed by Governor		5	5
Number of Bills Vetoed and Overridden	—	—	—
Number of Bills Enacted into Law	135	132	267
Number of Joint Resolutions Introduced	18	32	50
Number of Concurrent Resolutions Introduced	7	26	33
Number of House or Senate Resolutions Introduced	3	2	5
Total Resolutions Introduced	28	60	88
Number of Joint Resolutions Passed	11	19	30
Number of Concurrent Resolutions Passed	6	7	13
Number of House or Senate Resolutions Passed	3	2	5
Total Resolutions Passed	20	28	48

PRAYERS

Third Special Session		
Sept. 5	Senator Bryce C. Flamm	3
Sept. 6	Senator Ivan M. Matheson	19
	Benediction	
	Senator Dona M. Wayment	42
Extraordinary Session		
Dec. 5	Senator Brent C. Overson	51
1985 General Session		
Day 1	Elder Dallin H. Oaks, Member of the Council of Twelve, Church of Jesus Christ of Latter Day Saints (printed)	67
Day 2	Senator E. Verl Asay	136
Day 3	Senator Haven J. Barlow	147
Day 4	Senator Brent C. Overson	162
Day 5	Lieutenant Governor W. Val Overson	176
Day 8	Patrick Houston, Legislative Aide	188
Day 9	Tom L. Allen, State Auditor	208
Day 10	Father John Headerman, Acting Chancellor of the Catholic Diocese, Salt Lake City, Utah	230
Day 11	Reverend Father Andrew H. Mahalares, Pastor Prophet Elias and Holy Trinity, Greek Orthodox Community of Salt Lake City, Utah	244
Day 12	Senator Lyle Hillyard	264
Day 15	Senator John P. Holmgren	281
Day 16	Senator Dona M. Wayment	300
Day 17	Reverend Donald H. Baird, Minister, First Presbyterian Church	333
Day 18	Senator Ivan M. Matheson	350
Day 19	John E. Brockert, Director of Vital Statistics, Department of Health	378
Day 22	Kendell Timothy, Assistant Sergeant at Arms—Senate	389
Day 23	Senator Richard J. Carling	404
Day 24	Reverend Anthony R. Auer, Pastor, Lutheran Church	426

Day 25	Senator Wilford R. Black, Jr.	440
Day 26	Reverend Willie Dunn, World Wide Gospel Church	460
Day 29	Senator Eldon A. Money	481
Day 30	Marion Wittwer, Fiscal Analyst	498
Day 31	Senator C.E. "Chuck" Peterson	530
Day 32	Senator Karl G. Swan	549
Day 33	Senator Wayne L. Sandberg	580
Day 34	Senator Fred W. Finlinson	589
Day 37	Goldon Barratt, Stake President, Sandy Hillcrest Stake, Church of Jesus Christ of Latter Day Saints	620
Day 38	Senator Dix H. McMullin	653
Day 39	Senator Darrell G. Renstrom	681
Day 40	Naaman Buckmiller, Bishop, Fairmont Ward, Granite Stake, Church of Jesus Christ of Latter Day Saints	718
Day 43	Senator Glade M. Sowards	768
Day 44	Senator Jack M. Bangerter	818
Day 45	Senator Lowell S. Peterson	871
	Benediction Miles "Cap" Ferry, Commissioner of Agriculture and former President Utah State Senate	972

COMMITTEES OF THE WHOLE (SPECIAL)

Barberi, Tom, KALL Radio 253
Bell, T.H., U.S. Secretary of Education 504
Benowitz, Nanette, League of Women Voters 185
Burningham, G. Leland, State Superintendent of Public Instruction 446
Christensen, Jan P. President, Sandy Chamber of Commerce 399
"Dinah Mites", Vernal Chamber of Commerce 289
Edwards, La Vell, Coach of BYU's football team 184
Emeneggar, Rex, Mayor, Brian Head Utah 382
Fairbanks, Madge, League of Women Voters 185
Hansen, James V., Congressman 586
Hatch, Orrin, Senator 578
Hester, Herschel G. 382
Hillis, Muriel, Right to Life 220
Holland, Jeffrey, President of Brigham Young University 184
Madsen, Robert, Mayor, Ogden, Utah 595
Monson, David S., Congressman 160
Nielsen, Howard C., Congressman 479
Sant, Melissa Oaks, Miss Wheelchair - Utah 783
Tippetts, J. Harold, Davis County Commissioner 277
Ure, Helen, Women's Legislative Council 446
Wilson, Ted, Mayor, Salt Lake City, Utah 383

JOURNAL INDEX

ADJOURNMENT SINE DIE
Third Special Session 42
Extraordinary Session 56
1985 General Session 972

APPOINTMENTS, to Senate
John M. Holmgren 70

APPOINTMENTS, Special Committee on
Senator C.E. "Chuck" Peterson 416

APPOINTMENTS, by Governor Norman Bangerter
Third Special Session 31-35
Extraordinary Session 55
1985 General Session 460, 940-944

APPROPRIATIONS COMMITTEES AND SUBCOMMITTEES 89-90

BILLS AND RESOLUTION
Reading of (Motions)
Third Special Session 6
1985 General Session 88, 882
Final Introduction 503
Enacting Clause Stricken 962, 963

CERTIFICATIONS
Third Special Session 2, 3, 41
Extraordinary Session 50, 52
1985 General Session 68, 69, 70

COMMITTEES OF THE WHOLE (SPECIAL) 978

CONGRESSIONAL DELEGATION 61

CONSTITUTION, Utah State, Legislative Department 66

CONVENE
Third Special Session 3
Extraordinary Session 51
1985 General Session 67

CONVENTIONS, JOINT
Third Special Session 7
Message, Governor Scott M. Matheson 7-12
1985 General Session 79, 141, 161

EMPLOYEES (SENATE)
1985 General Session 78, 128
Pictures 60
Extra Pay 971

GOVERNOR SCOTT M. MATHESON
Third Special Session Message 7-12
Communications from Governor 19, 22
Extraordinary Session
Communications from Governor 53, 54, 55

GOVERNOR NORMAN H. BANGERTER
1985 General Session
Remarks 79-88-972
Budget Message 161
Communications after Adjournment 973, 974

IMPEACHMENT PROVISIONS 66

INDEXES, PAGE (Reference Code ..... 44)
Third Special Session 43-48
1985 General Session
House Bills and Resolutions 1072-1100
Senate Bills and Resolutions 1023-1069

INDEX, SUBJECT 975-1021

JOINT CONVENTIONS 7-12, 79, 141, 161

JOINT RULES
Third Special Session 4-5
1985 General Session 77, 503

JOURNALS, DAILY AND CERTIFIED
Third Special Session 6
1985 General Session 78-971

LEADERSHIP, HOUSE AND SENATE
Third Special Session 5
1985 General Session 75
Majority Leader 75
Majority Whip 76
Minority Leader 77

PAGE INDEXES 44, 6, 88, 882

POSTING OF COLORS 68

PLEDGE OF ALLEGIANCE 68

PRAYERS 976-977

PRESIDENT OF SENATE, ARNOLD CHRISTENSEN
Election of 71
Picture and Message 59
Remarks 72-75

PROCLAMATIONS
Third Special Session 4
Extraordinary Session 51

READ AND REVISE JOURNALS 6, 78, 971

REFERENCE CODE (FOR PAGE INDEXES) 44

RULES OF THE SENATE 4, 5, 52, 77-78, 862, 867

SENATORS
Certifications 2-3, 41, 50, 52, 68, 69, 70
Pictures 62

STANDING COMMITTEES 88, 89

STATISTICAL INFORMATION, GENERAL SESSION 975

STATE OFFICIALS 61

SUBJECT INDEX, GENERAL SESSION
(All Senate and House Bills) 975-1021

SUPREME COURT 61
Remarks, Chief Justice Gordon R. Hall 141-146

VETO MESSAGES
(HB 95, 135, 190, 283 and 289)
Printed in the House Journal

P9. 1109

CERTIFICATION

The undersigned, as the duly appointed committee on revision of the Senate Journal for the Third Special Session of the Forty-Fifth Legislature of the State of Utah, do hereby certify that herein contained is a full, true and accurate record of the proceedings of the Third Special Session convening on Wednesday, September 5, 1984 at 10:15 a.m. and adjourning sine die on Thursday, September 6, 1984

Sophia C. Buckmiller
Secretary of the Senate

Joan B. Thomas
Administrative Assistant and Minute Clerk