STATE OF UTAH

SENATE JOURNAL

THIRD EXTRAORDINARY SESSION OF THE FORTY–EIGHTH LEGISLATURE

Monday, July 31, 1989

CERTIFICATION

The undersigned, as the duly appointed committee on revision of the Senate Journal for the Third Extraordinary Session of the Forty-Eighth Legislature of the State of Utah, do hereby certify that herein contained is an accurate record of the proceedings of the Third Extraordinary Session convening on Monday, July 31, 1989 and adjourning sine die on the same day at 1:30 p.m.

Sophia C. Buckmiller
Secretary of the Senate

Joan B. Thomas
Administrative Assistant, and
Minute Clerk

STATE OF UTAH

SENATE JOURNAL

THIRD EXTRAORDINARY SESSION

of the

FORTY–EIGHTH LEGISLATURE

AFTERNOON SESSION

Pursuant to the provisions of His Excellency, Governor Norman H. Bangerter, the Senate of the Forty–Eighty Legislature of the State of Utah met in the Senate Chamber at the State Capitol in the Third Extraordinary Session at 12:00 noon on July 31, 1989.

The Senate was called to order by President Arnold Christensen.

Prayer – Senator Paul T. Fordham

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

PROCLAMATION

WHEREAS, since the close of the General Session of the 48th Legislature of the State of Utah, certain matters have arisen which require immediate legislative attention: and

WHEREAS, Article VII, Section 6 of the Constitution of the State of Utah provides that the Governor may, by proclamation, convene the legislature in Extraordinary Session;

NOW, THEREFORE, I, NORMAN H. BANGERTER, Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and the Laws of the State of Utah, do by this Proclamation call the Senate only of the 48th Legislature of the State of Utah into a Third Extraordinary Session at the State Capitol at Salt Lake City, Utah, on the 31st day of July 1989, at 12:00 p.m., for the following purpose:

1. For the Senate to advise and consent to appointments made by the Governor to positions within the Executive and Judicial branches of the government of the state of Utah since the close of the General Session of the 48th Legislature of the State of Utah.

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

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol in Salt Lake City, Utah, this 11th day of July, 1989.

Norman H. Bangerter
Governor, State of Utah

W. Val Oveson
Lieutenant Governor, State of Utah

CERTIFICATION

I, W. VAL OVESON, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, do hereby certify that the attached copy of a proclamation issued under date of July 11, 1989 and signed by Governor Norman H. Bangerter, is a true and correct copy of the original proclamation calling the Senate only of the Forty–Eighth Legislature into a Third Extraordinary Session at the State Capitol in Salt Lake City, Utah on the 31st day of July 1989, at the hour of 12:00 p.m., for the purposes named in the proclamation.

I FURTHER CERTIFY that the membership of the Utah State Senate has not changed from that of the 1989 General Session of the Utah State Legislature.

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

Utah, this 11th day of July, 1989.

W. Val Oveson
Lieutenant Governor, State of Utah

David Hansen
Deputy Lieutenant

Roll Call – All Senators present except Senators Swan and Tempest, excused.

On motion of Senator Cary Peterson, the Senate voted to adopt the Senate Rules of the 1989 General Session of the Forty-Eighth Legislature as the rules for the Third Extraordinary Session.

President Christensen appointed a committee to wait upon the Governor, consisting of Senators C.E. Peterson, Rees and Bunnell. The committee was asked to advise the Governor that the Senate is convened in Third Extraordinary Session in accordance with his proclamation.

COMMUNICATION FROM THE GOVERNOR

President Christensen and Senate Members: July 31, 1989

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

HIGHER EDUCATION

State Board of Regents

Steven E. Snow reappointed to the State Board of Regents for a term expiring June 30, 1995. Section 53-48-5, Utah Code Annotated, 1953.

Paul Rogers reappointed to the State Board of Regents for a term expiring June 30, 1995. Section 53-48-5, Utah Code Annotated, 1953.

Dr. Jay Taggart appointed to the State Board of Regents replacing Frank Petty for a term expiring June 30, 1995. Section 53-48-5, Utah Code Annotated, 1953.

Aileen Clyde appointed to the State Board of Regents replacing Sue Marie Young for a term expiring June 30, 1995. Section 53-48-5, Utah Code Annotated, 1953.

Karen Huntsman appointed to the State Board of Regents replacing Elva M. Barnes for a term expiring June 30, 1995. Section 53-48-5, Utah Code Annotated, 1953.

Michael Leavitt appointed to the State Board of Regents replacing Eugene Hansen for a term expiring June 30, 1991. Section 53–48–5, Utah Code Annotated, 1953

Stephanie Jessen appointed to the State Board of Regents replacing Jacque Morgan for a term expiring June 30, 1990. Section 53–48–5, Utah Code Annotated, 1953.

Weber State College Institutional Council

Bryce C. Flamm reappointed to the Weber State College Institutional Council for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

Richard E. Meyers reappointed to the Weber State College Institutional Council for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

John Elias Ulibarri reappointed to the Weber State College Institutional Council for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

Carolyn Rich Nebeker reappointed to the Weber State College Institutional Council for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

Utah State University Institutional Council

Bonnie F. Nielsen reappointed to the Utah State University Institutional Council for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

Clark Ballard appointed to the Utah State University Institutional Council replacing C. Hardy Redd for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

Franklin D. Maughan, Jr. reappointed to the Utah State University Institutional Council for a term expiring June 30, 1993. Section 53–B–2–103, Utah Code Annotated, 1953.

James D. Laub appointed to the Utah State University Institutional Council replacing Reed M. Merril for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

University of Utah Institutional Council

Leonard Lewis reappointed to the University of Utah Institutional Council for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

Nancy K. Pace reappointed to the University of Utah Institutional Council for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

Cleone Eccles reappointed to the University of Utah Institutional Council for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

Reed Searle appointed to the University of Utah Institutional Council replacing W. Robert Wright for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

Snow College Institutional Council

Richard R. Olsen reappointed to the Snow College Institution Council for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

Alva Snow reappointed to the Snow College Institutional Council for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

Janet Greenhalgh reappointed to the Snow College Institutional Council for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

LaMar R. Monroe reappointed to the Snow College Institutional Council for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

Dixie College Institutional Council

Dale J. Lambert reappointed to the Dixie College institutional Council for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

Reed M. Gardner reappointed to the Dixie College Institutional Council for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

Betty Arial reappointed to the Dixie College institutional Council for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

LaMont Richards appointed to the Dixie College Institutional Council replacing Melvin Truman Bowler for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

College of Eastern Utah Institutional Council

Margaret Dayton reappointed to the College of Eastern Utah institutional Council for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

James T. Jensen reappointed to the College of Eastern Utah Institutional Council for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

Salt Lake Community College Institutional Council

Duane T. Johnson reappointed to the Salt Lake Community College Institutional Council for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

Mikel M. Boley reappointed to the Salt Lake Community College Institutional Council for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

Dr. Joan Burnside reappointed to the Salt Lake Community College Institutional Council for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

Val Finlayson appointed to the Salt Lake Community College Institutional Council replacing Frank Davis for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

Utah Valley Community College Institutional Council

Delance W. Squires reappointed to the Utah Valley Community College Institutional Council for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

Mary Anne Wood reappointed to the Utah Valley Community College Institutional Council for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

Alan Ashton reappointed to the Utah Valley Community College Institutional Council for a term expiring June 30, 1993.Utah Code Annotated, 1953.

Joseph Cannon appointed to the Utah Valley Community College Institutional Council replacing Charles Bates for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

Jay Weaver appointed to the Utah Valley Community College Institutional Council replacing Aileen Clyde for a term expiring June 30, 1991. Section 53B–2–103, Utah Code Annotated, 1953.

Southern Utah State College Institutional Council

David Jordan appointed to the Southern Utah State College Institutional Council replacing Michael O. Leavitt for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

James Hoyle reappointed to the Southern Utah State College Institutional Council for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

Lois Iverson reappointed to the Southern Utah State College Institutional Council for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

Hans Q. Chamberlain appointed to the Southern Utah State College Institutional Council replacing John W. Seaman for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

Lear Thorpe appointed to the Southern Utah State College Institutional Council replacing Donniel Horlacker for a term expiring June 30, 1991. Section 53B–2–103, Utah Code Annotated, 1953.

COMMUNITY AND ECONOMIC DEVELOPMENT

Board Of Travel Development

Kenneth Knight reappointed to the Board of Travel Development for a term expiring July 1, 1993 Section 63–16–2, Utah Code Annotated, 1953.

Barbara Fjelsted reappointed to the Board of Travel Development for a term expiring July 1, 1993. Section 63–16–2, Utah Code Annotated, 1953.

Board of Fine Arts

June Oaks appointed to the Board of Fine Arts replacing Anthony L. Rampton for a term expiring July 1, 1993. Section 64–2–4, Utah Code Annotated, 1953.

John Hart appointed to the Board of Fine Arts replacing Margaret Moar for a term expiring July 1, 1993. Section 64–4–2, Utah Code Annotated, 1953.

Doris Melich reappointed to Board of Fine Arts for a term expiring July 1, 1993. Section 64–2–4, Utah Code Annotated, 1953.

L'Deane Trueblood reappointed to the Board of Fine Arts for a term expiring July 1, 1993. Section 64–2–4, Utah Code Annotated, 1953.

Gaell Lindstrom appointed to the Board of Fine Arts replacing Valoy Eaton for a term expiring July 1, 1991. Section 64–2–4, Utah Code Annotated, 1953.

Board of Indian Affairs

Tom Lovell appointed to the Board of Indian Affairs replacing Dr. Thomas E Sawyer for a term expiring March 1, 1993. Section 63–63–2, Utah Code Annotated, 1953.

Worthy Glover appointed to the Board of Indian Affairs replacing William Redd for a term expiring March 1, 1993. Section 63–63–2, Utah Code Annotated, 1953.

Board of Expositions

Paul Taylor reappointed to the Board of Expositions for a term expiring March 1, 1993. Section 64–4–2, Utah Code Annotated, 1953.

George Merkley reappointed to the Board of Expositions for a term expiring March 1, 1993. Section 64–4–2, Utah Code Annotated, 1953.

Lee Jarvis appointed to the Board of Expositions replacing Doug Bischoff for a term expiring March 1, 1993. Section 64–4–2, Utah Code Annotated, 1953.

Pamela Turner appointed to the Board of Expositions filling a newly created position for a term expiring March 1, 1993. Section 64–4–2, Utah Code Annotated, 1953.

Gary Myrup appointed to the Board of Expositions filling a newly created position for a term expiring March 1, 1993. Section 64–4–2, Utah Code Annotated, 1953.

Board of State History

Jerry Wylie appointed to the Board of State History replacing Ellen Callister for a term expiring April 1, 1993. Section 63–18–4, Utah Code Annotated, 1953.

Boyd Blackner appointed to the Board of State History replacing Dr. Dan Jones for a term expiring April 1, 1993. Section 63–18–4, Utah Code Annotated, 1953.

COMMERCE

Utah Real Estate Commission

Beth Tolbert appointed to the Utah Real Estate Commission replacing Jerry Hawley for a term expiring June 30, 1992. Section 61-2-5.5, Utah Code Annotated, 1953.

CORRECTIONS

Board of Corrections

Dr. Bart Wolthius reappointed to the Board of Corrections for a term expiring April 1, 1991. Section 63-35-3,4 and 64-13-2,3, Utah Code Annotated, 1953.

Glen Howard reappointed to the Board of Corrections for a term expiring April 1, 1993. Section 65-35-3,4 and 64-13-2,3, Utah Code Annotated, 1953.

Roy L. Young reappointed to the Board of Corrections for a term expiring April 1, 1993. Section 65-35-3,4 and 64-13-2,3, Utah Code Annotated, 1953.

Rex Vance appointed to the Board of Corrections replacing Reverend Theodore Fields for a term expiring April 1, 1993. Section 63-35-3,4 and 64-13-2,3, Utah Code Annotated, 1953.

Art Allen appointed to the Board of Corrections replacing Leroy Axeland for a term expiring April 1, 1993. Section 63-35-3,4 and 64-13-2,3, Utah Code Annotated, 1953.

Susan Schildmeyer appointed to the Board of Corrections filling a newly created position for a term expiring April 1, 1991. Section 63-35-3,4 and 64-13-2,3, Utah Code Annotated, 1953.

Psychiatric Security Review Board

Ervin Skousen appointed to the Psychiatric Security Review Board filling a newly created position for a term expiring July 1, 1993. Section 77-14-5, Utah Code Annotated, 1953.

M. Dayle Jeffs appointed to the Psychiatric Security Review Board filling a newly created position for a term expiring July 1, 1991. Section 77-14-5, Utah Code Annotated, 1953.

Barbara R. Wheeler appointed to the Psychiatric Security Review Board filling a newly created position for a term expiring July 1, 1992. Section 77-14-5, Utah Code Annotated, 1953.

Dr. David Tomb appointed to the Psychiatric Security Review Board filling a newly created position for a term expiring July 1, 1992. Section 77–14–5, Utah Code Annotated, 1953.

Robert Saunders appointed to the Psychiatric Security Review Board filling a newly created position for a term expiring July 1, 1991. Section 77–14–5, Utah Code Annotated, 1953.

ADMINISTRATION

Workers Compensation Fund Board of Directors

Jed H. Pitcher reappointed to the Workers Compensation Fund Board of Directors for a term expiring June 30, 1993. Section 35–3–5, Utah Code Annotated, 1953.

Human Resources Advisory Committee

Ted Jeppson appointed to the Human Resources Advisory Committee replacing Kerma N. Jones for a term expiring June 30, 1992. Section 67–19–6.5, Utah Code Annotated, 1953.

Crime Victims' Reparation Board

LaDawn Prue reappointed to the Crime Victims' Reparations Board for a term expiring April 15, 1994. Section 63–63–4, Utah Code Annotated, 1953.

Jeffery Gabardi reappointed to the Crime Victims' Reparations Board for a term expiring April 15, 1994. Section 63–63–4, Utah Code Annotated, 1953.

Clair Poulsen appointed to the Crime Victims' Reparations Board replacing Darlene Robbins for a term expiring April 15, 1994. Sections 63–63–4, Utah Code Annotated, 1953.

AGRICULTURE

Pesticide Committee

Tom Munns reappointed to the Pesticide Committee for a term expiring May 11, 1993. Section 4–14–10, Utah Code Annotated, 1953.

Mark Holden appointed to the Pesticide Committee replacing Maureen Wilson for a term expiring May 11, 1993. Section 4–14–10, Utah Code Annotated, 1953.

Sherman Packer appointed to the Pesticide Committee replacing Robert Olsen for a term expiring May 11, 1993. Section 4–14–10, Utah Code Annotated, 1953.

FINANCIAL INSTITUTIONS

State Board of Financial Institutions

David Adams appointed to the State Board of Financial Institutions replacing Charles W. Sullivan for a term expiring July 1, 1993. Section 7–1–203, Utah Code Annotated, 1953.

Ken Peterson appointed to the State Board of Financial Institutions replacing Bud Cummings for a term expiring July 1, 1993. Section 7–1–203, Utah Code Annotated, 1953.

TRANSPORTATION

Transportation Commission

John Dunlop appointed to the Transportation Commission replacing R. Lavaun Cox for a term expiring April 1, 1995. Section 63–49–10, Utah Code Annotated, 1953.

Aeronautical Committee

Ernest Durbano reappointed to the Aeronautical Committee for a term expiring March 15, 1993. Section 2–1–2, Utah Code Annotated, 1953.

SOCIAL SERVICES

Board of Family Services

Donald Purser appointed to the Board of Family Services replacing Rosemarie Rendon for a term expiring April 1, 1993. Section 55–15B–4, Utah Code Annotated, 1953.

RETIREMENT

Utah State Retirement Board

Edgar A. Throndsen reappointed to the Utah State Retirement Board for a term expiring June 30, 1993. Section 49–1–202, Utah Code Annotated, 1953.

David R. Pingree, Jr. reappointed to the Utah State Retirement Board for a term expiring June 30, 1993. Section 49–1–202, Utah Code Annotated, 1953.

INDUSTRIAL COMMISSION

Industrial Commission of Utah

Dixie Minson appointed to the Industrial Commission of Utah replacing John Florez who resigned for a term expiring March 1, 1993. Section 35–1–1, Utah Code Annotated, 1953.

TAX COMMISSION

Utah State Tax Commission

Hal Hansen reappointed to the Utah State Tax Commission for a term expiring June 30, 1993. Section 59–1–201 Utah Code Annotated, 1953.

NATURAL RESOURCES

Board of Parks and Recreation

Sid Atkins reappointed to the Board of Parks and Recreation for a term expiring July 1, 1993. Section 63–11–14, Utah Code Annotated, 1953.

Blair Francis reappointed to the Board of Parks and Recreation for a term expiring July 1, 1993. Section 63–11–14, Utah Code Annotated, 1953.

Wendall H. McGarry reappointed to the Board of Parks and Recreation for a term expiring July 1, 1993. Section 63–11–14, Utah Code Annotated, 1953.

LaVorn G. Sparks reappointed to the Board of Parks and Recreation for a term expiring July 1, 1993. Section 63–11–14, Utah Code Annotated, 1953.

Wildlife Board

Jody Williams appointed to the Wildlife Board replacing Hugh H. Hogle for a term expiring March 1, 1993. Section 23–14–2, Utah Code Annotated, 1953.

Board of Oil, Gas, and Mining

Kent Stringham appointed to the Board of Oil, Gas, and Mining replacing Charles Henderson for a term expiring March 1, 1993. Section 40–6–4, Utah Code Annotated.

Central Utah Water Conservancy District Board of Directors

Terry Holzworth appointed to the Central Utah Water Conservancy District Board replacing Donald Spencer who resigned for a term expiring January 15, 1991. Section 73–9–9, 14, Utah Code Annotated, 1953.

Weber Basin Water Conservancy District Board

Steven Osguthorpe appointed to the Weber Basin Water Conservancy District Board replacing Dennis Wright for a term expiring June 30, 1993. Section 73–9–9, Utah Code Annotated, 1953.

George Burbidge reappointed to the Weber Basin Water Conservancy District Board for a term expiring June 30, 1993. Section 73–9–9, Utah Code Annotated, 1953.

Wayne Gibson reappointed to the Weber Basin Water Conservancy District Board for a term expiring June 30, 1993. Section 73–9–9, Utah Code Annotated, 1953.

Salt Lake Water Conservancy District Board

Gerald Maloney reappointed to the Salt Lake Water Conservancy District Boartd for a term expiring June 30, 1993. Section 73–9–9, Utah Code Annotated, 1953.

Val Finlayson reappointed to the Weber Basin Water Conservancy District Board for a term expiring June 30, 1993. Section 73–9–9, Utah Code Annotated, 1953.

Theron Hutchings appointed to the Salt Lake Water Conservancy District Board replacing Lee G. Wanlass for a term expiring June 30, 1993. Section 73–9–9, Utah Code Annotated, 1953.

Gary Swenson appointed to the Salt Lake Water Conservancy District Board replacing Kenneth Lindsay who resigned for a term expiring June 30, 1991. Section 73–9–9, Utah Code Annotated, 1953.

PUBLIC SAFETY

Commissioner of Public Safety

Douglas Bodrero reappointed as Commissioner of Public Safety for a term expiring July 1, 1993. Section 41–13–2, Utah Code Annotated, 1953.

Utah State Fire Prevention Board

Robert Stevenson appointed to the Utah State Fire Prevention Board replacing Richard Sharp for a term expiring June 30, 1995. Section 63–29–4, Utah Code Annotated, 1953.

HEALTH

Health Advisory Council

Victoria Garcia–Alarcon reappointed to the Health Advisory Council for a term expiring July 1, 1993. Section 26–1–7.5, Utah Code Annotated, 1953.

Emergency Medical Services

Dennis Montgomery appointed to the Emergency Medical Services Committee replacing Larry Dalton for a term expiring July 1, 1993. Section 26–1–7, and 26–8–3, Utah Code Annotated, 1953.

Ed Phillips reappointed to the Emergency Medical Services Committee for a term expiring July 1, 1993. Section 26–1–7 and 26–8–3, Utah Code Annotated, 1953.

Alton Moon reappointed to the Emergency Medical Services Committee for a term expiring July 1, 1993. Section 26–1–7 and 26–8–3, Utah Code Annotated, 1953.

Gary Lambert reappointed to the Emergency Medical Services Committee for a term expiring July 1, 1993. Section 26–1–7 and 26–8–3, Utah Code Annotated, 1953.

Brent Argyle appointed to the Emergency Medical Services Committee replacing Peter Pederson for a term expiring July 1, 1993. Section 26–1–7 and 26–8–3, Utah Code Annotated, 1953.

Danny Dever appointed to the Emergency Medical Services Committee replacing Jerry Lemmon for a term expiring July 1, 1993. Section 26–1–7 and 26–8–3, Utah Code Annotated, 1953.

Health Facilities Committee

Patricia Brown appointed to the Health Facilities Committee replacing Carolyn Smith for a term expiring July 1, 1993. Section 26–1–7 and 26–21–3, Utah Code Annotated, 1953.

D. Griffin Winn reappointed to the Health Facilities Committee for a term expiring July 1, 1993. Section 26–1–7 and 26–21–3, Utah Code Annotated, 1953.

Safe Drinking Water Committee

Mayor Joseph Jenkins reappointed to the Safe Drinking Water Committee for a term expiring May 8, 1993. Section 26–1–7 and 26–12–4, Utah Code Annotated, 1953.

Mayor Paul Jenkins reappointed to the Safe Drinking Water Committee for a term expiring May 8, 1993. Section 26–1–7 and 26–12–4, Utah Code Annotated, 1953.

Delores F. Rowland reappointed to the Safe Drinking Water Committee for a term expiring May 8, 1993. Section 26–1–7 and 26–12–4, Utah Code Annotated, 1953.

W. Lynn Cottrell reappointed to the Safe Drinking Water Committee for a term expiring May 8, 1993. Section 26–1–7 and 26–12–4, Utah Code Annotated, 1953.

Solid and Hazardous Waste Committee

Eugene Probst appointed to the Solid and Hazardous Waste Committee replacing Gerald Maloney for a term expiring May 8, 1993. Section 26–14b–4, Utah Code Annotated, 1953.

Joseph Urbanik reappointed to the Solid and Hazardous Waste Committee for a term expiring May 8, 1993. Section 26–14b–4, Utah Code Annotated, 1953.

Drew Hunter appointed to the Solid and Hazardous Waste Committee replacing Brian Buck for a term expiring May 8, 1993. Section 26–14b–4, Utah Code Annotated, 1953.

Thomas Mann appointed to the Solid and Hazardous Waste Committee replacing Lori Komatar for a term expiring May 8, 1993. Section 26–14b–4, Utah Code Annotated, 1953.

K.B. Semnani reappointed to the Solid and Hazardous Waste Committee for a term expiring May 8, 1993. Section 26–14b–4, 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, and

President Christensen and Senate Members: July 31, 1989

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

HIGHER EDUCATION

College of Eastern Utah Institutional Council

Mike Dalpiaz appointed to the College of Eastern Utah Institutional Council replacing Harold Behling for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

Manual Torres appointed to the College of Eastern Utah Institutional Council replacing Dr. Dennis Deaton for a term expiring June 30, 1993. Section 53B–2–103, Utah Code Annotated, 1953.

COMMUNITY AND ECONOMIC DEVELOPMENT

Board of Travel Development

Stephen W. Fishburn appointed to the Board of Travel Development replacing Jerry Eitner for a term expiring July 1, 1993. Section 63–16–2, Utah Code Annotated, 1953.

ADMINISTRATION

Commission of Uniform State Laws

Reed L. Martineau appointed to the Commission on Uniform State laws replacing Lionel Frankel for a term expiring July 1, 1995. Section 68–4–5, 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.

Norman H. Bangerter
Governor, State of Utah

Communications filed.

Senator Black objected to consideration of the four appointments submitted after the ten day notice requirements.

Senator Cary Peterson moved, under suspension of the rules, that the ten day statutory rule requiring Senate notification of appointments be waived and that the four additional appointments listed on the second communication be considered. President Christensen and Senator Cary Peterson voted aye, and Senator Black voted nay. The motion carried.

On motion of Senator Myrin, the Senate voted to consent to the appointments listed on the communications dated July 31, 1989 on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black (expl.)
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Pres. Christensen		

Absent or not voting were: Senators

Pace	Swan	Tempest

PRESENTATION OF RESOLUTION

Senator C.E. Peterson moved, under suspension of the rules, to introduce the following resolution.

UNIVERSITY OF UTAH SCHOOL OF MEDICINE RESOLUTION

S.R. No. 1 *C.E. Peterson, Haven J. Barlow, Paul T. Fordham, Richard B. Tempest, Omar B. Bunnell, Craig A. Peterson*

A RESOLUTION OF THE SENATE EXPRESSING DISAGREEMENT WITH PLANS TO CHANGE THE NAME OF THE UNIVERSITY OF UTAH SCHOOL OF MEDICINE TO THE "J.L. SORENSON SCHOOL OF MEDICINE"; AND REQUESTING THAT THE ORIGINAL NAME BE RETAINED.

The motion to introduce the resolution passed on the following roll call:

Yeas, 19; Nays, 7; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Farley	Finlinson	Fordham	Holmgren
Leavitt	McAllister	McMullin	Money
Nielsen	Peterson, C.E.	Peterson, Craig	Richards
Steele	Storey	Pres. Christensen	

Voting in the negative were: Senators

Black (exp.)	Carling	Cornaby	Hillyard (exp.)
Myrin	Peterson, Cary	Rees	

Absent or not voting were: Senators

Pace	Swan	Tempest

President Christensen read the constitutional provisions regarding a Call for an Extraordinary Session, and ruled that the decision to allow introduction of the resolution was not in order.

Senator Finlinson moved to appeal the President's ruling and to allow introduction of the resolution. Senators Cary Peterson, Barlow, Black, Barton and McMullin commented.

Richard Strong, Director of Legislative Research and General Counsel, spoke in Committee of the Whole. Senators Finlinson and Barton asked questions.

Senators C.E. Peterson, McAllister, Cary Peterson and Myrin commented.

Senator C.E. Peterson, withdrew the resolution from consideration. President Christensen declared that his ruling on the motion to introduce the resolution was moot, and Senator Finlinson withdrew his appeal of the President's ruling.

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

Senator C.E. Peterson advised members of the Senate that the committee had notified the Governor that the Senate has concluded its business and that the Governor has no further business to bring before the Senate.

On motion of Senator Cary Peterson, and at 1:30 p.m., the Senate adjourned sine die.

STATE OF UTAH

SENATE JOURNAL

SECOND SPECIAL SESSION
OF THE
FORTY–EIGHTH LEGISLATURE

Tuesday, September 19, 1989,
Wednesday, September 20, 1989, and
Thursday, September 21, 1989

CERTIFICATION

The undersigned, as the duly appointed committee on revision of the Senate Journal for the Second Special Session of the Forty-Eighth Legislature of the State of Utah, do hereby certify that herein contained is an accurate record of the proceedings of the Second Special Session convening at 10:00 a.m., Tuesday, September 19. 1989 and adjourning sine die on Thursday, September 21, 1989 at 1:15 p.m.

Sophia C. Buckmiller
Secretary of the Senate

Joan B. Thomas
Administrative Assistant, and
Minute Clerk

STATE OF UTAH

SENATE JOURNAL

SECOND SPECIAL SESSION

of the

FORTY-EIGHTH LEGISLATURE

FIRST DAY

MORNING SESSION

Pursuant to the proclamation by His Excellency, Governor Norman H. Bangerter, the Senate of the Forty-Eighth Legislature of the State of Utah met in the Senate Chamber at the State Capitol in Second Special Session at 10:00 a.m. on September 19, 1989.

The Senate was called to order by President Arnold Christensen.
Prayer – Senator Lane Beattie

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

CERTIFICATION

I, W. VAL OVESON, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of a Proclamation issued under date of August 17, 1989, and signed by Governor Norman H. Bangerter, is a true and correct copy of the original Proclamation calling the House and Senate of the 48th Legislature of the State of Utah into the Second Special Session at the State Capitol at Salt Lake City, Utah, on the 19th day of September, 1989, at 10:00 a.m., for the purpose named in the Proclamation.

I FURTHER CERTIFY THAT the membership of the Utah State Senate has not changed from that of the 1989 General Session of the Utah State Legislature.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great

Seal of the State of Utah. Done at the State Capitol in Salt Lake City, Utah, this 17th day of August 1989.

W. VAL OVESON
Lieutenant Governor

Communication filed.

PROCLAMATION

WHEREAS, since the adjournment of the 1989 General Session of the Forty–Eighth Legislature of the State of Utah, a matter has arisen which requires immediate legislative attention; and

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

NOW, THEREFORE, I, NORMAN H. BANGERTER, 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 48th Legislature of the State of Utah into the Second Special Session at the State Capitol at Salt Lake City, Utah, on the 19th day of September, 1989, 10:00 a.m., for the following purpose:

1. Reform retirement income taxation.
2. Decrease tax rates.
3. Provide changes in Utah's Medically Needy program to meet federal requirements.
4. Create a Winter Sports Authority and process for statewide voter approval.
5. Fund the Governor's Commission on the Status of Women.
6. Authorize disbursement of the Homeless Check–off funds.
7. Correct the Career Service Bill to restore the 10–day period for response to grievances.
8. Authorize up–front expenditure of Superfund monies for hazardous waste mitigation.
9. Commemorative/condolence resolutions.
10. And, to consider such other measures as may be brought to the attention of the legislature by supplemental communication from the Governor before or during the Special Session hereby called.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah, done at the State Capitol in Salt Lake City, Utah, this 17th day of August, 1989.

NORMAN H. BANGERTER
Governor

W. VAL OVESON
Lieutenant Governor

Communication filed.

* * *

Roll Call – All senators present.

Senator C.E. Peterson moved that the Senate Rules of the 1989 General Session of the Forty-Eighth Legislature be adopted as the rules for the Second Special Session. The motion carried.

Senator C.E. Peterson moved that the Joint Rules of the 1989 General Session of the Forty-Eighth Legislature be adopted as the rules for the Second Special Session. The motion carried.

President Christensen appointed a committee to wait upon the Governor, consisting of Senators Beattie, Holmgren, and Money to notify the Governor that the Senate is gathered in Second Special Session in accordance with his proclamation and that the Senate is organized and ready to receive any messages from him.

President Christensen appointed Senators Craig Peterson, Nielsen, and Swan to notify the House of Representatives that the Senate is organized and ready to do business.

President Arnold Christensen appointed Senators Beattie, Storey and Fordham to read and revise the Senate Journal for the Second Special Session.

A committee from the House of Representatives consisting of Representatives Bush, Holmes, and Jones appeared before the Senate and reported that the House is organized and ready to do business.

On motion of Senator C.E. Peterson, 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 all 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 Special Session, except as any individual senator may request the reading of the full title of any House or Senate bill or resolution.

Senator Beattie, Chairman of the Committee to notify the Governor, reported that His Excellency, Governor Norman H. Bangerter has been notified that the Senate is organized and ready to do business.

Senator Craig Peterson reported that his committee had notified the House of Representatives that the Senate is organized and ready to do business.

On motion of Senator Cary Peterson, the Senate voted to go into the Committee of the Whole to hear from Governor Bangerter.

GOVERNOR NORMAN H. BANGERTER REMARKS (SUMMARIZED)

Someone asked me if I could think of any reason we couldn't finish up today by 5 o'clock. I told him I could give him 104 reasons.

Let's give every issue all the time it deserves, but there is no reason to turn every item into a great debate.

Believe it or not, I have worked hard to limit the number of issues which will come before you during this special session. All of the items I placed on the call are there because I believe that we could not justify putting them off until January. Most of them involve issues which have been fully aired and debated. This is not to say that there is total consensus on every item, but rather to suggest that for the most part we already know where we agree and where we disagree.

So, let's not spend too much time revisiting discussions and disputes with which we are all acquainted. Let's get the issues to the floor, let's vote them up or down, let's compromise where we can, and let's go home.

Let me quickly summarize where I think we are:

I. Federal Retirement

1. This is the primary reason I called the special session.
2. It is the one issue which we must deal with before the end of the year.
3. The U.S. Supreme Court ruled that we can no longer treat federal retirees differently than state retirees.
4. There are several good proposals which have surfaced as you have discussed this issue among yourselves.
5. Rather than selecting one of these several alternatives, I would like to suggest some guidelines to you:

   First, you need to come up with a remedy which is effective. By this, I mean that it must satisfy the mandates of the Supreme Court decision which precipitated this session. Hopefully, you will find a way of doing this that does not invite another lawsuit from state employees.

   Second, your solution must be fair. There are some who suggest that all we need to do is to satisfy the Supreme Court is to exempt federal employees as well as state employees. I reject this approach. It is simply not right to create two classes of retirees in this state – those who had the good fortune to work for the government and those who didn't.

   Whatever you decide to do on this issue, please be fair to all retirees–regardless of where their retirement income comes from. Across the board, let's treat all retirees the same. Let's be fair to everyone.

   Finally, in shaping your solution to this complicated issue, remember that there are limits to how generous we can afford to be with this or any other group of taxpayers. The limit I suggest is in the neighborhood of 8 to 10 million dollars.

II. Tax Cut

1. My approach on this is simple, I want to be consistent. I believe that we owe it to the people to make a modest tax cut. And, I believe that we ought to cut taxes where we raised them – I am asking you to restore a greater portion of the federal deductibility.
2. There are a lot of other good reasons to make the tax cut in this area, but one of the most compelling is the impact that this tax cut would have on

our ability to attract new business to the state. We compete with several Western states which do not even have an income tax. On several occasions in recent months I have heard from tax executives that one of the serious barriers to locating their operation in the state is the heavy tax burden placed on our higher compensated executives. These are the people who in many cases make the decisions as to whether or not to come to Utah. I am convinced that if we can reduce this burden by restoring a greater percentage of federal deductibility we will be in a stronger position to expand our economic base and thereby reduce everyone's tax burden.

3. I know there are a lot of other alternatives being discussed. And, you need to know up front that I will accept any tax cut in the neighborhood of 20 million dollars. Please don't get carried away. If you think there is still room to cut taxes during the general session, we can take another look then. I just don't think it makes sense to cut anymore than 20 million dollars – an amount that virtually all of us agreed upon during the last general session – until we have a chance to take a closer look at the projected revenue and, just as important, existing needs.

5. I also believe we need to set aside some money for the extensive infrastructure needs facing the state.

And there is still the very real possibility that federal retirees may prevail in their lawsuit for retroactive tax relief – a liability which could be in excess of 80 million dollars.

Furthermore, we are all aware of the enormous pressures upon our system of higher education as our enrollments continue to increase. And there are other needs too. Social Services, Health and Transportation are just a few of the areas of state government with needs which increase as the state grows.

III. Sharon Steel Litigation

1. I am asking you to allow us to spend some of the superfund monies on litigation expenses to protect the state's interest in the Sharon Steel case. I am convinced that one of the main reasons that the EPA has temporarily – and I emphasize temporarily – backed off their commitment to leaving the tailings in Midvale is because we have placed this issue on the Special Session Agenda. Please, help us to show the EPA, as well as those who would pollute our environment, that we are very serious when it comes to protecting our natural resources.

IV. Olympics

1. We are all on record of supporting the Olympics.

2. Now it is time to let the people of Utah decide.

3. Everyone says we need to improve our image. We will never have a better vehicle than the Olympics, nor will we ever have a greater chance to set the state back should the referendum fail.

V. Health Care for the Needy

1. For nearly 18 years, Utah's Medically Needy Program, offered through Medicaid, has technically been out of compliance with federal law. Although federal administrators agree that Utah's program is better than the one required by federal regulations, Utah Legal Services has sued the state in federal court to force us into costly compliance, and they are likely to win. For this reason, I ask you to appropriate the $500,000 necessary to modify our information systems and to hire 18 additional staff in the Departments of Health and Social Services. I am not any happier about this than you are, in another context, I would love to take on Legal Services.

2. I am simply not willing to jeopardize the health needs of Utah's poor in order to prove a point. Sadly, Legal Services has demonstrated their willingness to do just that.

   We are continuing to push for some sort of federal relief from this useless burden. For this reason, I also ask that if you do make the appropriation, make the money available only as long as federal law requires it.

VI. Homeless Check-Off

   This is an easy one. When we established the voluntary income tax check-off for the homeless, we neglected to include the triggering mechanism necessary to allow the money to be spent.

VII. Governor's Commission on the Status of Women

1. I have high regard for the current membership of this Commission.

2. It is my Commission. I rely on them for advice on issues of concern to the women, children and families of this state.

3. Since I have been Governor, they have not been involved in a single controversial or inappropriate issue.

4. They are concerned primarily with the economic and educational challenges facing women in Utah. There is a wage disparity which

deserves attention; there are some chronic training needs for single heads of households which deserve attention, and there are young women who need to be encouraged to take math and science courses who deserve attention.

And yet, some would have you believe that the Commission on which I depend to help me in these areas does not deserve a $26,000 appropriation. This is not right.

VIII. New Jazz Arena

I will know for sure sometime this afternoon if we need to deal with this item during this session. It appears that the Salt Lake Redevelopment Agency will not be able to acquire the land necessary for the new arena in a timely manner unless we amend the Eminent Domain statute. I will communicate with you on this issue as soon as I have all the relevant information.

IX. Finally, there may be a need, during this session, to ratify the recent vote by Sandy City residents to withdraw from the Salt Lake Water Conservancy District. Again, I am awaiting further information on this issue before I ask you to deal with it. But, if all the interested parties in this process have worked out the details necessary to complete the transaction, legislation may be appropriate to protect both entities ability to bond.

X. I hope we will all cooperate as much as possible during the short time we will be together. I have avoided any hint of partisanship in assembling this list of items and trust that we can keep partisan differences to a minimum as we work quickly to complete our very full agenda.

INTRODUCTION OF BILLS

SUPPLEMENTAL APPROPRIATIONS ACT

S.B. No. 1 *Wilford R. Black*

AN ACT RELATING TO REVENUE AND TAXATION; DECREASING THE SALES TAX RATE; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 59-12-103, AS LAST AMENDED BY CHAPTER 41, LAWS OF UTAH 1989.

On motion of Senator Cary Peterson, under suspension of the rules, the bill was read the first time and placed on the Second Reading Calendar.

INCOME TAX - FEDERAL DEDUCTION

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

AN ACT RELATING TO REVENUE AND TAXATION; INCREASING THE FEDERAL INCOME TAX DEDUCTION; AND PROVIDING RETROSPECTIVE OPERATION.

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

AMENDS: 59-10-114, AS LAST AMENDED BY CHAPTERS 162 AND 236, LAWS OF UTAH 1989.

On motion of Senator Cary Peterson, under suspension of the rules, the bill was read the first time and placed on the Second Reading Calendar.

INCOME TAX - FEDERAL INCOME TAX DEDUCTIBILITY

S.B. No. 3 *William T. Barton*

AN ACT RELATING TO REVENUE AND TAXATION; INCREASING THE FEDERAL INCOME TAX DEDUCTIONS; AND PROVIDING RETROSPECTIVE OPERATION.

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

AMENDS: 59-10-114, AS LAST AMENDED BY CHAPTERS 162 AND 236, LAWS OF UTAH 1989.

On motion of Senator Cary Peterson, under suspension of the rules, the bill was read the first time and placed on the Second Reading Calendar.

INCOME TAX - FEDERAL DEDUCTION

S.B. No. 4 *Omar B. Bunnell*

AN ACT RELATING TO REVENUE AND TAXATION; ELIMINATING THE FEDERAL INCOME TAX DEDUCTION; AND PROVIDING RETROSPECTIVE OPERATION.

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

AMENDS: 59-10-114, AS LAST AMENDED BY CHAPTERS 162 AND 236, LAWS OF UTAH 1989.

On motion of Senator Cary Peterson, under suspension of the rules, the bill was read the first time and placed on the Second Reading Calendar.

SUPPLEMENTAL APPROPRIATIONS ACT

S.B. No. 5 *Lyle W. Hillyard*

AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 1989 AND ENDING JUNE 30, 1990 FOR THE USE AND SUPPORT OF CERTAIN STATE DEPARTMENTS AND AGENCIES OF STATE GOVERNMENT AND FOR OTHER PURPOSES AS IN THIS ACT PROVIDED; AND PROVIDING AN EFFECTIVE DATE.

On motion of Senator Cary Peterson, under suspension of the rules, the bill was read the first time and placed on the Second Reading Calendar.

CONTRIBUTION TO HOMELESS

S.B. No. 6 *John P. Holmgren*

AN ACT RELATING TO REVENUE AND TAXATION; MAKING TECHNICAL CORRECTIONS TO THE HOMELESS INCOME TAX CHECKOFF PROVISION; AND PROVIDING RETROSPECTIVE OPERATION.

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

AMENDS: 55-22-3, AS REPEALED AND REENACTED BY CHAPTER 123, LAWS OF UTAH 1988.

On motion of Senator Cary Peterson, under suspension of the rules, the bill was read the first time and placed on the Second Reading Calendar.

RETIREMENT EXEMPTION ELIMINATION

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

AN ACT RELATING TO PENSIONS AND REVENUE AND TAXATION; SUBJECTING PUBLIC EMPLOYEE PENSION AND RETIREMENT BENEFITS TO THE INDIVIDUAL INCOME TAX LAWS; AND PROVIDING FOR RETROSPECTIVE OPERATION.

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

AMENDS: 49-1-608, AS LAST AMENDED BY CHAPTER 81, LAWS OF UTAH 1989; 59-10-114, AS LAST AMENDED BY CHAPTERS 162 AND 236, LAWS OF UTAH 1989.

REPEALS: UNCODIFIED SECTION 2, CHAPTER 195, LAWS OF UTAH 1988.

On motion of Senator Cary Peterson, under suspension of the rules, the bill was read the first time and placed on the Second Reading Calendar.

RETIREMENT BENEFITS INCREASE

S.B. No. 8 *K.S. Cornaby*

AN ACT RELATING TO PENSIONS AND REVENUE AND TAXATION; PROVIDING AN INCREASE IN THE RETIREMENT ALLOWANCE OF PUBLIC EMPLOYEES; AND PROVIDING AN EFFECTIVE DATE.

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

ENACTS: 49–1–701, UTAH CODE ANNOTATED 1953.

On motion of Senator Cary Peterson, under suspension of the rules, the bill was read the first time and placed on the Second Reading Calendar.

INCOME TAX – RATES REDUCTION

S.B. No. 9 *K.S. Cornaby*

AN ACT RELATING TO REVENUE AND TAXATION; DECREASING THE INDIVIDUAL INCOME TAX RATES; AND PROVIDING RETROSPECTIVE OPERATION.

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

AMENDS: 59–10–104, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988 SECOND SPECIAL SESSION.

On motion of Senator Cary Peterson, under suspension of the rules, the bill was read the first time and placed on the Second Reading Calendar.

PRESENTATION OF RESOLUTIONS

JEREMY RANCH SHOOTOUT VOLUNTEERS

S.C.R. No. 1 *Dix H. McMullin*

A CONCURRENT RESOLUTION OF THE LEGISLATURE AND THE GOVERNOR COMMENDING THE SPONSORS AND VOLUNTEERS OF THE 1989 US WEST SHOWDOWN CLASSIC FOR THEIR SUPPORT AND TIRELESS EFFORTS TO ONCE AGAIN MAKE THE SENIOR PGA TOURNAMENT A TREMENDOUS STATE-WIDE AND REGIONAL SUCCESS.

On motion of Senator Cary Peterson, under suspension of the rules, the resolution was read the first time and placed on the Second Reading Calendar.

CONDOLENCE RESOLUTION FOR FORMER SENATOR KENDRICK H. HARWARD

S.C.R. No. 2 *Cary G. Peterson*

A CONCURRENT RESOLUTION OF THE LEGISLATURE EXPRESSING CONDOLENCES AT THE PASSING OF FORMER SENATOR KENDRICK H. HARWARD; AND ACKNOWLEDGING HIS YEARS OF SERVICE TO HIS COMMUNITY, TO HIS CHURCH, AND TO THE STATE OF UTAH.

On motion of Senator Cary Peterson, under suspension of the rules, the resolution was read the first time and placed on the Second Reading Calendar.

CONDOLENCE RESOLUTION HONORING WILLIAM RONALD DELIS

S.C.R. No. 3 *Alarik Myrin, Haven J. Barlow, William T. Barton Lane Beattie, Wilford R. Black, Jr., Omar B. Bunnell Richard J. Carling, Arnold Christensen, K.S. Cornaby, Frances Farley, Fred W. Finlinson, Paul T. Fordham, Lyle W. Hillyard, John P. Holmgren, Dixie L. Leavitt, LeRay McAllister, Dix H. McMullin, Eldon A. Money, Glade Nielsen, Lorin N. Pace, C.E. Peterson, Cary G. Peterson Craig A. Peterson, Stephen J. Rees, Winn L. Richards David H. Steele, Boyd K. Storey, Karl G. Swan, Richard B. Tempest*

A CONCURRENT RESOLUTION OF THE LEGISLATURE AND THE GOVERNOR EXPRESSING THEIR CONDOLENCE AT THE PASSING OF WILLIAM RONALD DELIS, FORMER ENGINEER FOR PLANNING AND PROGRAMMING IN THE UTAH DEPARTMENT OF TRANSPORTATION; AND ACKNOWLEDGING HIS OUTSTANDING PUBLIC SERVICE TO THE STATE OF UTAH.

On motion of Senator Cary Peterson, under suspension of the rules, the resolution was read the first time and placed on the Second Reading Calendar.

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On motion of Senator Cary Peterson, S.B. No. 9, was placed beneath S.B. No. 1 on Second Reading Calendar.

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On motion of Senator Cary Peterson and at 10:45 a.m. the Senate recessed for Republican Party Caucus. The Senate reassembled at 11:40 a.m.

* * *

On motion of Senator Cary Peterson, under suspension of the rules, S.B. No. 2, INCOME TAX – FEDERAL DEDUCTION, was placed at the top of Second Reading Calendar, read the second time, and explained by Senator Cornaby. Senators Black, Bunnell, Swan, Farley, Barton, and Pace commented.

On motion of Senator Cornaby, under suspension of the rules, the bill was read the third time and passed on the following roll call:

Yeas, 21; Nays, 7; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Carling
Cornaby	Finlinson	Hillyard	Holmgren
Leavitt	McMullin	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Steele	Storey	Tempest
Pres. Christensen			

Voting in the negative were: Senators

Black	Bunnell	Farley	Fordham
Money	Richards	Swan	

Absent or not voting were: Senators
McAllister

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

* * *

On motion of Senator Cary Peterson, S.B. No. 7 and S.B. No. 8 were placed at the top of Second Reading Calendar.

* * *

On motion of Senator Cornaby, under suspension of the rules, S.B. No. 7, RETIREMENT EXEMPTION ELIMINATION, was read the second and third times. Senators Bunnell, Cornaby, McMullin, and Nielsen commented. The bill passed on the following roll call:

Yeas, 21; Nays, 5; Absent, 3

Voting in the affirmative were: Senators

Barlow	Beattie	Bunnell	Carling
Cornaby	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McMullin	Myrin
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Steele	Storey	Swan
Pres. Christensen			

Voting in the negative were: Senators

Black	Farley	Money	Nielsen
Richards			

Absent or not voting were: Senators

Barton	McAllister	Tempest

* * *

On motion of Senator Cornaby, under suspension of the rules, S.B. No., 8, RETIREMENT BENEFITS INCREASE, was read the second and third times. Senators Cornaby, McMullin, and Pace commented.

* * *

On motion of Senator Farley, the Senate voted to allow her to change her vote on S.B. No. 7 from Nay to Yea. The final vote on S.B. No. 7 was:

Yeas, 22; Nays, 4; Absent, 3

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

* * *

S.B. No. 8, RETIREMENT BENEFITS INCREASE, was again before the Senate. Senators Hillyard, Leavitt, McMullin, Black, Swan, and Beattie commented. The bill passed on the following roll call:

Yeas, 23; Nays, 5 Absent, 1

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Comaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McMullin	Money	Myrin	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Steele
Storey	Swan	Pres. Christensen	

Voting in the negative were: Senators

Barton	Nielsen	Pace	Richards
Tempest			

Absent or not voting were: Senators
McAllister

Senator Cary Peterson, on behalf of all Senators, noted a possible conflict of interest because Senators are eligible for retirement benefits.

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

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On motion of Senator Cary Peterson and at 12:50 p.m. the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:30 p.m. with President Christensen presiding.

SECOND READING CALENDAR

On motion of Senator Cary Peterson, under suspension of the rules, S.C.R. No. 2, CONDOLENCE RESOLUTION FOR FORMER SENATOR KENDRICK H. HARWARD, 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	Barton	Beattie	Bunnell
Farley	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McMullin	Myrin
Nielsen	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Black	Carling	Cornaby	McAllister
Money	Pace		

S.C.R. No. 2, was transmitted to the House.

* * *

On motion of Senator McMullin, S.C.R. No. 1, RESOLUTION COMMENDING US WEST JEREMY RANCH SHOOTOUT VOLUNTEERS, was read the second time and circled.

* * *

On motion of Senator Myrin, under suspension of the rules, S.C.R. No. 3, CONDOLENCE RESOLUTION HONORING WILLIAM RONALD DELIS, was read the second and third time, and passed on the following roll call:

Yeas, 24 Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren

McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Leavitt	McAllister	Pace	Steele
Storey			

S.C.R. No. 3 was transmitted to the House.

PRESENTATION OF RESOLUTIONS

MEDICALLY NEEDY PROGRAM

S.J.R. No. 1 *John P. Holmgren*

A JOINT RESOLUTION OF THE LEGISLATURE DECLARING THAT IT CHOOSES NOT TO APPROPRIATE FUNDS FOR THE MEDICALLY NEEDY PROGRAM AT THIS TIME; AND ASKING CONGRESS TO CHANGE FEDERAL LAWS TO ALLOW UTAH TO OPERATE THIS PROGRAM AS IT IS NOW CONSTITUTED.

On motion of Senator Cary Peterson, under suspension of the rules, the bill was read the first time and placed at the top of Second Reading Calendar.

On motion of Senator Holmgren, under suspension of the rules, the resolution was read the second and third times. Senators Farley, Barlow, Tempest and Swan commented. The resolution passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Pres. Christensen			

Voting in the negative was: Senator
Barton

Absent or not voting were: Senators

McAllister	Pace	Tempest

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

* * *

On motion of Senator Cary Peterson, S.C.R. No. 1, RESOLUTION COMMENDING US WEST JEREMY RANCH SHOOT OUT VOLUNTEERS, was uncircled and read the third time.

On motion of Senator Cary peterson, the resolution was amended "SHOOTOUT" in title to "SHOWDOWN".

The resolution passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Pres. Christensen			

Absent or not voting were: Senators

Farley	McAllister	Pace	Tempest

S.C.R. No. 1, as amended, was transmitted to the House.

* * *

On motion of Senator Hillyard, under suspension of the rules, S.B. No. 5, SUPPLEMENTAL APPROPRIATIONS ACT, was read the second and third times. Senator Cary Peterson was presiding.

On motion of Senator Hillyard, the bill was amended as follows:

Page 2, Line 12:
After "Attorney General," insert "for the Sharon Steel site,"

Page 2, Line 21:
delete ":"

Page 2, Lines 26 and 27:
After "persons" insert "." and delete "at the Sharon Steel Site,"

Page 3, Line 5:
delete "242,000" and insert "300,000"

Page 3, Line 7:
delete "218,500" and insert "35,000"

Page 3, Line 13, 14, 15, 16:
delete "15,000" "133,000" "38,500" "119,000"

Senator Swan moved to delete Item 3 from the bill. Senators Hillyard and Finlinson commented. The motion failed.

Senator Storey moved to delete Item 1 "To Governor's Commission on the Status of Women From General Fund $25,200." Senators Nielsen, Black, Steele, Hillyard, Barton, Leavitt, Hillyard, Farley, and Myrin commented. Senator Storey withdrew his motion to amend.

Senator Storey moved the following amendment:

Page 1, Line 19:
After line 19 insert:
"It is the intent of the Legislature that the activities of the Commission focus its efforts on the concerns of women in both traditional and nontraditional roles."

The motion passed.

Senator Barton moved to delete the funding for the Governor's Commission on the Status of Women. The motion failed on a voice vote.

The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Comaby	Farley
Finlinson	Fordham	Hillyard	Holmgren

Leavitt	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator McAllister

S.B. No. 5, as amended, was transmitted to the House.

COMMUNICATIONS FROM HOUSE

Mr. President: September 19, 1989

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 16**, ELECTION PROCESS FOR STATE WIDE PUBLIC OPINION, by Representative Karras, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Christensen, under suspension of the rules, **H.B. No. 16**, 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Fordham	Hillyard
Holmgren	Leavitt	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Cornaby	Farley	Finlinson	McAllister

H.B. No. 16, was signed by the President of the Senate in open session and returned to the House.

* * *

Mr. President: September 19, 1989

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, H.B. No. 19, UTAH SPORTS AUTHORITY, by Representative Karras, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Christensen, under suspension of the rules, H.B. No. 19, was read the first, second and third times. Senator C.E. Peterson commented.

On motion of Senator Leavitt, the bill was amended as follows:

Page 18, Line 18:
delete "or without"

Senators Craig Peterson and Leavitt commented. The bill passed as follows:

Yeas, 26; Nays, 1; Absent, 2

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt (exp.)
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Pres. Christensen		

Voting in the negative were: Senators
Tempest

Absent or not voting were: Senators
Barton McAllister

Senators Leavitt and Tempest commented. H.B. No. 19, as amended, was returned to the House.

* * *

Mr. President: September 19, 1989

I am directed to inform the Senate that the House of Representatives has this day passed H.B. No. 12, CAREER SERVICE AMENDMENTS, by Representative Bishop, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator McMullin H.B. No. 12 was read the first time and placed on Second Reading Calendar.

* * *

Mr. President: September 19, 1989

I am directed to inform the Senate that the House of Representatives has this day passed H.B. No. 18, INCOME TAX–RATES REDUCTION by Representative H. Craig Moody, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Cary Peterson, under suspension of the rules, H.B. No. 18 was read the first time, placed on Second Reading Calendar, and read the second time. Senators Black and Bunnell commented.

On motion of Senator Cornaby, the following substitute bill replaced H.B. No. 18:

INCOME TAX – FEDERAL DEDUCTION

Senate Substitute H.B. No. 18

AN ACT RELATING TO REVENUE AND TAXATION; INCREASING THE FEDERAL INCOME TAX DEDUCTION; AND PROVIDING RETROSPECTIVE OPERATION.

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

AMENDS: 59–10–114, AS LAST AMENDED BY CHAPTERS 162 AND 236, LAWS OF UTAH 1989.

MANAGEMENT AND FISCAL ANALYSIS

H.B. No. 18
Second Substitute

It is estimated that increasing the federal income tax deduction as proposed by this bill will reduce revenue to the Uniform School Fund by $28,500,000 in FY 1990 and by $22,000,000 in FY 1991.

Office of the Legislative Fiscal Analyst

On motion of Senator Cary Peterson, the Senate voted to read the bill for the third time on the following roll call:

Yeas, 21; Nays, 7; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Carling
Cornaby	Finlinson	Hillyard	Holmgren
Leavitt	McMullin	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Steele	Storey	Tempest
Pres. Christensen			

Voting in the negative were: Senators

Black	Bunnell	Farley	Fordham
Money	Richards	Swan	

Absent or not voting was: Senator
McAllister

Senate Substitute H.B. No. 18, passed on the following roll call:

Yeas, 21; Nays, 7; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Carling
Cornaby	Finlinson	Hillyard	Holmgren
Leavitt	McMullin	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Steele	Storey	Tempest
Pres. Christensen			

Voting in the negative was: Senator

Black	Bunnell	Farley	Fordham
Money	Richards	Swan	

Absent or not voting were: Senators
McAllister

Senate Substitute H.B. No. 18, was returned to the House.

COMMUNICATIONS FROM HOUSE

Mr. President: September 19, 1989

I am directed to inform the Senate that the House of Representatives has this day passed S.J.R. No. 1, MEDICALLY NEEDY PROGRAM, by Senator Holmgren, 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, Chief Clerk

S.J.R. No. 1 was signed by the President of the Senate in open session and referred to Rules Committee to be enrolled and transmitted to the Lt. Governor.

* * *

Mr. President: September 19, 1989

I am directed to inform the Senate that the House of Representatives has this day passed S.C.R. No. 2, CONDOLENCE RESOLUTION FOR FORMER SENATOR KENDRICK H. HARWARD, 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 passed S.C.R. No. 3, CONDOLENCE RESOLUTION HONORING WILLIAM RONALD DELIS, by Senator Myrin, 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. 1, RESOLUTION COMMENDING US WEST JEREMY RANCH SHOWDOWN VOLUNTEERS, by Senator McMullin, which as been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Chief Clerk

S.C.R. No. 2, S.C.R. No. 3 and S.C.R. No. 1 were signed by the President of the Senate in open session and referred to Rules Committee to be enrolled and transmitted to the Governor;

SECOND READING CALENDAR

On motion of Senator Cary Peterson, under suspension of the rules, H.B. No. 12, CAREER SERVICE AMENDMENTS, 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

Barlow	Beattie	Carling	Cornaby
Farley	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McMullin	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Barton	Black	Bunnell	McAllister
Money			

H.B. No. 12 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator McMullin S.B. No. 1, S.B. No. 3, S.B. No. 4 and S.B. No. 6 were placed on the Second Reading Table.

* * *

On motion of Senator Cary Peterson S.B. No. 9 was circled.

* *

On motion of Senator Cary Peterson, and at 4:20 p.m. the Senate recessed. The Senate reassembled at 5:15 p.m.

COMMUNICATIONS FROM HOUSE

Mr. President: September 19, 1989

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 1**, RESOLUTION HONORING CENTRAL CITY ALL–STARS, by Representative Davis, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Cary Peterson, under suspension of the rules, **H.C.R. No. 1** was read the first, second and third times and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator
McAllister

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

* * *

Mr. President: September 19, 1989

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 18**, INCOME TAX–FEDERAL DEDUCTION, by Representative H. Craig Moody, and request the Senate to recede from its amendments.

Carole E. Peterson, Chief Clerk

On motion of Senator Cornaby the Senate refused to recede from its amendments.

President Christensen appointed a Conference Committee consisting of Senators McMullin, Cornaby, and Fordham.

* * *

Mr. President: September 19, 1989

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. 19, UTAH SPORTS AUTHORITY, by Representative Karras, et al, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Chief Clerk

H.B. No. 19 was signed by the President of the Senate in open session and returned to the House.

* * *

Mr. President: September 19, 1989

I am directed to inform the Senate that the House of Representatives has this day passed H.C.R. No. 2, RESOLUTION DIRECTING WINTER OLYMPICS OPINION POLL, by Representative Karras, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

Senator Cary Peterson was presiding. On motion of Senator Christensen, under suspension of the rules, H.C.R. No. 2, was read the first, second, and third times. Senator Barton moved the following amendments.

Page 3, Line 2:
After "Games" insert "in 1991"

Page 3, Line 4:
After "rates" insert ", which is projected to be approximately $55 million over a ten–year period,"

Page 3, Line 9:
After "adequate" insert ", but also realizing that revenues may not be adequate"

Page 3, Line 13:
After line 13 insert:
"6. If at any time any additional money is requested from tax sources, it must also be approved on a ballot question."

Page 3, Line 14:
Delete "6." and insert "7."

Page 3, Line 17:
After "following" delete "question" and insert "questions"

Senators Christensen and Swan commented. The motion to amend failed in a voice vote. Senators Nielsen and Farley commented.

Senator Barton moved the following amendment:

Page 3, Line 18:
Delete "?" and insert "including the use and repayment of public funds as explained above."

The motion failed on a voice vote.

Senator Pace commented. The resolution passed on the following roll call:

Yeas, 23; Nays, 3; Absent, 3

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Carling
Farley	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McMullin	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Pres. Christensen	

Voting in the negative were: Senators

Barton	Money	Tempest

Absent or not voting were: Senators

Bunnell	Cornaby	McAllister

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

* * *

On motion of Senator Christensen and at 5:55 p.m. the Senate adjourned until 9:00 a.m., Wednesday, September 20, 1989.

STATE OF UTAH

SENATE JOURNAL

SECOND SPECIAL SESSION

of the

FORTY-EIGHTH LEGISLATURE

SECOND DAY

MORNING SESSION

The Senate was called to order at 9:00 a.m. with President Arnold Christensen presiding.

Roll Call – All senators present.
Prayer – Senator Boyd K. Storey

COMMUNICATION FROM THE GOVERNOR

Dear Speaker Karras and President Christensen: September 19, 1989

This is to inform you that on September 19, 1989, I signed into law H.B. No. 16, ELECTION PROCESS FOR STATEWIDE PUBLIC OPINION, and have forwarded it to the Lieutenant Governor for filing.

Norman H. Bangerter
Governor

Communications filed.

DAILY SENATE JOURNAL

Mr. President: September 20, 1989

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the Journal for the First day and find it correct with minor amendments noted on the final copy.

Lane Beattie,
Committee member

Committee report read and adopted.

COMMUNICATIONS FROM HOUSE

Mr. President: September 19, 1989

I am directed to inform the Senate that the Speaker of the House has this day appointed a Conference Committee consisting of Representatives H. Craig Moody, Glen E. Brown, and Brent H. Goodfellow to act with a like Committee from the Senate to consider or amend SUBSTITUTE H.B. No. 18, INCOME TAX - FEDERAL DEDUCTION, by Representative H. Craig Moody.

Carole E. Peterson, Chief Clerk

Communication filed.

* * *

Mr. President: September 19, 1989

I am directed to inform the Senate that the House of Representatives has this day passed H.J.R. No. 1, RESOLUTION HONORING STEVE LESTER, by Representative Tuttle, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Cary Peterson, under suspension of the rules H.J.R. No. 1 was read the first time, placed on Second Reading Calendar, and circled.

* * *

Senator Black moved to lift S.B. No. 1 from Second Reading Table. The motion failed on a voice vote.

* * *

The Senate recessed at 9:10 a.m., and reassembled at 11:55 a.m.

COMMUNICATION FROM THE GOVERNOR

Dear President Christensen: September 20, 1989

Pursuant to Paragraph 10 of the Executive Proclamation calling the 1989 Second Special Session, I am adding the following item to the call.

1. To consider conditions for removal of a municipality from a water conservancy district, and

Dear President Christensen:

Pursuant to Paragraph 10 of the Executive Proclamation calling the 1989 Second Special Session, I am adding the following item to the call:

1. To consider resolution urging Congress to equalize rural and urban hospital Medicare reimbursement.

Norman H. Bangerter
Governor

Communications filed.

SECOND READING CALENDAR

On motion of Senator Carling, under suspension of the rules, H.J.R. No. 1, RESOLUTION HONORING STEVE LESTER, was uncircled, 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Comaby	Farley
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Finlinson Money

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

PRESENTATION OF RESOLUTIONS

RESOLUTION URGING CONGRESS TO ELIMINATE DIFFERENCES BETWEEN URBAN AND RURAL MEDICARE REIMBURSEMENT

S.C.R. No. 4 *Cary Peterson, Stephn J. Rees*

A CONCURRENT RESOLUTION OF THE LEGISLATURE AND THE GOVERNOR URGING CONGRESS TO ELIMINATE DIFFERENCES BETWEEN URBAN AND RURAL MEDICARE REIMBURSEMENT.

On motion of Senator Cary Peterson, under suspension of the rules, the resolution was read the first, second, and third times and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator Finlinson

S.C.R. No. 4 was transmitted to the House.

* * *

On motion of Senator Cary Peterson and at 12:05 p.m., the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 4:10 p.m. with President Christensen presiding.

COMMUNICATION FROM THE GOVERNOR

Dear President Christensen: September 20, 1989

Pursuant to Paragraph 10 of the Executive Proclamation calling the 1989 Second Special Session, I am adding the following item to the call:

1. A Senate resolution regarding the Central Utah Project to support the completion of the project.

Norman H. Bangerter, Governor

Communication filed.

COMMUNICATIONS FROM HOUSE

Mr. President: September 20, 1989

I am directed to inform the Senate that the House of Representatives has this day passed S.C.R. No. 4, RESOLUTION URGING CONGRESS TO ELIMINATE DIFFERENCES BETWEEN URBAN AND RURAL MEDICARE REIMBURSEMENT, by Senator Cary 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, Chief Clerk

S.C.R. No. 4 was signed by the President of the Senate in open session, and referred to Rules Committee to be enrolled and transmitted to the Governor.

* * *

Mr. President: September 20, 1989

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 5 SUPPLEMENTAL APPROPRIATIONS ACT, by Senator lyle 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, Chief Clerk

S.B. No. 5 was signed by the President of the Senate in open session, and referred to Rules Committee to be enrolled and transmitted to the Governor.

JOINT CONFERENCE COMMITTEE REPORT

Mr. President: September 20, 1989

The Joint Conference Committee, comprised of Senators McMulllin, Cornaby and Fordham and Representatives Moody, Brown and Goodfellow, to which was referred SENATE SUB. H.B. No. 18, INCOME TAX–FEDERAL DEDUCTION, by Representative Craig Moody, reports the bill back as follows:

The SENATE SUB. H.B. No. 18 be passed at 50% federal deduction of 21 million dollars in tax relief and 2% rate reduction (approximately 14 million) with a vote of 5 to 1 with Representative Goodfellow opposed.

Dix H. McMullin, Chairman
H. Craig Moody, Chairman

Senator McMullin moved adoption of the Joint Conference Committee Report. Senator Swan commented. The motion passed on the following roll call:

Yeas, 19; Nays, 8; Absent, 2

Voting in the affirmative were: Senators

Barton	Beattie	Carling	Cornaby
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Myrin
Nielsen	Peterson, C.E.	Peterson, Cary	Richards
Storey	Tempest	Pres. Christensen	

Voting in the negative were: Senators

Barlow	Black	Bunnell	Money
Peterson, Craig	Rees	Steele	Swan

Absent or not voting were: Senators

Farley	Pace

SENATE SUB. H.B. No. 18 passed on the following roll call:

Yeas, 20; Nays, 7; Absent, 2

Voting in the affirmative were: Senators

Barton (exp.)	Beattie	Carling	Cornaby
Finlinson	Fordham	Hillyard (exp.)	Holmgren
Leavitt (exp.)	McAllister	McMullin	Myrin
Nielsen	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Richards	Storey	Tempest	Pres. Christensen

Voting in the negative were: Senators

Barlow (exp.)	Black (exp.)	Bunnell	Money
Rees	Steele	Swan (exp.)	

Absent or not voting were: Senators

Farley	Pace

* * *

On motion of Senator Cary Peterson and at 4:30 p.m. the Senate recessed. The Senate reassembled at 5:20 p.m.

* * *

On motion of Senator Cary Peterson, there was a Call of the Senate.

JOINT CONFERENCE COMMITTEE MINORITY REPORT
(SENATE SUB. H.B. No. 18, INCOME TAX–FEDERAL DEDUCTION)

Mr. President and Mr. Speaker: September 20, 1989

The Joint Conference Committee, comprised of Senators McMullin, Cornaby, and Fordham and Representatives Moody, Brown, and Goodfellow, to which was referred SENATE SUB. H.B. No. 18, INCOME TAX–FEDERAL DEDUCTION, by Representative Craig Moody, gives the following Conference Committee Minority Report:

That SUB. H.B. No. 18 be passed to spread/increase each existing tax bracket from $1500 to $2000, thus making the top bracket begin at $10,000. The total cost of the proposal being $24 million.

Brent H. Goodfellow,
House Committee Member

Committee Minority Report was not adopted.

SECOND JOINT CONFERENCE COMMITTEE REPORT

Mr. Pressident and Mr. Speaker: September 20, 1989

The Joint Conference Committee, comprised of Senators McMullin, Cornaby and Fordham and Representatives Moody, Brown, and Goodfellow, to which was referred SENATE SUB. H.B. No. 18, INCOME TAX – FEDERAL DEDUCTION, by Representative H. Craig Moody, reports the bill back as follows:

That 2nd SUB. H.B. No. 18 be adopted with a vote of 5 to 1 with Representative Goodfellow opposed.

Dix H. McMullin, Chairman
H. Craig Moody, Chairman

Senator McMullin moved adoption of the Second Joint Conference Committee Report. The motion passed.

2nd SUB. H.B. No. 18 passed on the following roll call:

Yeas, 19; Nays, 7; Absent, 3

Voting in the affirmative were: Senators

Barton	Beattie	Cornaby	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Myrin	Nielsen

Peterson, C.E.	Peterson, Cary	Peterson, Craig	Richards
Storey	Tempest	Pres. Christensen	

Voting in the negative were: Senators

Black	Bunnell	Farley	Money
Rees	Steele	Swan	

Absent or not voting were: Senators

Barlow	Carling	Pace

2nd SUB. H.B. No. 18 was transmitted to the House.

PRESENTATION OF RESOLUTIONS

THE CENTRAL UTAH PROJECT RESOLUTION

S.R. No. 1 *Cary G. Peterson*

A RESOLUTION OF THE SENATE RECOGNIZING THE NEED FOR THE EXPEDITIOUS COMPLETION OF THE CENTRAL UTAH PROJECT; SUPPORTING THE COMPLETION OF THE PROJECT, IN PARTICULAR ITS IRRIGATION AND DRAINAGE SYSTEM; AND ENCOURAGING CONGRESS TO SUPPORT CONTINUED.

On motion of Senator Cary Peterson, under suspension of the rules, the bill was read the first, second, and third times.

Senator Cary Peterson explained the bill. Senators C.E. Peterson, Holmgren, Swan, Rees, and Farley commented. The bill passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Cornaby	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Voting in the negative was: Senator
Farley

Absent or not voting were: Senators
Carling Pace

S.R. No. 1 was signed by the President of the Senate in open session, referred to Rules Committee to be enrolled and transmitted to the Lt. Governor.

INTRODUCTION OF BILLS

WATER CONSERVANCY DISTRICT AMENDMENT

S.B. No. 10 *Dix H. McMullin*

AN ACT RELATING TO WATER CONSERVANCY DISTRICTS; ESTABLISHING REQUIREMENTS FOR DISTRICT COURT JURISDICTION AND ORDERS IN REMOVAL PROCEEDINGS; PROVIDING A REPEALER; AND PROVIDING AN EFFECTIVE DATE.

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

ENACTS: 73–9–36.5, UTAH CODE ANNOTATED 1953.

On motion of Senator Cary Peterson, under suspension of the rules, the bill was read the first time, placed on Second Reading Calendar, and circled.

* * *

On motion of Senator Cary Peterson the Senate recessed at 6:00 p.m. and reassembled at 10:43 p.m.

* * *

Senator Black moved to lift S.B. No. 1 from Second Reading Table. The motion failed.

* * *

S.B. No. 10, being circled as the Senate adjourned, was placed on Second Reading Table.

* * *

On motion of Senator Cary Peterson and at 10:50 p.m., the Senate adjourned until 9:00 a.m. Thursday, September 21, 1989.

STATE OF UTAH

SENATE JOURNAL

SECOND SPECIAL SESSION

of the

FORTY–EIGHTH LEGISLATURE

THIRD DAY

MORNING SESSION

The Senate was called to order at 9:00 a.m. with President Arnold Christensen presiding.

Prayer – Senator Dixie Leavitt

Roll Call – All senators present except Senators Tempest and Richards, excused.

COMMUNICATIONS FROM HOUSE

Mr. President: September 21, 1989

I am directed to inform the Senate that the House of Representatives has this day adopted the Joint Conference Committee Report and passed Second SUB. H.B. No. 18, INCOME TAX AMENDMENTS, by Representative Craig Moody, and the same is transmitted herewith for the signature of the the President.

Carole E. Peterson, Chief Clerk

Second SUB. H.B. No. 18 was signed by the President of the Senate in open session and returned to the House.

* * *

Mr. President: September 21, 1989

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, H.B. No. 4, PERSONAL RETIREMENT EXEMPTION FOR ELDERLY, by Representative Nolan E. Karras, and the same is transmitted herewith for Senate consideration.

The bill was amended as follows:

Page 4, Line 20:
After "taxpayer" delete "over"
After "age 65" insert "OR OVER"

Page 4, Line 21:
After "exemption" delete the remainder of the line.

Page 4, Lines 22–24:
Delete lines 22–24

Page 5, Lines 1 & 2:
Delete lines 1 and 2

Page 5, Line 5:
After "for" delete "named" and insert "MARRIED"

Page 5, Line 8:
After "for;" delete "named" and insert "MARRIED"

Carole E. Peterson, Chief Clerk

On motion of Senator Cary Peterson, under suspension of the rules, the bill was read the first time, placed on Second Reading Calendar and circled.

* * *

Mr. President: September 21, 1989

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the House S.B. No. 8, RETIREMENT BENEFITS INCREASE, by Senator K.S. Cornaby, and the same is transmitted herewith for the Senate's further consideration.

The bill was amended as follows:

Page 2, Line 25:
After "section."
Insert "THE BENEFIT ADJUSTMENT GIVEN UNDER THIS SECTION IS SUBJECT TO REVIEW AND FURTHER DECREASE, INCREASE, OR ELIMINATION BY THE LEGISLATURE. THE BENEFIT [~~SHALL~~] MAY BE REDUCED OR ELIMINATED IF THE LEGISLATURE, BY JULY 1, 1990, IMPLEMENTS RETIREMENT INCOME EXEMPTION OR OTHER TAX

REFORM WHICH BENEFITS PUBLIC EMPLOYEES UNDER THIS SECTION."

Carole E. Peterson, Chief Clerk

On motion of Senator Cornaby, the Senate voted to concur in the House Amendments. Senators Swan, Beattie, Craig Peterson, Hillyard, and Barton commented. The bill passed on the following roll call:

Yeas, 26; Nays, 2; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Steele	Storey
Swan	Pres. Christensen		

Voting in the negative were: Senators
Pace

Absent or not voting were: Senators
Richards Tempest

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

* * *

On motion of Senator Cary Peterson, and at 9:50 a.m. the Senate recessed. The Senate reassembled at 10:30 a.m.

* * *

On motion of Senator Nielsen, under suspension of the rules, H.B. No. 4 PERSONAL RETIREMENT EXEMPTION FOR ELDERLY, was uncircled and read the second and third times.

Senator Finlinson moved the following amendments:

Page 4, Line 12:
After "over" delete "$37,500" and insert "$32,000".

Page 4, Line 14:
After "over" delete "$18,750" and insert "$16,000".

Page 4, Line 15:
After "over" delete "$27,500" and insert "$25,000".

Page 4, Line 21:
After "a" delete "$12,000" and insert "$6,000".

Page 5, Line 6:
After "over" delete "$18,750" and insert "$16,000".

Page 5, Line 9:
After "over" delete "$27,500" and insert "$25,000".

Senator Black moved a substitute amendment on Page 4, Line 21 to change "$6,000" to "$10,000". Senators Hillyard, McAllister, and Barton commented. The substitute motion failed.

Yeas, 9; Nays, 18; Absent, 2

Voting in the affirmative were: Senators

Barlow	Black	Farley	Fordham
Myrin	Nielsen	Peterson, C.E.	Steele
Storey	Swan	Pres. Christensen	

Voting in the negative were: Senators

Barton	Beattie	Bunnell	Carling
Cornaby	Finlinson	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Pace	Peterson, Cary	Peterson, Craig	Rees

Absent or not voting were: Senators

Richards	Tempest

Senator Black moved a substitute amendment on Page 4, Line 21 to change "$6,000" to "$8,000". The substitute motion failed on the following roll call:

Yeas, 12; Nays, 15; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Black	Farley
Fordham	Myrin	Nielsen	Peterson, C.E.
Rees	Steele	Storey	Swan

Voting in the negative were: Senators

Beattie	Bunnell	Carling	Cornaby
Finlinson	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Pace
Peterson, Cary	Peterson, Craig	Pres. Christensen	

Absent or not voting were: Senators

Richards	Tempest

Senator Finlinson's main motion passed on a voice vote and the amendments were placed in the bill.

H.B. No. 4 passed on the following roll call:

Yeas, 22; Nays, 2; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Cornaby	Farley	Finlinson
Fordham	Holmgren	Leavitt	McMullin (exp.)
Money	Myrin	Nielsen	Pace (exp.)
Peterson, C.E.	Peterson, Craig (exp.)		Rees
Steele	Storey	Swan (exp.)	

Voting in the negative were: Senators

Bunnell	Hillyard (exp.)

Absent or not voting were: Senators

McAllister	Peterson, Cary	Richards	Tempest
Pres. Christensen			

H.B. No. 4, as amended, was transmitted to the House.

PRESENTATION OF RESOLUTIONS

WATER DEVELOPMENT MANAGEMENT RESOLUTION

S.C.R. No. 5 ***Dix H. McMullin***

A CONCURRENT RESOLUTION OF THE LEGISLATURE AND THE GOVERNOR COMMENDING VARIOUS PERSONS AND ENTITITES FOR ADOPTING A CONJUNCTIVE MANAGEMENT PLAN FOR WATER DEVELOPMENT.

On motion of Senator Finlinson, under suspension of the rules, the resolution was read the first, second, and third times. The resolution passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Craig	Rees
Steele	Storey	Swan	

Absent or not voting were: Senators

Comaby	McAllister	Peterson, Cary	Richards
Tempest	Pres. Christensen		

S.C.R. No. 5 was transmitted to the House.

* * *

On motion of Senator Hillyard, the following statement was read and then placed in the Senate Journal.

"During this Special Session, we have attempted to balance the need to reform our retirement income exemptions as mandated by the United States Supreme Court in Davis v. Michigan with the need for fair and equitable treatment of all retirees and their retirement income.

We have been sensitized to the effect of the loss of the tax exemption for Utah's public employees and have attempted, through the passage of S.B. No. 8, Second Substitute H.B. No. 18, and H.B. No. 4, to recognize that loss by providing substantial increases in exemptions for the elderly, an income tax reduction, and an adjustment to the retirement allowance of all retired public employees. We recognize that there will be some who benefit substantially and some who may be adversely affected by this action. Unless each retiree's tax returns and retirement benefits are individually examined, it is impossible to avoid these different results. We have found the administrative costs and inconvenience to the Tax Commission and the Retirement Office of administering such a program to be prohibitive.

It is intended therefore that S.B. No. 8, Second Substitute H.B. No. 18, and H.B. No. 4 serve as a substantial substitute for public employees as a whole to compensate for the loss of their tax exemption.

On motion of Senator Cary Peterson and at 11:10 a.m., the Senate recessed. The Senate reassembled at 11:50 a.m. Senator McMullin was presiding.

COMMUNICATIONS FROM HOUSE

Mr. President: September 21, 1989

I am directed to inform the Senate that the Speaker has signed in open session, S.B. No. 8 RETIREMENT BENEFITS INCREASE, by Senator K.S. Cornaby, and the same is transmitted herewith for the signature of the President.

S.B. No. 8 was signed by the President of the Senate and referred to the Rules Committee to be enrolled and transmitted to the Governor.

* * *

On motion of Senator Nielsen, under suspension of the rules, the Senate voted to ask the House to return H.B. No. 4 to the Senate for reconsideration.

* * *

The Senate recessed at 11:55 a.m. and reassembled at 12:00 noon.

COMMUNICATIONS FROM HOUSE

Mr. President: September 21, 1989

I have been directed to inform you that the House of Representatives has this day voted to return to the Senate for its further consideration, H.B. No. 4, PERSONAL RETIREMENT EXEMPTION FOR ELDERLY, by Representative Nolan E. Karras.

Carole E. Peterson, Chief Clerk

On motion of Senator Carling, under suspension of the rules, H.B. No. 4 was before the Senate on reconsideration.

On motion of Senator Nielsen, H.B. No. 4 was amended as follows:

Page 4, Line 21:
Delete "6,000" and insert "7,500"

The bill passed on reconsideration on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Craig	Rees	Steele
Storey	Swan		

Absent or not voting were: Senators

Bunnell	Cornaby	McAllister	Peterson, Cary
Richards	Tempest	Pres. Christensen	

H.B. No. 4, as reconsidered and amended, was returned to the House.

COMMUNICATIONS FROM HOUSE

Mr. President: September 21, 1989

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. 4**, PERSONAL RETIREMENT EXEMPTION FOR THE ELDERLY, by Representative Nolan E. Karras, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Chief Clerk

H.B. No. 4 was signed by the President of the Senate and returned to the House.

* * *

Mr. President: September 21, 1989

I am directed to inform the Senate that the House of Representatives has this day passed **S.C.R. No. 5**, WATER DEVELOPMENT MANAGEMENT RESOLUTION, by Senator Dix H. McMullin, which as been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Chief Clerk

S.C.R. No. 5 was signed by the President of the Senate, referred to Rules Committee to be enrolled and transmitted to the Governor.

* * *

On motion of Senator Carling, the Senate recessed at 12:15 p.m. and reassembled at 12:45 p.m.

COMMUNICATIONS FROM HOUSE

Mr. President: September 21, 1989

I am directed to inform the Senate that the House of Representatives voted to recall H.B. No. 12, CAREER SERVICE AMENDMENTS, by Representative Rob W. Bishop, from Legislative Research and General Counsel for the purpose of reconsideration and has this day passed, as amended, and the bill is being transmitted herewith for further consideration by the Senate. The amendments are as listed below:

Page 2, Line 21:
Delete "ten" and reinsert the bracketed "five"

Page 3, Line 20:
Bracket "five and insert "ten"

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

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Carling
Farley	Finlinson	Fordham	Holmgren
Leavitt	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Craig
Rees	Steele	Storey	Swan

Absent or not voting were: Senators

Black	Bunnell	Cornaby	Hillyard
McAllister	Peterson, Cary	Richards	Tempest
Pres. Christensen			

* * *

Mr. President: September 19, 1989

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 7, RETIREMENT EXEMPTION ELIMINATION, by Senator K.S. Cornaby, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Chief Clerk

S.B. No. 7 was signed by the President of the Senate in open session, referred to Rules Committee to be enrolled and transmitted to the Governor.

* * *

On motion of Senator Carling the enacting clause was stricken on S.B. No. 1, S.B. No. 3, S.B. No. 4, S.B. No. 6, S.B. No. 9, and S.B. No. 10 on Second Reading Table.

* * *

On motion of Senator Black, the Senate voted to allow him to change his absent vote to Aye on H.B. No. 12. The final vote was:

Yeas, 21; Nays, 0; Absent, 8

H.B. No. 12 on reconsideration and as amended, was signed by the President and returned to the House.

* * *

At the direction of Senator McMullin, 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 and the accurate record of the proceedings of the Second Special Session of the Forty-Eighth Legislature.

Senator McMullin appointed Senators Beattie, Holmgren and Money to wait upon the Governor and to ascertain whether he has any further business to bring before the Senate.

Senator McMullin appointed Senators Craig Peterson, Nielsen, and Swan 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 notified the Senate that the House has concluded its business and was ready to adjourn sine die.

Senator Craig Peterson notified member sof 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.

Senate Beattie reported that his committee, with a like committee from the House, had notifed the Govenror. The Governor requested that the committee convey to their respective houses that he had no further business to bring before the Legislature. He did request that he be permitted to speak before each house briefly before sine die.

Benediction By: Senator Stephen J. Rees

On motion of Senator Carling and at 1:15 p.m. the Second Special Session of the Forty-Eighth Legislature adjourned sine die.

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SENATE BILLS AND RESOLUTIONS

FORTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION

September 19, 20 and 21, 1989

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 Committee
E–NR,A ..... Energy, Natural Resources and Agriculture Committee
HA ..... House Amends
H ..... Health Committee
Hc ..... House Committee
HC ..... House Concurs
HRC ..... House Refuses to Concur
HRR ..... House Refuses to Recede
HSEC ..... House Struck Enacting Clause
J ..... Judiciary Committee
JCCR ..... Joint Conference Committee Report
R ..... Rules (Shifting 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 72) 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	**SUPPLEMENTAL APPROPRIATIONS ACT** *Wilford R. Black*	30(R)		47,T, 52, 59					68 SSEC 9/21/89
SB 2	**INCOME TAX - FEDERAL DEDUCTION** *K.S. Cornaby*	31(R)		35(R)	35(R) V	35			HSEC 9/21/89
SB 3	**INCOME TAX - FEDERAL INCOME TAX DEDUCTIBILITY** *William T. Barton*	31(R)		47,T					68 SSEC 9/21/89
SB 4	**INCOME TAX - FEDERAL DEDUCTION** *Omar B. Bunnell*	31(R)		47,T					68 SSEC 9/21/89
SB 5	**SUPPLEMENTAL APPROPRIATION ACT** *Lyle W. Hillyard*	32(R)		40(R)	40(R) A,V	42	55	55 9/20/89	Signed by Governor 10/10/89 Effective 10/10/89 Ch. 6
SB 6	**CONTRIBUTION TO HOMELESS** *John P. Holmgren*	32(R)		47,T					68 SSEC 9/21/89
SB 7	**RETIREMENT EXEMPTION ELIMINATION** *K.S. Cornaby*	32(R)		36(R)	36(R) V	36		68 9/21/89	Signed by Governor 10/10/89 Effective 11/21/89 Retro 1/1/89 Ch. 7
SB 8	**RETIREMENT BENEFITS INCREASE** *K.S. Cornaby*	33(R)		36(R)	36(R) V	37	61 HA SC V	66 9/22/89	Signed by Governor 10/10/89 Effective 10/10/89 Ch. 8
SB 9	**INCOME TAX - RATE REDUCTION** *K.S. Cornaby*	33(R)		47					68 SSEC 9/21/89
SB 10	**WATER CONSERVANCY DISTRICT AMENDMENTS** *Dix H. McMullin*	59(R)		59,T					68 SSEC 9/21/89

No.	(Check Reference Code on Page 72) 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	**JEREMY RANCH SHOOTOUT VOLUNTEERS** *Dix H. McMullin*	33(R)		38(R)	40(R) V	40		46 9/19/89	Signed by Governor 10/10/89 Trans. to Lt. Gov.
SCR 2	**CONDOLENCE RESOLUTION FOR FORMER SENATOR KENDRICK H. HARWARD** *Cary Peterson*	34(R)		38(R)	38(R) V	38		46 9/19/89	Signed by Governor 10/10/89 Trans. to Lt. Gov.
SCR 3	**CONDOLENCE RESOLUTION HONORING WILLIAM RONALD DELIS** *Myrin, et al*	34(R)		38(R)	38(R) V	39		46 9/19/89	Signed by Governor 10/11/89 Trans. to Lt. Gov.
SCR 4	**RESOLUTION URGING CONGRESS TO ELIMINATE DIFFEERENCE BETWEEN URBAN AND RURAL MEDICARE REIMBURSEMENT** *Cary Peterson*	53(R)		54(R)	54(R) V	54	55	55 9/20/89	Signed by Governor 10/10/89 Trans. to Lt. Gov.
SCR 5	**WATER DEVELOPMENT MANAGEMENT RESOLUTION** *Dix H. McMullin*	65(R)		65(R)	65(R) V	65	67	67 9/21/89	Signed by Governor 10/10/89 Trans. to Lt. Gov.
SJR 1	**MEDICALLY NEEDY PROGRAM** *John P. Holmgren*	39(R)		39(R)	39(R) V	40		46 9/19/89	Trans. to Lt. Gov.
SR 1	**THE CENTRAL UTAH PROJECT RESOLUTION** *Cary Peterson*	58(R)		58(R)	58(R) V			59 9/20/89	Trans. to Lt. Gov.

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HOUSE BILLS AND RESOLUTIONS

FORTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION

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No.	(Check Reference Code on Page 72) Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
HB 4	**PERSONAL RETIRMENT EXEMPTION FOR ELDERLY** *N. E. Karras*	61(R)		62(R)	62(R) A,V	64 66 A,V		67 9/21/89	Signed by Governor 10/10/89 Effective 11/21/89 Retro 1/1/89 Ch. 2
HB 12	**CAREER SERVICE AMENDMENTS** *R.W. Bishop*	44(R)		44(R)	44(R) V			44 9/19/89 68 HA SC V 69 9/21/89	Signed by Governor 10/10/89 Effective 10/10/89 Ch. 3
HB 16	**ELECTION PROCESS FOR STATEWIDE PUBLIC OPINION** *N.E. Karras*	42(R)		42(R)	42(R) V			42 9/19/89	Signed by Governor 9/19/.89 Effective 9/19/89 Ch. 1
HB 18 SEN. SUB. H.B. 18	**INCOME TAX - RATES REDUCTION** *H.C. Moody* **INCOME TAX - FEDERAL REDUCTION**	44(R)		44(R) Senate Sub.	44(R) V	45 HRC SRR Sc 52.Hc 55. JCCR SC 57. JCCR(2) SC 60.HC		60 9/21/89	Signed by Governor 10/10/89 Effective 11/21/89 Retro 1/1/89 Ch. 4
HB 19	**UTAH SPORTS AUTHORITY** *N.E. Karras*	43(R)		43(R) A	43(R)	43		49 9/19/89	Signed by Governor 10/10/89 Effective 10/10/89 Ch. 5

No.	(Check Reference Code on Page 72) 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	**RESOLUTION HONORING CENTRAL CITY ALL-STARS** *G. Davis*	48(R)		48(R)	48(R) V	48		48 9/19/89	Signed by Governor 10/10/89 Trans. to Lt. Gov.
HCR 2	**RESOLUTION DIRECTING WINTER OLYMPIC OPINION POLL** *N.E. Karras*	49(R)		49(R)	49(R) V	50		50 9/19/89	Signed by Governor 10/10/89 Trans. to Lt. Gov.
HJR 1	**RESOLUTION HONORING STEVE LESTER** *D.H. Tuttle*	52(R)		53(R)	53(R) V	53		53 9/20/89	Trans. to Lt. Gov.

STATE OF UTAH

SENATE JOURNAL

FOURTH EXTRAORDINARY SESSION OF THE FORTY-EIGHTH LEGISLATURE

Wednesday, November 8, 1989

CERTIFICATION

The undersigned, as the duly appointed committee on revision of the Senate Journal for the Fourth Extraordinary Session of the Forty-Eighth Legislature of the State of Utah, do hereby certify that herein contained is an accurate record of the proceedings of the Fourth Extraordinary Session convening on Wednesday, November 8, 1989 and adjourning sine die on the same day at 1:55 p.m.

Sophia C. Buckmiller
Secretary of the Senate

Joan B. Thomas
Administrative Assistant, and
Minute Clerk

STATE OF UTAH

SENATE JOURNAL

FOURTH EXTRAORDINARY SESSION
of the
FORTY-EIGHTH LEGISLATURE

Pursuant to the proclamation by His Excellency, Governor Norman H. Bangerter, the Senate of the Forty-Eighty Legislature of the State of Utah met in the Senate Chamber at the State Capitol in the Fourth Extraordinary Session at 12:00 noon on November 8, 1989.

The Senate was called to order by President Arnold Christensen at 1:30 p.m.

Prayer – Senator Lane Beattie

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

PROCLAMATION

WHEREAS, since the close of the General Session of the 48th Legislature of the State of Utah, certain matters have arisen which require immediate legislative attention; and

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

NOW, THEREFORE, I, NORMAN H. BANGERTER, Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and the Laws of the State of Utah, do by this Proclamation call the Senate only of the 48th Legislature of the State of Utah into a Fourth Extraordinary Session at the State Capitol at Salt Lake City, Utah, on the 8th day of November, 1989, at 12:00 p.m., for the following purpose:

1. For the Senate to advise and consent to appointments made by the Governor to positions within the Executive and Judicial Branches of the

government of the State of Utah since the close of the General Session of the 48th Legislature of the State of Utah.

2. To consider such other measurers as may be brought to the attention of the Senate by supplemental communication from the Governor before or during the Extraordinary Session hereby called.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol in Salt Lake City, Utah, this 27th day of October, 1989.

Norman H. Bangerter
Governor, State of Utah

W. Val Oveson
Lieutenant Governor, State of Utah

Communication filed.

CERTIFICATION

I, W. VAL OVESON, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, do hereby certify that the attached copy of the proclamation issued under date of October 27, 1989 and signed by Governor Norman H. Bangerter, is a true and correct copy of the original proclamation calling the Senate only of the Forty-Eighth Legislature into a Fourth Extraordinary Session at the State Capitol in Salt Lake City, Utah on the 8th day of November, 1989, at the hour of 12:00 p.m., for the purposes named in the proclamation.

I FURTHER CERTIFY that the membership of the Utah State Senate has not changed from that of the 1989 General Session of the Utah State Legislature.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol in Salt Lake City, Utah, this 27th day of October, 1989.

W. Val Oveson
Lieutenant Governor, State of Utah

David Hansen
Deputy Lieutenant

Communication filed.

Roll Call – All Senators present except Senators Storey, Cornaby, and Pace.

On motion of Senator Cary Peterson, the Senate voted to adopt the Senate Rules of the 1989 General Session of the Forty–Eighth Legislature as the rules for the Fourth Extraordinary Session.

President Christensen appointed a committee to wait upon the Governor, consisting of Senators Beattie, Myrin, and Swan. The committee was asked to advise the Governor that the Senate is convened in Fourth Extraordinary Session in accordance with his proclamation.

COMMUNICATION FROM THE GOVERNOR

President Christensen and Senate Members: November 8, 1989

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

NATURAL RESOURCES

Great Salt Lake Development Authority

Edward Alter as State Treasurer appointed as ex–officio member of the Great Salt Lake Development Authority. Section 73–25–1, Utah Code Annotated, 1953.

Dee Hansen as Executive Director of Natural Resources appointed as ex–officio member of the Great Salt Lake Development Authority. Section 73–25–1, Utah Code Annotated, 1953.

Lloyd Hubbard appointed to the Great Salt Lake Development Authority for a term expiring June 30, 1991. Section 73–25–1, Utah Code Annotated, 1953.

David Hemingway appointed to the Great Salt Lake Development Authority for a term expiring June 30, 1992. Section 73–25–1, Utah Code Annotated, 1953.

Jack E. Christensen appointed to the Great Salt Lake Development Authority for a term expiring June 30, 1992. Section 73–25–1, Utah Code Annotated, 1953.

Jim Butler appointed to the Great Salt Lake Development Authority for a term expiring June 30, 1990. Section 73–25–1, Utah Code Annotated, 1953.

Jay Anderson appointed to the Great Salt Lake Development Authority for a term expiring June 30, 1992. Section 73–25–1, Utah Code Annotated, 1953.

Steve Smoot appointed to the Great Salt Lake Development Authority for a term expiring June 30, 1991. Section 73–25–1, Utah Code Annotated, 1953.

Richard Eyre appointed to the Great Salt Lake Development Authority for a term expiring June 30, 1990. Section 73–25–1, Utah Code Annotated, 1953.

D. Brent Rose appointed as a non–voting member to the Great Salt Lake Development Authority for a term expiring June 30, 1991. Section 73–25–1, Utah Code Annotated, 1953.

DEPARTMENT OF COMMERCE

Securities Advisory Board

David Hardy reappointed to the Securities Advisory Board for a term expiring August 1, 1992. Section 61–1–18.5, Utah Code Annotated, 1953.

Kent Burgeon reappointed to the Securities Advisory Board for a term expiring August 1, 1992. Section 61–1–18.5, Utah Code Annotated, 1953.

DEPARTMENT OF CORRECTIONS

Corrections Advisory Council

Bruce L. King appointed to the Corrections Advisory Council replacing Izar Martinez for a term expiring April 1, 1993. Section 64–13–4.1, Utah Code Annotated, 1953.

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Utah Technology Finance Corporation Board of Trustees

Roland Cannon reappointed to the Utah Technology Finance Corporation Board of Trustees for a term expiring June 1, 1992. Section 63–60–4, Utah Code Annotated, 1953.

Dr. Cecil O. Samuelson reappointed to the Utah Technology Finance Corporation Board of Trustees for a term expiring June 1, 1992. Section 63–60–4, Utah Code Annotated, 1953.

Jack DeMann appointed to the Utah Technology Finance Corporation Board of Trustees replacing Thomas Dee for a term expiring April 4, 1991. Section 63–60–4, Utah Code Annotated, 1953.

DEPARTMENT OF HEALTH

Safe Drinking Water Committee

Mayor Carole Sott appointed to the Safe Drinking Water Committee replacing Sue Marie Young for a term expiring May 8, 1993. Sections 26–1–7, 26–12–4, Utah Code Annotated, 1953.

Health Facilities Committee

Willard Nelson appointed to the Health Facilities Committee replacing Michael Stransky for a term expiring July 1, 1991. Sections 26–1–7, 26–21–3, Utah Code Annotated, 1953.

Dr. Lynne Robbins appointed to the Health Facilities Committee replacing Dr. Jane Kivlin for a term expiring July 1, 1990. Sections 26–1–7, 26–21–3, Utah Code Annotated, 1953.

DEPARTMENT OF ADMINISTRATIVE SERVICE

Psychiatric Security Review Board

Dr. Peter P. Heinbecker appointed to the Psychiatric Security Review Board replacing Dr. David Tomb for a term expiring July 1, 1992. Section 77–14–44, Utah Code Annotated, 1953.

DEPARTMENT OF SOCIAL SERVICES

Board of Family Services

L. Scotti Davis appointed to the Board of Family Services replacing Nina Mincarelli for a term expiring April 1, 1993. Section 55–15b–4, 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.

Norman H. Bangerter
Governor, State of Utah

On motion of Senator Myrin, the Senate voted to consent to the appointments listed on the communication dated November 8, 1989 on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Peterson, C.E.	Peterson, Cary	Richards
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Cornaby	Pace	Peterson, Craig	Rees
Storey			

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

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

On motion of Senator Cary Peterson, and at 1:55 p.m., the Senate adjourned sine die.

STATE OF UTAH

SENATE JOURNAL

1990 GENERAL SESSION
OF THE
FORTY–EIGHTH LEGISLATURE

Convened
Monday, January 8, 1990

Adjourned Sine Die
Wednesday, February 21, 1990

CERTIFICATION

The undersigned, as the duly appointed committee on revision of the Senate Journal for the 1990 General Session of the Forty-Eighth Legislature of the State of Utah, do hereby certify that herein contained is an accurate record of the proceedings of the General Session convening on Monday, January 8, 1990, and adjourning sine die on Wednesday, February 21, 1990.

Sophie C. Buckmiller
Secretary of the Senate

Joan B. Thomas
Administrative Assistant, and
Minute Clerk

PRESIDENT OF THE SENATE

1990 General Session
Forty–Eighth Legislature

The Second Spccial Session in September 1989 addressed equity issues regarding State and Federal employee retirement.

The 1990 General Session has been referred to as an education session. The School Board Leeway (HB 474) allowed Boards to levy up to 2 mills on taxable property to finance class size reduction. Appropriations were approved for textbooks, computers and libraries. Salaries were increased, and all education fared well during this session.

In addition, the Alcoholic Beverage Laws of the State were revised on passage of SB 141.

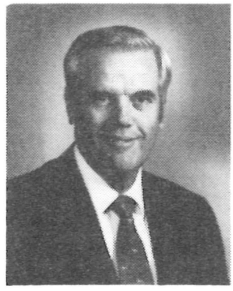
Task Forces were formed to consider the Governance of Public Education, Transportation, Abortion, Wilderness, Handicapped, Environmental Quality and Liquor Law Implementation Review.

The Second Special Session in September address equity issues regarding State and Federal employee retirement.

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 Asst. and Minute Clerk

Lynette Erickson
Leadership Secretary

Mary Frandsen
Docket Clerk

SENATE LEADERSHIP

President of the Senate (R) ..... Arnold Christensen
Majority Leader (R) ..... Cary G. Peterson
Majority Whip (R) ..... Dix H. McMullin
Minority Leader (D) ..... Wilford R. Black
Minority Whip (D) ..... Eldon A. Money

HOUSE LEADERSHIP

Speaker of the House (R) ..... Nolan E. Karras
Majority Leader (R) ..... H. Craig Moody
Majority Whip (R) ..... David M. Adams
Assistant Majority Whip (R) ..... Byron L. Harward
Minority Leader (D) ..... Mike Dmitrich
Minority Whip (D) ..... Frank R. Pignanelli
Assistant Minority Whip (D) ..... Brent H. Goodfellow

STATE OFFICIALS

Governor ..... Norman H. Bangerter
Lieutenant Governor ..... W. Val Oveson
Attorney General ..... Paul Van Dam
Auditor ..... Tom L. Allen
Treasurer ..... Edward T. Alter

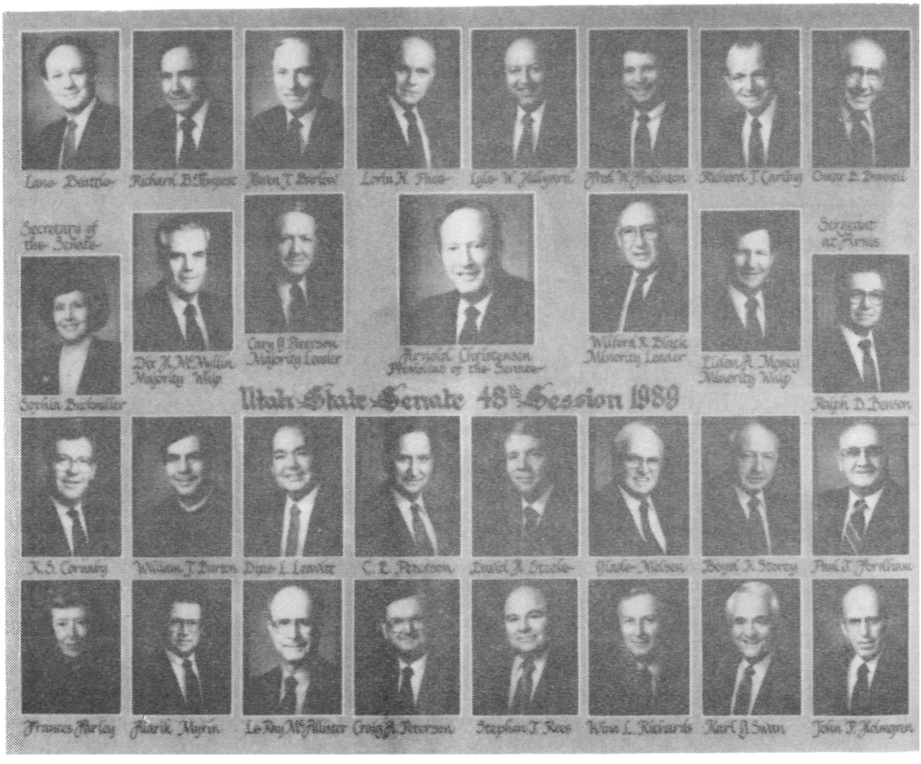
CONGRESSIONAL DELEGATION

Senator ..... E.J. "Jake" Garn
Senator ..... Orrin G. Hatch
Congressman ..... James V. Hansen
Congressman ..... Wayne Owens
Congressman ..... Howard C. Nielsen

UTAH SUPREME COURT

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

MEMBERS OF THE SENATE



MEMBERS OF THE SENATE
Forty–Eighth Legislature

Senator	District	County(ies)	Party	Address & Telephone No.
Frances Farley	1	Salt Lake	D	1418 Federal Way Salt Lake City, Utah 84102 H–364–2405
Wilford R. Black, Jr	2	Salt Lake	D	826 North 1300 West Salt Lake City, Utah 84116 H–596–3161
Richard J. Carling	3	Salt Lake	R	100 Cont. Bank Bldg. Salt Lake City, Utah 84101 H–582–1231 O–359–7771
Richard B. Tempest	4	Salt Lake	R	4681 South 300 West Murray, Utah 84107 H–278–5737 O–262–4165
Dix H. McMullin	5	Salt Lake	R	10516 South 1540 West South Jordan, Utah 84065 H–254–4850 O–566–1263
Stephen J. Rees	6	Salt Lake	R	5716 Jordan Canal Road Salt Lake City, Utah 84118 H–969–9937 O–966–0919
K.S. Cornaby	7	Salt Lake	R	3928 Mt. Olympus Way Salt Lake City, Utah 84124 H–277–6932 O–521–3200
Fred W. Finlinson	8	Salt Lake	R	10 East So. Temple, Suite 800 Salt Lake City, Utah 84133 H–268–9248 O–530–7353
Lorin N. Pace	9	Salt Lake	R	350 South 400 East, Suite 101 Salt Lake City, Utah 84111 H–277–9565 O–364–1300
Arnold Christensen	10	Salt Lake	R	891 East 8600 South Sandy, Utah 84070 H–255–2196 O–255–8035 or O–566–0461
Paul T. Fordham	11	Salt Lake	D	4547 South Balsam Avenue Salt Lake City, Utah 84123 H–266–4035

MEMBERS OF THE SENATE
Forty–Eighth Legislature

Senator	District	County(ies)	Party	Address & Telephone No.
William T. Barton	12	Salt Lake	R	3940 West 4100 South West Valley City, Utah 84120 H–968–6964 O–969–5102 O–968–2121
Karl G. Swan	13	Salt Lake, Utah, Tooele	D	347 Upland Drive Tooele, Utah 84074 H–882–3740 O–882–0300
Craig A. Peterson	14	Utah	R	1687 North 200 West Orem, Utah 84057 H–226–3236 O–373–2749
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
Winn L. Richards	18	Weber, Morgan	D	5301 Old Post Road Ogden, Utah 84403 H–479–5370 O–399–1149
Boyd K. Storey	19	Weber	R	1550 North 5900 East Eden, Utah 84310 H–745–3504
Glade Nielsen	20	Weber	R	2067 West 4750 South Roy, Utah 84067 H–825–7855
David H. Steele	21	Davis	R	3376 West 400 North West Point, Utah 84015 H–825–3033 O–774–7460

MEMBERS OF THE SENATE
Forty–Eighth Legislature

Senator	District	County(ies)	Party	Address & Telephone No.
Haven J. Barlow	22	Davis	R	P.O. Box 626 Layton, Utah 84041 H–544–4109 O–544–2121 or 544–4238
Lane Beattie	23	Davis	R	81 North 200 East Bountiful, Utah 84010 H–292–7406 O–298–7000
John P. Holmgren	24	Box Elder Cache	R	4570 West 5400 North Bear River City, Utah 84301 H–279–8679
Lyle W. Hillyard	25	Cache, Rich, Summit	R	175 East First North Logan, Utah 84321 H–753–0043 O–752–2610
Alarik Myrin	26	Carbon, Wasatch, Duchesne, Summit, Daggett, Uintah	R	Star Route #1, Box 30 Altamont, Utah 84001 H–454–3494
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
Dixie L. Leavitt	t29	Washington, Garfield, Iron, Kane	R	393 South 700 West Cedar City, Utah 84720 H–586–8893 O–586–6553

***UTAH STATE CONSTITUTION**
LEGISLATIVE DEPARTMENT
ARTICLE VI

*Copies of the Utah State Constitution, with amendments, are available in the Office of Legislative Research and General Counsel and in the Lieutenant Governor's office.

***"Rules of the Forty-Eighth Legislature, 1990"**

Constitutional Provisions, Impeachment Provisions, Joint Rules of the Senate and the House of Representatives, Senate Rules, House Rules, Veto Sessions, and **Interim Study Committee Rules.**

*Copies available in the Senate Office and in the Office of Legislative Research and General Counsel.

STATE OF UTAH

SENATE JOURNAL

1990 GENERAL SESSION

of the

FORTY-EIGHTH LEGISLATURE

FIRST DAY

MORNING SESSION

Pursuant to the provisions of the Constitution of the State of Utah, the Senators of the Forty-Eighth Legislature of the State of Utah convened in General Session in the Senate Chamber on Monday, January 8, 1990 at ten o'clock a.m.

President of the Senate, Arnold Christensen, called the Senate to order.

Prayer – Elder John K. Carmack, member of the First Quorum of Seventy of the Church of Jesus Christ of Latter-day Saints.

"Our Father God To Thee, Author of Liberty, we pray. Not only a year, but a decade is commencing. One filled with hope and promise, with unparalleled opportunities for this Senate as we celebrate renewed hope that multitudes of persons will enjoy free institutions such as this body. Our hearts unite in prayer that those with renewed hope shall not see their hope dashed to pieces by tyranny, born again of chaos and inexperience with freedom's institutions and contradictions. We rejoice in a century of freedom and representative government here. May we never forget, lose, or treat casually those enviable blessings. May we seriously pursue our stewardship in this representative body with great respect for both the common good and the interests of those we represent, neither neglecting their interests nor pursuing slavishly the narrow proportions thereof. May those with common religious convictions and heritage guard and respect the interests of those not of that religious heritage, irrespective of the dimensions, power, or influence of those with differing convictions and heritage. Help this Senate find wise priorities among the maze of competing interest in a time of limited resources. Grant us respect for law, freedom, security, safety, women's rights, minority people, diversity and especially the policy of separation of church and state. Grant us wisdom, moral principles, and the willingness and ability to make needed compromises within the framework of

our principles. May this Senate be worthy of the bright hope with which this decade has begun. May it climb every mountain, ford every stream, follow every rainbow, until we have realized our dreams. In the name of the Lord. Amen"

POSTING OF COLORS & PLEDGE OF ALLEGIANCE
Clearfield High School
Airforce Junior ROTC – under the direction of
Lt. Colonel J.C. Hess and assisted by
Chief Master Sgt. John Deroian.

The color guard consisted of Robert Bryan, Joe Cook, Romulus Domingo, Denise Coker, and Jason Miller. The Pledge of Allegiance was led by Denise Coker.

SPECIAL PRESENTATION
"Star Spangled Banner" and "God Bless America"
Jennifer Steele, Donell Smith, David Larson and James Saunders
– accompanied by Suzie Chapman.

Sophia C. Buckmiller, Secretary of the Senate, read the following certification of membership of the 1990 General Session of the Utah State Senate.

CERTIFICATE OF MEMBERSHIP OF THE 1990 GENERAL SESSION OF THE UTAH STATE SENATE
48th Legislature

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 8, 1988, 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, 1989, 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
Stephen J. Rees
EIGHTH DISTRICT: County of Salt Lake
Fred W. Finlinson
FOURTEENTH DISTRICT: County of Utah
Craig A. Peterson

SIXTEENTH DISTRICT:
C. E. Peterson
SEVENTEENTH DISTRICT: County of Utah
Eldon A. Money
NINETEENTH DISTRICT: County of Weber
Boyd K. Storey
TWENTIETH DISTRICT: County of Weber
Glade Nielsen
TWENTY-THIRD DISTRICT: County of Davis
Lane Beattie
TWENTY-FIFTH DISTRICT: Counties of Cache, Rich, Summit
Lyle. W. Hillyard
TWENTY-SEVENTH DISTRICT: Counties of Carbon, Grand, San Juab, 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
Dixie L. Leavitt

I FURTHER CERTIFY that at a General Election held within and for the State of Utah on Tuesday, November 4, 1986, 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, 1987, to-wit:

FIRST DISTRICT: County of Salt Lake
Frances Farley
THIRD DISTRICT: County of Salt Lake
Richard J. Carling
FOURTH DISTRICT: County of Salt Lake
Richard B. Tempest
SEVENTH DISTRICT: County of Salt Lake
K. S. Cornaby
NINTH DISTRICT: County of Salt Lake
Lorin N. Pace
TENTH DISTRICT: County of Salt Lake
Arnold Christensen
ELEVENTH DISTRICT: County of Salt Lake
Paul T. Fordham
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
Winn L. Richards
TWENTY-FIRST DISTRICT: County of Davis
David H. Steele
TWENTY-SECOND DISTRICT: County of Davis
Haven J. Barlow
TWENTY-FOURTH DISTRICT: Counties of Box Elder, Cache
John P. Holmgren
TWENTY-SIXTH DISTRICT: Counties of Carbon, Wasatch, Duchesne, Summit, Daggett, Uintah
Alarik Myrin

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 4th Day of January, 1990.

W. Val Oveson
Lieutenant Governor

Roll Call: All senators present.

President Cary G. Peterson moved that the President and Officers of the 1989 General Session of the 48th Legislature be the officers for the 1990 General Session. The motion carried.

President Christensen directed that the following be recorded in the Senate Journal.

President – Arnold Christensen
Majority Leader – Cary G. Peterson
Majority Ship – Dix H. McMullin
Minority Leader – Wilford R. Black
Minority Whip – Eldon A. Money

PRESIDENT ARNOLD CHRISTENSEN
(Summary of remarks)

STATE OF THE ECONOMY AND BUDGET

The new year invites a look backward as we prepare to move forward. Last year at this time, I was happy to report that Utah was experiencing economic recovery. Although we were working with limited state resources and had little change in the state budge from the year before, we saw hope and promise for economic growth and limited inflation.

This year, we are seeing the turnaround economists predicted as Utah reports the largest revenue surplus in the state's history. This economic upswing, as well as projections that the jobless rate will drop to 4.4% — 1.5% below the national average — and that personal income will increase by about 6%, indicate the upcoming years should be stable and prosperous for the state as well as the nation.

As legislators, we often find it more difficult to budget in years of surplus than in years of deficit. There are increasing demands and rising expectations. With a projected surplus of more than $140 million, we will only fill half of the budget requests.

Our legislative analysts tell us that we have just under $1.8 billion to spend this year — a figure slightly lower than the governor's proposed budget. Spending will have to be similar to what the governor has recommended, based on legislation that we passed in the 1989 legislative session limiting state spending increases to changes in population and the inflation rate.

MAJOR ISSUES FACING THE 1990 LEGISLATURE

The three top issues on the legislative agenda this year are Education, Health and Social Services, and Transportation and Public Safety.

EDUCATION

Only three years ago, we passed the largest tax increase in state history — designed to protect education from revenue shortages. In 1990, we will have an opportunity to turn things around and offer educators and the education system their largest budget increase ever. This year we will devote efforts to:

1. Raise teacher salaries in 1991 and for a multi-year period to achieve parity with other western states;
2. Provide new revenues to accommodate pay increases for professors and administrators in the state's colleges and universities and additional funding for new student growth;

3. Consider additional appropriations for textbook and supply shortages in public schools;
4. Look at options for additional teachers or teacher aides; and
5. Discuss the involvement of state and local school districts in financing a computer technology program aimed at increasing math and reading skills of students in the public education system.

HEALTH AND SOCIAL SERVICES

This legislature will also be financially able to strengthen commitments to health and human services programs. We will be funding areas often neglected in the years of revenue shortfalls we have experienced for almost an entire decade. This year we need to:

1. Provide increased funding for additional participants in the state's self-sufficiency program, designed to help single mothers and other low-income people receive training and education to move them off the welfare rolls and into the work force;
2. Provide a funding hike for public assistance recipients and funding for the homeless;
3. Create a program to provide scholarships and replay education loans for physicians and medical students who practice in medically needy rural areas;
4. Provide additional treatment and enforcement policies for spouses guilty of domestic violence;
5. .Adjust the funding level of health insurance premiums and fund deficits created in past years. The funding provided in the 1989 session was too low to completely pay for health insurance in the state's own plan; and
6. Create a substance abuse council to coordinate efforts to combat the drug abuse problem. The council would have three subcommittees representing the areas of prevention, criminal justice, and treatment.

TRANSPORTATION AND PUBLIC SAFETY

Transportation and public safety issues are high on the agenda, dominated by highway patrol personnel and highway repair efforts.

1. PUBLIC SAFETY PERSONNEL NEEDS
   Crucial needs exist in the Utah Highway Patrol. Limited numbers of highway troopers are available to patrol our highways. Some regions never see a Highway Patrol officer. This year we will be looking at appropriating funds to the Department of Public Safety for additional troopers and more employees in the Division of Investigations.

2. **FUNDING LONG-TERM HIGHWAY AND TRANSPORTATION NEEDS**
   Utah has experienced heavy population growth and is facing a road construction crisis to deal with an accompanying increase in the number of cars and trucks. During the next 44 days, we will be looking at increasing highway fund revenues by raising highway user fees and sales tax to fund new roads and other major transportation projects.

3. **DRIVER LICENSE FEE INCREASE**
   Long lines which congest the driver license field houses result in unnecessary delays for the Utah public. Recommendations have been made to increase the driver license fee by $5 to bring self-sufficiency to the Driver License Division and to shorten the long lines.
4. **MOTOR CARRIER STEERING COMMITTEE REPORT AND RECOMMENDATIONS**
   Currently the stations where trucks are weighed and permitted to travel through the state are managed by Public Safety. We have received recommendations to shift responsibility for operation of ports of entry from the Department of Public Safety to the Department of Transportation and increase the level of funding to enforce motor carrier laws and protect the highways.

OTHER ISSUES

*REVENUE AND TAXATION

Over the past two years, Utahns have watched mounting tax surpluses, followed by special session tax reductions. During this legislative session, we hope to see no new taxes and no suggested tax cuts. However, we will be looking at business taxation including the treatment of mining, telecommunications, and finance industries, as well as income tax treatment of retirement income. Bonding will be an issue as the state must look at critical infrastructure needs.

*RETIREMENT

Legislators will be reviewing a promise they made to school, state, and local employees during the 1989 legislative session. Employees who served prior to 1975 currently receive less than 2% of final average salary for each year served. In the 1989 session, we passed language which expressed our intent to provide the 2% formula for all years of service. We also need to review existing Utah retirement statutes to determine if and how we comply with federal regulations to prevent pension discrimination.

*ENERGY AND NATURAL RESOURCES

We have important decisions to make to protect the areas of energy and natural resources. First, we must consider establishment of an environmental surcharge on the sale of motor fuel equivalent to 1/2 cent per gallon. The proceeds would be used to help pay the cost of claims against the Petroleum Storage Tank Fund created by the 1989 Legislature and would generate $4–5 million annually. Next, we must look at the creation of a board within the Utah Geological and Mineral Survey to allocate funds for the improvement of a seismic instrumentation system within the state. This will probably require over $3 million in appropriations.

Water and the protection of this natural resource is another critical issue. We will address procedures for the withdrawal of land from water conservancy districts, appropriating $1.5 million to the Division of Water Resources to study Bear River development, and establishing a comprehensive safety regulation program for dams.

*BUSINESS AND LABOR

Business and labor bring into focus some of the more controversial issues of the session such as changes to the state's alcoholic beverage laws; establishment of standards for rental properties; increasing the state minimum wage; automobile insurance reform; regulation of telephone solicitation and telephone and fax fraud; and workers' compensation issues.

*JUDICIARY

Drug enforcement will be a major corrections issue in 1990. Other laws being developed or refined include: revisions to the qualifications of constables; provisions to provide information on the performance of judges prior to an election; updating of laws relating to grand juries; ethics legislation, such as the requirement to report expenses incurred in lobbying; an update of laws relating to financial disclosures and conflicts of interest; and the funding of inmate incarceration.

*STATE AND LOCAL AFFAIRS

While the judiciary committees wrestle with drug and ethics problems, the general government committees will be devoting their efforts to reviewing legislation to promote needed dialogue between the state, Indian tribes, and political subdivisions. After a one-year study of Indian relations in Utah, the Indian Affairs Task Force is recommending adoption of a bill to create a Utah State Commission for Indian Affairs under the office of the governor; a Board of Indian Affairs to provide a forum for discussion and interaction between Indians and nonIndians; and

a subcommittee to expend money received from the federal government on behalf of the Navajos in San Juan County.

*CONSTITUTIONAL ISSUES

During the interim, an indepth look at Utah's constitution revealed a need to consider the legislature's emergency powers and legislative authority to provide employee protection, health, safety, minimum and maximum wage, and arbitration.

Finally, we will address constitutional proposals to move the beginning of the General Session to the fourth Monday of January; provide that legislative terms begin the first day of the session; extend the Senate's time to consider judicial appointments; and provide a 60-day limit on the time when a veto override session may be called.

CONCLUSION

It is no surprise that we will be devoting much of our time in 1990 to the same issues that commanded our attention in the past. Yet, as the old year ends and the decade of the 90s begins, we are challenged to take a fresh approach to our problems and solutions.

This year, with the promise of a healthy economy, we have the opportunity to build on Utah's assets. We have some of the best educated and hardest-working people in the country — major pluses as we see Utah's strength shift dramatically from manufacturing to service. We are looking toward the 1998 Winter Olympics, the expansion of tourism in the state, and the expansion of Utah's high-tech community. Let's take this opportunity to make the decisions that will protect our assets. Decisions we make during the next 44 days should be based on our knowledge that Utah is still the best place to live, work, and raise a family.

* * *

President Christensen appointed a committee consisting of Senators C.E. Peterson, Bunnell, Farley, McMullin, Cary Peterson, Rees and Tempest to formulate the Senate Rules and work with assigned members of the House of Representatives in formulating the Joint Rules.

President Christensen appointed Senator Glade Nielsen as a committee to serve patronage and employees.

President Christensen appointed Senators Beattie, Storey, and Fordham as a Committee to read and revise the Daily Senate Journals during the 1990 General Session of the Forty-Eighth Legislature.

On motion of Senator C.E. Peterson, the Senate Rules and the Joint Rules of the 1989 General Session of the Forty-Eighth Legislature were adopted.

On motion of Senator McMullin, the Senate expressed appreciation to Elder John K. Carmack for delivering the beautiful and inspiring prayer at the opening of this session and directed that the prayer be printed in the Senate Journal.

President Arnold Christensen appointed Senators Beattie, Leavitt and Farley, to notify the House of Representatives that the Senate is organized and ready to do business.

President Christensen appointed a committee comprised of Senators Craig Peterson, Barton and Swan to notify Governor Norman H. Bangerter that the 1990 General Session of the Forty Eighth Legislature is organized and ready to do business, and to ascertain the time the Governor will deliver his message.

Representatives Jensen, Lunt and Davis notified the Senate that the House is organized and ready to do business.

Senator Lane Beattie, 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.

Senator Craig A. Peterson, Chairman of the committee to notify the Governor reported that His Excellency Governor Norman H. Bangerter will be ready to deliver his message at a Joint Convention in the Chamber of the House of Representatives at 6:30 p.m. this evening.

READING OF TITLES OF BILLS AND RESOLUTIONS

On motion of Senator C.E. Peterson, 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 the first time and introduced, and as all 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 an 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 officially recorded in the Senate Journal.

STANDING COMMITTEES

Business, Labor and Economic Development – Lane Beattie, Chairman. Richard J. Carling, K. S. Cornaby, LeRay L. McAllister, Alarik Myrin, Richard B. Tempest, Wilford R. Black, Jr., Omar B. Bunnell, Committee Members.

Education – Dixie L. Leavitt, Chairman. Dixie H. McMullin, Lorin N. Pace, David H. Steele, Karl G. Swan, Committee Members.

Energy, Natural Resources and Agriculture – Fred W. Finlinson, Chairman. William T. Barton, John P. Holmgren, C. E. Peterson, Paul T. Fordham, Karl G. Swan, Committee Members.

Health – Stephen J. Rees, Chairman. Arnold Christensen, Craig A. Peterson, Frances Farley, Winn L. Richards, Committee Members.

Judiciary – Lyle W. Hillyard, Chairman. Haven J. Barlow, Lane Beattie, Dixie L. Leavitt, Winn L. Richards, Committee Members.

Revenue and Taxation – Lorin N. Pace, Chairman. William T. Barton, Lyle W. Hillyard, Cary G. Peterson, C. E. Peterson, Omar B. Bunnell, Frances Farley, Committee Members.

Rules – C. E. Peterson, Chairman. Dix H. McMullin, Cary G. Peterson, Stephen J. Rees, Richard B. Tempest, Omar B. Bunnell, Frances Farley, Committee Members.

Social Services – Boyd K. Storey, Chairman. John P. Holmgren, Stephen J. Rees, David H. Steele, Winn L. Richards, Committee Members.

State and Local Affairs – Craig A. Peterson, Chairman. Haven J. Barlow, K. S. Cornaby, Fred W. Finlinson, LeRay L. McAllister, Glade Nielsen, Paul T. Fordham, Eldon A. Money, Committee Members.

Transportation and Public Safety – Glade Nielsen, Chairman. Richard J. Carling, Alarik Myrin, Boyd K. Storey, Richard B. Tempest, Wilford R. Black, Jr., Eldon A. Money, Committee Members.

EXECUTIVE APPROPRIATIONS AND SUBCOMMITTEES

Executive Appropriations – Lyle W. Hillyard, Chairman. Arnold Christensen, Cary G. Peterson, Dix H. McMullin, Stephen J. Rees, Wilford R. Black, Jr. Eldon A. Money, Frances Farley, Paul T. Fordham, Committee Members.

Business, Labor and Agriculture – David H. Steele, Chairman. Arnold Christensen, Eldon A. Money, Committee Members.

Community and Economic Development – Richard B. Tempest, Chairman. Lane Beattie, Paul T. Fordham, Committee Members.

Social Services and Health – John P. Holmgren, Chairman. Boyd K. Storey, Frances Farley, Committee Members.

Transportation and Public Safety – Alarik Myrin, Chairman. Dix H. McMullin, Wilford R. Black, Jr. Committee Members.

Legislative Management Committee – Arnold Christensen, Chairman. Cary G. Peterson, Dix H. McMullin, Haven J. Barlow, Wilford R. Black, Jr., Eldon A. Money, Winn L. Richards, Karl G. Swan, Committee Members.

Executive Offices, Courts and Correction – K. S. Cornaby, Chairman. Craig A. Peterson, Committee Member.

Natural Resources and Energy – William T. Barton, Chairman. C. E. Peterson, Karl G. Swan, Committee Members.

Public Education – Haven J. Barlow, Chairman. Lyle W. Hillyard, Lorin N. Pace, Stephen J. Rees, Omar B. Bunnell, Committee Members.

Higher Education – Richard J. Carling, Chairman. Fred W. Finlinson, Dixie L. Leavitt, Winn L. Richards, Committee Members.

General Government and Capital Facilities – LeRay L. McAllister, Chairman, Glade Nielsen, Cary Peterson, Committee Members.

PRESENTATION OF RESOLUTIONS

TENTH AMENDMENT RESOLUTION

S.C.R. No. 1 *Arnold Christensen*

A CONCURRENT RESOLUTION OF THE LEGISLATURE URGING THE PRESIDENT OF THE UNITED STATES AND CONGRESS TO PROTECT AND PRESERVE THE TENTH AMENDMENT TO THE UNITED STATES CONSTITUTION WHICH HAS BEEN THE FORCE GOVERNING AND BALANCING THE RESPECTIVE POWERS OF THE STATES AND THE FEDERAL GOVERNMENT, was read the first time and referred to Rules Committee.

RESOLUTION URGING CONGRESSIONAL REPEAL OF THE REQUIREMENT FOR A 55 MILE PER HOUR SPEED LIMIT

S.C.R. No. 2 *Richard J. Carling, Alarik Myrin*

A CONCURRENT RESOLUTION OF THE LEGISLATURE REQUESTING CONGRESS TO REPEAL THE 55 MPH NATIONAL MAXIMUM SPEED LIMIT AND ALLOW STATES TO REGULATE SPEED LIMITS BASED ON ENGINEERING AND TRAFFIC STUDIES, was read the first time and referred to Rules Committee.

RESOLUTION URGING PROTECTION OF THE FLAG

S.C.R. No. 3 *Glade Nielsen, John Holmgren, David H. Steele, Paul T. Fordham, Dixie Leavitt, Craig Peterson, Wilford R. Black, Boyd K. Storey, Dix H. McMullin, Arnold Christensen, Richard B. Tempest, Eldon A. Money, Winn L. Richards, Lane Beattie, Cary Peterson, LeRay McAllister*

A CONCURRENT RESOLUTION OF THE LEGISLATURE AND THE GOVERNOR STRONGLY URGING UTAH'S CONGRESSIONAL DELEGATION TO JOIN IN SUPPORTING A CONSTITUTIONAL AMENDMENT TO PROHIBIT THE PHYSICAL DESECRATION OF THE AMERICAN FLAG AS A PERMITTED FORM OF SYMBOLIC POLITICAL SPEECH, was read the first time and referred to Rules Committee.

WENDOVER ECONOMIC DEVELOPMENT RESOLUTION

S.J.R. No. 1 *William T. Barton*

A JOINT RESOLUTION OF THE LEGISLATURE RECOMMENDING THAT THE INTERIM ECONOMIC DEVELOPMENT COMMITTEE OF THE LEGISLATURE STUDY SOLUTIONS TO THE ECONOMIC PROBLEMS OF WENDOVER, UTAH, was read the first time and referred to Rules Committee.

SPECIAL SESSION AMENDMENTS RESOLUTION

S.J.R. No. 2 *LeRay McAllister*

A JOINT RESOLUTION OF THE LEGISLATURE PROPOSING TO AMEND THE UTAH CONSTITUTION; TO ALLOW CONSIDERATION OF SENATE BUSINESS AT CONFIRMATION SESSIONS; AND PROVIDING AN EFFECT DATE.

THIS RESOLUTION PROPOSES TO CHANGE THE UTAH CONSTITUTION AS FOLLOWS;

AMENDS: ARTICLE VII, SEC. 6, was read the first time and referred to Rules Committee.

LEGISLATIVE AUDITOR GENERAL RESOLUTION

S.J.R. No. 3 *Wilford R. Black, Jr., Omar B. Bunnell, Winn L. Richards, Dix H. McMullin*

A JOINT RESOLUTION OF THE LEGISLATURE APPROVING THE REAPPOINTMENT OF MR. WAYNE L. WELSH AS LEGISLATIVE AUDITOR GENERAL, was read the first time and referred to Rules Committee.

LEGISLATIVE FISCAL ANALYST RESOLUTION

S.J.R. No. 4 *Arnold Christensen*

A JOINT RESOLUTION OF THE LEGISLATURE APPROVING THE REAPPOINTMENT OF MR. LEO L. MEMMOTT AS LEGISLATIVE FISCAL ANALYST, was read the first time and referred to Rules Committee.

INCOME TAX EARMARK AMENDMENT

S.J.R. No. 5 *Karl G. Swan, Lyle L. Hillyard, Omar B. Bunnell, William T. Barton, Dixie Leavitt, Glade Nielsen, Lorin N. Pace*

A JOINT RESOLUTION OF THE LEGISLATURE PROPOSING TO AMEND THE UTAH CONSTITUTION; ELIMINATING THE EARMARK OF INCOME TAXES TO PUBLIC EDUCATION; AND PROVIDING AN EFFECTIVE DATE.

THIS RESOLUTION PROPOSES TO CHANGE THE UTAH CONSTITUTION AS FOLLOWS:

AMENDS: ARTICLE XIII, SEC. 12, was read the first time and referred to Rules Committee.

JOINT RULES AMENDMENTS RESOLUTIONS

S.J.R. No. 6 *C.E. Peterson, Dix H. McMullin, Cary G. Peterson, Stephen J. Rees, Richard B. Tempest, Omar B. Bunnell, Frances Farley*

A JOINT RESOLUTION OF THE LEGISLATURE REVISING THEIR JOINT RULES; CHANGING THE TIME FOR MAKING REQUESTS FOR THE LEGISLATION; PROVIDING OVERSIGHT OF THOSE REQUESTS; AND PROVIDING AN EFFECTIVE DATE, was read the first time and referred to Rules Committee.

LABOR ARTICLE REVISION

S.J.R. No. 7 *Lyle, W. Hillyard, Arnold Christensen, Wilford R. Black, Jr.*

A JOINT RESOLUTION OF THE LEGISLATURE PROPOSING TO AMEND THE UTAH CONSTITUTION; TO CLARIFY CERTAIN PROVISIONS OF THE LABOR ARTICLE AND REPEAL OTHERS; AND PROVIDING AN EFFECTIVE DATE.

THIS RESOLUTION PROPOSES TO CHANGE THE UTAH CONSTITUTION AS FOLLOWS

AMENDS: ARTICLE XVI, SEC. 1; ARTICLE XVI, SEC. 2; ARTICLE XVI, SEC. 3; ARTICLE XVI, SEC. 4; ARTICLE XVI, SEC. 5; ARTICLE XVI, SEC. 6.

REPEALS: ARTICLE XVI, SEC. 7; ARTICLE XVI, SEC. 8, was read the first time and referred to Rules Committee.

LEGISLATIVE CONSTITUTIONAL AMENDMENT

S.J.R. No. 8 *Lyle W. Hillyard, Arnold Christensen, Wilford R. Black, Jr.*

A JOINT RESOLUTION OF THE LEGISLATURE PROPOSING TO AMEND THE UTAH CONSTITUTION; RELATING TO THE LEGISLATURE; CLARIFYING CERTAIN POWERS AND PROCEDURES OF THE LEGISLATURE; MAKING TECHNICAL CHANGES; AND PROVIDING AN EFFECTIVE DATE.

THIS RESOLUTION PROPOSES TO CHANGE THE UTAH CONSTITUTION AS FOLLOWS:

AMENDS: ARTICLE IV, SEC. 9; ARTICLE VI, SEC. 2; ARTICLE VI, SEC. 3; ARTICLE VI, SEC. 4; ARTICLE VII, SEC. 8; ARTICLE VIII, SEC. 8, was read the first time and referred to Rules Committee.

EMERGENCY POWERS AMENDMENT

S.J.R. No. 9 *Lyle W. Hillyard, Arnold Christensen, Wilford R. Black, Jr.*

A JOINT RESOLUTION OF THE LEGISLATURE PROPOSING TO AMEND THE UTAH CONSTITUTION; TO CLARIFY EMERGENCY POWERS OF GOVERNMENT IN TIMES OF DISASTER; AND PROVIDING AN EFFECTIVE DATE.

THIS RESOLUTION PROPOSES TO CHANGE THE UTAH CONSTITUTION AS FOLLOWS;

AMENDS: ARTICLE VI, SEC. 30, was read the first time and referred to Rules Committee.

PERSONAL PROPERTY TAX EXEMPTION

S.J.R. No. 10 *William T. Barton*

A JOINT RESOLUTION OF THE LEGISLATURE PROPOSING TO AMEND THE UTAH CONSTITUTION; ALLOWING THE LEGISLATURE TO EXEMPT A CERTAIN AMOUNT OF COMMERCIAL PERSONAL PROPERTY FROM AD VALOREM PROPERTY TAXATION; AND PROVIDING AN EFFECTIVE DATE.

THIS RESOLUTION PROPOSES TO CHANGE THE UTAH CONSTITUTION AS FOLLOWS:

AMENDS: ARTICLE XIII, SEC. 2, was read the first time and referred to Rules Committee.

EDUCATION ARTICLE REVISION RESOLUTION

S.J.R. No. 11 *John P. Holmgren, Richard B. Tempest, Omar B. Bunnell, Glade Nielsen, C.E. Peterson, Paul T. Fordham, Boyd K. Storey, Lane Beattie, Frances Farley, Arnold Christensen, Cary Peterson, Alarik Myrin, Winn L. Richards*

A JOINT RESOLUTION OF THE LEGISLATURE PROPOSING TO AMEND THE UTAH CONSTITUTION; ALLOWING THE MEMBERSHIP OF THE STATE BOARD OF EDUCATION TO BE PROVIDED FOR BY STATUTE.

THIS RESOLUTION PROPOSES TO CHANGE THE UTAH CONSTITUTION AS FOLLOWS:

AMENDS: ARTICLE X, SEC. 3, was read the first time and referred to Rules Committee.

COMPENSATION OF LEGISLATIVE IN-SESSION EMPLOYEES

S.J.R. No. 12 *Glade Nielsen*

A JOINT RESOLUTION OF THE LEGISLATURE FIXING THE COMPENSATION FOR LEGISLATIVE IN-SESSION EMPLOYEES; AND PROVIDING RETROSPECTIVE OPERATION, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

CAMPAIGN ADVERTISING CLEANUP

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

AN ACT RELATING TO ELECTIONS, REQUIRING CANDIDATES TO REMOVE CAMPAIGN MATERIALS AFTER AN ELECTION; PROVIDING

PENALTIES; AND ENCOURAGING COUNTIES AND MUNICIPALITIES TO HIRE PERSONS TO UNDERTAKE CLEANUP OF CAMPAIGN MATERIALS.

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

ENACTS: 20–13–21, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

DISCLOSURE BY EXEMPT ORGANIZATIONS

S.B. No. 2 *Lane Beattie*

AN ACT RELATING TO CORPORATIONS; REQUIRING AN ANNUAL INFORMATION RETURN TO BE FILED BY EXEMPT ORGANIZATIONS WITH THE DIVISION OF CORPORATIONS AND COMMERCIAL CODE; PROVIDING THAT SUCH INFORMATION BY OPEN TO THE GENERAL PUBLIC; AND PROVIDING RETROSPECTIVE OPERATION.

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

AMENDS: 16–6–99.2, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

WORKERS' COMPENSATION FUND AMENDMENTS

S.B. No. 3 *K.S. Cornaby*

AN ACT RELATING TO WORKERS' COMPENSATION; ELIMINATING CERTAIN ADMINISTRATIVE AND LEGAL TIES TO THE STATE; ADJUSTING CERTAIN STANDARDS RELATED TO THE FUND; MODIFYING CERTAIN DUTIES OF THE BOARD AND CHIEF EXECUTIVE OFFICER; ADJUSTING THE TERMS AND MEMBERSHIP OF THE BOARD; AND MAKING TECHNICAL CORRECTIONS.

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

ENACTS: 35–3–1, AS REPEALED AND REENACTED BY CHAPTER 56, LAWS OF UTAH 1988; 35–3–2, AS LAST AMENDED BY CHAPTER 56, LAWS OF UTAH 1988; 35–3–3, AS REPEALED AND REENACTED BY CHAPTER 56, LAWS OF UTAH 1988; 35–3–4, AS LAST AMENDED BY CHAPTER 56, LAWS OF UTAH 1988; 35–3–5, AS REPEALED AND REENACTED BY CHAPTER 56, LAWS OF UTAH 1988; 35–3–6, AS REPEALED AND REENACTED BY CHAPTER 56, LAWS OF UTAH 1988; 35–3–7, AS REPEALED AND REENACTED BY CHAPTER 56, LAWS OF UTAH 1988; 35–3–8, AS REPEALED AND REENACTED BY CHAPTER 56, LAWS OF UTAH 1988; 35–3–10, AS REPEALED AND REENACTED BY CHAPTER 56, LAWS OF UTAH 1988.

REPEALS: 35-3-9, AS REPEALED AND REENACTED BY CHAPTER 56, LAWS OF UTAH 1988, was read the first time and referred to Rules Committee.

DUI PENALTY AMENDMENT

S.B. No. 4 *Winn L. Richards, Paul T. Fordham, Karl G. Swan, Omar B. Bunnell, Wilford R. Black, C.E. Peterson, David H. Steele, LeRay McAllister, Cary Peterson, Lyle L. Hillyard, Haven J. Barlow, Richard B. Tempest, Glade Nielsen, Fred W. Finlinson, Lorin N. Pace, Dixie Leavitt, Lane Beattie, Eldon A. Money, Frances Farley, Richard J. Carling*

AN ACT RELATING TO CRIMINAL LAW; AMENDING PROVISIONS OF THE DUI LAW REGARDING THE FINE AND PENALTY FOR REPEAT OFFENSES AND THE PERIOD OF TIME APPLIED TO CALCULATE REPEAT OFFENSES.

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

AMENDS: 41-6-44, AS LAST AMENDED BY CHAPTER 17, LAWS OF UTAH 1988, was read the first time and referred to Rules Committee.

RECYCLING OF WASTE TIRES

S.B. No. 5 *Richard B. Tempest*

AN ACT RELATING TO THE HEALTH CODE; PROVIDING FOR WASTE TIRE RECYCLING FEES; PROVIDING PARTIAL REIMBURSEMENT TO RECYCLERS OF WASTE TIRES; AND PROVIDING A SUNSET DATE.

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

ENACTS: 26-32a-101, UTAH CODE ANNOTATED 1953; 26-32a-102, UTAH CODE ANNOTATED 1953; 26-32a-103, UTAH CODE ANNOTATED 1953; 26-32a-104, UTAH CODE ANNOTATED 1953; 26-32a-105, UTAH CODE ANNOTATED 1953; 26-32a-106, UTAH CODE ANNOTATED 1953; 26-32a-107, UTAH CODE ANNOTATED 1953; 26-32a-108, UTAH CODE ANNOTATED 1953; 26-32a-109, UTAH CODE ANNOTATED 1953; 26-32a-110, UTAH CODE ANNOTATED 1953; 26-32a-111, UTAH CODE ANNOTATED 1953; 26-32a-112, UTAH CODE ANNOTATED 1953; 26-32a-113, UTAH CODE ANNOTATED 1953; 26-32a-114, UTAH CODE ANNOTATED 1953; 65-55-226, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

EMPLOYMENT DISCRIMINATION PROCEEDINGS

S.B. No. 6 *K.S. Cornaby*

AN ACT RELATING TO EMPLOYMENT DISCRIMINATION PROCEEDINGS; MAKING DEFINITIONAL CHANGES; AND EXPANDING ADMINISTRATIVE PROCEDURE REQUIREMENTS IN EMPLOYMENT DISCRIMINATION PROCEEDINGS.

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

AMENDS: 34-35-2, AS LAST AMENDED BY CHAPTER 189, LAWS OF UTAH 1985; 34-35-7.1, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987.

REPEALS: 34-35-8, AS LAST AMENDED BY CHAPTER 47, LAWS OF UTAH 1986, was read the first time and referred to Rules Committee.

FLAG DESECRATION OFFENSE

S.B. No. 7 *William T. Barton*

AN ACT RELATING TO CRIMINAL LAW; AMENDING THE OFFENSE OF DESECRATION OF THE FLAG.

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

AMENDS: 76-9-601, AS ENACTED BY CHAPTER 196, LAWS OF UTAH 1973, was read the first time and referred to Rules Committee.

RIGHT TO PREVENT DESECRATION OF FLAG

S.B. No. 8 *William T. Barton*

AN ACT RELATING TO CRIMINAL LAW; ALLOWING USE OF FORCE TO PREVENT ABUSE OF A U.S. FLAG

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

ENACTS: 76-2-407, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

UTAH INJURED WORKER REEMPLOYMENT ACT

S.B. No. 9 *Richard B. Tempest*

AN ACT RELATING TO THE INDUSTRIAL COMMISSION; CREATING A REEMPLOYMENT PROGRAM FOR INJURED WORKERS; PROVIDING

FOR PROGRAM ADMINISTRATION BY THE INDUSTRIAL COMMISSION; ESTABLISHING REEMPLOYMENT PRIORITIES; PROVIDING FOR THE COORDINATION OF BENEFITS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR A SUNSET DATE.

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

AMENDS: 63-55-7, AS LAST AMENDED BY CHAPTERS 3, 69, 207, 222, 225, AND 268, LAWS OF UTAH 1989

ENACTS: 35-10-1, UTAH CODE ANNOTATED 1953; 35-10-2, UTAH CODE ANNOTATED 1953; 35-10-3, UTAH CODE ANNOTATED 1953; 35-10-4, UTAH CODE ANNOTATED 1953; 35-10-5, UTAH CODE ANNOTATED 1953; 35-10-6, UTAH CODE ANNOTATED 1953; 35-10-7, UTAH CODE ANNOTATED 1953; 35-10-8, UTAH CODE ANNOTATED 1953; 35-10-9, UTAH CODE ANNOTATED 1953; 35-10-10, UTAH CODE ANNOTATED 1953; 35-10-11, UTAH CODE ANNOTATED 1953; 35-10-12, UTAH CODE ANNOTATED 1953; 35-10-13, UTAH CODE ANNOTATED 1953; 35-10-14, UTAH CODE ANNOTATED 1953; , was read the first time and referred to Rules Committee.

HOMEOWNERS AND AUTO INSURANCE COMPARISON TABLE

S.B. No. 10 *Lane Beattie*

AN ACT RELATING TO INSURANCE; REQUIRING THE INSURANCE COMMISSIONER TO PUBLISH A COMPARISON OF RATES FOR POLICIES OF MOTOR VEHICLE AND HOMEOWNERS INSURANCE; REQUIRING THE COMMISSIONER TO ALSO PUBLISH THE RATIO OF COMPLAINTS RECEIVED BY THE DEPARTMENT FOR THE INSURERS COMPARED; AND PROVIDING FOR A SUNSET DATE.

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

AMENDS: 63-55-7, AS LAST AMENDED BY CHAPTERS 3, 69, 207, 222, 225, AND 268, LAWS OF UTAH 1989

ENACTS: 31A-2-208.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

FOURTH AMENDMENT ENFORCEMENT ACT REPEAL

S.B. No. 11 *Lyle W. Hillyard*

AN ACT RELATING TO CRIMINAL PROCEDURE; AMENDING AND REPEALING CERTAIN PROVISIONS REGARDING SEARCH AND SEIZURE THAT WERE FOUND UNCONSTITUTIONAL BY THE UTAH SUPREME COURT; AND PROVIDING EFFECTIVE DATES.

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

AMENDS: 63-30-10, AS LAST AMENDED BY CHAPTERS 185, 187, AND 268, LAWS OF UTAH 1989; 77-35-12, AS LAST AMENDED BY CHAPTER 10, LAWS OF UTAH 1982

REPEALS: 78-16-1, AS ENACTED BY CHAPTER 10, LAWS OF UTAH 1982; 78-16-2, AS ENACTED BY CHAPTER 10, LAWS OF UTAH 1982; 78-16-3, AS ENACTED BY CHAPTER 10, LAWS OF UTAH 1982; 78-16-4, AS ENACTED BY CHAPTER 10, LAWS OF UTAH 1982; 68-16-5, AS LAST AMENDED BY CHAPTER 187, LAWS OF UTAH 1989; 78-16-6, AS ENACTED BY CHAPTER 10, LAWS OF UTAH 1989; 78-16-7, AS ENACTED BY CHAPTER 10, LAWS OF UTAH 1982; 78-16-8, AS LAST AMENDED BY CHAPTER 187, LAWS OF UTAH 1989; 78-16-9, AS ENACTED BY CHAPTER 10, LAWS OF UTAH 1982; 78-16-10, AS ENACTED BY CHAPTER 10, LAWS OF UTAH 1982; 78-16-11, AS ENACTED BY CHAPTER 10, LAWS OF UTAH 1982, was read the first time and referred to Rules Committee.

UTAH OUTDOOR ADVERTISING LIMITATIONS

S.B. No. 12 *Wilford R. Black, Jr., Omar B. Bunnell, Dix H. McMullin*

AN ACT RELATING TO HIGHWAYS; AMENDING THE OUTDOOR ADVERTISING ACT REGARDING INSTALLATIONS ON HIGHWAY RIGHT-OF WAYS, ENFORCEMENT ACTION, NOTICE, PENALTIES, AND PERMITS; AMENDING RULEMAKING AUTHORITY; AND REPEALING NOTICE OF VIOLATION PROVISIONS.

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

AMENDS: 27-12-135, AS ENACTED BY CHAPTER 39, LAWS OF UTAH 1963; 27-12-136.6, AS LAST AMENDED BY CHAPTER 136, LAWS OF UTAH 1981; 27-12-136.7, AS LAST AMENDED BY CHAPTER 136, LAWS OF UTAH 1981; 27-12-136.9, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987.

REPEALS: 27-12-136.8, AS LAST AMENDED BY CHAPTER 136, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

EMPLOYERS' REINSURANCE FUND AMENDMENTS

S.B. No. 13 *Richard B. Tempest*

AN ACT RELATING TO REVENUE AND TAXATION; INDEXING THE EMPLOYERS' REINSURANCE FUND CASH RESERVE IN THE SAME MANNER AS THE UNINSURED EMPLOYERS' FUND; AND PROVIDING RETROSPECTIVE OPERATION.

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

AMENDS: 59-9-101, AS LAST AMENDED BY CHAPTER 176, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

ADOPTION RECODIFICATION ACT

S.B. No. 14 *David H. Steele*

AN ACT RELATING TO ADOPTION; MAKING TECHNICAL CORRECTIONS AND CLARIFICATIONS TO ADOPTION STATUTES.

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

AMENDS: 78-30-1, AS LAST AMENDED BY CHAPTER 219, LAWS OF UTAH 1967; 78-30-3, UTAH CODE ANNOTATED 1953; 78-30-5, AS LAST AMENDED BY CHAPTER 165, LAWS OF UTAH 1988; 78-30-6, UTAH CODE ANNOTATED 1953; 78-30-8, AS LAST AMENDED BY CHAPTER 56, LAWS OF UTAH 1953; 78-30-9, UTAH CODE ANNOTATED 1953; 78-30-10, UTAH CODE ANNOTATED 1953; 78-30-11, UTAH CODE ANNOTATED 1953; 78-30-14, AS LAST AMENDED BY CHAPTER 20, LAWS OF UTAH 1985; 78-30-15, AS LAST AMENDED BY CHAPTER 39, LAWS OF UTAH 1987; 78-30-16, AS ENACTED BY CHAPTER 39, LAWS OF UTAH 1987, was read the first time and referred to Rules Committee.

LABOR CODE REVISIONS

S.B. No. 15 *Wilford R. Black, Omar B. Bunnell, Frances Farley, Paul T. Fordham*

AN ACT RELATING TO LABOR; CLARIFYING STANDARDS FOR THE EMPLOYMENT OF MINORS; ESTABLISHING A MINIMUM WAGE; AUTHORIZING THE INDUSTRIAL COMMISSION TO MODIFY THE MINIMUM WAGE BY RULE; PROVIDING FOR ENFORCEMENT; REPEALING CERTAIN INCONSISTENT SECTIONS OF THE LABOR CODE; DEFINING CERTAIN TERMS; MAKING TECHNICAL CORRECTIONS; AND PROVIDING AN EFFECTIVE DATE.

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

ENACTS; 34-23-102, UTAH CODE ANNOTATED 1953, 34-23-103, UTAH CODE ANNOTATED 1953, 34-23-104, UTAH CODE ANNOTATED 1953, 34-23-301, UTAH CODE ANNOTATED 1953, 34-23-302, UTAH CODE ANNOTATED 1953, 34-23-303, UTAH CODE ANNOTATED 1953, 34-23-402, UTAH CODE ANNOTATED 1953, 34-40-101, UTAH CODE ANNOTATED

1953, 34-40-102, UTAH CODE ANNOTATED 1953, 34-40-103, UTAH CODE ANNOTATED 1953, 34-40-104, UTAH CODE ANNOTATED 1953, 34-40-201, UTAH CODE ANNOTATED 1953, 34-40-202, UTAH CODE ANNOTATED 1953, 34-40-203, UTAH CODE ANNOTATED 1953, 34-40-204, UTAH CODE ANNOTATED 1953, 34-40-205, UTAH CODE ANNOTATED 1953.

RENUMBERS AND AMENDS: 34-23-101, (RENUMBERED FROM 34-23-1, AS ENACTED BY CHAPTER 63, LAWS OF UTAH 1973); 34-23-201, (RENUMBERED FROM 34-23-2, AS ENACTED BY CHAPTER 63, LAWS OF UTAH 1973); 34-23-202, (RENUMBERED FROM 34-23-3, AS ENACTED BY CHAPTER 63, LAWS OF UTAH 1973); 34-23-203, (RENUMBERED FROM 34-23-4, AS ENACTED BY CHAPTER 63, LAWS OF UTAH 1973); 34-23-204, (RENUMBERED FROM 34-23-5, AS ENACTED BY CHAPTER 63, LAWS OF UTAH 1973); 34-23-205, (RENUMBERED FROM 34-23-6, AS ENACTED BY CHAPTER 63, LAWS OF UTAH 1973); 34-23-206, (RENUMBERED FROM 34-23-7, AS ENACTED BY CHAPTER 63, LAWS OF UTAH 1973); 34-23-207, (RENUMBERED FROM 34-23-8, AS ENACTED BY CHAPTER 63, LAWS OF UTAH 1973); 34-23-208, (RENUMBERED FROM 34-23-9, AS ENACTED BY CHAPTER 63, LAWS OF UTAH 1973); 34-23-209, (RENUMBERED FROM 34-23-10, AS ENACTED BY CHAPTER 63, LAWS OF UTAH 1973); 34-23-401, (RENUMBERED FROM 34-23-11, AS ENACTED BY CHAPTER 63, LAWS OF UTAH 1973)

REPEALS: 34-22-1, AS LAST AMENDED BY CHAPTER 133, LAWS OF UTAH 1988; 34-22-5, AS LAST AMENDED BY CHAPTER 73, LAWS OF UTAH 1971; 34-22-6, AS ENACTED BY CHAPTER 85, LAWS OF UTAH 1969; 34-22-7, AS ENACTED BY CHAPTER 85, LAWS OF UTAH 1969; 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; 34-22-10, AS ENACTED BY CHAPTER 85, LAWS OF UTAH 1969; 34-22-11, AS LAST AMENDED BY CHAPTER 62, LAWS OF UTAH 1973; 34-22-12, AS ENACTED BY CHAPTER 85, LAWS OF UTAH 1969; 34-22-15, AS ENACTED BY CHAPTER 85, LAWS OF UTAH 1969; 34-22-16, AS ENACTED BY CHAPTER 85, LAWS OF UTAH 1969; 34-22-17, AS ENACTED BY CHAPTER 85, LAWS OF UTAH 1969; 34-22-18, AS ENACTED BY CHAPTER 85, LAWS OF UTAH 1969; 34-22-19, AS ENACTED BY CHAPTER 85, LAWS OF UTAH 1969; 34-22-20, AS ENACTED BY CHAPTER 85, LAWS OF UTAH 1969; 34-22-21, AS ENACTED BY CHAPTER 85, LAWS OF UTAH 1969; 34-23-12, AS ENACTED BY CHAPTER 63, LAWS OF UTAH 1973; 34-22-13, AS ENACTED BY CHAPTER 63, LAWS OF UTAH 1973, was read the first time and referred to Rules Committee.

INSURANCE COVERAGE OF INFERTILITY

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

AN ACT RELATING TO MEDICAL INSURANCE; PROVIDING THAT CERTAIN POLICIES OF INSURANCE COVER THE EXPENSES OF DIAGNOSIS AND TREATMENT OF INFERTILITY.

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

ENACTS: 31A-22-1401, UTAH CODE ANNOTATED 1953; 31-A-22-1402, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

TELECOMMUNICATIONS TAXATION

S.B. No. 17 *Lyle W. Hillyard*

AN ACT RELATING TO REVENUE AND TAXATION; CLARIFYING THE TAXATION OF TELECOMMUNICATIONS; AND PROVIDING AN EFFECTIVE DATE.

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

59-12-103, AS LAST AMENDED BY CHAPTER 5, LAWS OF UTAH 1989, SECOND SPECIAL SESSION; 59-12-104, AS LAST AMENDED BY CHAPTERS 89, 169, AND 247, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

DISCLOSURE OF PSYCHOLOGICALLY IMPACTED PROPERTY

S.B. No. 18 *Lane Beattie*

AN ACT RELATING TO REAL ESTATE; PROVIDING THAT THE FAILURE TO DISCLOSE CERTAIN FACTS ABOUT PROPERTY BEING SOLD IS NOT A MATERIAL FACT OR THE BASIS OF LIABILITY.

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

AMENDS: 57-1-1, AS LAST AMENDED BY CHAPTER 155, LAWS OF UTAH 1988.

ENACTS: 57-1-37, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

UNIFORM SECURITIES ACT AMENDMENTS

S.B. No. 19 *K.S. Cornaby*

AN ACT RELATING TO SECURITIES; PROVIDING FOR CONFORMITY WITHIN THE SECURITIES DIVISION WITH THE UTAH ADMINISTRATIVE

PROCEDURES ACT; ALLOWING THE DIRECTOR OF THE DIVISION RATHER THAN THE EXECUTIVE DIRECTOR OF THE DEPARTMENT TO DENY, SUSPEND, OR REVOKE LICENSES AND REGISTRATIONS; PROVIDING THE DIVISION CERTAIN ENFORCEMENT POWERS; PROVIDING FOR ENFORCEMENT OF THE UNIFORM SECURITIES ACT; PROVIDING FUNDING FOR THE EDUCATION AND TRAINING OF SECURITIES INVESTORS; AND MAKING TECHNICAL CORRECTIONS.

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

AMENDS: 61-1-3, AS LAST AMENDED BY CHAPTER 284, LAWS OF UTAH 1983; 61-1-4, AS LAST AMENDED BY CHAPTER 284, LAWS OF UTAH 1983; 61-1-5, AS LAST AMENDED BY CHAPTER 92, LAWS OF UTAH 1987; 61-1-6, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987; 61-1-11, AS LAST AMENDED BY CHAPTER 284, LAWS OF UTAH 1983; 61-1-12, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987; 61-1-13, AS LAST AMENDED BY CHAPTER 225, LAWS OF UTAH 1989; 61-1-14, AS LAST AMENDED BY CHAPTER 92, LAWS OF UTAH 1987; 61-1-18.4, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 61-1-18.5, AS LAST AMENDED BY CHAPTER 225, LAWS OF UTAH 1989; 61-1-19, AS LAST AMENDED BY CHAPTER 284, LAWS OF UTAH 1983; 61-1-20, AS LAST AMENDED BY CHAPTER 107, LAWS OF UTAH 1986; 61-1-21, AS LAST AMENDED BY CHAPTER 284, LAWS OF UTAH 1983; 61-1-26, AS LAST AMENDED BY CHAPTER 284, LAWS OF UTAH 1983; 78-27-50, AS ENACTED BY CHAPTER 143, LAWS OF UTAH 1977.

ENACTS; 61-1-18.7, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

REAL ESTATE APPRAISER REGISTRATION AND CERTIFICATION ACT

S.B. No. 20 *Haven J. Barlow, Richard J. Carling, Stephen J. Rees*

AN ACT RELATING TO THE DIVISION OF REAL ESTATE; ENACTING REAL ESTATE APPRAISER REGISTRATION AND CERTIFICATION ACT; PROVIDING FOR ADMINISTRATION OF THE ACT; DEFINING UNLAWFUL ACTS; CREATING A BOARD; PROVIDING REGISTRATION AND CERTIFICATION STANDARDS AND PROCEDURES FOR RENEWAL, REASSURANCE, AND REINSTATEMENT OF REGISTRATION AND CERTIFICATION; ENUMERATING GROUNDS AND PROCEDURES FOR DISCIPLINARY ACTIONS; MAKING TECHNICAL CORRECTIONS;

PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTION OF UTAH CODE ANNOTATED 1953 AS FOLLOWS;

AMENDS: 59-2-701, AS LAST AMENDED BY CHAPTER 53, LAWS OF UTAH 1989; 59-2-702, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988; 59-2-703, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988.

ENACTS: 61-2b-1, UTAH CODE ANNOTATED 1953; 61-2b-2, UTAH CODE ANNOTATED 1953; 61-2b-3, UTAH CODE ANNOTATED 1953; 61-2b-4, UTAH CODE ANNOTATED 1953; 61-2b-5, UTAH CODE ANNOTATED 1953; 61-2b-6, UTAH CODE ANNOTATED 1953; 61-2b-7, UTAH CODE ANNOTATED 1953; 61-2b-8, UTAH CODE ANNOTATED 1953; 61-2b-9, UTAH CODE ANNOTATED 1953; 61-2b-10, UTAH CODE ANNOTATED 1953; 61-2b-11, UTAH CODE ANNOTATED 1953; 61-2b-12, UTAH CODE ANNOTATED 1953; 61-2b-13, UTAH CODE ANNOTATED 1953; 61-2b-14, UTAH CODE ANNOTATED 1953; 61-2b-15, UTAH CODE ANNOTATED 1953; 61-2b-16, UTAH CODE ANNOTATED 1953; 61-2b-17, UTAH CODE ANNOTATED 1953; 61-2b-18, UTAH CODE ANNOTATED 1953; 61-2b-19, UTAH CODE ANNOTATED 1953; 61-2b-20, UTAH CODE ANNOTATED 1953; 61-2b-21, UTAH CODE ANNOTATED 1953; 61-2b-22, UTAH CODE ANNOTATED 1953; 61-2b-23, UTAH CODE ANNOTATED 1953; 61-2b-24, UTAH CODE ANNOTATED 1953; 61-2b-25, UTAH CODE ANNOTATED 1953; 61-2b-26, UTAH CODE ANNOTATED 1953; 61-2b-27, UTAH CODE ANNOTATED 1953; 61-2b-28, UTAH CODE ANNOTATED 1953; 61-2b-29, UTAH CODE ANNOTATED 1953; 61-2b-30, UTAH CODE ANNOTATED 1953; 61-2b-31, UTAH CODE ANNOTATED 1953; 61-2b-32, UTAH CODE ANNOTATED 1953; 61-2b-33, UTAH CODE ANNOTATED 1953; 61-2b-34, UTAH CODE ANNOTATED 1953; 61-2b-35, UTAH CODE ANNOTATED 1953; 61-2b-36, UTAH CODE ANNOTATED 1953; 61-2b-37, UTAH CODE ANNOTATED 1953; 61-2b-38, UTAH CODE ANNOTATED 1953; 61-2b-39, UTAH CODE ANNOTATED 1953; 61-2b-40, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

LEGISLATORS' COMPENSATION

S.B. No. 21 *Wilford R. Black, Winn L. Richards, Paul T. Fordham, Fred W. Finlinson, Haven J. Barlow, Eldon A. Money*

AN ACT RELATING TO THE LEGISLATURE; INCREASING THE COMPENSATION OF LEGISLATORS.

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

36-2-2, AS LAST AMENDED BY CHAPTER 7, LAWS OF UTAH 1985, FIRST SPECIAL SESSION, was read the first time and referred to Rules Committee.

REVISION TO STATE HIGHWAYS

S.B. No. 22 *Alarik Myrin*

AN ACT RELATING TO HIGHWAYS; PROVIDING CHANGES IN THE STATE ROAD SYSTEM.

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

AMENDS: 27-12-34.1, AS LAST AMENDED BY CHAPTER 142, LAWS OF UTAH 1983; 27-12-42.1, AS LAST AMENDED BY CHAPTER 108, LAWS OF UTAH 1979; 27-12-46.1, AS LAST AMENDED BY CHAPTER 18, LAWS OF UTAH 1988; 27-12-49.1, AS LAST AMENDED BY CHAPTER 18, LAWS OF UTAH 1988; 27-12-51.1, AS LAST AMENDED BY CHAPTER 18, LAWS OF UTAH 1988; 27-12-55.1, AS LAST AMENDED BY CHAPTER 5, LAWS OF UTAH 1985; 27-12-59.1, AS LAST AMENDED BY CHAPTER 5, LAWS OF UTAH 1985; 27-12-62.1, AS LAST AMENDED BY CHAPTER 5, LAWS OF UTAH 1985, was read the first time and referred to Rules Committee.

BEAR RIVER DEVELOPMENT AND OVERSIGHT

S.B. No. 23 *John P. Holmgren, Craig Peterson, Glade Nielsen, Fred W. Finlinson, Dix H. McMullin, Eldon A. Money, Paul T. Fordham*

AN ACT RELATING TO DEVELOPMENT OF THE BEAR RIVER; DIRECTING THE DIVISION OF WATER RESOURCES TO CONDUCT STUDIES; APPROPRIATING $1,500,000 IN FISCAL YEAR 1989-90 FOR THE STUDIES; EXTENDING THE LIFE OF THE JOINT GUBERNATORIAL/LEGISLATIVE TASK FORCE ON THE BEAR RIVER; AND PROVIDING AN EFFECTIVE DATE.

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

ENACTS: 72-10f-1, UTAH CODE ANNOTATED 1953; 73-10f-2, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

PURCHASING PRACTICES IN PUBLIC AND HIGHER EDUCATION

S.B. No. 24 *Dixie L. Leavitt*

AN ACT RELATING TO PURCHASING PRACTICES; PROVIDING FOR STAFF POSITIONS WITHIN THE STATE DIVISION OF PURCHASING TO DEAL WITH COOPERATIVE PURCHASING PRACTICES AND THE EXPANDED USE OF STATE CONTRACTS IN PUBLIC AND HIGHER EDUCATION; AND PROVIDING FOR MONITORING OF THE COST-EFFECTIVENESS OF THE POSITIONS.

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

ENACTS: 63-56-74, UTAH CODE ANNOTATED 1953; 63-56-75, UTAH CODE ANNOTATED 1953; 63-56-76, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

WITHDRAWAL FROM WATER CONSERVANCY DISTRICTS

S.B. No. 25 *Fred W. Finlinson, John Holmgren, Eldon A. Money, Karl G. Swan, Alarik Myrin, Cary Peterson*

AN ACT RELATING TO WATER CONSERVANCY DISTRICT; AMENDING PROCEDURES FOR THE EXCLUSION OF LAND FROM DISTRICTS; AND PROVIDING AN EFFECTIVE DATE.

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

ENACTS: 73-9-30.1, UTAH CODE ANNOTATED 1953; 73-9-30.2, UTAH CODE ANNOTATED 1953; 73-9-30.3, UTAH CODE ANNOTATED 1953; 73-9-30.4, UTAH CODE ANNOTATED 1953; 73-9-30.5, UTAH CODE ANNOTATED 1953.

REPEALS AND REENACTS: 73-9-30, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

UNDERGROUND STORAGE TANK ACT AMENDMENTS

S.B. No. 26 *Fred W. Finlinson, John Holmgren, Karl G. Swan, Alarik Myrin, Cary Peterson*

AN ACT RELATING TO UNDERGROUND STORAGE TANKS; CREATING AN ENVIRONMENTAL SURCHARGE ON PETROLEUM PRODUCTS; DIRECTING THAT THE REVENUES GENERATED FROM THE ENVIRONMENTAL SURCHANGE BE DEPOSITED IN THE PETROLEUM STORAGE TANK FUND; AMENDING REQUIREMENTS PERTAINING TO

OBTAINING COVERAGE UNDER THE FUND SUCH AS ELIMINATING THE SOIL TESTING REQUIREMENT IN CERTAIN SITUATIONS; SETTING ANNUAL AGGREGATE LIMITS FOR COVERAGE UNDER THE FUND; AND AMENDING THE CIRCUMSTANCES UNDER WHICH THE EXECUTIVE SECRETARY MAY EXPEND FUND MONIES.

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

AMENDS: 26-14e-102, AS ENACTED BY CHAPTER 268, LAWS OF UTAH 1989; 26-14e-401, AS ENACTED BY CHAPTER 268, LAWS OF UTAH 1989; 26-14e-402, AS ENACTED BY CHAPTER 268, LAWS OF UTAH 1989; 26-14e-403, AS ENACTED BY CHAPTER 268, LAWS OF UTAH 1989; 26-14e-404, AS ENACTED BY CHAPTER 268, LAWS OF UTAH 1989; 26-14e-503, AS ENACTED BY CHAPTER 268, LAWS OF UTAH 1989; 26-14e-601, AS ENACTED BY CHAPTER 268, LAWS OF UTAH 1989.

ENACTS: 26-14e-401.1, UTAH CODE ANNOTATED 1953.

REPEALS: 26-14e407, AS ENACTED BY CHAPTER 268, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

GRAND JURY REFORM

S.B. No. 27 *Lyle W. Hillyard*

AN ACT RELATING TO JUDICIAL PROCEDURE; REPEALING EXISTING GRAND JURY PROVISIONS; PROVIDING FOR A STATEWIDE GRAND JURY; PROVIDING PROCEDURES AND PRACTICES; APPROPRIATING A MAXIMUM OF $50,000 FOR SPECIAL PROSECUTORS AND $25,000 FOR GRAND JURY EXPENSES; PROVIDING ADDITIONAL FUNDING CONSIDERATIONS; AMENDING OTHER STATUTES TO CONFORM; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 78-46-2, AS ENACTED BY CHAPTER 130, LAWS OF UTAH 1979; 78-46-21, AS ENACTED BY CHAPTER 130, LAWS OF UTAH 1979.

ENACTS: 77-10a-1, UTAH CODE ANNOTATED 1953; 77-10a-2, UTAH CODE ANNOTATED 1953; 77-10a-3, UTAH CODE ANNOTATED 1953; 77-10a-4, UTAH CODE ANNOTATED 1953; 77-10a-5, UTAH CODE ANNOTATED 1953; 77-10a-6, UTAH CODE ANNOTATED 1953; 77-10a-7, UTAH CODE ANNOTATED 1953; 77-10a-8, UTAH CODE ANNOTATED 1953; 77-10a-9, UTAH CODE ANNOTATED 1953; 77-10a-10, UTAH CODE ANNOTATED 1953; 77-10a-11, UTAH CODE ANNOTATED 1953; 77-10a-12, UTAH CODE ANNOTATED 1953; 77-10a-13, UTAH CODE ANNOTATED 1953; 77-10a-14, UTAH CODE ANNOTATED 1953; 77-10a-15, UTAH CODE

ANNOTATED 1953; 77-10a-16, UTAH CODE ANNOTATED 1953; 77-10a-17, UTAH CODE ANNOTATED 1953; 77-10a-18, UTAH CODE ANNOTATED 1953; 77-10a-19, UTAH CODE ANNOTATED 1953; 77-10a-20, UTAH CODE ANNOTATED 1953.

REPEALS: 77-10-1, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-10-2, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-10-3, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-10-4, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-10-5, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-10-6, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-10-7, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-10-8, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-11-1, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-11-2, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-11-3, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-11-4, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-11-5, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-11-6, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-11-7, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-11-8, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-11-9, AS LAST AMENDED BY CHAPTER 118, LAWS OF UTAH 1986; 77-11-10, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-11-11, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-12-1, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-12-2, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-12-3, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-12-4, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-12-5, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 78-46-22, AS ENACTED BY CHAPTER 130, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

AGRICULTURAL PRODUCTS DEALERS ACT

S.B. No. 28 *Eldon A. Money, John Holmgren, Cary Peterson, Fred T. Fordham, Alarik Myrin*

AN ACT RELATING TO THE AGRICULTURAL PRODUCTS DEALERS ACT; INCREASING THE MINIMUM BOND TO BE PAID BY A DEALER; AND MAKING TECHNICAL CHANGES.

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

AMENDS: 4-7-3, AS LAST AMENDED BY CHAPTER 24, LAWS OF UTAH 1985; 4-7-4, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979; 4-7-6, AS LAST AMENDED BY CHAPTER 24, LAWS OF UTAH 1985; 4-7-7, AS LAST AMENDED BY CHAPTERS 24 AND 130 LAWS OF UTAH 1985;

4–7–8, AS LAST AMENDED BY CHAPTER 24, LAWS OF UTAH 1985; 4–7–9, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979; 4–7–10, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979; 4–7–11, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987; 4–7–12, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

ELIGIBILITY FOR TAX RELIEF PROGRAMS

S.B. No. 29 *Haven J. Barlow, Karl G. Swan, William T. Barton*

AN ACT RELATING TO REVENUE AND TAXATION; DEFINING POOR PERSONS FOR PURPOSES OF ELIGIBILITY FOR TAX RELIEF PROGRAMS; AND PROVIDING AN EFFECTIVE DATE.

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

59–2–1109, AS REPEALED AND REENACTED BY CHAPTER 3, LAWS OF UTAH 1988, was read the first time and referred to Rules Committee.

REAUTHORIZATION OF INFORMATION PRACTICES TASK FORCE

S.B. No. 30 *David H. Steele*

AN ACT RELATING TO INFORMATION PRACTICES; REAUTHORIZING THE INFORMATION PRACTICES TASK FORCE, CREATED IN THE 1989 GENERAL SESSION, THROUGH NOVEMBER, 1990

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

JUVENILE COURT CUSTODY AMENDMENT

S.B. No. 31 *Haven J. Barlow*

AN ACT RELATING TO JUVENILE LAW; AMENDING PROVISIONS FOR DISPOSITION OF A JUVENILE'S CASE

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

AMENDS: 78–3a–39, AS LAST AMENDED BY CHAPTERS 150, 161, 178, 188, AND 201, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

FEES LIMITATIONS ON TRUST DEEDS

S.B. No. 32 *Lorin N. Pace*

AN ACT RELATING TO REAL PROPERTY; AMENDING FEE PROVISIONS FOR PREPARING TRUST DEEDS AND CANCELLATIONS OF NOTICE OF DEFAULT; AND MAKING TECHNICAL CORRECTIONS.

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

AMENDS: 57-1-31, AS LAST AMENDED BY CHAPTER 68, LAWS OF UTAH 1985, was read the first time and referred to Rules Committee.

TAX PENALTY AMENDMENTS

S.B. No. 33 *William T. Barton, LeRay McAllister, C.E. Peterson*

AN ACT RELATING TO REVENUE AND TAXATION; AMENDING TAX PENALTIES; PROVIDING FOR PAYMENT OF COSTS FOR PREVAILING TAXPAYERS UNDER CERTAIN CIRCUMSTANCES; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 59-1-401, AS LAST AMENDED BY CHAPTER 22, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

UNINSURED EMPLOYERS' FUND REVISIONS

S.B. No. 34 *Richard B. Tempest*

AN ACT RELATING TO THE UNINSURED EMPLOYERS' FUND, REQUIRING CERTAIN RECIPIENTS TO REIMBURSE THE FUND ELIMINATING REIMBURSEMENT FROM THE FUND FOR CERTAIN ADMINISTRATIVE COSTS; AND MAKING TECHNICAL CORRECTIONS.

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

AMENDS: 35-1-107, AS LAST AMENDED BY CHAPTER 109, LAWS OF UTAH 1988, was read the first time and referred to Rules Committee.

STANDARDIZED REPORTING OF INDUSTRIAL INJURIES AND OCCUPATIONAL DISEASES

S.B. No. 35 *Richard B. Tempest*

AN ACT RELATING TO WORKERS' COMPENSATION AND OCCUPATIONAL SAFETY AND HEALTH; PROVIDING STANDARDIZED RECORDKEEPING AND REPORTING REQUIREMENTS; AND MAKING TECHNICAL CORRECTIONS.

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

AMENDS: 26-6a-11, AS ENACTED BY CHAPTER 14, LAWS OF UTAH 1988 SECOND SPECIAL SESSION;35-1-65.1, AS LAST AMENDED BY

CHAPTER 116, LAWS OF UTAH 1988; 35-1-66, AS LAST AMENDED BY CHAPTER 116, LAWS OF UTAH 1988; 35-1-78, AS LAST AMENDED BY CHAPTER 116, LAWS OF UTAH 1988; 35-9-3, AS LAST AMENDED BY CHAPTER 265, LAWS OF UTAH 1989; 35-9-8, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1985;35-9-16, AS ENACTED BY CHAPTER 69, LAWS OF UTAH 1973; 35-9-17, AS ENACTED BY CHAPTER 69, LAWS OF UTAH 1973; 35-9-18, AS ENACTED BY CHAPTER 69, LAWS OF UTAH 1973.

REPEALS AND REENACTS: 35-1-97, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1967; 35-1-98, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1967; 35-2-6, UTAH CODE ANNOTATED 1953.

REPEALS: 35-1-99, AS LAST AMENDED BY CHAPTER 116, LAWS OF UTAH 1988, was read the first time and referred to Rules Committee.

FARM EQUIPMENT DEFINITION AMENDMENT

S.B. No. 36 *Eldon A. Money, John Holmgren, Cary Peterson, Alarik Myrin*

AN ACT RELATING TO REVENUE AND TAXATION; EXPANDING THE DEFINITION OF FARM EQUIPMENT FOR PROPERTY TAX EXEMPTION PURPOSES TO INCLUDE AIRCRAFT LICENSED AND CERTIFIED EXCLUSIVELY FOR AGRICULTURAL OPERATIONS; AND PROVIDING RETROSPECTIVE OPERATION.

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

AMENDS: 59-2-102, AS LAST AMENDED BY CHAPTER 204, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

MORTGAGE LENDING AND SERVICING ACT

S.B. No. 37 *Lane Beattie, Craig Peterson, Haven J. Barlow, Glade Nielsen, Richard J. Carling, Boyd K. Storey*

AN ACT RELATING TO REAL ESTATE LENDING PRACTICES; REQUIRING DISCLOSURE OF TRANSFER OF LOAN SERVICING; REQUIRING NOTIFICATION PRIOR TO TRANSFER OF LOAN SERVICING; REQUIRING REGISTRATION WITH THE DEPARTMENT OF FINANCIAL INSTITUTIONS; AUTHORIZING ENFORCEMENT BY DEPARTMENT OF FINANCIAL INSTITUTIONS; PROVIDING PENALTIES FOR NONCOMPLIANCE; EXEMPTING PROCEEDINGS FROM THE ADMINISTRATIVE PROCEDURES ACT.

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

ENACTS: 70D-1-1, UTAH CODE ANNOTATED 1953; 70D-1-2, UTAH CODE ANNOTATED 1953; 70D-1-3, UTAH CODE ANNOTATED 1953; 70D-1-4, UTAH CODE ANNOTATED 1953; 70D-1-5, UTAH CODE ANNOTATED 1953; 70D-1-6, UTAH CODE ANNOTATED 1953; 70D-1-7, UTAH CODE ANNOTATED 1953; 70D-1-8, UTAH CODE ANNOTATED 1953; 70D-1-9, UTAH CODE ANNOTATED 1953; 70D-1-10, UTAH CODE ANNOTATED 1953; 70D-1-11, UTAH CODE ANNOTATED 1953; 70D-1-12, UTAH CODE ANNOTATED 1953; 70D-1-13, UTAH CODE ANNOTATED 1953; 70D-1-14, UTAH CODE ANNOTATED 1953; 70D-1-15, UTAH CODE ANNOTATED 1953; 70D-1-16, UTAH CODE ANNOTATED 1953; 70D-1-17, UTAH CODE ANNOTATED 1953; 70D-1-18, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING LICENSURE REVIEW PROCESS

S.B. No. 38 *Eldon A. Money, Winn L. Richards, Paul T. Fordham, C.E. Peterson, David H. Steele, Fred W. Finlinson, John Holmgren, Richard B. Tempest, Haven J. Barlow, Glade Nielsen, Dixie Leavitt*

AN ACT RELATING TO OCCUPATIONS AND PROFESSIONS; CLARIFYING THAT THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING SHALL HOLD A HEARING PRIOR TO THE SUSPENSION OR REVOCATION OF A LICENSE.

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

AMENDS: 58-1-16, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987, was read the first time and referred to Rules Committee.

PROPERTY TAX - PERSONAL PROPERTY PENALTIES

S.B. No. 39 *William T. Barton*

AN ACT RELATING TO REVENUE AND TAXATION; DECREASING THE INTEREST RATE PAYABLE FROM THE DATE OF DELINQUENCY ON PERSONAL PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 59-2-1302, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988, was read the first time and referred to Rules Committee.

PROPERTY TAX - PERSONAL PROPERTY EXEMPTION

S.B. No. 40 *William T. Barton*

AN ACT RELATING TO REVENUE AND TAXATION; IMPLEMENTING A COMMERCIAL PERSONAL PROPERTY EXEMPTION UPON PASSAGE OF A CONSTITUTIONAL AMENDMENT ALLOWING THAT EXEMPTION; DEFINING COMMERCIAL PERSONAL PROPERTY; ESTABLISHING THE AMOUNT OF THE EXEMPTION; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 59-2-102, AS LAST AMENDED BY CHAPTER 294, LAWS OF UTAH 1989.

ENACTS: 59-2-1115, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

UNIFORM TAX ON PERSONAL PROPERTY

S.B. No. 41 *Dix H. McMullin*

AN ACT RELATING TO REVENUE AND TAXATION; ESTABLISHING A STATEWIDE UNIFORM TAX BASED ON VALUE ON CERTAIN TRANSITORY PERSONAL PROPERTY REQUIRED TO BE REGISTERED WITH THE STATE; PROVIDING FOR RATE REDUCTIONS ON REAL PROPERTY TO OFFSET INCREASES IN THE PERSONAL PROPERTY UNIFORM TAX UNDER PRESCRIBED CIRCUMSTANCES; AND PROVIDING AN EFFECTIVE DATE.

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

ENACTS: 59-2-405, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

MOVEMENT OF IMPLEMENTS OF HUSBANDRY

S.B. No. 42 *John P. Holmgren*

AN ACT RELATING TO HIGHWAYS; ALLOWING MOVEMENT OF CERTAIN OVERWIDTH VEHICLES WITHOUT AN ESCORT.

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

AMENDS: 27-12-148, AS LAST AMENDED BY CHAPTERS 160 AND 222, LAWS OF UTAH 1987, was read the first time and referred to Rules Committee.

JAIL AMENDMENTS

S.B. No. 43 *Eldon A. Money*

AN ACT RELATING TO CORRECTIONS; AMENDING PROVISIONS REGARDING CITY AND TOWN USE OF JAILS; AND PROVIDING FOR REIMBURSEMENT TO FACILITIES FOR INCARCERATION SERVICES.

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

AMENDS: 10-8-58, AS LAST AMENDED BY CHAPTER 229, LAWS OF UTAH 1988; 10-8-58.5, AS ENACTED BY CHAPTER 229, LAWS OF UTAH 1988; 59-2-908, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988; 64-13-14, AS LAST AMENDED BY CHAPTER 116, LAWS OF UTAH 1987; 76-3-208, AS ENACTED BY CHAPTER 32, LAWS OF UTAH 1974; 77-18-1, AS LAST AMENDED BY CHAPTER 226, LAWS OF UTAH 1989.

ENACTS: 17-22-8.4, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

SALES TAX EXEMPTION FOR POLLUTION CONTROL FACILITIES

S.B. No. 44 *Cary G. Peterson*

AN ACT RELATING TO REVENUE AND TAXATION; EXTENDING THE SALES AND USE TAX EXEMPTION FOR POLLUTION CONTROL FACILITIES

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

AMENDS: 26-13-27, AS LAST AMENDED BY CHAPTER 80, LAWS OF UTAH 1985; 26-13-28, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987, was read the first time and referred to Rules Committee.

TRESPASS AMENDMENTS

S.B. No. 45 *Richard B. Tempest*

AN ACT RELATING TO CRIMINAL LAW; AMENDING PENALTIES FOR TRESPASS.

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

AMENDS: 76-6-206, AS LAST AMENDED BY CHAPTER 32, LAWS OF UTAH 1974, was read the first time and referred to Rules Committee.

COLLECTION OF PERSONAL PROPERTY TAXES AND FEES

S.B. No. 46 *Dix H. McMullin*

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING FOR THE ELIMINATION OF DUPLICATIVE SERVICES IN COLLECTING CERTAIN PERSONAL PROPERTY TAXES AND FEES; AND PROVIDING AN EFFECTIVE DATE.

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

ENACTS: 59-2-405, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

JUVENILE COURT FILING AMENDMENT

S.B. No. 47 *Haven J. Barlow*

AN ACT RELATING TO JUVENILE LAW; AMENDING PROVISIONS REGARDING RILING JUVENILE CASES IN ADULT COURT; AND AMENDING PROVISIONS FOR RECALLING JUVENILE COURT JURISDICTION.

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

AMENDS: 78-3a-25, AS LAST AMENDED BY CHAPTER 159, LAWS OF UTAH 1986, was read the first time and referred to Rules Committee.

THEFT OF CABLE TV SERVICES AMENDMENTS

S.B. No. 48 *Haven J. Barlow*

AN ACT RELATING TO THEFT OF SERVICES; PROVIDING THAT AN INDIVIDUAL MUST ACT WITH INTENT TO AVOID DUE PAYMENT IN ORDER TO BE GUILTY OF THE OFFENSE OF THEFT OF UTILITY OR CABLE TELEVISION SERVICE; MODIFYING PENALTIES; AND MAKING CERTAIN TECHNICAL CHANGES.

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

AMENDS: 76-6-409.3, AS LAST AMENDED BY CHAPTER 30, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

NONCONFORMING USES AMENDMENTS

S.B. No. 49 *Haven J. Barlow, Arnold Christensen, Wilford R. Black*

AN ACT RELATING TO REAL PROPERTY; PROVIDING FOR METHODS TO TERMINATE NONCONFORMING USES; AND MAKING TECHNICAL CORRECTIONS.

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

AMENDS: 10-9-6, AS LAST AMENDED BY CHAPTER 124, LAWS OF UTAH 1987; 17-27-18, AS LAST AMENDED BY CHAPTER 44, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

RETIREMENT BENEFIT AMENDMENTS

S.B. No. 50 *Dix H. McMullin, Haven J. Barlow, Stephen J. Rees, David H. Steele, Boyd K. Storey, K.S. Cornaby*

AN ACT RELATING TO PENSIONS; GRANTING A 2% FORMULA FOR ALL YEARS OF SERVICE RENDERED BY ACTIVE MEMBERS OF THE PUBLIC EMPLOYEES' NONCONTRIBUTORY RETIREMENT SYSTEM; PROVIDING A PERIOD OF TIME DURING WHICH PUBLIC EMPLOYEE RETIREMENT SYSTEM MEMBERS MAY CONVERT TO THE NONCONTRIBUTORY SYSTEM; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 49-3-205, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1987; 49-3-402, AS LAST AMENDED BY CHAPTER 81, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

SALES TAX - EXEMPTION FOR FACTORY BUILT HOMES

S.B. No. 51 *Richard B. Tempest*

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING AN EXEMPTION FROM SALES TAX FOR THE SALE OF FACTORY BUILT HOMES; AND PROVIDING AN EFFECTIVE DATE

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

AMENDS: 59-12-102, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1988; 59-12-104, AS LAST AMENDED BY CHAPTERS 89, 169, AND 247, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

GROUP CRIMINAL ACTIVITY PENALTIES

S.B. No. 52 *Paul T. Fordham*

AN ACT RELATING TO CRIMINAL LAW; ENHANCING PENALTIES FOR CERTAIN CRIMES COMMITTED BY PERSONS ACTING TOGETHER.

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

ENACTS: 76-3-203.1, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

PURCHASE OF RETIREMENT CREDIT

S.B. No. 53 *Dix H. McMullin, Wilford R. Black, Stephen J. Rees*

AN ACT RELATING TO PENSIONS; ESTABLISHING RESTRICTIONS ON THE PURCHASE OF RETIREMENT SERVICE CREDIT FOR PAST MILITARY SERVICE; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 49-1-402, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1987, was read the first time and referred to Rules Committee.

GREAT SALT LAKE DEVELOPMENT AUTHORITY ACT AMENDMENTS

S.B. No. 54 *Frances Farley*

AN ACT RELATING TO THE GREAT SALT LAKE DEVELOPMENT AUTHORITY; CLARIFYING CONDITIONS THAT MUST BE MET BEFORE THE AUTHORITY MAY EXERCISE ITS POWERS; REQUIRING THE AUTHORITY TO OBTAIN PUBLIC INPUT BEFORE REPORTING TO THE GOVERNOR AND LEGISLATURE; DEFINING HOW CERTAIN AUTHORITY RESPONSIBILITIES MAY BE FUNDED; FURTHER DEFINING AUTHORITY POWERS AND RESPONSIBILITIES; AND MAKING TECHNICAL CORRECTIONS.

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

AMENDS: 73-25-13, AS ENACTED BY CHAPTER 215, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

REGULATION OF AUTOMOBILE INSURANCE PREMIUMS

S.B. No. 55 *John P. Holmgren, LeRay McAllister*

AN ACT RELATING TO INSURANCE; RESTRICTING MOTOR VEHICLE COVERAGE RATE INCREASES FOR ACCIDENTS AND CITATIONS.

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

ENACTS: 31A–19–211, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

DAM SAFETY AMENDMENTS

S.B. No. 56

Frances Farley, Fred W. Finlinson, Wilford R. Black, Dixie Leavitt, Karl G. Swan, Dix H. McMullin, Omar B. Bunnell, Haven J. Barlow, Richard B. Tempest, Winn L. Richards, Paul T. Fordham, Boyd K. Storey, Lorin N. Pace, Arnold Christensen, Stephen J. Rees, Cary Peterson, Eldon A. Money, Craig Peterson, C.E. Peterson, David H. Steele, Lane Beattie, LeRay McAllister, Glade Nielsen, William T. Barton, Alarik Myrin

AN ACT RELATING TO DAM SAFETY; AUTHORIZING THE STATE ENGINEER TO REGULATE DAMS FOR THE PURPOSE OF PROTECTING PUBLIC SAFETY; SPECIFYING PROCEDURES FOR THE APPROVAL OF DAM CONSTRUCTION PLANS; REQUIRING OWNERS OF DAMS TO PREPARE EMERGENCY ACTION PLANS AND STANDARD OPERATING PLANS; ALLOWING THE STATE ENGINEER TO INTERVENE DURING DAM EMERGENCIES; ESTABLISHING ENFORCEMENT PROCEDURES; AND SETTING PENALTIES FOR THE VIOLATION OF DAM SAFETY LAWS AND RULES; AND AMENDING THE GOVERNMENTAL IMMUNITY ACT.

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

AMENDS: 63–30–10, AS LAST AMENDED BY CHAPTERS 185, 187, AND 268, LAWS OF UTAH 1989; 63–30–10, AS LAST AMENDED BY CHAPTERS 185 AND 268, LAWS OF UTAH 1989.

ENACTS: 73–5a–101, UTAH CODE ANNOTATED 1953; 73–5a–102, UTAH CODE ANNOTATED 1953; 73–5a–103, UTAH CODE ANNOTATED 1953; 73–5a–104, UTAH CODE ANNOTATED 1953; 73–5a–105, UTAH CODE ANNOTATED 1953; 73–5a–201, UTAH CODE ANNOTATED 1953; 73–5a–202, UTAH CODE ANNOTATED 1953; 73–5a–203, UTAH CODE ANNOTATED 1953; 73–5a–204, UTAH CODE ANNOTATED 1953; 73–5a–205, UTAH CODE ANNOTATED 1953; 73–5a–301, UTAH CODE ANNOTATED 1953; 73–5a–302, UTAH CODE ANNOTATED 1953; 73–5a–303, UTAH CODE ANNOTATED 1953; 73–5a–304, UTAH CODE ANNOTATED 1953; 73–5a–401, UTAH CODE ANNOTATED 1953; 73–5a–402, UTAH CODE ANNOTATED 1953; 73–5a–403, UTAH CODE ANNOTATED 1953; 73–5a–501, UTAH CODE ANNOTATED 1953; 73–5a–502, UTAH CODE ANNOTATED 1953; 73–5a–503, UTAH CODE ANNOTATED 1953; 73–5a–601, UTAH CODE ANNOTATED 1953; 73–5a–602, UTAH CODE ANNOTATED 1953; 73–5a–603, UTAH CODE ANNOTATED

1953; 73-5a-701, UTAH CODE ANNOTATED 1953; 73-5a-702, UTAH CODE ANNOTATED 1953.

REPEALS:73-5-5, AS LAST AMENDED BY CHAPTER 280, LAWS OF UTAH 1977; 73-5-6, UTAH CODE ANNOTATED 1953; 73-5-12, AS LAST AMENDED BY CHAPTER 160, LAWS OF UTAH 1955, was read the first time and referred to Rules Committee.

RECODIFICATION OF SPECIAL DISTRICT

S.B. No. 57 *Dix H. McMullin*

AN ACT RELATING TO SPECIAL PURPOSE DISTRICTS; RECODIFYING EXISTING SPECIAL PURPOSE DISTRICTS LANGUAGE INTO A NEW TITLE.

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

RENUMBERS: 17A-1-401, (RENUMBERED FROM 11-35-101, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-402, (RENUMBERED FROM 11-35-102, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-403, (RENUMBERED FROM 11-35-103, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-404, (RENUMBERED FROM 11-35-104, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-405, (RENUMBERED FROM 11-35-105, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-406, (RENUMBERED FROM 11-35-106, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-407, (RENUMBERED FROM 11-35-107, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-408, (RENUMBERED FROM 11-35-108, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-409, (RENUMBERED FROM 11-35-109, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-410, (RENUMBERED FROM 11-35-110, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-411, (RENUMBERED FROM 11-35-111, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-412, (RENUMBERED FROM 11-35-112, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-413, (RENUMBERED FROM 11-35-113, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-414, (RENUMBERED FROM 11-35-114, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-415, (RENUMBERED FROM 11-35-115, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-416, (RENUMBERED FROM 11-35-116, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-417, (RENUMBERED FROM 11-35-117, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-418,

(RENUMBERED FROM 11-35-118, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-419, (RENUMBERED FROM 11-35-119, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-420, (RENUMBERED FROM 11-35-120, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-421, (RENUMBERED FROM 11-35-121, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-422, (RENUMBERED FROM 11-35-122, AS LAST AMENDED BY CHAPTER 118, LAWS OF UTAH 1989); 17A-1-423, (RENUMBERED FROM 11-35-123, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-424, (RENUMBERED FROM 11-35-124, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-425, (RENUMBERED FROM 11-35-125, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-426, (RENUMBERED FROM 11-35-126, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-427, (RENUMBERED FROM 11-35-127, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-428, (RENUMBERED FROM 11-35-128, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-429, (RENUMBERED FROM 11-35-129, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-430, (RENUMBERED FROM 11-35-130, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-1-431, (RENUMBERED FROM 11-35-131, AS ENACTED BY CHAPTER 230, LAWS OF UTAH 1988); 17A-2-209, (RENUMBERED FROM 8-1-21, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-301, (RENUMBERED FROM 17-29-1, AS ENACTED BY CHAPTER 44, LAWS OF UTAH 1969); 17A-2-302, (RENUMBERED FROM 17-29-2, AS LAST AMENDED BY CHAPTER 13, LAWS OF UTAH 1982); 17A-2-303, (RENUMBERED FROM 17-29-3, AS ENACTED BY CHAPTER 64, LAWS OF UTAH 1977); 17A-2-304, (RENUMBERED FROM 17-29-4, AS LAST AMENDED BY CHAPTER 34, LAWS OF UTAH 1967); 17A-2-305, (RENUMBERED FROM 17-29-5, AS LAST AMENDED BY CHAPTER 31, LAWS OF UTAH 1985); 17A-2-306, (RENUMBERED FROM 17-29-6, AS LAST AMENDED BY CHAPTER 34, LAWS OF UTAH 1967); 17A-2-307, (RENUMBERED FROM 17-29-7, AS LAST AMENDED BY CHAPTER 34, LAWS OF UTAH 1967); 17A-2-308, (RENUMBERED FROM 17-29-8, AS LAST AMENDED BY CHAPTER 223, LAWS OF UTAH 1988); 17A-2-309, (RENUMBERED FROM 17-29-9, AS REPEALED AND REENACTED BY CHAPTER 223, LAWS OF UTAH 1988(; 17A-2-310, (RENUMBERED FROM 17-29-10, AS LAST AMENDED BY CHAPTER 223, LAWS OF UTAH 1988); 17A-2-311, (RENUMBERED FROM 17-29-10.1, AS LAST AMENDED BY CHAPTER 223, LAWS OF UTAH 1988); 17A-2-312, (RENUMBERED FROM 17-29-10.2, AS ENACTED BY CHAPTER 44, LAWS OF UTAH 1969); 17A-2-313, (RENUMBERED FROM

17-29-11, AS LAST AMENDED BY CHAPTER 223, LAWS OF UTAH 1988); 17A-2-314, (RENUMBERED FROM 17-29-13, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-315, (RENUMBERED FROM 17-29-14, AS LAST AMENDED BY CHAPTER 44, LAWS OF UTAH 1969); 17A-2-316, (RENUMBERED FROM 17-29-15, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-317, (RENUMBERED FROM 17-29-16, AS LAST AMENDED BY CHAPTER 34, LAWS OF UTAH 1967); 17A-2-318, (RENUMBERED FROM 17-29-17, AS LAST AMENDED BY CHAPTERS 3 AND 223, LAWS OF UTAH 1988); 17A-2-319, (RENUMBERED FROM 17-29-18, AS LAST AMENDED BY CHAPTER 34, LAWS OF UTAH 1967); 17A-2-320, (RENUMBERED FROM 17-29-20, AS ENACTED BY CHAPTER 44, LAWS OF UTAH 1969); 17A-2-321, (RENUMBERED FROM 17-29-21, AS LAST AMENDED BY CHAPTERS 3 AND 223, LAWS OF UTAH 1988); 17A-2-322, (RENUMBERED FROM 17-29-22, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-323, (RENUMBERED FROM 17-29-23, AS LAST AMENDED BY CHAPTER 108, LAWS OF UTAH 1983); 17A-2-324, (RENUMBERED FROM 17-29-24, AS LAST AMENDED BY CHAPTER 83, LAWS OF UTAH 1981); 17A-2-325, (RENUMBERED FROM 17-29-24.1, AS ENACTED BY CHAPTER 44, LAWS OF UTAH 1969); 17A-2-326, (RENUMBERED FROM 17-29-24.2, AS ENACTED BY CHAPTER 44, LAWS OF UTAH 1969); 17A-2-327, (RENUMBERED FROM 17-29-24.3, AS ENACTED BY CHAPTER 44, LAWS OF UTAH 1969); 17A-2-328, (RENUMBERED FROM 17-29-25, AS ENACTED BY CHAPTER 74, LAWS OF UTAH 1983); 17A-2-329, (RENUMBERED FROM 17-29-26, AS LAST AMENDED BY CHAPTER 61, LAWS OF UTAH 1984); 17A-2-330, (RENUMBERED FROM 17-29-27, AS LAST AMENDED BY CHAPTER 34, LAWS OF UTAH 1967); 17A-2-331, (RENUMBERED FROM 17-29-28, AS ENACTED BY CHAPTER 44, LAWS OF UTAH 1969); 17A-2-401, (RENUMBERED FROM 19-1-1, UTAH CODE ANNOTATED 1953); 17A-2-402, (RENUMBERED FROM 19-1-1.5, AS ENACTED BY CHAPTER 116, LAWS OF UTAH 1975); 17A-2-403, (RENUMBERED FROM 19-1-2, UTAH CODE ANNOTATED 1953); 17A-2-404, (RENUMBERED FROM 19-1-3, UTAH CODE ANNOTATED 1953); 17A-2-405, (RENUMBERED FROM 19-1-4, UTAH CODE ANNOTATED 1953); 17A-2-406, (RENUMBERED FROM 19-1-5, UTAH CODE ANNOTATED 1953); 17A-2-407, (RENUMBERED FROM 19-1-6, UTAH CODE ANNOTATED 1953); 17A-2-408, (RENUMBERED FROM 19-1-7, UTAH CODE ANNOTATED 1953); 17A-2-409, (RENUMBERED FROM 19-1-8, UTAH CODE ANNOTATED 1953); 17A-2-410, (RENUMBERED FROM 19-1-9, UTAH CODE ANNOTATED 1953); 17A-2-411, (RENUMBERED FROM 19-1-10, UTAH CODE ANNOTATED 1953); 17A-2-412, (RENUMBERED

FROM 19-1-11, UTAH CODE ANNOTATED 1953); 17A-2-413, (RENUMBERED FROM 19-1-12, UTAH CODE ANNOTATED 1953); 17A-2-414, (RENUMBERED FROM 19-1-13, UTAH CODE ANNOTATED 1953); 17A-2-415, (RENUMBERED FROM 19-1-14, UTAH CODE ANNOTATED 1953); 17A-2-416, (RENUMBERED FROM 19-1-15, UTAH CODE ANNOTATED 1953); 17A-2-417, (RENUMBERED FROM 19-1-16, UTAH CODE ANNOTATED 1953); 17A-2-418, (RENUMBERED FROM 19-1-17, UTAH CODE ANNOTATED 1953); 17A-2-419, (RENUMBERED FROM 19-1-18, UTAH CODE ANNOTATED 1953); 17A-2-420, (RENUMBERED FROM 19-1-19, UTAH CODE ANNOTATED 1953); 17A-2-421, (RENUMBERED FROM 19-1-20, UTAH CODE ANNOTATED 1953); 17A-2-422, (RENUMBERED FROM 19-2-1, UTAH CODE ANNOTATED 1953); 17A-2-423, (RENUMBERED FROM 19-2-2, UTAH CODE ANNOTATED 1953); 17A-2-424, (RENUMBERED FROM 19-2-3, UTAH CODE ANNOTATED 1953); 17A-2-425, (RENUMBERED FROM 19-2-4, UTAH CODE ANNOTATED 1953); 17A-2-426, (RENUMBERED FROM 19-1-5, UTAH CODE ANNOTATED 1953); 17A-2-427, (RENUMBERED FROM 19-2-6, UTAH CODE ANNOTATED 1953); 17A-2-428, (RENUMBERED FROM 19-2-7, UTAH CODE ANNOTATED 1953); 17A-2-429, (RENUMBERED FROM 19-3-1, UTAH CODE ANNOTATED 1953); 17A-2-430, (RENUMBERED FROM 19-3-2, UTAH CODE ANNOTATED 1953); 17A-2-431, (RENUMBERED FROM 19-4-1, AS LAST AMENDED BY CHAPTER 2118, LAWS OF UTAH 1987); 17A-2-432, (RENUMBERED FROM 19-4-2, UTAH CODE ANNOTATED 1953); 17A-2-433,(RENUMBERED FROM 19-4-3, UTAH CODE ANNOTATED 1953); 17A-2-434, (RENUMBERED FROM 19-4-4, UTAH CODE ANNOTATED 1953); 17A-2-435 (RENUMBERED FROM 19-4-5, UTAH CODE ANNOTATED 1953); 17A-2-436, (RENUMBERED FROM 19-4-6, UTAH CODE ANNOTATED 1953); 17A-2-437, (RENUMBERED FROM 19-4-7, UTAH CODE ANNOTATED 1953); 17A-2-438, (RENUMBERED FROM 19-4-8, UTAH CODE ANNOTATED 1953); 17A-2-439, (RENUMBERED FROM 19-4-9, UTAH CODE ANNOTATED 1953); 17A-2-440, (RENUMBERED FROM19-4-10, AS LAST AMENDED BY CHAPTER 34, LAWS OF UTAH 1955); 17A-2-441, (RENUMBERED FROM 19-4-11, UTAH CODE ANNOTATED 1953); 17A-2-422, (RENUMBERED FROM 19-4-12, UTAH CODE ANNOTATED 1953); 17A-2-443, (RENUMBERED FROM 19-4-13, AS LAST AMENDED BY CHAPTER 30, LAWS OF UTAH 1971); 17A-2-444, (RENUMBERED FROM 19-4-14, UTAH CODE ANNOTATED 1953); 17A-2-445, (RENUMBERED FROM 19-4-15, UTAH CODE ANNOTATED 1953); 17A-2-446, (RENUMBERED FROM 19-4-16, UTAH CODE ANNOTATED 1953); 17A-2-447, (RENUMBERED

FROM 19-4-17, UTAH CODE ANNOTATED 1953); 17A-2-448, (RENUMBERED FROM 19-5-1, UTAH CODE ANNOTATED 1953); 17A-2-449, (RENUMBERED FROM 19-5-2, UTAH CODE ANNOTATED 1953); 17A-2-450, (RENUMBERED FROM 19-5-3, UTAH CODE ANNOTATED 1953); 17A-2-451, (RENUMBERED FROM 19-5-4, UTAH CODE ANNOTATED 1953); 17A-2-452, (RENUMBERED FROM 19-5-5, UTAH CODE ANNOTATED 1953); 17A-2-453, (RENUMBERED FROM 19-5-6, UTAH CODE ANNOTATED 1953); 17A-2-454, (RENUMBERED FROM 19-5-7, UTAH CODE ANNOTATED 1953); 17A-2-455, (RENUMBERED FROM 19-5-8, UTAH CODE ANNOTATED 1953); 17A-2-456, (RENUMBERED FROM 19-5-9, UTAH CODE ANNOTATED 1953); 17A-2-457, (RENUMBERED FROM 19-5-10, UTAH CODE ANNOTATED 1953); 17A-2-458, (RENUMBERED FROM 19-5-11, UTAH CODE ANNOTATED 1953); 17A-2-459, (RENUMBERED FROM 19-5-12, UTAH CODE ANNOTATED 1953); 17A-2-460, (RENUMBERED FROM 19-5-13, UTAH CODE ANNOTATED 1953); 17A-2-461, (RENUMBERED FROM 19-6-1, UTAH CODE ANNOTATED 1953); 17A-2-462, (RENUMBERED FROM 19-6-2, UTAH CODE ANNOTATED 1953); 17A-2-463, (RENUMBERED FROM 19-6-3, UTAH CODE ANNOTATED 1953); 17A-2-464, (RENUMBERED FROM 19-6-4, UTAH CODE ANNOTATED 1953); 17A-2-465, (RENUMBERED FROM 19-6-5, UTAH CODE ANNOTATED 1953); 17A-2-466, (RENUMBERED FROM 19-6-6, UTAH CODE ANNOTATED 1953); 17A-2-467, (RENUMBERED FROM 19-6-7, UTAH CODE ANNOTATED 1953); 17A-2-501, (RENUMBERED FROM 17-9-1, AS LAST AMENDED BY CHAPTER 62, LAWS OF UTAH 1979); 17A-2-502, (RENUMBERED FROM 17-9-2, UTAH CODE ANNOTATED 1953); 17A-2-503, (RENUMBERED FROM 17-9-3, UTAH CODE ANNOTATED 1953); 17A-2-504, (RENUMBERED FROM 17-9-4, UTAH CODE ANNOTATED 1953); 17A-2-505, (RENUMBERED FROM 17-9-5, AS LAST AMENDED BY CHAPTER 30, LAWS OF UTAH 1965); 17A-2-506, (RENUMBERED FROM 17-9-6, UTAH CODE ANNOTATED 1953); 17A-2-508, (RENUMBERED FROM 17-9-8, UTAH CODE ANNOTATED 1953); 17A-2-509, (RENUMBERED FROM 17-9-7, AS LAST AMENDED BY CHAPTER 68, LAWS OF UTAH 1984); 17A-2-509, (RENUMBERED FROM 17-9-9, AS LAST AMENDED BY CHAPTER 71, LAWS OF UTAH 1977); 17A-2-510, (RENUMBERED FROM 17-9-10, UTAH CODE ANNOTATED 1953); 17A-2-511, (RENUMBERED FROM 17-9-11, UTAH CODE ANNOTATED 1953); 17A-2-512, (RENUMBERED FROM 17-9-12, AS LAST AMENDED BY CHAPTER 132, LAWS OF UTAH 1986); 17A-2-513, (RENUMBERED FROM 17-9-13, UTAH CODE ANNOTATED 1953); 17A-2-514, (RENUMBERED FROM 17-9-14, UTAH CODE

ANNOTATED 1953); 17A-2-515, (RENUMBERED FROM 17-9-15, UTAH CODE ANNOTATED 1953); 17A-2-516, (RENUMBERED FROM 17-9-16, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-517, (RENUMBERED FROM 17-9-17, AS LAST AMENDED BY CHAPTER 71, LAWS OF UTAH 1982); 17A-2-518, (RENUMBERED FROM 17-9-18, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-519, (RENUMBERED FROM 17-9-19, UTAH CODE ANNOTATED 1953); 17A-2-520, (RENUMBERED FROM 17-9-20, UTAH CODE ANNOTATED 1953); 17A-2-521, (RENUMBERED FROM 17-9-21, UTAH CODE ANNOTATED 1953); 17A-2-522, (RENUMBERED FROM 17-9-22, AS LAST AMENDED BY CHAPTER 108, LAWS OF UTAH 1983); 17A-2-523, (RENUMBERED FROM 17-9-23, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-524, (RENUMBERED FROM 17-9-24, UTAH CODE ANNOTATED 1953); 17A-2-601, (RENUMBERED FROM 73-7-1, AS LAST AMENDED BY CHAPTER 194, LAWS OF UTAH 1977); 17A-2-602, (RENUMBERED FROM 73-7-2, UTAH CODE ANNOTATED 1953); 17A-2-603, (RENUMBERED FROM 73-7-3, UTAH CODE ANNOTATED 1953); 17A-2-604, (RENUMBERED FROM 73-7-4, UTAH CODE ANNOTATED 1953); 17A-2-605, (RENUMBERED FROM 73-7-5, UTAH CODE ANNOTATED 1953); 17A-2-606, (RENUMBERED FROM 73-7-6, UTAH CODE ANNOTATED 1953); 17A-2-607, (RENUMBERED FROM 73-7-7, UTAH CODE ANNOTATED 1953); 17A-2-608, (RENUMBERED FROM 73-7-8, UTAH CODE ANNOTATED 1953); 17A-2-609, (RENUMBERED FROM 73-7-9, UTAH CODE ANNOTATED 1953); 17A-2-6, (RENUMBERED FROM 73-7-10, UTAH CODE ANNOTATED 1953); 17A-2-611, (RENUMBERED FROM 73-7-11, AS LAST AMENDED BY CHAPTER 3 LAWS OF UTAH 1988); 17A-2-612, (RENUMBERED FROM 73-7-11.5, AS ENACTED BY CHAPTER 191, LAWS OF UTAH 1987); 17A-2-613, (RENUMBERED FROM 73-7-12, AS LAST AMENDED BY CHAPTER 191, LAWS OF UTAH 1987); 17A-2-614, (RENUMBERED FROM 73-7-13, UTAH CODE ANNOTATED 1953); 17A-2-615, (RENUMBERED FROM 73-7-14, UTAH CODE ANNOTATED 1953); 17A-2-616, (RENUMBERED FROM 73-7-15, UTAH CODE ANNOTATED 1953); 17A-2-617, (RENUMBERED FROM 73-7-16, UTAH CODE ANNOTATED 1953); 17A-2-618, (RENUMBERED FROM 73-7-17, AS LAST AMENDED BY CHAPTER 179, LAWS OF UTAH 1963); 17A-2-619, (RENUMBERED FROM 73-7-18, AS LAST AMENDED BY CHAPTER 158, LAWS OF UTAH 1957); 17A-2-620, (RENUMBERED FROM 73-7-19, UTAH CODE ANNOTATED 1953); 17A-2-621, (RENUMBERED FROM 73-7-20, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-622, (RENUMBERED FROM 73-7-21, AS LAST AMENDED BY CHAPTER 158,

LAWS OF UTAH 1957); 17A-2-623, (RENUMBERED FROM 73-7-22, AS LAST AMENDED BY CHAPTER 249, LAWS OF UTAH 1979); 17A-2-624, (RENUMBERED FROM 73-7-23, AS LAST AMENDED BY CHAPTER 179, LAWS OF UTAH 1963); 17A-2-625, (RENUMBERED FROM 73-7-24, AS LAST AMENDED BY CHAPTER 179 LAWS OF UTAH 1963); 17A-2-626, (RENUMBERED FROM 73-7-25, AS LAST AMENDED BY CHAPTER 249, LAWS OF UTAH 1979); 17A-2-627, (RENUMBERED FROM 73-7-26, UTAH CODE ANNOTATED 1953); 17A-2-628, (RENUMBERED FROM 73-7-27, UTAH CODE ANNOTATED 1953); 17A-2-628, (RENUMBERED FROM 73-7-28, UTAH CODE ANNOTATED 1953); 17A-2-630, (RENUMBERED FROM 73-7-29, UTAH CODE ANNOTATED 1953); 17A-2-631, (RENUMBERED FROM 73-7-30, UTAH CODE ANNOTATED 1953); 17A-2-632, (RENUMBERED FROM 73-7-31, UTAH CODE ANNOTATED 1953); 17A-2-633, (RENUMBERED FROM 73-7-32, UTAH CODE ANNOTATED 1953); 17A-2-634, (RENUMBERED FROM 73-7-33, UTAH CODE ANNOTATED 1953); 17A-2-636, (RENUMBERED FROM 73-7-35, UTAH CODE ANNOTATED 1953); 17A-2-637, (RENUMBERED FROM 73-7-36, UTAH CODE ANNOTATED 1953); 17A-2-638, (RENUMBERED FROM 73-7-37, UTAH CODE ANNOTATED 1953); 17A-2-639, (RENUMBERED FROM 73-7-38, UTAH CODE ANNOTATED 1953); 17A-2-640, (RENUMBERED FROM 73-7-39, UTAH CODE ANNOTATED 1953); 17A-2-641, (RENUMBERED FROM 73-7-40, UTAH CODE ANNOTATED 1953); 17A-2-642, (RENUMBERED FROM 73-7-41, UTAH CODE ANNOTATED 1953); 17A-2-643, (RENUMBERED FROM 73-7-42, UTAH CODE ANNOTATED 1953); 17A-2-644, (RENUMBERED FROM 73-7-43, UTAH CODE ANNOTATED 1953); 17A-2-645, (RENUMBERED FROM 73-7-44, UTAH CODE ANNOTATED 1953); 17A-2-646, (RENUMBERED FROM 73-7-45, UTAH CODE ANNOTATED 1953); 17A-2-647, (RENUMBERED FROM 73-7-46, UTAH CODE ANNOTATED 1953); 17A-2-648, (RENUMBERED FROM 73-7-47, UTAH CODE ANNOTATED 1953); 17A-2-649, (RENUMBERED FROM 73-7-48, UTAH CODE ANNOTATED 1953); 17A-2-650, (RENUMBERED FROM 73-7-49, UTAH CODE ANNOTATED 1953); 17A-2-651, (RENUMBERED FROM 73-7-50, UTAH CODE ANNOTATED 1953); 17A-2-652, (RENUMBERED FROM 73-7-51, UTAH CODE ANNOTATED 1953); 17A-2-653, (RENUMBERED FROM 73-7-52, UTAH CODE ANNOTATED 1953); 17A-2-654, (RENUMBERED FROM 73-7-54, UTAH CODE ANNOTATED 1953); 17A-2-655, (RENUMBERED FROM 73-7-55, AS LAST AMENDED BY CHAPTER 61, LAWS OF UTAH 1984); 17A-2-656, (RENUMBERED FROM 73-7-56, UTAH CODE ANNOTATED 1953); 17A-2-657, (RENUMBERED FROM 73-7-57, UTAH CODE ANNOTATED 1953);

17A-2-658, (RENUMBERED FROM 73-7-58, UTAH CODE ANNOTATED 1953); 17A-2-659, (RENUMBERED FROM 73-7-59, UTAH CODE ANNOTATED 1953); 17A-2-660, (RENUMBERED FROM 73-7-60, UTAH CODE ANNOTATED 1953); 17A-2-660, (RENUMBERED FROM 73-7-68, AS ENACTED BY CHAPTER 191, LAWS OF UTAH 1987); 17A-2-661, (RENUMBERED FROM 73-7-61, UTAH CODE ANNOTATED 1953); 17A-2-662, (RENUMBERED FROM 73-7-62, UTAH CODE ANNOTATED 1953); 17A-2-663, (RENUMBERED FROM 73-7-63, UTAH CODE ANNOTATED 1953); 17A-2-664, (RENUMBERED FROM 73-7-64, UTAH CODE ANNOTATED 1953); 17A-2-665, (RENUMBERED FROM 73-7-65, UTAH CODE ANNOTATED 1953); 17A-2-666, (RENUMBERED FROM 73-7-66, UTAH CODE ANNOTATED 1953); 17A-2-667, (RENUMBERED FROM 73-7-67, UTAH CODE ANNOTATED 1953); 17A-2-701, (RENUMBERED FROM 73-8-1, UTAH CODE ANNOTATED 1953); 17A-2-702, (RENUMBERED FROM 73-8-2, AS LAST AMENDED BY CHAPTER 180, LAWS OF UTAH 1963); 17A-2-703, (RENUMBERED FROM 73-8-3, UTAH CODE ANNOTATED 1953); 17A-2-704, (RENUMBERED FROM 73-8-4, UTAH CODE ANNOTATED 1953); 17A-2-705, (RENUMBERED FROM 73-8-5, UTAH CODE ANNOTATED 1953); 17A-2-706, (RENUMBERED FROM 73-8-6, UTAH CODE ANNOTATED 1953); 17A-2-707, (RENUMBERED FROM 73-8-7, UTAH CODE ANNOTATED 1953); 17A-2-708, (RENUMBERED FROM 73-8-8, UTAH CODE ANNOTATED 1953); 17A-2-709, (RENUMBERED FROM 73-8-9, UTAH CODE ANNOTATED 1953); 17A-2-710, (RENUMBERED FROM 73-8-10, UTAH CODE ANNOTATED 1953); 17A-2-711, (RENUMBERED FROM 73-8-11, UTAH CODE ANNOTATED 1953); 17A-2-712, (RENUMBERED FROM 73-8-12, UTAH CODE ANNOTATED 1953); 17A-2-713, (RENUMBERED FROM 73-8-13, UTAH CODE ANNOTATED 1953); 17A-2-714, (RENUMBERED FROM 73-8-14, UTAH CODE ANNOTATED 1953); 17A-2-715, (RENUMBERED FROM 73-8-15, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-716, (RENUMBERED FROM 73-8-16, AS LAST AMENDED BY CHAPTER 68, LAWS OF UTAH 1984); 17A-2-717, (RENUMBERED FROM 73-8-17, UTAH CODE ANNOTATED 1953); 17A-2-718, (RENUMBERED FROM 73-8-18, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-719, (RENUMBERED FROM 73-8-20, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-720, (RENUMBERED FROM 73-8-21, AS AMENDED BY CHAPTER 180, LAWS OF UTAH 1963); 17A-2-721, (RENUMBERED FROM 73-8-22, AS LAST AMENDED BY CHAPTER 81, LAWS OF UTAH 1982); 17A-2-722, (RENUMBERED FROM 73-8-24, UTAH CODE ANNOTATED 1953); 17A-2-723, (RENUMBERED FROM 73-8-25, AS

LAST AMENDED BY CHAPTER 81, LAWS OF UTAH 1982); 17A-2-724, (RENUMBERED FROM 73-8-26, AS LAST AMENDED BY CHAPTER 190 LAWS OF UTAH 1985); 17A-2-725, (RENUMBERED FROM 73-8-27, AS LAST AMENDED BY CHAPTER 180, LAWS OF UTAH 1963); 17A-2-726, (RENUMBERED FROM 73-8-28, AS LAST AMENDED BY CHAPTER 81, LAWS OF UTAH 1982); 17A-2-727, (RENUMBERED FROM 73-8-29, UTAH CODE ANNOTATED 1953); 17A-2-728, (RENUMBERED FROM 73-8-30, UTAH CODE ANNOTATED 1953); 17A-2-729, (RENUMBERED FROM 73-8-31, AS LAST AMENDED BY CHAPTER 159, LAWS OF UTAH 1957); 17A-2-730, (RENUMBERED FROM 73-8-32, UTAH CODE ANNOTATED 1953); 17A-2-731, (RENUMBERED FROM 73-8-33, UTAH CODE ANNOTATED 1953); 17A-2-732, (RENUMBERED FROM 73-8-34, UTAH CODE ANNOTATED 1953); 17A-2-733, (RENUMBERED FROM 73-8-35, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-734, (RENUMBERED FROM 73-8-36, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-735, (RENUMBERED FROM 73-8-37, AS LAST AMENDED BY CHAPTER 180, LAWS OF UTAH 1963); 17A-2-736, (RENUMBERED FROM 73-8-39, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-737, (RENUMBERED FROM 73-8-40, AS LAST AMENDED BY CHAPTER 180, LAWS OF UTAH 1963); 17A-2-738, (RENUMBERED FROM 73-8-41, UTAH CODE ANNOTATED 1953); 17A-2-739, (RENUMBERED FROM 73-8-42, UTAH CODE ANNOTATED 1953); 17A-2-740, (RENUMBERED FROM 73-8-45, AS LAST AMENDED BY CHAPTER 180, LAWS OF UTAH 1963); 17A-2-741, (RENUMBERED FROM 73-8-49, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-742, (RENUMBERED FROM 73-8-50, AS LAST AMENDED BY CHAPTER 68, LAWS OF UTAH 1984); 17A-2-743, (RENUMBERED FROM 73-8-51, UTAH CODE ANNOTATED 1953); 17A-2-744, (RENUMBERED FROM 73-8-52, AS LAST AMENDED BY CHAPTER 180, LAWS OF UTAH 1963); 17A-2-745, (RENUMBERED FROM 73-8-53, UTAH CODE ANNOTATED 1953); 17A-2-746, (RENUMBERED FROM 73-8-54, UTAH CODE ANNOTATED 1953); 17A-2-747, (RENUMBERED FROM 73-8-55, UTAH CODE ANNOTATED 1953); 17A-2-748, (RENUMBERED FROM 73-8-56, AS ENACTED BY CHAPTER 159, LAWS OF UTAH 1957); 17A-2-749, (RENUMBERED FROM 73-8-57, AS ENACTED BY CHAPTER 180, LAWS OF UTAH 1963); 17A-2-750, (RENUMBERED FROM 73-8-58, AS ENACTED BY CHAPTER 180, LAWS OF UTAH 1963); 17A-2-751, (RENUMBERED FROM 73-8-59, AS ENACTED BY CHAPTER 180, LAWS OF UTAH 1963); 17A-2-801, (RENUMBERED FROM 26-27-1, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-2-802, (RENUMBERED FROM 26-27-2, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981);

17A-2-803, (RENUMBERED FROM 26-27-3, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-2-804, (RENUMBERED FROM 26-27-4, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-2-805, (RENUMBERED FROM 26-27-5, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-2-806, (RENUMBERED FROM 26-27-6, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-2-807, (RENUMBERED FROM 26-27-7, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-2-808, (RENUMBERED FROM 26-27-8, AS LAST AMENDED BY CHAPTER 138, LAWS OF UTAH 1983); 17A-2-809, (RENUMBERED FROM 26-27-9, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-810, (RENUMBERED FROM 26-27-10, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-2-811, (RENUMBERED FROM 26-27-11, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-2-812, (RENUMBERED FROM 26-27-12, AS ENACTED BY CHAPTER 65, LAWS OF UTAH 1985); 17A-2-813, (RENUMBERED FROM 26-27-13, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-814, (RENUMBERED FROM 26-27-14, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-2-901, (RENUMBERED FROM 11-20-1, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-902, (RENUMBERED FROM 11-20-2, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-903, (RENUMBERED FROM 11-20-3, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-904, (RENUMBERED FROM 11-20-4, AS LAST AMENDED BY CHAPTER 119, LAWS OF UTAH 1988); 17A-2-905, (RENUMBERED FROM 11-20-5, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-906, (RENUMBERED FROM 11-20-6, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-907, (RENUMBERED FROM 11-20-7, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-908, (RENUMBERED FROM 11-20-8, AS LAST AMENDED BY CHAPTER 274, LAWS OF UTAH 1981); 17A-2-909, (RENUMBERED FROM 11-20-9, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969 FIRST SPECIAL SESSION); 17A-2-910, (RENUMBERED FROM 11-20-10, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-911, (RENUMBERED FROM 11-20-11, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-912, (RENUMBERED FROM 11-20-12, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-913, (RENUMBERED FROM 11-20-13, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-914, (RENUMBERED FROM 11-20-14, AS LAST AMENDED BY CHAPTER 68, LAWS OF UTAH 1984); 17A-2-915,

(RENUMBERED FROM 11-20-15, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-915, (RENUMBERED FROM 11-20-16, AS LAST AMENDED BY CHAPTER 119, LAWS OF UTAH 1988); 17A-2-917, (RENUMBERED FROM 11-20-17, AS LAST AMENDED BY CHAPTER 119, LAWS OF UTAH 1988); 17A-2-918, (RENUMBERED FROM 11-20-18, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-919, (RENUMBERED FROM 11-20-19, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-920, (RENUMBERED FROM 11-20-20, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-921, (RENUMBERED FROM 11-20-21, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-922, (RENUMBERED FROM 11-20-22, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-923, (RENUMBERED FROM 11-20-23, AS LAST AMENDED BY CHAPTER 92, LAWS OF UTAH 1987); 17A-2-924, (RENUMBERED FROM 11-20-24, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-925, (RENUMBERED FROM 11-20-25, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-926, (RENUMBERED FROM 11-20-26, AS LAST AMENDED BY CHAPTER 9, LAWS OF UTAH 1975, FIRST SPECIAL SESSION); 17A-2-927, (RENUMBERED FROM 11-20-27, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-928, (RENUMBERED FROM 11-20-28, AS LAST AMENDED BY CHAPTER 199, LAWS OF UTAH 1988); 17A-2-929, (RENUMBERED FROM 11-20-29, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-930, (RENUMBERED FROM 11-20-30, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-931, (RENUMBERED FROM 11-20-31, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-932, (RENUMBERED FROM 11-20-32, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-933, (RENUMBERED FROM 11-20-33, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-934, (RENUMBERED FROM 11-20-34, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-935, (RENUMBERED FROM 11-20-35, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-936, (RENUMBERED FROM 11-20-36, , AS LAST AMENDED BY CHAPTER 196, LAWS OF UTAH 1987); 17A-2-937, (RENUMBERED FROM 11-20-37, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-938, (RENUMBERED FROM 11-20-38, AS LAST AMENDED BY CHAPTER 119, LAWS OF UTAH 1988); 17A-2-939,

(RENUMBERED FROM 11-20-39, AS LAST AMENDED BY CHAPTER 119, LAWS OF UTAH 1988); 17A-2-940, (RENUMBERED FROM 11-20-40, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-941, (RENUMBERED FROM 11-20-41, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-942, (RENUMBERED FROM 11-20-42, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-942, (RENUMBERED FROM 11-20-43, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-944, (RENUMBERED FROM 11-20-44, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-946, (RENUMBERED FROM 11-20-46, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-947, (RENUMBERED FROM 11-20-47, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-948, (RENUMBERED FROM 11-20-48, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-949, (RENUMBERED FROM 11-20-49, AS LAST AMENDED BY CHAPTER 68, LAWS OF UTAH 1984); 17A-2-950, (RENUMBERED FROM 11-20-50, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-951, (RENUMBERED FROM 11-20-51, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-952, (RENUMBERED FROM 11-20-52, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-953, (RENUMBERED FROM 11-20-53, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-954, (RENUMBERED FROM 11-20-54, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-955, (RENUMBERED FROM 11-20-55, AS LAST AMENDED BY CHAPTER 119, LAWS OF UTAH 1988); 17A-2-956, (RENUMBERED FROM 11-20-56, AS LAST AMENDED BY CHAPTER 64, LAWS OF UTAH 1989); 17A-2-957, (RENUMBERED FROM 11-20-57, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-958, (RENUMBERED FROM 11-20-58, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-959, (RENUMBERED FROM 11-20-59, AS LAST AMENDED BY CHAPTERS 3 AND 119, LAWS OF UTAH 1988); 17A-2-1001, (RENUMBERED FROM 11-15-1, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1002, (RENUMBERED FROM 11-15-2, AS LAST AMENDED BY CHAPTER 169, LAWS OF UTAH 1988); 17A-2-1003, (RENUMBERED FROM 11-15-3, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1004, (RENUMBERED FROM 11-15-4, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1005, (RENUMBERED FROM 11-15-5, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965);

17A-2-1006, (RENUMBERED FROM 11-15-6, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1007, (RENUMBERED FROM 11-15-7, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1008, (RENUMBERED FROM 11-15-8, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1009, (RENUMBERED FROM 11-15-9, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1010, (RENUMBERED FROM 11-15-10, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-,1011 (RENUMBERED FROM 11-15-11, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1012, (RENUMBERED FROM 11-15-13, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1013, (RENUMBERED FROM 11-15-14, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1014, (RENUMBERED FROM 11-15-15, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1015, (RENUMBERED FROM 11-15-16, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1016, (RENUMBERED FROM 11-15-17, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1017, (RENUMBERED FROM 11-15-18, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1018, (RENUMBERED FROM 11-15-19, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1019, (RENUMBERED FROM 11-15-20, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1020, (RENUMBERED FROM 11-15-21, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1021, (RENUMBERED FROM 11-15-22, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1022, (RENUMBERED FROM 11-15-24, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1023, (RENUMBERED FROM 11-15-25, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1024, (RENUMBERED FROM 11-15-26, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1025, (RENUMBERED FROM 11-15-27, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1026, (RENUMBERED FROM 11-15-28, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1027, (RENUMBERED FROM 11-15-29, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1028, (RENUMBERED FROM 11-15-30, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1029, (RENUMBERED FROM 11-15-31, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1030, (RENUMBERED FROM 11-15-32, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1031, (RENUMBERED FROM 11-15-33, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1032, (RENUMBERED FROM 11-15-34, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1033, (RENUMBERED FROM 11-15-35, AS ENACTED BY

CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1034, (RENUMBERED FROM 11-15-36, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1035, (RENUMBERED FROM 11-15-37, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1036, (RENUMBERED FROM 11-15-38, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1036, (RENUMBERED FROM 11-15-138, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1037, (RENUMBERED FROM 11-15-39, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1038, (RENUMBERED FROM 11-15-40, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1039, (RENUMBERED FROM 11-15-41, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1040, (RENUMBERED FROM 11-15-42, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1041, (RENUMBERED FROM 11-15-43, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1042, (RENUMBERED FROM 11-15-44, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1043, (RENUMBERED FROM 11-15-45, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1044, (RENUMBERED FROM 11-15-46, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1045, (RENUMBERED FROM 11-15-47, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1046, (RENUMBERED FROM 11-15-48, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1047, (RENUMBERED FROM 11-15-49, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1048, (RENUMBERED FROM 11-15-50, AS ENACTED BY CHAPTER 92, LAWS OF UTAH 1987); 17A-2-1049, (RENUMBERED FROM 11-15-51, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1050, (RENUMBERED FROM 11-15-52, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1051, (RENUMBERED FROM 11-15-53, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1052, (RENUMBERED FROM 11-15-54, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1053, (RENUMBERED FROM 11-15-55, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1054, (RENUMBERED FROM 11-15-56, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1055, (RENUMBERED FROM 11-15-57, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1056, (RENUMBERED FROM 11-15-58, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1057, (RENUMBERED FROM 11-15-59, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1058, (RENUMBERED FROM 11-15-60, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1059, (RENUMBERED FROM 11-15-61, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965);

17A-2-1060, (RENUMBERED FROM 11-15-62, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1061, (RENUMBERED FROM 11-15-63, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1062, (RENUMBERED FROM 11-15-64, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1063, (RENUMBERED FROM 11-15-65, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1064, (RENUMBERED FROM 11-15-66, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1065, (RENUMBERED FROM 11-15-67, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1066, (RENUMBERED FROM 11-15-68, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1067, (RENUMBERED FROM 11-15-69, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1068, (RENUMBERED FROM 11-15-70, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1069, (RENUMBERED FROM 11-15-71, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1070, (RENUMBERED FROM 11-15-72, AS LAST AMENDED BY CHAPTER 22, LAWS OF UTAH 1989); 17A-2-1071, (RENUMBERED FROM 11-15-73, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1072, (RENUMBERED FROM 11-15-74, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1073, (RENUMBERED FROM 11-15-75, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1074, (RENUMBERED FROM 11-15-76, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1075, (RENUMBERED FROM 11-15-77, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1076, (RENUMBERED FROM 11-15-78, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1077, (RENUMBERED FROM 11-15-79, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1078, (RENUMBERED FROM 11-15-80, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1079, (RENUMBERED FROM 11-15-81, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1080, (RENUMBERED FROM 11-15-82, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1081, (RENUMBERED FROM 11-15-83, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1082, (RENUMBERED FROM 11-15-84, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1083, (RENUMBERED FROM 11-15-85, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1084, (RENUMBERED FROM 11-15-86, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1085, (RENUMBERED FROM 11-15-87, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1086, (RENUMBERED FROM 11-15-88, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1087, (RENUMBERED FROM

11-15-89, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1088, (RENUMBERED FROM 11-15-90, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1089, (RENUMBERED FROM 11-15-91, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1090, (RENUMBERED FROM 11-15-92, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1091, (RENUMBERED FROM 11-15-93, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1092, (RENUMBERED FROM 11-15-94, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1093, (RENUMBERED FROM 11-15-95, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1094, (RENUMBERED FROM 11-15-96, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1095, (RENUMBERED FROM 11-15-97, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1096, (RENUMBERED FROM 11-15-98, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1097, (RENUMBERED FROM 11-15-99, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1098, (RENUMBERED FROM 11-15-100, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099, (RENUMBERED FROM 11-15-101, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.1, (RENUMBERED FROM 11-15-102, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.2, (RENUMBERED FROM 11-15-103, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.3, (RENUMBERED FROM 11-15-104, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.4, (RENUMBERED FROM 11-15-105, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.5, (RENUMBERED FROM 11-15-106, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.6, (RENUMBERED FROM 11-15-107, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.7, (RENUMBERED FROM 11-15-108, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.8, (RENUMBERED FROM 11-15-109, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.9, (RENUMBERED FROM 11-15-110, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.10, (RENUMBERED FROM 11-15-111, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.11, (RENUMBERED FROM 11-15-112, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.12, (RENUMBERED FROM 11-15-113, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.13, (RENUMBERED FROM 11-15-114, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.14, (RENUMBERED FROM 11-15-115, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.15, (RENUMBERED FROM 11-15-116, AS ENACTED BY

CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.16, (RENUMBERED FROM 11-15-117, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.17, (RENUMBERED FROM 11-15-118, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.18, (RENUMBERED FROM 11-15-119, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.19, (RENUMBERED FROM 11-15-120, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.20, (RENUMBERED FROM 11-15-121, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.21, (RENUMBERED FROM 11-15-122, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.22, (RENUMBERED FROM 11-15-123, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.23, (RENUMBERED FROM 11-15-124, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.24, (RENUMBERED FROM 11-15-125, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.25, (RENUMBERED FROM 11-15-126, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.26, (RENUMBERED FROM 11-15-127, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.27, (RENUMBERED FROM 11-15-128, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.28, (RENUMBERED FROM 11-15-129, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.29, (RENUMBERED FROM 11-15-130, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.30, (RENUMBERED FROM 11-15-131, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.31, (RENUMBERED FROM 11-15-132, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.32, (RENUMBERED FROM 11-15-133, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.33, (RENUMBERED FROM 11-15-134, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.34, (RENUMBERED FROM 11-15-135, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.35, (RENUMBERED FROM 11-15-136, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.36, (RENUMBERED FROM 11-15-137, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.37, (RENUMBERED FROM 11-15-139, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.38, (RENUMBERED FROM 11-15-140, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.39, (RENUMBERED FROM 11-15-141, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.40, (RENUMBERED FROM 11-15-142, AS LAST AMENDED BY CHAPTER 42, LAWS OF UTAH 1981); 17A-2-1099.41, (RENUMBERED FROM 11-15-143, AS LAST AMENDED BY CHAPTER 278, LAWS OF UTAH 1977); 17A-2-1099.42, (RENUMBERED FROM 11-15-144, AS ENACTED BY CHAPTER 13, LAWS

OF UTAH 1965); 17A-2-1099.43, (RENUMBERED FROM 11-15-145, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.44, (RENUMBERED FROM 11-15-146, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.45, (RENUMBERED FROM 11-15-147, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.46, (RENUMBERED FROM 11-15-148, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.47, (RENUMBERED FROM 11-15-149, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-1099.48, (RENUMBERED FROM 11-15-150, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.49, (RENUMBERED FROM 11-15-151, AS ENACTED BY CHAPTER 13, LAWS OF UTAH 1965); 17A-2-1099.50, (RENUMBERED FROM 11-15-152, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-1101, (RENUMBERED FROM 11-19-1, AS ENACTED BY CHAPTER 5, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-1102, (RENUMBERED FROM 11-19-2, AS LAST AMENDED BY CHAPTER 43, LAWS OF UTAH 1987); 17A-2-1103, (RENUMBERED FROM 11-19-3, AS LAST AMENDED BY CHAPTER 40, LAWS OF UTAH 1983); 17A-2-1104, (RENUMBERED FROM 11-19-4, AS LAST AMENDED BY CHAPTER 17, LAWS OF UTAH 1971); 17A-2-1105, (RENUMBERED FROM 11-19-5, AS LAST AMENDED BY CHAPTER 40, LAWS OF UTAH 1983); 17A-2-1106, (RENUMBERED FROM 11-19-6, AS LAST AMENDED BY CHAPTER 40, LAWS OF UTAH 1983); 17A-2-1107, (RENUMBERED FROM 11-19-7, AS LAST AMENDED BY CHAPTER 17, LAWS OF UTAH 1971); 17A-2-1108, (RENUMBERED FROM 11-19-8, AS LAST AMENDED BY CHAPTER 17, LAWS OF UTAH 1971); 17A-2-1109, (RENUMBERED FROM 11-19-9, AS ENACTED BY CHAPTER 5, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-1110, (RENUMBERED FROM 11-19-9.5, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-1111, (RENUMBERED FROM 11-19-10, AS LAST AMENDED BY CHAPTER 17, LAWS OF UTAH 1971); 17A-2-1112, (RENUMBERED FROM 11-19-11, AS ENACTED BY CHAPTER 5, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-1113, (RENUMBERED FROM 11-19-12, AS LAST AMENDED BY CHAPTER 40, LAWS OF UTAH 1983); 17A-2-1114, (RENUMBERED FROM 11-19-12.1, AS ENACTED BY CHAPTER 40, LAWS OF UTAH 1983); 17A-2-1115, (RENUMBERED FROM 11-19-13, AS LAST AMENDED BY CHAPTER 40, LAWS OF UTAH 1983); 17A-2-1116, (RENUMBERED FROM 11-19-13.1, AS LAST AMENDED BY CHAPTER 118, LAWS OF UTAH 1989); 17A-2-1117, (RENUMBERED FROM 11-19-13.2, AS ENACTED BY CHAPTER 40, LAWS OF UTAH 1983); 17A-2-1118, (RENUMBERED FROM 11-19-13.3, AS ENACTED BY CHAPTER 40, LAWS OF UTAH 1983); 17A-2-1119, (RENUMBERED FROM

11-19-13.4, AS LAST AMENDED BY CHAPTER 14, LAWS OF UTAH 1986); 17A-2-1120, (RENUMBERED FROM 11-19-14, AS LAST AMENDED BY CHAPTER 17, LAWS OF UTAH 1971); 17A-2-1121, (RENUMBERED FROM 11-19-15, AS LAST AMENDED BY CHAPTER 17, LAWS OF UTAH 1971); 17A-2-1122, (RENUMBERED FROM 11-19-16, AS LAST AMENDED BY CHAPTER 40, LAWS OF UTAH 1983); 17A-2-1123, (RENUMBERED FROM 11-19-17, AS LAST AMENDED BY CHAPTER 17, LAWS OF UTAH 1971); 17A-2-1124, (RENUMBERED FROM 11-19-18, AS LAST AMENDED BY CHAPTER 17, LAWS OF UTAH 1971); 17A-2-1125, (RENUMBERED FROM 11-19-19, AS LAST AMENDED BY CHAPTER 40, LAWS OF UTAH 1983); 17A-2-1126, (RENUMBERED FROM 11-19-20, AS LAST AMENDED BY CHAPTER 40, LAWS OF UTAH 1983); 17A-2-1127, (RENUMBERED FROM 11-19-21, AS ENACTED BY CHAPTER 5, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-1128, (RENUMBERED FROM 11-19-22, AS LAST AMENDED BY CHAPTER 40, LAWS OF UTAH 1983); 17A-2-1129, (RENUMBERED FROM 11-19-23, AS ENACTED BY CHAPTER 5, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-1130, (RENUMBERED FROM 11-19-23.1, AS ENACTED BY CHAPTER 17, LAWS OF UTAH 1971); 17A-2-1131, (RENUMBERED FROM 11-19-23.2, AS ENACTED BY CHAPTER 17, LAWS OF UTAH 1971); 17A-2-1132, (RENUMBERED FROM 11-19-23.3, AS LAST AMENDED BY CHAPTER 4, LAWS OF UTAH 1974); 17A-2-1133, (RENUMBERED FROM 11-19-23.4, AS LAST AMENDED BY CHAPTER 7, LAWS OF UTAH 1980); 17A-2-1134, (RENUMBERED FROM 11-19-23.5, AS LAST AMENDED BY CHAPTER 277, LAWS OF UTAH 1977); 17A-2-1135, (RENUMBERED FROM 11-19-23.6, AS ENACTED BY CHAPTER 17, LAWS OF UTAH 1971); 17A-2-1136, (RENUMBERED FROM 11-19-23.7, AS ENACTED BY CHAPTER 17, LAWS OF UTAH 1971); 17A-2-1137, (RENUMBERED FROM 11-19-23.8, AS ENACTED BY CHAPTER 17, LAWS OF UTAH 1971); 17A-2-1138, (RENUMBERED FROM 11-19-23.9, AS ENACTED BY CHAPTER 17, LAWS OF UTAH 1971); 17A-2-1139, (RENUMBERED FROM 11-19-23.10, AS ENACTED BY CHAPTER 17, LAWS OF UTAH 1971); 17A-2-1140, (RENUMBERED FROM 11-19-23.11, AS ENACTED BY CHAPTER 17, LAWS OF UTAH 1971); 17A-2-1141, (RENUMBERED FROM 11-19-23.12, AS ENACTED BY CHAPTER 17, LAWS OF UTAH 1971); 17A-2-1142, (RENUMBERED FROM 11-19-24, AS ENACTED BY CHAPTER 5, LAWS OF UTAH 1969, FIRST SPECIAL SESSION); 17A-2-1143, (RENUMBERED FROM 11-19-25, AS ENACTED BY CHAPTER 4, LAWS OF UTAH 1974); 17A-2-1144, (RENUMBERED FROM 11-19-26, AS ENACTED BY CHAPTER 4, LAWS OF UTAH 1974); 17A-2-1145, (RENUMBERED FROM 11-19-27, AS ENACTED BY CHAPTER 4, LAWS OF UTAH 1974); 17A-2-1146, (RENUMBERED

FROM 11-19-28, AS LAST AMENDED BY CHAPTER 61, LAWS OF UTAH 1984); 17A-2-1147, (RENUMBERED FROM 11-19-29, AS LAST AMENDED BY CHAPTER 230, LAWS OF UTAH 1989); 17A-2-1148, (RENUMBERED FROM 11-19-29.1, AS ENACTED BY CHAPTER 40, LAWS OF UTAH 1983); 17A-2-1149, (RENUMBERED FROM 11-19-29.2, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-1150, (RENUMBERED FROM 11-19-29.3, AS LAST AMENDED BY CHAPTER 4, LAWS OF UTAH 1987); 17A-2-1151, (RENUMBERED FROM 11-19-29.4, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-1152, (RENUMBERED FROM 11-19-29.5, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-1153, (RENUMBERED FROM 11-19-29.6, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-1154, (RENUMBERED FROM 11-19-30, AS ENACTED BY CHAPTER 4, LAWS OF UTAH 1974); 17A-2-1155, (RENUMBERED FROM 11-19-31, AS ENACTED BY CHAPTER 4, LAWS OF UTAH 1974); 17A-2-1156, (RENUMBERED FROM 11-19-32, AS LAST AMENDED BY CHAPTER 40, LAWS OF UTAH 1983); 17A-2-1157, (RENUMBERED FROM 11-19-32.1, AS ENACTED BY CHAPTER 40, LAWS OF UTAH 1983); 17A-2-1158, (RENUMBERED FROM 11-19-33, AS ENACTED BY CHAPTER 4, LAWS OF UTAH 1974); 17A-2-1159, (RENUMBERED FROM 11-19-34, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-1160, (RENUMBERED FROM 11-19-35, AS LAST AMENDED BY CHAPTER 230, LAWS OF UTAH 1989); 17A-2-1201, (RENUMBERED FROM 11-23-1, AS LAST AMENDED BY CHAPTER 45, LAWS OF UTAH 1983); 17A-2-1202, (RENUMBERED FROM 11-23-2, AS LAST AMENDED BY CHAPTER 45, LAWS OF UTAH 1983); 17A-2-1203, (RENUMBERED FROM 11-23-3, AS LAST AMENDED BY CHAPTER 219, LAWS OF UTAH 1987); 17A-2-1204, (RENUMBERED FROM 11-23-4, AS LAST AMENDED BY CHAPTER 219, LAWS OF UTAH 1987); 17A-2-1205, (RENUMBERED FROM 11-23-5, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-1206, (RENUMBERED FROM 11-23-6, AS LAST AMENDED BY CHAPTER 45, LAWS OF UTAH 1983); 17A-2-1207, (RENUMBERED FROM 11-23-7, AS ENACTED BY CHAPTER 116, LAWS OF UTAH 1975); 17A-2-1208, (RENUMBERED FROM 11-23-8, AS LAST AMENDED BY CHAPTER 46, LAWS OF UTAH 1977); 17A-2-1209, (RENUMBERED FROM 11-23-9, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-1210, (RENUMBERED FROM 11-23-10, AS LAST AMENDED BY CHAPTER 45, LAWS OF UTAH 1983); 17A-2-1211, (RENUMBERED FROM 11-23-11, AS LAST AMENDED BY CHAPTER 68, LAWS OF UTAH 1988); 17A-2-1212, (RENUMBERED FROM 11-23-11.1, AS LAST AMENDED BY CHAPTER 219, LAWS OF UTAH 1987); 17A-2-1213, (RENUMBERED FROM 11-23-12, AS LAST AMENDED BY CHAPTER 219,

LAWS OF UTAH 1987); 17A-2-1214, (RENUMBERED FROM 11-23-12, AS LAST AMENDED BY CHAPTER 45, LAWS OF UTAH 1983); 17A-2-1215, (RENUMBERED FROM 11-23-12.1, AS LAST AMENDED BY CHAPTER 226, LAWS OF UTAH 1988); 17A-2-1216, (RENUMBERED FROM 11-23-15, AS LAST AMENDED BY CHAPTER 151, LAWS OF UTAH 1989); 17A-2-1217, (RENUMBERED FROM 11-23-16, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-1218, (RENUMBERED FROM 11-23-17, AS LAST AMENDED BY CHAPTER 92, LAWS OF UTAH 1987); 17A-2-1219, (RENUMBERED FROM 11-23-18, AS ENACTED BY CHAPTER 116, LAWS OF UTAH 1975); 17A-2-11]220, (RENUMBERED FROM 11-23-19, AS LAST AMENDED BY CHAPTER 19, LAWS OF UTAH 1988); 17A-2-1221, (RENUMBERED FROM 11-23-20, AS ENACTED BY CHAPTER 116, LAWS OF UTAH 1975); 17A-2-1222, (RENUMBERED FROM 11-23-21, AS LAST AMENDED BY CHAPTER 7, LAWS OF UTAH 1984); 17A-2-1223, (RENUMBERED FROM 11-23-21.5, AS ENACTED BY CHAPTER 7, LAWS OF UTAH 1984); 17A-2-1224, (RENUMBERED FROM 11-23-22, AS ENACTED BY CHAPTER 116, LAWS OF UTAH 1975); 17A-2-1225, (RENUMBERED FROM 11-23-23, AS LAST AMENDED BY CHAPTER 45, LAWS OF UTAH 1983); 17A-2-1226, (RENUMBERED FROM 11-23-24, AS LAST AMENDED BY CHAPTER 219, LAWS OF UTAH 1987); 17A-2-1227, (RENUMBERED FROM 11-23-25, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-1228, (RENUMBERED FROM 11-23-26, AS LAST AMENDED BY CHAPTER 45, LAWS OF UTAH 1983); 17A-2-1229, (RENUMBERED FROM 11-23-27, AS LAST AMENDED BY CHAPTER 45, LAWS OF UTAH 1983); 17A-2-1230, (RENUMBERED FROM 11-23-28, AS ENACTED BY CHAPTER 116, LAWS OF UTAH 1975); 17A-2-1231, (RENUMBERED FROM 11-23-29, AS ENACTED BY CHAPTER 116, LAWS OF UTAH 1975); 17A-2-1232, (RENUMBERED FROM 11-23-30, AS ENACTED BY CHAPTER 45, LAWS OF UTAH 1983); 17A-2-1301, (RENUMBERED FROM 73-9-1, UTAH CODE ANNOTATED 1953); 17A-2-1302, (RENUMBERED FROM 73-9-2, AS LAST AMENDED BY CHAPTER 282, LAWS OF UTAH 1977); 17A-2-1303, (RENUMBERED FROM 73-9-3, UTAH CODE ANNOTATED 1953); 17A-2-1304, (RENUMBERED FROM 73-9-4, AS LAST AMENDED BY CHAPTER 3 AND 176, LAWS OF UTAH 1988); 17A-2-1305, (RENUMBERED FROM 73-9-5, UTAH CODE ANNOTATED 1953); 17A-2-1306, (RENUMBERED FROM 73-9-6, UTAH CODE ANNOTATED 1953); 17A-2-1307, (RENUMBERED FROM 73-9-7, AS LAST AMENDED BY CHAPTERS 3 AND 63, LAWS OF UTAH 1988); 17A-2-1308, (RENUMBERED FROM 73-9-8, AS LAST AMENDED BY CHAPTER 68, LAWS OF UTAH 1984);; 17A-2-1309, (RENUMBERED FROM 73-9-9, AS LAST AMENDED BY CHAPTER 199,

LAWS OF UTAH 1989); 17A-2-1310, (RENUMBERED FROM 73-9-10, AS LAST AMENDED BY CHAPTER 184, LAWS OF UTAH 1985); 17A-2-1311, (RENUMBERED FROM 73-9-11, UTAH CODE ANNOTATED 1953); 17A-2-1312, (RENUMBERED FROM 73-9-12, UTAH CODE ANNOTATED 1953); 17A-2-1313, (RENUMBERED FROM 73-9-13, AS LAST AMENDED BY CHAPTER 146 AND 178, LAWS OF UTAH 1988); 17A-2-1314, (RENUMBERED FROM 73-9-13.1, AS ENACTED BY CHAPTER 178, LAWS OF UTAH 1988); 17A-2-1315, (RENUMBERED FROM 73-9-13.2, AS ENACTED BY CHAPTER 178, LAWS OF UTAH 1988); 17A-2-1316, (RENUMBERED FROM 73-9-13.3, AS LAST AMENDED BY CHAPTER 22, LAWS OF UTAH 1989); 17A-2-1317, (RENUMBERED FROM 73-9-13.4, AS ENACTED BY CHAPTER 178, LAWS OF UTAH 1988); 17A-2-1318, (RENUMBERED FROM 73-9-13.5, AS ENACTED BY CHAPTER 178, LAWS OF UTAH 1988); 17A-2-1319, (RENUMBERED FROM 73-9-13.6, AS ENACTED BY CHAPTER 178, LAWS OF UTAH 1988); 17A-2-1320, (RENUMBERED FROM 73-9-13, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-1321, (RENUMBERED FROM 73-9-13.5, AS ENACTED BY CHAPTER 168, LAWS OF UTAH 1961); 17A-2-1322, (RENUMBERED FROM 73-9-15, UTAH CODE ANNOTATED 1953); 17A-2-1323, (RENUMBERED FROM 73-9-16, AS LAST AMENDED BY CHAPTER 3 AND 63, LAWS OF UTAH 1988); 17A-2-1324, (RENUMBERED FROM 73-9-17, AS LAST AMENDED BY CHAPTER 160, LAWS OF UTAH 1957); 17A-2-1325, (RENUMBERED FROM 73-9-18, AS LAST AMENDED BY CHAPTER 138, LAWS OF UTAH 1959); 17A-2-1326, (RENUMBERED FROM 73-9-19, AS LAST AMENDED BY CHAPTER 138, LAWS OF UTAH 1959); 17A-2-1327, (RENUMBERED FROM 73-9-20, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-2-1328, (RENUMBERED FROM 73-9-21, AS LAST AMENDED BY CHAPTER 63, LAWS OF UTAH 1988); 17A-2-1329, (RENUMBERED FROM 73-9-22, UTAH CODE ANNOTATED 1953); 17A-2-1330, (RENUMBERED FROM 73-9-23, UTAH CODE ANNOTATED 1953); 17A-2-1331, (RENUMBERED FROM 73-9-24, UTAH CODE ANNOTATED 1953); 17A-2-1332, (RENUMBERED FROM 73-9-25, AS LAST AMENDED BY CHAPTER 282, LAWS OF UTAH 1977); 17A-2-1333, (RENUMBERED FROM 73-9-26, UTAH CODE ANNOTATED 1953); 17A-2-1334, (RENUMBERED FROM 73-9-27, AS LAST AMENDED BY CHAPTER 285, LAWS OF UTAH 1981); 17A-2-1335, (RENUMBERED FROM 73-9-28, UTAH CODE ANNOTATED 1953); 17A-2-1336, (RENUMBERED FROM 73-9-28.1, AS ENACTED BY CHAPTER 63, LAWS OF UTAH 1988); 17A-2-1337, (RENUMBERED FROM 73-9-29, AS LAST AMENDED BY CHAPTER 3 AND 63, LAWS OF UTAH 1988); 17A-2-1338, (RENUMBERED FROM 73-9-30, UTAH CODE ANNOTATED 1953);

17A-2-1339, (RENUMBERED FROM 73-9-31, AS LAST AMENDED BY CHAPTER 190, LAWS OF UTAH 1985); 17A-2-1340, (RENUMBERED FROM 73-9-32, AS LAST AMENDED BY CHAPTER 146, LAWS OF UTAH 1988); 17A-2-1341, (RENUMBERED FROM 73-9-35, AS LAST AMENDED BY CHAPTER 282, LAWS OF UTAH 1977); 17A-2-1342, (RENUMBERED FROM 73-9-36, UTAH CODE ANNOTATED 1953); 17A-2-1343, (RENUMBERED FROM 73-9-37, UTAH CODE ANNOTATED 1953); 17A-2-1344, (RENUMBERED FROM 73-9-38, UTAH CODE ANNOTATED 1953); 17A-2-1345, (RENUMBERED FROM 73-9-39, UTAH CODE ANNOTATED 1953); 17A-2-1346, (RENUMBERED FROM 73-9-40, UTAH CODE ANNOTATED 1953); 17A-2-1347, (RENUMBERED FROM 73-9-41, UTAH CODE ANNOTATED 1953); 17A-2-1348, (RENUMBERED FROM 73-9-42, AS ENACTED BY CHAPTER 132, LAWS OF UTAH 1953); 17A-2-1349, (RENUMBERED FROM 73-9-43, AS LAST AMENDED BY CHAPTER 231, LAWS OF UTAH 1969); 17A-2-1401, (RENUMBERED FROM 2-5-1, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1983); 17A-2-1402, (RENUMBERED FROM 2-5-2, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1983); 17A-2-1403, (RENUMBERED FROM 2-5-3, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1983); 17A-2-1404, (RENUMBERED FROM 2-5-4, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1983); 17A-2-1405, (RENUMBERED FROM 2-5-5, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1983); 17A-2-1406, (RENUMBERED FROM 2-5-6, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1983); 17A-2-1407, (RENUMBERED FROM 2-5-7, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1983); 17A-2-1408, (RENUMBERED FROM 2-5-8, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1983); 17A-2-1409, (RENUMBERED FROM 2-5-9, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1983); 17A-2-1410, (RENUMBERED FROM 2-5-10, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1983); 17A-2-1411, (RENUMBERED FROM 2-5-11, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1983); 17A-2-1412, (RENUMBERED FROM 2-5-12, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1983); 17A-2-1413, (RENUMBERED FROM 2-5-13, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1983); 17A-2-1414, (RENUMBERED FROM 2-5-14, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1983); 17A-2-1415, (RENUMBERED FROM 2-4-14, UTAH CODE ANNOTATED 1953); 17A-2-1416, (RENUMBERED FROM 2-5-16, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1983); 17A-2-1417, (RENUMBERED FROM 2-5-17, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1983); 17A-2-1418, (RENUMBERED FROM 2-5-18, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1983); 17A-2-1419, (RENUMBERED FROM 2-5-19, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1983); 17A-2-1420, (RENUMBERED FROM 2-5-20, AS ENACTED BY CHAPTER

2, LAWS OF UTAH 1983); 17A-2-1421, (RENUMBERED FROM 2-5-21, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1983); 17A-2-1422, (RENUMBERED FROM 2-5-22, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1983); 17A-2-1423, (RENUMBERED FROM 2-5-23, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1983); 17A-2-1424, (RENUMBERED FROM 2-5-24, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1983); 17A-2-1425, (RENUMBERED FROM 2-5-25, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1983); 17A-2-1426, (RENUMBERED FROM 2-5-26, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1983); 17A-2-1427, (RENUMBERED FROM 2-5-27, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1983); 17A-2-1501, (RENUMBERED FROM 73-25-1, AS ENACTED BY CHAPTER 215, LAWS OF UTAH 1989); 17A-2-1502, (RENUMBERED FROM 73-25-2, AS ENACTED BY CHAPTER 215, LAWS OF UTAH 1989); 17A-2-1503, (RENUMBERED FROM 73-25-3, AS ENACTED BY CHAPTER 215, LAWS OF UTAH 1989); 17A-2-1504, (RENUMBERED FROM 73-25-4, AS ENACTED BY CHAPTER 215, LAWS OF UTAH 1989); 17A-2-1505, (RENUMBERED FROM 73-25-5, AS ENACTED BY CHAPTER 215, LAWS OF UTAH 1989); 17A-2-15-6, (RENUMBERED FROM 73-25-6, AS ENACTED BY CHAPTER 215, LAWS OF UTAH 1989); 17A-2-15-7, (RENUMBERED FROM 73-25-7, AS ENACTED BY CHAPTER 215, LAWS OF UTAH 1989); 17A-2-1508, (RENUMBERED FROM 73-25-8, AS ENACTED BY CHAPTER 215, LAWS OF UTAH 1989); 17A-2-1509, (RENUMBERED FROM 73-25-9, AS ENACTED BY CHAPTER 215, LAWS OF UTAH 1989); 17A-2-1510, (RENUMBERED FROM 73-25-10, AS ENACTED BY CHAPTER 215, LAWS OF UTAH 1989); 17A-2-1511, (RENUMBERED FROM 73-25-11, AS ENACTED BY CHAPTER 215, LAWS OF UTAH 1989); 17A-2-1512, (RENUMBERED FROM 73-25-12, AS ENACTED BY CHAPTER 215, LAWS OF UTAH 1989); 17A-2-1513, (RENUMBERED FROM 73-25-13, AS ENACTED BY CHAPTER 215, LAWS OF UTAH 1989); 17A-2-1514, (RENUMBERED FROM 73-25-14, AS ENACTED BY CHAPTER 215, LAWS OF UTAH 1989); 17A-2-1515, (RENUMBERED FROM 73-25-15, AS ENACTED BY CHAPTER 215, LAWS OF UTAH 1989); 17A-2-1516, (RENUMBERED FROM 73-25-16, AS ENACTED BY CHAPTER 215, LAWS OF UTAH 1989); 17A-2-1517, (RENUMBERED FROM 73-25-17, AS ENACTED BY CHAPTER 215, LAWS OF UTAH 1989); 17A-2-1518, (RENUMBERED FROM 73-25-18, AS ENACTED BY CHAPTER 215, LAWS OF UTAH 1989); 17A-2-1519, (RENUMBERED FROM 73-25-19, AS ENACTED BY CHAPTER 215, LAWS OF UTAH 1989); 17A-2-1520, (RENUMBERED FROM 73-25-20, AS ENACTED BY CHAPTER 215, LAWS OF UTAH 1989); 17A-2-1521, (RENUMBERED FROM 73-25-21, AS ENACTED BY CHAPTER 215, LAWS

OF UTAH 1989); 17A-2-1522, (RENUMBERED FROM 73-25-22, AS ENACTED BY CHAPTER 215, LAWS OF UTAH 1989); 17A-2-1523, (RENUMBERED FROM 73-25-23, AS ENACTED BY CHAPTER 215, LAWS OF UTAH 1989); 17A-2-1524, (RENUMBERED FROM 73-25-24, AS ENACTED BY CHAPTER 215, LAWS OF UTAH 1989); 17A-2-1525, (RENUMBERED FROM 73-25-25, AS ENACTED BY CHAPTER 215, LAWS OF UTAH 1989); 17A-2-1526, (RENUMBERED FROM 73-25-26, AS ENACTED BY CHAPTER 215, LAWS OF UTAH 1989); 17A-2-1527, (RENUMBERED FROM 73-25-27, AS ENACTED BY CHAPTER 215, LAWS OF UTAH 1989); 17A-2-1601, (RENUMBERED FROM 26-14b-1, AS ENACTED BY CHAPTER 131, LAWS OF UTAH 1981); 17A-2-1602, (RENUMBERED FROM 26-14b-2, AS LAST AMENDED BY CHAPTER 169, LAWS OF UTAH 1988); 17A-2-1603, (RENUMBERED FROM 26-14b-3, AS ENACTED BY CHAPTER 131, LAWS OF UTAH 1981); 17A-2-1604, (RENUMBERED FROM 26-14b-4, AS ENACTED BY CHAPTER 131, LAWS OF UTAH 1981); 17A-2-1605, (RENUMBERED FROM 26-14b-5, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987); 17A-2-1606, (RENUMBERED FROM 26-14b-6, AS ENACTED BY CHAPTER 131, LAWS OF UTAH 1981); 17A-2-1607, (RENUMBERED FROM 26-14b-7, AS ENACTED BY CHAPTER 131, LAWS OF UTAH 1981); 17A-2-1608, (RENUMBERED FROM 26-14b-8, AS ENACTED BY CHAPTER 131, LAWS OF UTAH 1981); 17A-2-1609, (RENUMBERED FROM 26-14b-9, AS ENACTED BY CHAPTER 131, LAWS OF UTAH 1981); 17A-2-1610, (RENUMBERED FROM 26-14b-10, AS ENACTED BY CHAPTER 131, LAWS OF UTAH 1981); 17A-2-1611, (RENUMBERED FROM 26-14b-11, AS ENACTED BY CHAPTER 131, LAWS OF UTAH 1981); 17A-2-1612, (RENUMBERED FROM 26-14b-12, AS ENACTED BY CHAPTER 131, LAWS OF UTAH 1981); 17A-2-1613, (RENUMBERED FROM 26-14b-13, AS ENACTED BY CHAPTER 131, LAWS OF UTAH 1981); 17A-2-1614, (RENUMBERED FROM 26-14b-14, AS ENACTED BY CHAPTER 131, LAWS OF UTAH 1981); 17A-2-1615, (RENUMBERED FROM 26-14b-15, AS ENACTED BY CHAPTER 61, LAWS OF UTAH 1984); 17A-2-1616, (RENUMBERED FROM 26-14b-16, AS ENACTED BY CHAPTER 131, LAWS OF UTAH 1981); 17A-2-1617, (RENUMBERED FROM 26-14b-17, AS ENACTED BY CHAPTER 131, LAWS OF UTAH 1981); 17A-2-1618, (RENUMBERED FROM 26-14b-18, AS ENACTED BY CHAPTER 131, LAWS OF UTAH 1981); 17A-3-201, (RENUMBERED FROM 17-7-1, AS ENACTED BY CHAPTER 65, LAWS OF UTAH 1979); 17A-3-202, (RENUMBERED FROM 17-7-2, AS LAST AMENDED BY CHAPTER 9, LAWS OF UTAH 1985, FIRST SPECIAL SESSION); 17A-3-203, (RENUMBERED FROM 17-7-3, AS LAST AMENDED BY CHAPTER 226, LAWS OF UTAH 1988); 17A-3-204,

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FROM 10-16-6, AS LAST AMENDED BY CHAPTER 39, LAWS OF UTAH 1981); 17A-3-407, (RENUMBERED FROM 10-16-7, AS LAST AMENDED BY CHAPTERS 3 AND 226, LAWS OF UTAH 1988); 17A-3-408, (RENUMBERED FROM 10-16-8, AS ENACTED BY CHAPTER 27, LAWS OF UTAH 1969); 17A-3-409, (RENUMBERED FROM 10-16-9, AS LAST AMENDED BY CHAPTER 1, LAWS OF UTAH 1988, FOURTH SPECIAL SESSION); 17A-3-410, (RENUMBERED FROM 10-16-10, AS LAST AMENDED BY CHAPTER 1, LAWS OF UTAH 1988, FOURTH SPECIAL SESSION); 17A-3-411, (RENUMBERED FROM 10-16-11, AS LAST AMENDED BY CHAPTER 39, LAWS OF UTAH 1981); 17A-3-412, (RENUMBERED FROM 10-16-12, AS ENACTED BY CHAPTER 27, LAWS OF UTAH 1969); 17A-3-413, (RENUMBERED FROM 10-16-13, AS LAST AMENDED BY CHAPTER 1, LAWS OF UTAH 1988, FOURTH SPECIAL SESSION); 17A-3-414, (RENUMBERED FROM 10-16-14, AS ENACTED BY CHAPTER 27, LAWS OF UTAH 1969); 17A-3-415, (RENUMBERED FROM 10-16-15, AS ENACTED BY CHAPTER 27, LAWS OF UTAH 1969); 17A-3-416, (RENUMBERED FROM 10-16-16, AS LAST AMENDED BY CHAPTERS 3 AND 226, LAWS OF UTAH 1988); 17A-3-417, (RENUMBERED FROM 10-16-17, AS LAST AMENDED BY CHAPTER 226, LAWS OF UTAH 1988); 17A-3-418, (RENUMBERED FROM 10-16-18, AS LAST AMENDED BY CHAPTER 226, LAWS OF UTAH 1988); 17A-3-419, (RENUMBERED FROM 10-16-19, AS LAST AMENDED BY CHAPTER 226, LAWS OF UTAH 1988); 17A-3-420, (RENUMBERED FROM 10-16-20, AS LAST AMENDED BY CHAPTER 39, LAWS OF UTAH 1981); 17A-3-421, (RENUMBERED FROM 10-16-21, AS LAST AMENDED BY CHAPTER 226, LAWS OF UTAH 1988); 17A-3-422, (RENUMBERED FROM 10-16-22, AS ENACTED BY CHAPTER 39, LAWS OF UTAH 1981); 17A-3-423, (RENUMBERED FROM 10-16-23, AS LAST AMENDED BY CHAPTER 142, LAWS OF UTAH 1987); 17A-3-424, (RENUMBERED FROM 10-16-24, AS LAST AMENDED BY CHAPTER 169, LAWS OF UTAH 1988); 17A-3-425, (RENUMBERED FROM 10-16-25, AS LAST AMENDED BY CHAPTERS 169 AND 226, LAWS OF UTAH 1988); 17A-3-426, (RENUMBERED FROM 10-16-26, AS LAST AMENDED BY CHAPTER 1, LAWS OF UTAH 1988, FOURTH SPECIAL SESSION); 17A-3-427, (RENUMBERED FROM 10-16-26.1, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988, FOURTH SPECIAL SESSION); 17A-3-428, (RENUMBERED FROM 10-16-27, AS LAST AMENDED BY CHAPTER 226, LAWS OF UTAH 1988); 17A-3-429, (RENUMBERED FROM 10-16-27.1, AS LAST AMENDED BY CHAPTER 1, LAWS OF UTAH 1988, FOURTH SPECIAL SESSION); 17A-3-430, (RENUMBERED FROM 10-16-28, AS ENACTED BY CHAPTER 27, LAWS OF UTAH 1969); 17A-3-431, (RENUMBERED FROM 10-16-29, AS LAST AMENDED BY

CHAPTER 1, LAWS OF UTAH 1988, FOURTH SPECIAL SESSION); 17A-3-432, (RENUMBERED FROM 10-16-30, AS ENACTED BY CHAPTER 39, LAWS OF UTAH 1981); 17A-3-433, (RENUMBERED FROM 10-16-30.1, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988, FOURTH SPECIAL SESSION); 17A-3-434, (RENUMBERED FROM 10-16-31, AS LAST AMENDED BY CHAPTERS 3 AND 226, LAWS OF UTAH 1988); 17A-3-435, (RENUMBERED FROM 10-16-31.5, AS ENACTED BY CHAPTER 226, LAWS OF UTAH 1988); 17A-3-436, (RENUMBERED FROM 10-16-32, AS ENACTED BY CHAPTER 39, LAWS OF UTAH 1981); 17A-3-437, (RENUMBERED FROM 10-16-33, AS LAST AMENDED BY CHAPTER 226, LAWS OF UTAH 1988); 17A-3-438, (RENUMBERED FROM 10-16-34, AS LAST AMENDED BY CHAPTER 226, LAWS OF UTAH 1988); 17A-3-439, (RENUMBERED FROM 10-16-35, AS ENACTED BY CHAPTER 27, LAWS OF UTAH 1969); 17A-3-440, (RENUMBERED FROM 10-16-36, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-3-441, (RENUMBERED FROM 10-16-37, AS LAST AMENDED BY CHAPTER 142, LAWS OF UTAH 1987); 17A-3-442, (RENUMBERED FROM 10-16-38, AS LAST AMENDED BY CHAPTER 1, LAWS OF UTAH 1988, FOURTH SPECIAL SESSION); 17A-3-443, (RENUMBERED FROM 10-16-39, AS ENACTED BY CHAPTER 27, LAWS OF UTAH 1969); 17A-3-444, (RENUMBERED FROM 10-16-40, AS ENACTED BY CHAPTER 27, LAWS OF UTAH 1969); 17A-3-501, (RENUMBERED FROM 11-24-1, AS ENACTED BY CHAPTER 27, LAWS OF UTAH 1979); 17A-3-502, (RENUMBERED FROM 11-24-2, AS ENACTED BY CHAPTER 41, LAWS OF UTAH 1979); 17A-3-503, (RENUMBERED FROM 11-24-3, AS LAST AMENDED BY CHAPTER 41, LAWS OF UTAH 1981); 17A-3-504, (RENUMBERED FROM 11-24-4, AS LAST AMENDED BY CHAPTER 41, LAWS OF UTAH 1981); 17A-3-505, (RENUMBERED FROM 11-24-5, AS LAST AMENDED BY CHAPTER 41, LAWS OF UTAH 1981); 17A-3-506, (RENUMBERED FROM 11-24-6, AS ENACTED BY CHAPTER 41, LAWS OF UTAH 1979); 17A-3-507, (RENUMBERED FROM 11-24-7, AS ENACTED BY CHAPTER 41, LAWS OF UTAH 1979); 17A-3-508, (RENUMBERED FROM 11-24-8, AS ENACTED BY CHAPTER 41, LAWS OF UTAH 1979); 17A-3-509, (RENUMBERED FROM 11-24-9, AS ENACTED BY CHAPTER 41, LAWS OF UTAH 1979); 17A-3-510, (RENUMBERED FROM 11-24-10, AS ENACTED BY CHAPTER 41, LAWS OF UTAH 1979); 17A-3-511, (RENUMBERED FROM 11-24-11, AS ENACTED BY CHAPTER 41, LAWS OF UTAH 1979); 17A-3-512, (RENUMBERED FROM 11-24-12, AS ENACTED BY CHAPTER 41, LAWS OF UTAH 1979); 17A-3-513, (RENUMBERED FROM 11-24-13, AS ENACTED BY CHAPTER 41, LAWS OF UTAH 1979); 17A-3-514, (RENUMBERED FROM 11-24-14, AS ENACTED BY CHAPTER 41, LAWS

OF UTAH 1979); 17A-3-601, (RENUMBERED FROM 26-24-1, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-3-602, (RENUMBERED FROM 26-24-2, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-3-603, (RENUMBERED FROM 26-24-3, AS LAST AMENDED BY CHAPTER 169, LAWS OF UTAH 1988); 17A-3-604, (RENUMBERED FROM 26-24-4, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-3-605, (RENUMBERED FROM 26-24-5, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-3-606, (RENUMBERED FROM 26-24-6, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-3-607, (RENUMBERED FROM 26-24-7, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-3-608, (RENUMBERED FROM 26-24-8, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-3-609, (RENUMBERED FROM 26-24-9, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-3-610, (RENUMBERED FROM 26-24-10, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-3-611, (RENUMBERED FROM 26-24-11, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-3-612, (RENUMBERED FROM 26-24-12, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-3-613, (RENUMBERED FROM 26-24-13, AS ENACTED BY CHAPTER 269, LAWS OF UTAH 1989); 17A-3-614, (RENUMBERED FROM 26-24-14, AS LAST AMENDED BY CHAPTER 269, LAWS OF UTAH 1989); 17A-3-615, (RENUMBERED FROM 26-24-15, AS LAST AMENDED BY CHAPTERS 178 AND 180, LAWS OF UTAH 1987); 17A-3-616, (RENUMBERED FROM 26-24-15.5, AS ENACTED BY CHAPTER 180, LAWS OF UTAH 1987); 17A-3-617, (RENUMBERED FROM 26-24-17, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-3-618, (RENUMBERED FROM 26-24-17, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-3-619, (RENUMBERED FROM 26-24-18, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-3-620, (RENUMBERED FROM 26-24-19, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-3-621, (RENUMBERED FROM 26-24-20, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-3-622, (RENUMBERED FROM 26-24-21, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-3-623, (RENUMBERED FROM 26-24-22, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-3-624, (RENUMBERED FROM 26-24-23, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-3-625, (RENUMBERED FROM 26-24-24, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981); 17A-3-701, (RENUMBERED FROM 62A-12-105, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 17A-3-702, (RENUMBERED FROM 62A-12-107, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 17A-3-703, (RENUMBERED FROM 62A-12-108, AS ENACTED BY CHAPTER 1, LAWS

OF UTAH 1988); 17A-3-704, (RENUMBERED FROM 62A-12-109, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 17A-3-705, (RENUMBERED FROM 62A-12-110, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 17A-3-706, (RENUMBERED FROM 62A-12-111, AS LAST AMENDED BY CHAPTER 242, LAWS OF UTAH 1988); 17A-3-707, (RENUMBERED FROM 62A-12-112, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 17A-3-708, (RENUMBERED FROM 62A-12-113, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 17A-3-709, (RENUMBERED FROM 62A-12-114, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 17A-3-710, (RENUMBERED FROM 62A-12-115, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 17A-3-711, (RENUMBERED FROM 62A-12-116, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 17A-3-712, (RENUMBERED FROM 62A-12-117, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 17A-3-801, (RENUMBERED FROM 62A-8-110, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 17A-3-802, (RENUMBERED FROM 62A-8-111, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 17A-3-901, (RENUMBERED FROM 4-18-7, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979); 17A-3-902, (RENUMBERED FROM 4-18-8, AS LAST AMENDED BY CHAPTER 68, LAWS OF UTAH 1984); 17A-3-903, (RENUMBERED FROM 4-18-9, AS LAST AMENDED BY CHAPTER 68, LAWS OF UTAH 1984); 17A-3-904, (RENUMBERED FROM 4-18-10, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979); 17A-3-905, (RENUMBERED FROM 4-18-11, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979); 17A-3-906, (RENUMBERED FROM 4-18-12, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979); 17A-3-907, (RENUMBERED FROM 4-18-13, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979); 17A-3-1001, (RENUMBERED FROM 11-29-1, AS ENACTED BY CHAPTER 45, LAWS OF UTAH 1981); 17A-3-1002, (RENUMBERED FROM 11-29-2, AS ENACTED BY CHAPTER 45, LAWS OF UTAH 1981); 17A-3-1003, (RENUMBERED FROM 11-29-3, AS ENACTED BY CHAPTER 45, LAWS OF UTAH 1981); 17A-3-1004, (RENUMBERED FROM 11-29-4, AS ENACTED BY CHAPTER 45, LAWS OF UTAH 1981); 17A-3-1005, (RENUMBERED FROM 11-29-5, AS ENACTED BY CHAPTER 45, LAWS OF UTAH 1981); 17A-3-1006, (RENUMBERED FROM 11-29-6, AS ENACTED BY CHAPTER 45, LAWS OF UTAH 1981); 17A-3-1007, (RENUMBERED FROM 11-29-7, AS LAST AMENDED BY CHAPTER 110, LAWS OF UTAH 1985); 17A-3-1008, (RENUMBERED FROM 11-29-8, AS ENACTED BY CHAPTER 45, LAWS OF UTAH 1981); 17A-3-1009, (RENUMBERED FROM 11-29-9, AS ENACTED BY CHAPTER 45, LAWS OF UTAH 1981); 17A-3-1010, (RENUMBERED FROM 11-29-10, AS ENACTED BY CHAPTER 45, LAWS OF UTAH 1981);

17A-3-1011, (RENUMBERED FROM 11-29-11, AS ENACTED BY CHAPTER 45, LAWS OF UTAH 1981); 17A-3-1012, (RENUMBERED FROM 11-29-12, AS ENACTED BY CHAPTER 45, LAWS OF UTAH 1981); 17A-3-1013, (RENUMBERED FROM 11-29-13, AS LAST AMENDED BY CHAPTER 61, LAWS OF UTAH 1984); 17A-3-1014, (RENUMBERED FROM 11-29-14, AS ENACTED BY CHAPTER 45, LAWS OF UTAH 1981); 17A-3-1015, (RENUMBERED FROM 11-29-15, AS ENACTED BY CHAPTER 45, LAWS OF UTAH 1981); 17A-3-1016, (RENUMBERED FROM 11-29-16, AS ENACTED BY CHAPTER 45, LAWS OF UTAH 1981); 17A-3-1017, (RENUMBERED FROM 11-29-17, AS ENACTED BY CHAPTER 45, LAWS OF UTAH 1981); 17A-3-1018, (RENUMBERED FROM 11-29-18, AS ENACTED BY CHAPTER 45, LAWS OF UTAH 1981); 17A-3-1101, (RENUMBERED FROM 11-22-1, AS ENACTED BY CHAPTER 3, LAWS OF UTAH 1974); 17A-3-1102, (RENUMBERED FROM 11-222, AS ENACTED BY CHAPTER 3, LAWS OF UTAH 1974); 17A-3-1201, (RENUMBERED FROM 17-5-78, UTAH CODE ANNOTATED 1953); 17A-3-1301, (RENUMBERED FROM 17-10-1, UTAH CODE ANNOTATED 1953); 17A-3-1302, (RENUMBERED FROM 17-10-2, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988); 17A-3-1303, (RENUMBERED FROM 17-10-3, UTAH CODE ANNOTATED 1953); 17A-3-1304, (RENUMBERED FROM 17-10-4, UTAH CODE ANNOTATED 1953); 17A-3-1305, (RENUMBERED FROM 17-10-5, UTAH CODE ANNOTATED 1953); 17A-3-1306, (RENUMBERED FROM 17-10-6, UTAH CODE ANNOTATED 1953); 17A-3-1401, (RENUMBERED FROM 11-18-1, AS ENACTED BY CHAPTER 178, LAWS OF UTAH 1967); 17A-3-1402, (RENUMBERED FROM 11-18-2, AS ENACTED BY CHAPTER 178, LAWS OF UTAH 1967); 17A-3-1403, (RENUMBERED FROM 11-18-3, AS ENACTED BY CHAPTER 178, LAWS OF UTAH 1967); 17A-3-1404, (RENUMBERED FROM 11-18-4, AS ENACTED BY CHAPTER 178, LAWS OF UTAH 1967); 17A-3-1405, (RENUMBERED FROM 11-18-5, AS ENACTED BY CHAPTER 178, LAWS OF UTAH 1967); 17A-3-1406, (RENUMBERED FROM 11-18-6, AS ENACTED BY CHAPTER 178, LAWS OF UTAH 1967); 17A-3-1501, (RENUMBERED FROM 10-8-12, UTAH CODE ANNOTATED 1953), was read the first time and referred to Rules Committee.

STANDARDIZED EMISSION INSPECTIONS

S.B. No. 58 *Stephen J. Rees*

AN ACT RELATING TO MOTOR VEHICLES; PROVIDING FOR STANDARDIZED EMISSION INSPECTION CRITERIA FOR VEHICLE REGISTRATION; AND MAKING TECHNICAL CORRECTIONS.

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

AMENDS: 41-6-163.6, AS ENACTED BY CHAPTER 4, LAWS OF UTAH 1983, FIRST SPECIAL SESSION, was read the first time and referred to Rules Committee.

CONTRACTORS LICENSING AMENDMENTS

S.B. No. 59 *Glade Nielsen, Arnold Christensen, Paul T. Fordham, Richard B. Tempest, Craig Peterson, Lane Beattie, Stephen J. Rees, Haven J. Barlow*

AN ACT RELATING TO OCCUPATIONAL LICENSING; CLARIFYING CERTAIN DEFINITIONS REGARDING THE SCOPE OF PRACTICE WITHIN LICENSED TRADES; AMENDING COMPOSITION OF THE ELECTRICIANS ADVISORY BOARD; CLARIFYING CERTAIN LICENSE REQUIREMENTS; CLARIFYING THE PERMITTED SCOPE OF PRACTICE WITHIN LICENSED TRADES; AND PERMITTING CERTAIN INVESTIGATORY ACTIONS BY THE DIVISION.

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

58-55-2, AS ENACTED BY CHAPTER 128, LAWS OF UTAH 1989; 58-55-3, AS ENACTED BY CHAPTER 128, LAWS OF UTAH 1989; 58-55-4, AS ENACTED BY CHAPTER 128, LAWS OF UTAH 1989; 58-55-5, AS ENACTED BY CHAPTER 128, LAWS OF UTAH 1989; 58-55-6, AS ENACTED BY CHAPTER 128, LAWS OF UTAH 1989; 58-55-19, AS ENACTED BY CHAPTER 128, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

OPTIONAL TITLING OF COLLECTOR MOTOR VEHICLES

S.B. No. 60 *Glade Nielsen, John Holmgren, C.E. Peterson, Paul T. Fordham*

AN ACT RELATING TO MOTOR VEHICLES; DEFINING COLLECTOR MOTOR VEHICLES; PROVIDING FOR AN OPTIONAL CERTIFICATE OF TITLE FOR CERTAIN VEHICLES NOT USED ON THE HIGHWAY; AND PROVIDING FOR PROCEDURES AND PENALTIES.

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

ENACTS: 41-1-195, UTAH CODE ANNOTATED 1953; 41-1-196, UTAH CODE ANNOTATED 1953; 41-1-197, UTAH CODE ANNOTATED 1953; 41-1-198, UTAH CODE ANNOTATED 1953; 41-1-199, UTAH CODE

ANNOTATED 1953; 41-1-200, UTAH CODE ANNOTATED 1953; 41-1-201, UTAH CODE ANNOTATED 1953; 41-1-202, UTAH CODE ANNOTATED 1953; 41-1-203, UTAH CODE ANNOTATED 1953; 41-1-204, UTAH CODE ANNOTATED 1953; 41-1-205, UTAH CODE ANNOTATED 1953; 41-1-206, UTAH CODE ANNOTATED 1953; 41-1-207, UTAH CODE ANNOTATED 1953; 41-1-208, UTAH CODE ANNOTATED 1953; 41-1-209, UTAH CODE ANNOTATED 1953; 41-1-210, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

INTEREST PAYABLE ON PROPERTY TAX JUDGMENTS

S.B. No. 61 *Cary G. Peterson*

AN ACT RELATING TO REVENUE AND TAXATION; REQUIRING THE STATE OR ANY TAXING ENTITY WHICH IS LIABLE FOR A JUDGEMENT ON PROPERTY TAXES TO PAY ACTUAL INTEREST EARNED ON MONEY RECEIVED IF THE TAXES ARE SEGREGATED AND INVESTED SEPARATELY; AND PROVIDING RETROSPECTIVE OPERATION.

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

AMENDS: 59-2-1330, AS LAST AMENDED BY CHAPTER 275, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

APPLICATIONS FOR PROPERTY TAX EXEMPTIONS

S.B. No. 62 *Boyd K. Storey*

AN ACT RELATING TO REVENUE AND TAXATION; EXTENDING THE TIME PERIOD FOR FILING APPLICATION FOR CERTAIN EXEMPTIONS; AND PROVIDING RETROSPECTIVE OPERATION.

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

AMENDS: 59-2-1105, AS REPEALED AND REENACTED BY CHAPTER 3, LAWS OF UTAH 1988; 59-2-1106, AS REPEALED AND REENACTED BY CHAPTER 3, LAWS OF UTAH 1988; 59-2-1109, AS REPEALED AND REENACTED BY CHAPTER 3, LAWS OF UTAH 1988, was read the first time and referred to Rules Committee.

TRANSPORTATION FUND MONIES

S.B. No. 63 *Dix H. McMullin, Wilford R. Black, Eldon A. Money, Winn L. Richards, Paul T. Fordham, Alarik Myrin*

AN ACT RELATING TO MOTOR VEHICLES; SPECIFYING THAT CERTAIN FEES SHALL BE DEPOSITED IN THE TRANSPORTATION FUND; AND MAKING TECHNICAL AMENDMENTS.

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

AMENDS: 41-2-119, AS RENUMBERED AND AMENDED BY CHAPTER 137, LAWS OF UTAH 1987; 41-2-305, AS LAST AMENDED BY CHAPTER 22, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

JUDGES' RETIREMENT BENEFIT ENHANCEMENTS

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

AN ACT RELATING TO PENSIONS; BASING THE RETIREMENT ALLOWANCE OF A JUDGE ON THE FINAL TWO YEAR'S SALARY; INCREASING THE BENEFIT FORMULA USED IN DETERMINING THE ALLOWANCE; INCREASING THE MINIMUM BENEFIT PAYABLE; PROVIDING JUDGE AND COURT FEE INCREASES TO FUND THE BENEFIT PAYABLE; PROVIDING JUDGE AND COURT FEE INCREASES TO FUND THE BENEFIT INCREASES; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 49-6-103, AS LAST AMENDED BY CHAPTER 81, LAWS OF UTAH 1989; 49-6-301, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1987; 49-6-402, AS ENACTED BY CHAPTERS 1 AND 168, LAWS OF UTAH 1987; 49-6-602, AS ENACTED BY CHAPTER 168, LAWS OF UTAH 1987; 78-3-16.5, AS LAST AMENDED BY CHAPTER 7, LAWS OF UTAH 1988 SECOND SPECIAL SESSION; 78-4-24, AS LAST AMENDED BY CHAPTER 7, LAWS OF UTAH 1988 SECOND SPECIAL SESSION; 78-6-14, AS LAST AMENDED BY CHAPTER 22, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

LEGISLATIVE RETIREMENT PLAN

S.B. No. 65 *K.S. Cornaby*

AN ACT RELATING TO PENSIONS; INCREASING LEGISLATIVE PENSIONS; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 49-7-401, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1987, was read the first time and referred to Rules Committee.

RETIREMENT SYSTEM TRANSFER

S.B. No. 66 *K.S. Cornaby*

AN ACT RELATING TO PENSIONS; AUTHORIZING A RETIREMENT SYSTEM ALTERNATIVE FOR MEMBERS WHO TRANSFER FROM COVERED UNITS; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 49-3-203, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1987, was read the first time and referred to Rules Committee.

SALES TAX - REPEAL EXEMPTIONS

S.B. No. 67 *LeRay McAllister*

AN ACT RELATING TO REVENUE AND TAXATION; IMPOSING A SUNSET DATE ON ALL SALES AND USE TAX EXEMPTIONS; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 59-12-104, AS LAST AMENDED BY CHAPTERS 89, 169, AND 247, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

PRODUCTS MANUFACTURERS' LIABILITY AMENDMENTS

S.B. No. 68 *LeRay McAllister*

AN ACT RELATING TO THE JUDICIAL CODE; AMENDING THE PRODUCTS LIABILITY ACT TO PROVIDE FOR PRODUCT MANUFACTURERS LIABILITY; AND DEFINING CERTAIN TERMS.

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

ENACTS: 78-15-1.5, UTAH CODE ANNOTATED 1953; 78-15-7, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

PRODUCTS LIABILITY DEFENSES

S.B. No. 69 *LeRay McAllister*

AN ACT RELATING TO THE JUDICIAL CODE; AMENDING THE PRODUCTS LIABILITY ACT TO PROVIDE CERTAIN DEFENSES; DEFINING CERTAIN TERMS; AND PROVIDING FOR SEVERABILITY.

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

AMENDS: 78–15–6, AS ENACTED BY CHAPTER 149, LAWS OF UTAH 1977.

ENACTS: 78–15–1.5, UTAH CODE ANNOTATED 1953; 78–15–7, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

PRODUCTS SELLERS' LIABILITY AMENDMENTS

S.B. No. 70 *LeRay McAllister*

AN ACT RELATING TO THE JUDICIAL CODE; AMENDING THE PRODUCTS LIABILITY ACT TO PROVIDE FOR PRODUCT SELLERS' LIABILITY; DEFINING CERTAIN TERMS; AND PROVIDING FOR SEVERABILITY.

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

ENACTS: 78–15–1.5, UTAH CODE ANNOTATED 1953; 78–15–7, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

INDIAN RELATIONS ACT

S.B. No. 71 *Alarik Myrin*

AN ACT RELATING TO INDIAN RELATIONS; CREATING A UTAH STATE COMMISSION FOR INDIAN AFFAIRS, A BOARD OF INDIAN AFFAIRS, AND A UTAH DINE' COMMITTEE; AND PROVIDING FOR RATIFICATION BY THE LEGISLATURE OF AGREEMENTS BETWEEN TRIBES AND THE STATE.

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

ENACTS: 63–36b–101, UTAH CODE ANNOTATED 1953; 63–36b–102, UTAH CODE ANNOTATED 1953; 63–36b–201, UTAH CODE ANNOTATED 1953; 63–36b–202, UTAH CODE ANNOTATED 1953; 63–36b–301, UTAH CODE ANNOTATED 1953; 63–36b–302, UTAH CODE ANNOTATED 1953; 63–36b–303, UTAH CODE ANNOTATED 1953; 63–36b–304, UTAH CODE ANNOTATED 1953; 63–36b–401, UTAH CODE ANNOTATED 1953; 63–36b–402, UTAH CODE ANNOTATED 1953; 63–36b–403, UTAH CODE ANNOTATED 1953; 63–36b–501, UTAH CODE ANNOTATED 1953; 63–36b–502, UTAH CODE ANNOTATED 1953; 63–36b–503, UTAH CODE ANNOTATED 1953; 63–36b–601, UTAH CODE ANNOTATED 1953;

63–36b–602, UTAH CODE ANNOTATED 1953; 63–36b–603, UTAH CODE ANNOTATED 1953; 63–36b–604, UTAH CODE ANNOTATED 1953; 63–36b–605, UTAH CODE ANNOTATED 1953.

RENUMBERS AND AMENDS: 63–36b–701, (RENUMBERED FROM 63–36–9, AS ENACTED BY CHAPTER 169, LAWS OF UTAH 1971); 63–36b–702, (RENUMBERED FROM 63–36–10, AS ENACTED BY CHAPTER 169, LAWS OF UTAH 1971); 63–36b–703, (RENUMBERED FROM 63–36–11, AS ENACTED BY CHAPTER 169, LAWS OF UTAH 1971); 63–36b–704, (RENUMBERED FROM 63–36–11, AS ENACTED BY CHAPTER 169, LAWS OF UTAH 1971); 63–36b–705, (RENUMBERED FROM 63–36–13, AS ENACTED BY CHAPTER 169, LAWS OF UTAH 1971); 63–36b–706, (RENUMBERED FROM 63–36–14, AS ENACTED BY CHAPTER 169, LAWS OF UTAH 1971); 63–36b–707, (RENUMBERED FROM 63–36–15, AS ENACTED BY CHAPTER 169, LAWS OF UTAH 1971); 63–36b–708, (RENUMBERED FROM 63–36–16, AS ENACTED BY CHAPTER 169, LAWS OF UTAH 1971); 63–36b–709, (RENUMBERED FROM 63–36–17, AS ENACTED BY CHAPTER 169, LAWS OF UTAH 1971); 63–36b–710, (RENUMBERED FROM 63–36–19, AS ENACTED BY CHAPTER 168, LAWS OF UTAH 1973); 63–36b–711, (RENUMBERED FROM 63–36–20, AS ENACTED BY CHAPTER 168, LAWS OF UTAH 1973); 63–36b–712, 9RENUMBERED FROM 63–36–21, AS ENACTED BY CHAPTER 168, LAWS OF UTAH 1973).

REPEALS: 63–36–1, AS LAST AMENDED BY CHAPTER 234, LAWS OF UTAH 1979; 63–36–2, AS LAST AMENDED BY CHAPTER 212, LAWS OF UTAH 1989; 63–36–3, AS LAST AMENDED BY CHAPTER 10, LAWS OF UTAH 1978; 63–36–4, AS ENACTED BY CHAPTER 174, LAWS OF UTAH 1967; 63–36–5, AS LAST AMENDED BY CHAPTER 234, LAWS OF UTAH 1979; 63–36–6, AS ENACTED BY CHAPTER 174, LAWS OF UTAH 1967; 63–36–7, AS LAST AMENDED BY CHAPTER 238, LAWS OF UTAH 1977; 63–36–8, AS LAST AMENDED BY CHAPTER 234, LAWS OF UTAH 1979; 63–36–18, AS ENACTED BY CHAPTER 168, LAWS OF UTAH 1973; 63–36a–1, AS ENACTED BY CHAPTER 244, LAWS OF UTAH 1989; 63–36a–2, AS ENACTED BY CHAPTER 244, LAWS OF UTAH 1989; 63–36a–3, AS ENACTED BY CHAPTER 244, LAWS OF UTAH 1989; 63–36a–4, AS ENACTED BY CHAPTER 244, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

* * *

On motion of Senator Glade Nielsen, the Senate voted to adopt the following committee report and employ the persons recommended by Senator Glade Nielsen as Senate staff for the 1990 General Session.

SENATE PATRONAGE AND EMPLOYEE COMMITTEE REPORT

January 8, 1990

Mr. President and members of the Senate:

As Chairman of the Committee on Patronage and Employees, I report that I have carefully considered the applications of the following persons, and recommend that they be employed as Senate Staff for the 1990 General Session of the 48th Legislature.

Sophia C. Buckmiller	Secretary of Senate
Joan B. Thomas	Administrative Assistant and Minute Clerk
Ralph D. Benson	Sergeant at Arms
Alfred Rex Hill	Assistant Sergeant at Arms
Mary Frandsen	Docket Clerk
Lynette Erickson	Leadership Secretary
Lynne L. Turner	Minority Secretary
Sharon Johnson	Secretarial Supervisor
Rosemary LeBaron	Receptionist and Legislative Aide
Beverly G. Heslop	Page Supervisor
Joyce Allison	Bill Status and Calendar Clerk
Lila Charles	Bill Room Supervisor
Gayle C. Peterson	Legislative Tour Guide
Tom Matsumori	Security
Stanley R. McCluskey	Security
Dale S. Hansen	Security
Victor Simart	Security
J. Grant Thurgood	Security
Robert Bair	Security
Linda G. Hansen	Committee Security
Suzanne V. Reese	Committee Secretary
Lisa Hollingworth	Committee Secretary
Barbara Miller	Committee Secretary
Rolayne Day	Committee Secretary
Freda J. Young	Rules Committee Secretary
Sharon N. Shore	Page
Sue S. Hyer	Page
Tiffiny Peterson	Page

Shirley Hanson	Page
Natalie Petersen	Page
Michael Britt	Page
Katrina Knowlton	Page
Susy Carter	Page
Susan M. Schow	Page
M. Eugene Bridges	Public Address Operator
Charliene T. Reed	Public Information Officer
Lorraine Wilkinson	Public Information Officer
Carole Decker	Legislative Aide
Paul Wiser	Legislative Aide
Florence F. Nichols	Hostess & Aide the Third House
Robert S. Welch	Bill Room Aide
Della Armstrong	Bill Room Aide
Jerry E. Hanson	Custodian

Glade Nielsen,
Senate Patronage and
Employee Committee

Senator Glade Nielsen introduced the Senate Staff. The employees were administered the oath of office by President Christensen.

* * *

The Senate recessed for a Rules Committee meeting at 11:15 a.m. and reassembled at 12:00 noon.

RULES COMMITTEE REPORTS

S.B. No. 2	DISCLOSURE BY EXEMPT ORGANIZATIONS (Business, Labor & Economic Development)
S.B. No. 6	EMPLOYMENT DISCRIMINATION PROCEEDINGS (Business, Labor & Economic Development)
S.B. No. 10	HOMEOWNERS AND AUTO INSURANCE COMPARISON TABLE (Business, Labor & Economic Development)
S.B. No. 13	EMPLOYERS' REINSURANCE FUND AMENDMENTS (Business, Labor & Economic Development)
S.B. No. 15	LABOR CODE REVISIONS (Business, Labor & Economic Development)
S.B. No. 20	REAL ESTATE APPRAISER REGISTRATION (Business, Labor & Economic Development)
S.B. No. 5	RECYCLING OF WASTE TIRES (Health)

S.B. No. 16 INSURANCE COVERAGE OF INFERTILITY (Health)
S.B. No. 4 DUI PENALTY AMENDMENT (Judiciary)
S.B. No. 17 TELECOMMUNICATIONS TAXATION (Revenue & Taxation)
S.B. No. 3 WORKERS' COMPENSATION (State & Local)
S.B. No. 21 LEGISLATORS' COMPENSATION (State & Local)
reports the Bills to the Senate and asks that they be printed and assigned to the proper committee, and

Mr. President:

The Senate Rules Committee to which were referred the following Bills and Resolutions:

S.B. No. 1 CAMPAIGN ADVERTISING CLEANUP
S.B. No. 11 FOURTH AMENDMENT ENFORCEMENT ACT REPEAL OF 55 MPH SPEED LIMIT
S.B. No. 14 ADOPTION RECODIFICATION ACT
S.C.R. No. 1 TENTH AMENDMENT RESOLUTION
S.C.R. No. 2 RESOLUTION URGING CONGRESSIONAL REPEAL
S.J.R. No. 3 LEGISLATIVE AUDITOR GENERAL RESOLUTION
S.J.R. No. 4 LEGISLATIVE FISCAL ANALYST RESOLUTION
reports the Bills and Resolutions to the Senate, and asks that they be printed and placed on the Second Reading Calendar.

C.E. Peterson
Rules Committee Chairman

Committee reports read and adopted. President Christensen assigned the bills to the committees indicated and S.B. No. 1, 11, 14, S.C.R. No. 1 and S.C.R. No. 2 and S.J.R. No. 3 and S.J.R. No. 4 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 2:10 p.m., with President Christensen presiding.

COMMITTEE OF THE WHOLE

On motion of Senator Cary Peterson, the Senate resolved into a Committee of the Whole.

STATE OF THE JUDICIARY ADDRESS
by Chief Justice of the Utah Supreme Court
Gordon R. Hall

"President Christensen, Speaker Karras, distinguished legislators, and special guests:

I looked forward to presenting this annual report much more than in previous years. Years of painstaking planning, and faithful support by the legislature, have begun to bear fruit in terms of making our judicial system more efficient and accessible than ever before. In 1989 we progressed markedly toward meeting the goals established in the revised judicial article of our Utah Constitution. At the same time, state and national celebrations of the bicentennial of our Constitution enhanced public awareness and appreciation of the work of the judiciary.

But my experience has been that simply because we are human we are not destined to live our lives in a continual glow of profound gratification. Even in the best of times, day to day problems eat away at our contentment. Administrative problems are, of course, unending, and seem constantly to grow in magnitude. Even national and international problems, like the trade deficit getting fatter and the ozone layer getting thinner can cast a pall on an otherwise beautiful day.

An example of how contemplation of profound principles can be pushed into the back seat by more immediate concerns was related to me recently by a colleague. This judge told of her considerable excitement after receiving an invitation to present a major address on the birth of the national Constitution. She carefully crafted this address for weeks. Then, on the day of the speech, she proudly read it to her 16 year old. After finishing her treatise on what may be the most significant document in the history of the world, she asked for a reaction. The teenager replied, "That was awesome, Mom, may I have ten dollars for a hamburger and a movie?"

Most of us, like the teenager, tend to give no more than passing attention to platitudes about our heritage of constitutional liberty. The fact that we can take such things for granted is perhaps evidence of how well our system works. But millions of people throughout the world do not enjoy this luxury. The tens of thousands in Tiananmen Square were willing to give their lives, as many eventually did, to give substance to these platitudes. Millions in Eastern Europe risked life, home, and fortune to gain these rights.

This ordinary-looking piece of weathered concrete was chipped from the Berlin Wall; and until last November, one of our century's most infamous barriers to human freedom. Many of the walls of repression have come tumbling down in the

last six months, and we rejoice with our Eastern European friends in their new found freedom.

But maintaining that freedom will require more than demonstrations and general strikes. The newly formed governments will have to build new kinds of walls to protect these fragile new freedoms — walls against edicts disguised as laws, against lackeys masquerading as judges. As a leader of the Hungarian reform movement has put it, "It's time the dictatorship of the proletariat disappears... Now we must create a constitutional state."

This year we are celebrating the two hundredth anniversary of one of the strongest of the constitutional walls protecting us from arbitrary government — the Bill of Rights. Combined with the Constitution, this body of guarantees has given our citizens a level of dignity that has become the standard for the world. Even in this country, it has not always been easy to maintain this wall of protection. But our constitutional guarantees of a popularly elected executive and legislature, and of a strong, independent judiciary, have prevailed against those who wished to overrun the people's lawmakers, and the people's laws.

On February 2 of this year, the courts of our state will commemorate the first meeting of the United States Supreme Court. This revered but fragile institution is charged with resolving some of society's most massive disagreements. Without armies, or an independent purse, the court has maintained its authority over the centuries on the basis of our commitment to the rule of law.

Events in Europe have shown what we have known in this country for 200 years — that freedom not only pays off in terms of human dignity and worth; it is also the foundation of economic and intellectual development; of artistic and religious experience, and of individual development.

To the extent a strong, independent judiciary exemplifies our commitment to liberty, no state has demonstrated more of a commitment to this ideal than has Utah. Our courts have enjoyed strong direction and support from the legislature and from the governor. Bar members and lay citizens have volunteered thousands of hours to strengthen our court system, and individual judges have assumed direct responsibility for implementing needed improvements.

COURT DELAY

A brief review of a few areas reflects our progress. In 1986, despite the fact that the Utah Supreme Court was one of the four most productive courts in the nation, appellate delay had reached intolerable levels. Some cases were taking nearly four years to resolve on appeal. Projections indicated that by 1990, appellate delay in

Utah would exceed seven years. In response to this crisis, this body passed legislation establishing a new Court of Appeals. The admittedly optimistic goal was to ensure that by the end of 1990, all cases could be resolved on appeal in an average of one year, instead of the projected seven years.

The pressing question was: Could the Supreme Court and the Court of Appeals in just three years work through a twelve year appellate backlog, and thus be on track with their one year case resolution schedule?

I am extremely pleased to report that both courts have met this goal. In the face of an extremely heavy case load, the Court of Appeals schedules cases for oral argument within four months of readiness, and final decisions are published within three to four months of arguments.

In addition to the speed of handling appeals, this new court's scholarly opinions are providing clarification of many disputed areas of Utah common law.

Consistent with the Court of Appeals' excellent work, the Supreme Court has nearly eliminated its accrued backlog.

•The January 1987 total of 210 cases under advisement has been trimmed to just 70 today.

•The 477 cases awaiting oral argument in 1987 have been cut to only 63.

Because of the efforts of all parties, Utah has turned the corner on appellate delay. This progress will be maintained.

At the trial court level, Utah's record continues to be impressive. The trial court work load has grown at projected levels, but improved calendaring practices continue to allow the District Courts to hear cases within 90 days of readiness for trial. No Utah trial court suffers from the delays of one to two years that many states experience.

In two areas, caseload growth has been so rapid that the efficiency of the system has been jeopardized. The Juvenile Court has experienced a fifty percent increase in filings in the last several years. The increase reflects the same growth seen in the teenage population generally.

But no juvenile judges have been added in the past four years. Of all areas, court delay in dealing with our children is not acceptable. A recent audit by the National Center for State Courts has confirmed the need for an additional judge in the Weber, Davis, Morgan County areas. The Judicial Council urges your favorable considerable of this proposal.

Circuit Court filings have also grown substantially. The primary impact has been felt in the clerk's office. The Council is proposing both staffing level changes, and changes in the qualifications for clerks. In our courts not–of–record, the Justice Courts, changes are also being made to improve public access.

JUDICIAL ADMINISTRATION

Modernization of judicial administration was a key objective in the revision of the judicial article. It is often stated that the race to improve judicial administration is not for the short of wind. More directly, a judge from another state reported that the last great cause one of his fellow judges undertook was to fight the introduction of the ballpoint pen.

Courts and judges tend to have strong allegiance to tradition, and a conservative approach to change. These qualities help ensure continuity and predictability in our justice system. But, we all recognize the needs for the court to keep pace with a quickly changing society by establishing effective and efficient means of administering the judiciary.

Under the judicial Council's leadership, many important initiatives are being pursued. I would like to discuss several of these initiatives with you.

As recently as 1985, automation was almost unheard of in the courts.

•Today our Juvenile Court is nationally recognized for its information system.

•99% of the Circuit Court case load is automated only.

•Six months after the transfer from the county, 90% of the District Court case load is automated.

•The two appellate courts will automate their operations by July of this year.

With adequate support, Utah is now within two years of being able to provide automated access to court calendars and files for law firms, the press, and other businesses such as title companies. Judges will be able to access criminal and driver's license files during court hearings, avoiding weeks of delay.

This year the courts will implement a pilot audio–video arraignment program. This offers the potential of significantly reducing transportation costs while improving court security.

In an effort to better utilize facilities and staff, Utah has adopted a policy of co–locating courts. Historically we have built individual facilities for each level of

court, which has resulted in duplication of expensive support space, higher staff overhead, and specialized court rooms which have prohibited shared use by several court levels. The results of initial efforts to consolidate some court facilities in various districts have been encouraging. More important than the initial savings in capital costs has been the increased efficiency in the utilization of judges and staff.

In this session, you will be presented with the results of a study you funded last year on the feasibility of co-locating appellate and trial courts in Salt Lake. This study was overseen by lay citizens, building board representatives, legislators, lawyers, judges and city officials.

•It indicates that co-location will result in a savings of 40,000 square feet of space

•in reduced staffing costs,

•in improved access for the public

•and in improved ability to manage future growth with existing resources.

Utah can establish a more efficient court system, and a more flexible system where brick and mortar do not dictate policy.

Consistent with this initiative, you also requested that the Judicial Council study the organization of the Circuit Court and the allocation of jurisdiction in all trial courts. This request was prompted by the concern that the current Circuit Court structure may result in a proliferation of one or two judge court facilities which are expensive to build and operate. This body also voiced concern about the projected need for 26 additional trial judges by 1996. The Council will be prepared to present a detailed analysis of these issues, and recommendations by the fall of this year. Current studies on the role of court clerks are in process. Proposed modifications will recognize the impact of automation and the need for shared services between levels of court. Recommendations for the reclassification of clerks will be presented in this session.

Utah has been recognized as a national leader in the establishment of judicial performance evaluation programs. Judges will now receive subjective and objective feedback on their performance every two years. The primary purpose of this program is the self-improvement of judges individually and the judiciary as a whole. A secondary purpose is to increase the level of information available to the public at the time of judicial elections.

Judges undergo an extensive screening process prior to appointment and confirmation. Their decisions are continually scrutinized through appellate review.

Additionally, Utah has an independent conduct commission to review any complaints of violations of the code of judicial conduct.

Because of this rigorous process established by our constitution, some of you have expressed concern that additional performance review may jeopardize judicial independence. This concern is well founded.

I recognize that judicial independence is the heart of our justice system. If a judge is placed in the position of requiring popular approval for decisions or needing the approval of an individual or small group for continued service, the constitutional framework of our system will be lost. Recognizing this, the Council feels that the proper balance can be preserved by providing individual judges valuable and confidential feedback. Ongoing evaluations of the program will be maintained to ensure that judicial independence is not sacrificed.

For the past two years a diversified citizens committee has been examining the impact of gender on justice. They are examining the entire scope of our justice system. This subtle, but significant issue, is probably present in every institution of government. But, the judicial council feels that it is especially critical that the courts be sensitive to any issue, however subtle or unintentional, which may affect the fair administration of justice. Therefore, the council chose to undertake this critical self-examination with a commitment to address all issues identified. This report will be released in April.

The Judicial Council, with the support of the State Justice Institute, will be undertaking an extensive strategic planning effort on the future of Utah courts. It is hoped that this important endeavor will be modeled after and coordinate with the strategic planning process established by this legislature.

At your request, the Judicial Council has completed a review of the judicial retirement program. Recommendations have been prepared to address the dual goals of encouraging more experienced applicants to apply for judicial vacancies, and for reducing incentives to stay beyond one's period of valuable service. These are important objectives which will hopefully be met by implementation of the recommendations.

CONCLUSION

The progress and initiatives outlined above have not occurred by accident. They are the product of purposeful design. The foundation of this design is a recognition that our personal freedoms are directly tied to making constitutionalism work. Our government requires three strong, separate, but interdependent branches. three branches which respect the need for tension and cooperation and the fact that

the vitality of one branch is dependent on the strength and vitality of the other branches. Throughout history, the judiciary has always been and always will be dependent on the vision and leadership of the executive and legislative branches for such a relationship.

Two weeks ago one of the moral giants of the century, Andre Sakharov, died at the age of 68. He died preparing an address he intended to give the next day to the new Soviet Parliament. Sakharov had gained the respect of the Soviet leadership, but until the hour of his death he relentlessly criticized the government which had finally allowed him to speak. The political changes in the Soviet Union, he claimed had not gone nearly far enough. Only when the human rights guarantees contained in the Helsinki Accords become Soviet law secured by independent courts could the foundation be laid for a true democracy in the Soviet Union. Some of the worst judicial abuses, such as committing dissidents to mental institutions as punishment for speaking out, have been curbed. But the Soviet Union is still a very long way from the independent judicial processes that we take for granted in this country.

On behalf of the Utah Judiciary and as a citizen, I extend my appreciation to you for ensuring that Utah has such an independent judicial process. I wish you success in your challenging deliberations. Thank you."

SECOND READING CALENDAR

S.B. No. 1, CAMPAIGN ADVERTISING CLEANUP, was read the second time and explained by Senator Carling. Senators Leavitt, Black, Myrin, and Pace commented.

Senator Pace moved the following amendment.

> Page 2, Lines 9 and 10:
> After "section" delete "is guilty of an infraction and may be fined" and insert "shall be liable to the political subdivision for", and after "cleanup" delete "plus ten percent"

The motion passed and the bill was amended, on the following roll call:

Yeas, 18; Nays, 7; Absent, 4

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Cornaby
Hillyard	Holmgren	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Craig	Steele	Storey
Swan	Tempest		

Voting in the negative were: Senators

Bunnell	Carling	Farley	Leavitt
Peterson, Cary	Richards	Pres. Christensen	

Absent or not voting were: Senators

Barton	Finlinson	Fordham	Rees

Senators Cornaby and Carling commented.

On motion of Senator Leavitt, the bill was amended as follows:

Page 1, Line 24:
Delete "leaflet,"

Senator Craig Peterson commented. The bill failed on the following roll call:

Yeas, 14; Nays, 12; Absent, 3

Voting in the affirmative were: Senators

Barlow	Bunnell	Carling	Farley
Finlinson	Hillyard	Holmgren	Leavitt
Peterson, C.E.	Peterson, Cary	Richards	Storey
Tempest	Pres. Christensen		

Voting in the negative were: Senators

Beattie	Black	Cornaby	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, Craig	Steele	Swan

Absent or not voting were: Senators

Barton	Fordham	Rees

* * *

On motion of Senator Hillyard, under suspension of the rules S.B. No. 11, FOURTH AMENDMENT ENFORCEMENT ACT REPEAL, was read the second time and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Farley	Finlinson	Hillyard	Holmgren

Leavitt	McAllister	McMullin	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Black	Carling	Cornaby	Fordham
Money	Rees		

* * *

On motion of Senator McMullin S.B. No. 1, CAMPAIGN ADVERTISING CLEANUP, was reconsidered and returned to Rules Committee for assignment to a Standing Committee.

* * *

On motion of Senator Cary Peterson and at 3:00 p.m., the Senate recessed with the understanding that all Senators are to meet in front of the House of Representatives at approximately 6:15 p.m. in order to enter the House Chambers together to hear the Governor's message in Joint Convention. In further compliance with the motion, the Senate will stand adjourned until Tuesday, January 9, 1990.

JOINT CONVENTION

President Arnold Christensen called the Joint Convention to order at 6:30 p.m. in the Chamber of the Utah House of Representatives.

Sophia C. Buckmiller, Secretary of the Senate, advised the President there was a quorum of the Senate present.

Carole E. Peterson, Chief Clerk of the Utah House of Representatives, advised the President there was a quorum of the House members present.

President Christensen appointed a Joint Committee comprised of Senators Craig A. Peterson, William T. Barton and Karl Swan and Representatives Ostler, Waddoups, Price, and Tuttle to notify the Governor that the 1990 General Session of the 48th Legislature is in Joint Convention and ready to hear his message.

President Christensen acknowledged and introduced the following special guests in attendance at the Joint Convention; Colleen Bangerter, Necia Ann Christensen, Emilee Ovesen. Lt. Governor W. Val Oveson, Attorney General Paul Van Dam, State Auditor Tom Allen, State Treasurer Edward T. Alter, Chief Justice

Gordon Hall, and Justices I. Daniel Stewart, Richard C. Howe, Christine M. Durham, and Michael D. Zimmerman.

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

GOVERNOR NORMAN H. BANGERTER

President Christensen, Speaker Karras, Member of the Legislature, my fellow citizens: it is good to be with you again. Before I get started, I would like to welcome three special guests. Joining us this evening are tribal leaders from three of the Indian governments within the state: Chairman Luke Duncan from the Ute Tribe, Chairman Leonard Haskie representing the Navajo Nation, and Chairman Frank Timbimboo of the Northwest Band of the Shoshone Tribe. It is a special honor that you would come this evening and I thank you for accepting my invitation.

We have much to be thankful for in Utah — 1989 was a good year and 1990 is full of promise and opportunity. I do not remember when things have looked brighter for this state and, in many respects, for our nation and our world. Now I am not here to tell you that we are without serious challenges. It is my intention to discuss several pressing problems and troubling trends with with you this evening. But before I do, I would like to take a moment to reflect on some of the marvelous events that have transpired recently.

When President Reagan stood before the Berlin Wall two years ago and asked Mr. Gorbachev to tear it down, most saw his challenge as touch rhetoric rather than a realistic request. Some even suggested that such unrealistic demands would damage relations with the Soviet Union. It is remarkable that no one predicted the dramatic reforms which have swept Eastern Europe since then. Most of our national politicians and international experts, seldom at a loss for words, have observed these changes in stunned silence. Even more surprising, none of our elected leaders have yet figured out how to take credit for these reforms — but it's still early.

How is it that freedom and democracy are finally, after forty years of oppression, taking their proper place in Eastern Europe? How is it, that almost overnight, phrases like "Cold War," "Free World" and "Iron Curtain" seem outdated and out of place? What was it that stayed the hands of those behind the machine guns as the people of Poland, Czechoslovakia, East Germany and other countries took to the streets to demand freedom, reform and opportunity? Even in Romania where freedom was so harshly resisted, the people, not the guns, prevailed.

There is only one compelling explanation for the events that have taken place during the past few months — something burned within the people of these

countries that told them they had had enough. The people of Eastern Europe, like all people, were moved by their God given conviction that freedom mattered most.

The people of Eastern Europe are reforming their economies and their governments to reflect the basic principles of democracy, freedom and human rights. As they do, they will undoubtedly look to America as a model to use in shaping their own institutions. What will they think of our policies and programs? Will they see in us the true expression of human and civil rights, a free economy and a nation fully committed to the dignity and equality of every person? Will they find us willing to sacrifice and demonstrate the discipline necessary to truly lift our people? That old countries with new democracies are looking over our shoulders should provide added motivation for us to make sure that our nation remains worthy of the emulation of all freedom loving people. While we have much to be grateful for, we have even greater responsibility.

I realize that all this talk of international change may sound more like a State of the Union speech than a State of the State. But I think we will have missed something important if we do not realize that the experiences and expressions of Eastern Europeans during the past few months have a valuable lesson for those of us responsible for Utah's government. They have caused me to reflect again about the proper role of government, about what people really want from government, and about what they have a right to expect from government.

I am sometimes asked by those who seem preoccupied more with symbols than substance to declare my "vision" for the State of Utah. They speak as if it is within the province of a governor to determine, unilaterally, where the state is headed. Some have suggested that it is my responsibility to decide what kind of jobs people will have in this state in the twenty–first century, to determine where people will live, what products they will consume and even how they will spend their leisure time. This is simply not how I see it. My friends, I do not believe Utahns want or need to have their future determined by government.

The fundamental values of the Utahns with whom I am acquainted are the same values which moved the people of Eastern Europe on to the streets and into the free world. Is it too radical to suggest that what most of our citizens want from government is to be left alone — free from unnecessary interference from government to pursue the dreams and the visions and the future they have chosen?

I believe most Utahns basically want four things out of life. First, we want to be physically safe — protected from crime and dangers to our health. Second, we want to be free to prosper through our own hard work. Third, we want our children to have it better than we did — better opportunities, better choices. And, fourth, we want to go to heaven. Now it is not clear to me what role government has in getting Utahns to

heaven, though I am sure somewhere among the 841 bills already requested for filing at least two or three probably deal with this issue.

It is clear that government has a role to play in making this state as safe, prosperous and promising as possible. That is the vision I have for Utah.

How do we create more opportunities for people? I am convinced that the best way we can maintain a safe, prosperous and promising Utah is to focus our efforts on education, efficiency, economic development, and the environment.

First, let's talk about education. A quality education is not only the single biggest factor in determining what kind of opportunities our children will have, it is the key to our own prosperity. As I have traveled throughout the state, nation and world trying to persuade companies to either expand or locate in Utah, it is clear that our well-educated work force is our best selling point. If we fail to improve our systems of education in order to keep pace with the increasingly competitive demands of the marketplace, we undermine our own future as well as that of our children.

We cannot afford to look at education as a public expenditure to be minimized; it is an investment in the future. This is why I have submitted a budget which contains the single biggest increase in educational funding in the state's history. I have budgeted funds which should solve our text book shortage. No child will be without proper books and supplies. Furthermore, let's use the money we have available this year to get computers into the classroom and get the asbestos out.

Funding alone is not alone. I am convinced that further meaningful improvement in our schools will only come if we increase local control while creating greater accountability. The teachers, principals, local school boards and parents are in the best position to really know the reforms and priorities best suited for their schools and students. It is time we gave them the authority and the ability to make as many decisions as possible at the local level.

In order for local control to be meaningful and manageable it must be accompanied by increased accountability. Utah needs to start immediately to participate in national and statewide assessment of student achievement. The results of these tests need to be published so that parents, teachers and students will know how their progress compares with other schools and other states. This will allow us to recognize excellence and improvement while making us aware of areas where changes need to be made.

I am proud of our teachers. As Governor, I have visited schools all over our state and spent time in the classrooms with the teachers. They do a great job under

tough circumstances. Utah teachers need and deserve more money. I have recommended a six percent compensation package increase for teachers. It is all I believe we can afford at this time. If you can find additional money, I would like to see the compensation package increased.

We need to show our teachers that we appreciate and value the important role they play in our society. If you accept my budget recommendations, the largest share of last year's surplus, this year's surplus and next year's projected surplus will go to education.

As we grapple with the toughest ratio of students to workers in America, we must keep in mind who pays the bills. Education, like other government programs, is funded by the taxpayer. While teachers and other Utahns earn less than the national average, when all things including cost of living are taken into account, teacher's purchasing power is in line with the national average. To spend more than I have budgeted — if revenues from the current tax system do not grow — would mean a tax increase. And I do not and will not support an increase in taxes. I do support doing all we can within the current tax structure.

We are treating our teachers as fairly as we can – we have done our best.

Higher education is also an important part of the total education picture. The enrollment increases experienced by our colleges and universities will test the ingenuity and resourcefulness of the system. The need to continue to provide quality education while still allowing access to qualified students will be critical.

The important role of universities and colleges, with their teaching and research, cannot be overemphasized in continuing economic development. The increases I have recommended for libraries, technology and equipment, as well as faculty compensation, should help to maintain Utah's leading edge.

I want to shift now to efficiency in government. This is a constant battle. I have in my legislative package a number of reforms that will save tax dollars and enhance the ability of our state employees to perform more efficiently. But efficient government means more than just frugality. It means planning ahead to meet the needs of the state in critical areas like water, transportation and public safety. I am pleased with the long range planning done by virtually every one of our departments. I have directed our Office of Planning and Budget to showcase these plans to you throughout this session and to brief you on how our planning process works. We welcome your involvement in this important facet of state government.

If there is one function of government which citizens demand to be effectively provided it is public safety. I have requested increased funding for additional

officers to assist in our efforts to reduce the drug trade and traffic in Utah. I am requesting stricter penalties for drug related crimes involving a gun, money laundering and the sale of chemicals intended for use in the manufacture of illegal drugs. I am also recommending the creation of a Substance Abuse Coordinating Council to assure cooperation and avoid duplication in our war on drugs.

Tougher laws and stricter penalties for drug abuse or any other illegal activity are only meaningful if we get offenders off the street. That is why it is critical that we open the new prison in Gunnison this year. None of us like to spend money on prisons, yet some resent any effort to minimize the cost of these institutions. You have heard the controversy about the practice of putting two prisoners to a cell. When money is so tight in all areas of state government I cannot justify private rooms for prisoners. I will continue to fight any effort to require this state to shift funding from classrooms to convicts.

Another area where government needs to play a greater role is skyrocketing health care costs. I am requesting the formation of a Health Data Authority which will allow consumers to make better decisions as they purchase health care services. It will not solve the problem, but it is an important first step.

Last year was a great year for economic development. U.S. News and World Report called Salt Lake City one of America's new boom towns. Fortune Magazine described Utah as a real "up and comer" and encouraged businesses to look to Utah for expansion. But perhaps the best example of national and international recognition was our selection as America's choice to bid for the Winter Olympics.

Our economy is doing better than ever. Fewer Utahns are unemployed today than at any time in the last decade. Working together we were able to create over 32,000 new jobs during the last twelve months. That is the third best rate of growth in the nation. More companies are considering Utah for expansion or location than ever before. In addition, the basic and important industries of agriculture and construction are finally showing significant improvement. Nearly every one of our economic development programs is performing beyond expectation.

I am pleased with the Blueprint for Utah's Economic Future recently produced by our Department of Community and Economic Development. This plan lays the foundation for our efforts to raise the average Utah household income by $5,000 by the year 1995. I encourage all of you to review this excellent document.

A few words of caution before we declare victory in our economic development efforts. As Utah becomes a more significant player in the global economy we also become more vulnerable to national and international fluctuations. A serious downturn in the world marketplace – over which we have little, if any, control –

could severely dampen our economy. This is one reason I feel so strongly about the preservation of a modest rainy day fund.

Another concern is Utah's disproportionate dependence on defense related industries. If the tensions between the Soviet block and the United States continue to decline, as I hope they will, while the pressures of our national deficit continue to escalate, it seems certain that defense spending will be cut severely. This will have a drastic effect on the Utah economy if we are not prepared. In order to minimize the effects of otherwise welcome defense cuts on the Utah economy, we must encourage our defense contractors to broaden their operational base.

Finally, I would like to discuss the importance of protecting our environment. So much of what we want to accomplish in terms of economic growth is dependent upon our ability to maintain a good quality of life. A healthy environment is essential to Utah's future. We need to do more to focus the attention of the public on the responsibility we all have to protect the environment. At the same time we must involve the public in some fundamental decisions about Utah's future which need to be made in the next few years concerning the types of industry we want in our state. As I work to recruit new business to the state and to encourage existing companies to expand, I focus my efforts on industries that are clean. However, it is becoming increasingly clear that Utah is once again being contemplated as a destination point for waste of all kinds from all over America. We cannot let this happen. To be short–sighted in our management of the environment is to short change the next generation.

In order to highlight the importance of this issue and in the interest of expediting the resolution of the many environmental issues now facing the state, I am requesting the creation of a Department of Environmental Quality. I have asked Dr. Suzanne Dandoy, the director of the Department of Health, and Ken Alkema, who heads the Division of Environmental Health, to determine the best process for the orderly establishment of this new department.

The safe, prosperous and promising Utah I want to leave to my children requires a healthy environment.

In the interest of time, I have touched on only a few priorities with you this evening. In the next few days, I will send to you a list of the other critical issues I would like to see addressed.

I want to conclude by reflecting once more on the momentous changes we have witnessed recently. I remember as a young boy watching my country and my three older brothers go to war. I remember wanting to help, want to do my part to protect the future for which we all hoped and dreamed. Now, as a grandfather, I watch

thankfully as my country goes toward peace. I still have the same desire to do my part and as I look at all of our children and grandchildren the future seems more important to me than ever before.

As we begin the 1990's we need to see this decade as the platform that will launch us into the next millennium. The work we do together during this session will lay the foundation for the future. Let's work together to create the opportunities to learn, to grow, to live and to prosper which are greater than ever before.

May God bless us to make the most of the opportunities we each now enjoy to fulfill our public trust. Thank you and good night.

* * *

At the conclusion of the Governors message, President Christensen asked that the Joint Committee accompany the Governor and escort him to his office.

On motion of Senator Cary G. Peterson, the Joint Convention voted to have the text of the Governor's address printed in the Senate Journal.

On motion of Representative David Adams – the Joint Convention was dissolved.

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 Richard B. Tempest

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: January 9, 1990

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the journal for the first day and find it correct with minor amendments noted on the final copy.

Paul T. Fordham
Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM HOUSE

Mr. President: January 8, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 17**, CERTIFICATION REQUIREMENTS OF SHERIFFS, by Representative Mike Dmitrich, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 26**, UNIFORM TRANSFERS TO MINORS ACT, by Representative John L. Valentine, 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. 38**, RESIDENCY REQUIREMENTS OF CERTAIN ELECTED OFFICIALS, by Representative Stephen M. 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 **H.B. No. 51**, JUROR AND WITNESS FEES AMENDMENT, by

Representative Lee Ellertson, and the 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. 58**, RULES OF CRIMINAL PROCEDURE REVISION, by Representative Byron L. Harward, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 91**, CIVIL PENALTIES FOR VEHICLE VIOLATIONS, by Representative Stephen M. Bodily, 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. 116**, PROCESS SERVER AMENDMENTS, by Representative Ted 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 **H.B. No. 126**, REVISOR'S STATUTE, by Representative Rob Bishop, 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. 128**, SUNSET ACT REVISIONS AND REAUTHORIZATIONS, by Representative Ted Lewis, et al, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 133**, CONSTABLE AMENDMENTS, by Representative Ted 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 **H.J.R. No. 8**, JOINT RULES RESOLUTION, by Representative Rob Bishop, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.B. No. 17, 26, 38, 51, 58, 91, 116, 126, 128, 133 and **H.J.R. No. 8** were read for the first time and referred to Rules Committee.

PRESENTATION OF RESOLUTIONS

SENATE RULES - COMMITTEE CHAIRMEN AND VICE-CHAIRMAN RESOLUTION

S.R. No. 1 *Dixie L. Leavitt*

A RESOLUTION OF THE SENATE REVISING SENATE RULES; REVISING THE CHAIRMANSHIPS AND VICE-CHAIRMANSHIPS; AND PROVIDING AN EFFECTIVE DATE, read the first time by short title and referred to the Rules Committee.

CONSOLIDATION OF RETIREMENT SYSTEMS STUDY

S.J.R. No. 13 *Lane Beattie*

A JOINT RESOLUTION OF THE LEGISLATURE REQUESTING THE UTAH STATE RETIREMENT BOARD AND THE LEGISLATIVE RETIREMENT COMMITTEE TO STUDY THE FEASIBILITY OF CONSOLIDATING THE DIFFERENT RETIREMENT SYSTEMS ADMINISTERED BY THE RETIREMENT BOARD AND OFFICE, read the first time by short title and referred to the Rules Committee.

JOINT RULES - INTERIM COMMITTEE AMENDMENTS RESOLUTION

S.J.R. No. 14 *Dixie L. Leavitt*

A JOINT RESOLUTION OF THE LEGISLATURE REVISING JOINT RULES; INVOLVING THE VICE-CHAIRMAN IN THE OVERSIGHT OF INTERIM COMMITTEES WITH ONE EXCEPTION; SPECIFYING INTERIM COMMITTEES; AND PROVIDING AN EFFECTIVE DATE, read the first time by short title and referred to the Rules Committee.

EARLY GRADUATION CREDIT RESOLUTION

S.J.R. No. 15 *David H. Steele*

A JOINT RESOLUTION OF THE LEGISLATURE REQUESTING THAT THE STATE BOARD OF EDUCATION, STATE BOARD OF REGENTS, AND LOCAL SCHOOL BOARDS CONSIDER AND USE, WHERE APPROPRIATE, NONTRADITIONAL TIMES AND CIRCUMSTANCES WHICH WOULD ALLOW STUDENTS IN THE PUBLIC SCHOOLS TO SATISFY EARLY GRADUATION REQUIREMENTS; AND ALLOW WPU GENERATION FOR

THESE NONTRADITIONAL TIMES, read the first time by short title and referred to the Rules Committee.

INTRODUCTION OF BILLS

BICYCLE PATHS AND TRAILS DEVELOPMENT

S.B. No. 72 *LeRay McAllister*

AN ACT RELATING TO PARKS AND RECREATION; DIRECTING THE DIVISION OF PARKS AND RECREATION TO MAKE PLANS FOR RECREATIONAL TRAILS; CREATING THE BICYCLE TRAIL ACCOUNT; SPECIFYING USES FOR MONIES IN THE BICYCLE TRAIL ACCOUNT; AND APPROPRIATING $2,000,000 THE ACCOUNT.

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

AMENDS: 26-8-11, AS LAST AMENDED BY CHAPTER 181, LAWS OF UTAH 1985, read the first time by short title and referred to the Rules Committee.

GOOD SAMARITAN PROTECTION FOR SKI PATROL

S.B. No. 73 *Lane Beattie*

AN ACT RELATING TO HEALTH; PROVIDING GOOD SAMARITAN PROTECTION FOR SKI PATROL PERSONNEL; AND MAKING TECHNICAL CORRECTIONS.

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

AMENDS: 26-8-11, AS LAST AMENDED BY CHAPTER 181, LAWS OF UTAH 1985, read the first time by short title and referred to the Rules Committee.

WORKERS' COMPENSATION FUND TASK FORCE

S.B. No. 74 *Dixie L. Leavitt, Lane Beattie, Omar B. Bunnell*

AN ACT RELATING TO THE WORKERS' COMPENSATION FUND; CREATING A TASK FORCE TO STUDY THE WORKERS' COMPENSATION FUND, INCLUDING THE ISSUE OF POTENTIAL STATE LIABILITIES ASSOCIATED WITH THE FUND; PROVIDING AN APPROPRIATION FROM THE GENERAL FUND TO THE OFFICE OF LEGISLATIVE RESEARCH AND GENERAL COUNSEL FOR THE STUDY; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT ENACTS NEW MATERIAL, read the first time by short title and referred to the Rules Committee.

PROBATION CRITERIA

S.B. No. 75 *John P. Holmgren*

AN ACT RELATING TO PROBATION; PROVIDING THAT A PERSON MAY NOT BE VOLUNTARILY ADMITTED TO THE STATE HOSPITAL AS A CONDITION OF PROBATION OR STAY OF SENTENCE.

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

AMENDS: 62A-12-228, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1989; 77-18-1, AS LAST AMENDED BY CHAPTER 226, LAWS OF UTAH 1989, read the first time by short title and referred to the Rules Committee.

PROPERTY DAMAGE PROTECTION AGAINST UNINSURED MOTORISTS

S.B. No. 76 *David H. Steele*

AN ACT RELATING TO INSURANCE; REQUIRING INSURANCE COMPANIES TO OFFER OPTIONAL PROPERTY DAMAGE PROTECTION AGAINST UNINSURED MOTORISTS; PROVIDING THAT THE COVERAGE IS ONLY A SECONDARY COVERAGE; SPECIFYING LIMITS ON THE COVERAGE OFFERED; AND PROVIDING AN EFFECTIVE DATE.

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

ENACTS: 31A-22-305.5, UTAH CODE ANNOTATED 1953, read the first time by short title and referred to the Rules Committee.

CONTINGENT ATTORNEY FEES

S.B. No. 77 *Dixie L. Leavitt, Haven J. Barlow*

AN ACT RELATING TO THE JUDICIAL CODE; PROVIDING ATTORNEY LIABILITY FOR COSTS IN A CONTINGENT FEE CASE WHEN THE CASE DOES NOT PREVAIL.

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

ENACTS: 78-27-56.7, UTAH CODE ANNOTATED 1953, read the first time by short title and referred to the Rules Committee.

POST-RETIREMENT RESTRICTIONS FOR ELECTED OFFICIALS

S.B. No. 78 *Haven J. Barlow, K.S. Cornaby*

AN ACT RELATING TO PENSIONS; AMENDING THE APPLICABILITY PROVISIONS OF POST-RETIREMENT RESTRICTIONS FOR ELECTED OFFICIALS; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 49-1-505, AS ENACTED BY CHAPTER 85, LAWS OF UTAH 1989, read the first time by short title and referred to the Rules Committee.

PROCUREMENT AMENDMENTS FOR STATE CONSTRUCTION PROJECTS

S.B. No. 79 *Richard B. Tempest*

AN ACT RELATING TO PROCUREMENT; PROHIBITING ANY ENTITY FROM REQUIRING A COLLECTIVE BARGAINING AGREEMENT OR OTHER EMPLOYMENT CONDITIONS AS A CONDITION OF WORKING, BIDDING FOR WORK, OR DOING BUSINESS ON STATE CONSTRUCTION CONTRACTS; AND MAKING TECHNICAL AMENDMENTS.

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

AMENDS: 63-56-35.5, AS LAST AMENDED BY CHAPTER 178, LAWS OF UTAH 1986; 63-56-36, AS ENACTED BY CHAPTER 75, LAWS OF UTAH 1980.

ENACTS: 63-56-74, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

PHASE OUT OF INTANGIBLE REDUCTION

S.B. No. 80 *Omar B. Bunnell*

AN ACT RELATING TO REVENUE AND TAXATION; PHASING OUT THE INTANGIBLE REDUCTION FOR FAIR MARKET VALUE PURPOSES.

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

AMENDS: 59-2-304, AS LAST AMENDED BY CHAPTER 111, LAWS OF UTAH 1989 was read the first time and referred to Rules Committee.

SALES TAX - EXEMPTION FOR MANUFACTURED HOMES

S.B. No. 81 *Craig A. Peterson*

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING AN EXEMPTION FROM SALES TAX FOR THE SALE OF MANUFACTURED OR OR MOBILE HOMES; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 59-12-102, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1988; 59-12-104, AS LAST AMENDED BY CHAPTERS 89, 169, AND 247, LAWS OF UTAH 1989,, was read the first time and referred to Rules Committee.

AMENDMENTS TO EMPLOYMENT SECURITY ACT

S.B. No. 82 *Richard B. Tempest*

AN ACT RELATING TO LABOR; AMENDING THE EMPLOYMENT SECURITY ACT REGARDING CONTRIBUTION RATES; CHANGING CERTAIN DEFINITIONS; DELETING OBSOLETE PROVISIONS; AND MAKING TECHNICAL CORRECTIONS.

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

AMENDS: 35-4-7, AS LAST AMENDED BY CHAPTER 120, LAWS OF UTAH 1989; 35-4-22, AS LAST AMENDED BY CHAPTERS 120, 177, AND 278, LAWS OF UTAH 1989,, was read the first time and referred to Rules Committee.

SEISMIC INSTRUMENTATION BOARD

S.B. No. 83 *Craig A. Peterson, LeRay McAllister, John Holmgren, Richard B. Tempest, Omar B. Bunnell*

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; ESTABLISHING A SEISMIC INSTRUMENTATION BOARD WITHIN THE UTAH GEOLOGICAL AND MINERAL SURVEY; DEFINING ITS MEMBERSHIP, GOVERNANCE, POWERS, AND RESPONSIBILITIES; AND APPROPRIATING $3,072,000 FROM THE GENERAL FUND TO BE USED FOR THE PURPOSES OF THIS CHAPTER.

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

ENACTS: 63–73a–101, UTAH CODE ANNOTATED 1953; 63–73a–102, UTAH CODE ANNOTATED 1953; 63–73a–103, UTAH CODE ANNOTATED 1953; 63–73a–104, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

INSURANCE COVERAGE FOR ADOPTION–RELATED EXPENSES

S.B. No. 84 *John P. Holmgren*

AN ACT RELATING TO THE INSURANCE CODE; PROVIDING FOR COVERAGE OF ADOPTION–RELATED EXPENSES IN INSURANCE CONTRACTS THAT PROVIDE PREGNANCY COVERAGE; AND PROVIDING AN EFFECTIVE DATE.

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

ENACTS: 31a–22–320, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

STATE HOSPITAL TRUST FUND

S.B. No. 85 *John P. Holmgren*

AN ACT RELATING TO THE SOCIAL SERVICES CODE; PROVIDING AN EXPENDABLE TRUST FUND FOR DONATIONS AND GIFTS TO THE STATE HOSPITAL.

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

AMENDS: 62A–12–204, AS LAST AMENDED BY CHAPTER 245, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

INDEPENDENT AGENCY AUDITS

S.B. No. 86 *LeRay McAllister*

AN ACT RELATING TO INDEPENDENT AGENCIES; REQUIRING THE STATE AUDITOR TO CONDUCT ANNUAL FINANCIAL AND COMPLIANCE AUDITS OF INDEPENDENT AGENCIES AND REPORT THE RESULTS.

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

ENACTS: 67–3–9, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

S.B. No. 11, FOURTH AMENDMENT ENFORCEMENT ACT REPEAL, was read the third time. Senators Hillyard and McAllister commented. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Rees	Richards	Steele	Storey
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Finlinson	Peterson, Craig	Swan

S.B. No. 11 was transmitted to the House.

SECOND READING CALENDAR

S. B. No. 14, ADOPTION RECODIFICATION ACT, was read the second time and explained by Senator Steele.

On motion of Senator McAllister, the bill was amended as follows:

Page 4, Line 23:
After "before it" restore "pursuant to"

Senators Barton, Hillyard, and C.E. Peterson commented. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Peterson, C.E.	Peterson, Cary

Peterson, Craig	Rees	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Pace	Richards

* * *

S.C.R. No. 1, TENTH AMENDMENT RESOLUTION, was read the second time and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Myrin
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Steele	Storey	Swan
Pres. Christensen			

Absent or not voting were: Senators

Money	Nielsen	Richards	Tempest

* * *

On motion of Senator Carling, S.C.R. No. 2, RESOLUTION URGING CONGRESS REPEAL OF THE REQUIREMENT FOR A 55 MILE PER HOUR SPEED LIMIT, was read the second time and circled.

* * *

On motion of Senator Black, under suspension of the rules, S.J.R. No. 3, LEGISLATIVE AUDITOR GENERAL RESOLUTION, was read the second and third times. Senators Cary Peterson, Pace, and Swan commented. The resolution passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Black	Carling
Cornaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Beattie	Bunnell	Richards

S.J.R. No. 3 was transmitted to the House.

* * *

On motion of Senator Cary Peterson, under suspension of the rules, S.J.R. No. 4, LEGISLATIVE FISCAL ANALYST RESOLUTION, was read the second and third times. Senators Hillyard, Black, and Christensen commented. The resolution passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Black	Bunnell	Carling
Farley	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barton	Beattie	Cornaby	Richards

S.J.R. No. 4 was transmitted to the House.

* * *

On motion of Senator Carling, under suspension of the rules, S.C.R. No. 2, RESOLUTION URGING CONGRESS REPEAL OF THE REQUIREMENT

FOR A 55 MILE PER HOUSE SPEED LIMIT, was uncircled and read the third time. Senators Black, McAllister, Swan, Carling, and Fordham commented. The resolution passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Finlinson
Fordham	Holmgren	Leavitt	McAllister
McMullin	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Farley	Hillyard	Money	Richards

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

RULES COMMITTEE REPORT

Mr. President January 9, 1990

The Senate Rules Committee to which was referred the following Senate Bills and Resolutions:

S.B. No. 9	UTAH INJURED WORKER REEMPLOYMENT ACT (Business, Labor and Economic Development)
S.J.R. No. 7	LABOR ARTICLE REVISION (Business, Labor & Economic Development)
S.B. No. 34	UNINSURED EMPLOYERS' FUND REVISIONS (Business, Labor & Economic Development)
S.B. No. 35	STANDARDIZED REPORTING OF INDUSTRIAL INJURIES (Business, Labor & Economic Development)
S.J.R. No. 11	EDUCATION ARTICLE REVISION RESOLUTION (Education)
S.B. No. 24	PURCHASING PRACTICES IN PUBLIC EDUCATION (Education)
S.B. No. 25	WITHDRAWAL FROM WATER CONSERVANCY DISTRICT (Energy, Natural Resources & Agriculture)
S.B. No. 28	AGRICULTURAL PRODUCTS DEALERS ACT (Energy, Natural Resources & Agriculture)

S.B. No. 27	JUDICIAL PROCEDURE; REPEALING EXISTING GRAND JURY PROVISIONS (Judiciary)
S.B. No. 32	FEES LIMITATIONS ON TRUST DEEDS (Judiciary)
S.B. No. 37	MORTGAGE LENDING AND SERVICING ACT (Judiciary)
S.J.R. No. 5	INCOME TAX EARMARK AMENDMENT (Revenue & Taxation)
S.J.R. No. 10	PERSONAL PROPERTY TAX EXEMPTION (Revenue & Taxation)
S.B. No. 30	REAUTHORIZATION OF INFORMATION (State & Local)
S.B. No. 53	PURCHASE OF RETIREMENT CREDIT (State and Local)
S.J.R. No. 8	LEGISLATIVE CONSTITUTIONAL AMENDMENT (State & Local)
S.J.R. No. 9	EMERGENCY POWERS AMENDMENT (State & Local)
S.B. No. 12	UTAH OUTDOOR ADVERTISING LIMITATIONS (Transportation and Public Safety)
S.B. No. 22	REVISION TO STATE HIGHWAYS (Transportation & Public Safety)

reports the Bills and Resolutions to the Senate, and ask that they be printed and assigned to the proper committee.

C.E. Peterson
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bills and resolutions to the committees indicated.

* * *

On motion of Senator Cary Peterson and at 11:00 a.m., the Senate adjourned until 10:00 a.m., Wednesday, January 10, 1990.

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 Cornaby, Leavitt and Richards, excused.

Prayer – Senator David Steele.

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: January 10, 1990

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the journal for the second day and find it correct with minor amendments noted on the final copy.

Paul T. Fordham
Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM HOUSE

Mr. President: January 9, 1990

I am direct to request the Senate to return to the House of Representatives H.B. No. 91, CIVIL PENALTIES FOR VEHICLE VIOLATIONS, by Representative Bodily, for reconsideration.

Carole E. Peterson, Chief Clerk

On motion of Senator C.E. Peterson the Senate voted to return H.B. No. 91 to the House.

* * *

Mr. President: January 8, 1990

I am directed to inform the Senate that the House of Representatives has this day passed H.B. No. 16, REAL ESTATE LICENSURE CONTINUING EDUCATION REQUIREMENTS, by Representative Richard J. Bradford, et al, and the same is transmitted herewith for Senate consideration, and

Mr. President: January 8, 1990

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 90**, SPECIAL FUEL TAX PERMIT AMENDMENTS, by Representative Stephen M. Bodily, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.B. No. 16 and 90 were read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

RESPIRATORY CARE PRACTICE ACT AMENDMENTS

S.B. No. 87 *Richard J. Carling, Winn L. Richards, Arnold Christensen*

AN ACT RELATING TO OCCUPATIONS AND PROFESSIONS; PROVIDING LICENSURE REQUIREMENTS FOR REPIRATORY CARE PRACTITIONERS; CREATING A RESPIRATORY CARE LICENSING BOARD WITH DUTIES AND RESPONSIBILITIES; PROVIDING PENALTIES FOR VIOLATIONS OF THE CHAPTER; AND PROVIDING AN EFFECTIVE.

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

ENACTS: 58-57-1, UTAH CODE ANNOTATED 1953; 58-57-2, UTAH CODE ANNOTATED 1953; 58-57-3, UTAH CODE ANNOTATED 1953; 58-57-4, UTAH CODE ANNOTATED 1953; 58-57-5, UTAH CODE ANNOTATED 1953; 58-57-6, UTAH CODE ANNOTATED 1953; 58-57-7, UTAH CODE ANNOTATED 1953; 58-57-8, UTAH CODE ANNOTATED 1953; 58-57-9, UTAH CODE ANNOTATED 1953; 58-57-10, UTAH CODE ANNOTATED 1953; 58-57-11, UTAH CODE ANNOTATED 1953; 58-57-12, UTAH CODE ANNOTATED 1953; 58-57-13, UTAH CODE ANNOTATED 1953, read the first time by short title and referred to the Rules Committee.

SMALL CLAIMS COURT AMENDMENTS

S.B. No. 88 *William T. Barton*

AN ACT RELATING TO THE JUDICIAL CODE; INCREASING THE JURISDICTIONAL AMOUNT OF SMALL CLAIMS COURTS.

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

AMENDS: 78-6-1, AS LAST AMENDED BY CHAPTERS 48 AND 187, LAWS OF UTAH 1986, read the first time by short title and referred to the Rules Committee.

EXTORTION AMENDMENTS

S.B. No. 89 *Richard J. Carling*

AN ACT RELATING TO CRIMINAL LAW; ENACTING EXTORTIONATE THREAT AS A CRIME AGAINST PERSONS; AMENDING CERTAIN THEFT PROVISIONS DEALING WITH THEFT BY EXTORTION.

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

AMENDS: 76-6-402, AS LAST AMENDED BY CHAPTER 32, LAWS OF UTAH 1974.

ENACTS: 76-6-107.1, UTAH CODE ANNOTATED 1953, read the first time by short title and referred to the Rules Committee.

SOLICITATION OF CRIMINAL ACT

S.B. No. 90 *Richard J. Carling*

AN ACT RELATING TO CRIMINAL LAW; ENACTING THE OFFENSE OF CRIMINAL SOLICITATION; AND PROVIDING PENALTIES.

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

ENACTS: 76-4-203, UTAH CODE ANNOTATED 1953, 76-4-204, UTAH CODE ANNOTATED 1953, read the first time by short title and referred to the Rules Committee.

PROSECUTION COUNCIL

S.B. No. 91 *K.S. Cornaby*

AN ACT RELATING TO PROSECUTION AND STATE FUNCTIONS; CREATING A PROSECUTION COUNCIL; ESTABLISHING MEMBERSHIP AND FUNCTIONS; PROVIDING FUNDING PROCEDURES AND AN APPROPRIATION OF $200,000; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 63-63a-4, AS ENACTED BY CHAPTER 46, LAWS OF UTAH 1989.

ENACTS: 67-5a-1, UTAH CODE ANNOTATED 1953; 67-5a-2, UTAH CODE ANNOTATED 1953; 67-5a-3, UTAH CODE ANNOTATED 1953; 67-5a-4, UTAH CODE ANNOTATED 1953; 67-5a-5, UTAH CODE ANNOTATED 1953; 67-5a-6, UTAH CODE ANNOTATED 1953; 67-5a-7,

DEATH PENALTY REPEAL

S.B. No. 92 *Frances Farley*

AN ACT RELATING TO CRIMINAL LAWS; REPEALING THE PENALTY OF DEATH; PROVIDING SENTENCING PROCEDURES; AND MAKING RELATED TECHNICAL AMENDMENT.

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

AMENDS: 76-3-201, AS LAST AMENDED BY CHAPTER 107, LAWS OF UTAH 1987; 76-3-206, AS LAST AMENDED BY CHAPTER 84, LAWS OF UTAH 1977; 76-3-207, AS LAST AMENDED BY CHAPTER 19, LAWS OF UTAH 1982; 77-27-8, AS ENACTED BY CHAPTER 213, LAWS OF UTAH 1985; 77-33-5, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-35-26, AS LAST AMENDED BY CHAPTER 65, LAWS OF UTAH 1989.

REPEALS: 77-18-5.5, AS LAST AMENDED BY CHAPTER 190, LAWS OF UTAH 1988; 77-19-6, AS LAST AMENDED BY CHAPTER 190, LAWS OF UTAH 1988; 77-19-7, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-19-8, AS LAST AMENDED BY CHAPTER 190, LAWS OF UTAH 1988; 77-19-9, AS LAST AMENDED BY CHAPTER 190, LAWS OF UTAH 1988; 77-19-10, AS LAST AMENDED BY CHAPTER 190, LAWS OF UTAH 1988; 77-19-11, AS LAST AMENDED BY CHAPTER 190, LAWS OF UTAH 1988; 77-19-12, AS LAST AMENDED BY CHAPTER 190, LAWS OF UTAH 1988; 77-19-13, AS LAST AMENDED BY CHAPTER 190, LAWS OF UTAH 1988, read the first time by short title and referred to the Rules Committee.

COMMON MEASURE PROPERTY DESCRIPTION

S.B. No. 93 *Lane Beattie*

AN ACT RELATING TO REAL ESTATE; REQUIRING COUNTY RECORDERS TO USE COMMON MEASUREMENTS WHEN RECORDING DESCRIPTIONS OF REAL ESTATE.

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

57-3-10, AS LAST AMENDED BY CHAPTER 155, LAWS OF UTAH 1988, read the first time by short title and referred to the Rules Committee.

POST-EMPLOYMENT BENEFITS LIABILITIES

S.B. No. 94 *LeRay McAllister*

AN ACT RELATING TO ACCOUNTING; ALTERING THE METHOD OF ACCOUNTING FROM THE MODIFIED ACCRUAL BASIS TO THE

METHOD APPROVED BY THE GOVERNMENTAL ACCOUNTING STANDARDS BOARD; DEFINING THE ACCOUNTING TREATMENT OF BENEFITS EARNED BY EMPLOYEES THAT WILL NOT BE PAID UNTIL AFTER AN EMPLOYEE'S TERMINATION DATE; AND MAKING TECHNICAL CORRECTION.

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

AMENDS: 51-5-3, AS LAST AMENDED BY CHAPTER 92, LAWS OF UTAH 1987; 51-5-6, AS LAST AMENDED BY CHAPTER 21, LAWS OF UTAH 1987, read the first time by short title and referred to the Rules Committee.

TRANSIENT ROOM TAX COLLECTIONS

S.B. No. 95 *Lyle W. Hillyard*

AN ACT RELATING TO REVENUE AND TAXATION; ALLOWING COUNTIES TO COLLECT TRANSIENT ROOM TAXES RATHER THAN THE STATE TAX COMMISSION; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 59-12-302, AS RENUMBERED AND AMENDED BY CHAPTER 5, LAWS OF UTAH 1987, read the first time by short title and referred to the Rules Committee.

STANDARDIZED REPORTING OF PUBLIC EDUCATION DATE

S.B. No. 96 *Lane Beattie*

AN ACT RELATING TO EDUCATION; REQUIRING THE STATE BOARD OF EDUCATION TO ADOPT RULES FOR A STATEWIDE EDUCATION MANAGEMENT INFORMATION SYSTEM; REQUIRING THE BOARD TO PROVIDE STANDARDS IDENTIFYING AND DEFINING TYPES OF DATA; REQUIRING THE BOARD TO ESTABLISH RULES FOR COLLECTING AND REPORTING DATA TO THE BOARD; AND PROVIDING FOR A STATEWIDE REPORT PROFILING EACH SCHOOL DISTRICT AND SCHOOLS WITHIN THE DISTRICT.

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

ENACTS: 53A-1-408, UTAH CODE ANNOTATED 1953; 53A-1-409, UTAH CODE ANNOTATED 1953; 53A-1-410, UTAH CODE ANNOTATED 1953; 53A-1-411, UTAH CODE ANNOTATED 1953; 53A-1-412, UTAH CODE ANNOTATED 1953, read the first time by short title and referred to the Rules Committee.

PROSECUTION AMENDMENTS

S.B. No. 97 *Richard J. Carling*

AN ACT RELATING TO PROSECUTORS; CLARIFYING DUTIES OF THE COUNTY ATTORNEY, OTHER PROSECUTING ATTORNEYS, AND SOME LAW ENFORCEMENT OFFICERS.

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

AMENDS: 17-18-1, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1989; 32A-13-8, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985; 76-10-1106, AS ENACTED BY CHAPTER 196, LAWS OF UTAH 1973, read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

S.B. No. 14, ADOPTION RECODIFICATION ACT, was read the third time and passed the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barton	Beattie	Black	Carling
Farley	Fordham	Holmgren	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Steele	Storey	Swan	Pres. Christensen

Absent or not voting were: Senators

Barlow	Bunnell	Cornaby	Finlinson
Hillyard	Leavitt	Pace	Richards
Tempest			

S.B. No. 14, as amended, was returned to the House.

* * *

S.C.R. No. 1, TENTH AMENDMENT RESOLUTION, was read the third time and explained by Senator Cary Peterson and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Barton	Beattie	Bunnell	Carling
Farley	Fordham	Holmgren	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Barlow	Black	Comaby	Finlinson
Hillyard	Leavitt	Richards	

SECRETARY OF SENATE REPORT

Committee reports have been received on S.B. Nos. 2, 6, 10, 13, 15, 28, 3 and 21, and the bills were placed on Second Reading Calendar.

RULES COMMITTEE REPORT

Dear Mr. President: January 10, 1990

The Senate Rules Committee to which was referred the following House Bills:

H.B. No. 26	UNIFORM TRANSFERS TO MINORS ACT (Judiciary)
H.B. No. 51	JUROR AND WITNESS FEES AMENDMENT (Judiciary)
H.B. No. 58	RULES OF CRIMINAL PROCEDURES REVISION (Judiciary)
H.B. No. 116	PROCESS SERVER AMENDMENTS (Judiciary)
H.B. No. 133	CONSTABLE AMENDMENTS (Judiciary)
H.B. No. 17	CERTIFICATION REQUIREMENTS OF SHERIFFS (Transportation & Public Safety)
H.B. No. 38	RESIDENCY REQUIREMENTS (Transportation & Public Safety)

reports the Bills to the Senate and asks that they be assigned to the proper committee, and

The Senate Rules Committee to which was referred the following Bills:

H.B. No. 126	REVISOR'S STATUTE
H.B. No. 128	SUNSET ACT REVISIONS AND REAUTHORIZATION

reports the Bills to the Senate and asks that they be placed on the Second Reading Calendar.

C.E. Peterson,
Rules Committee Chairman

President Christensen assigned the house bills to the committee indicated, and H.B. Nos. 126 and 128 were placed on Second Reading Calendar.

* * *

At the requests of Senator Barlow, Hillyard and Black, the Senate voted to allow them to be recorded as voting yea on S.C.R. No. 1, TENTH AMENDMENT RESOLUTION. The final third reading vote was:

Yeas, 25; Nays, 0; Absent, 4

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

* * *

On motion of Senator Cary Peterson and at 10:30 a.m. the Senate adjourned until 10:00 a.m. Thursday, January 11, 1990.

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, Cornaby and Finlinson, excused.

Prayer – Tom Matsumori

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: January 11, 1990

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.

Paul T. Fordham,
Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM HOUSE

Mr. President: January 10, 1990

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 9**, STRATEGIC PLANNING COMMITTEE RESOLUTION, by Representative Kim R. Burningham, et al, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 13**, DRIVER LICENSE ACT AMENDMENTS, by Representative Christine R. Fox, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 74**, PROGRAM FOR SUGGESTIONS AND COMPLAINTS, by Representative Ted D. Lewis, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, H.B. No. 75, SCOPE OF AUTHORITY FOR DIVISION OF CORPORATIONS AND COMMERCIAL CODE, by Representative Ted D. Lewis and the 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, BREWERY LICENSEE AMENDMENTS, by Representative Mike 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. 96, TICKET SCALPING RESTRICTIONS, by Representative Larry Lunt and the 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. 107, REVISED UNIFORM LIMITED PARTNERSHIP ACT, by Representative Nancy S. Lyon, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.J.R. No. 9 and H.B. Nos. 13, 74, 75, 87, 96 and 107 were read the first time and referred to the Rules Committee.

INTRODUCTION OF BILLS

TITLE 53A REVISIONS – PUBLIC EDUCATION

S.B. No. 98 *Lyle W. Hillyard*

AN ACT RELATING TO PUBLIC EDUCATION; PROVIDING FOR TECHNICAL CHANGES IN TITLE 53A AND CONFORMING CHANGES THAT REFLECT CURRENT PRACTICES IN PUBLIC EDUCATION.

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

AMENDS: 53A-1-103, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-1-105, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-1-201, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-1-202, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-1-303, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-2-109, AS LAST AMENDED BY CHAPTER 48, LAWS OF UTAH 1988; 53A-3-201, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-3-202, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-3-301, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988;

53A-3-302, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-3-402, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-3-409, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-3-503, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-4-202, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-4-204, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-5-101, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-6-101, AS LAST AMENDED BY CHAPTER 79, LAWS OF UTAH 1988; 53A-7-105, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-7-107, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-7-109, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-7-202, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-7-204, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-8-102, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-8-103, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-10-102, AS LAST AMENDED BY CHAPTER 233, LAWS OF UTAH 1988; 53A-10-103, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-10-106, AS LAST AMENDED BY CHAPTER 233, LAWS OF UTAH 1988; 53A-10-107, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-10-108, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-10-110, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-10-111, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-11-101, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-11-102, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-11-103, AS ENACTED BY CHAPTER 143, LAWS OF UTAH 1988; 53A-11-105, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-18-102, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-20-108, AS ENACTED BY CHAPTER 142, LAWS OF UTAH 1988; 53A-24-102, AS REPEALED AND REENACTED BY CHAPTER 83, LAWS OF UTAH 1988; 53A-24-103, AS REPEALED AND REENACTED BY CHAPTER 83, LAWS OF UTAH 1988; 53A-24-105, AS REPEALED AND REENACTED BY CHAPTER 83, LAWS OF UTAH 1988; 53A-24-205, AS ENACTED BY CHAPTER 83, LAWS OF UTAH 1988; 53A-24-304, AS ENACTED BY CHAPTER 83, LAWS OF UTAH 1988; 53A-24-305, AS ENACTED BY CHAPTER 83, LAWS OF UTAH 1988; 53A-24-402, AS ENACTED BY CHAPTER 83, LAWS OF UTAH 1988; 53A-24-403, AS ENACTED BY CHAPTER 83, LAWS OF UTAH 1988; 53A-24-404, AS ENACTED BY CHAPTER 83, LAWS OF UTAH 1988; 53A-24-405, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988.

ENACTS: 53A-1-106, UTAH CODE ANNOTATED 1953.

RENUMBERS AND AMENDS: 53A-27-101, (RENUMBERED FROM 63-7-17), AS ENACTED BY CHAPTER 128, LAWS OF UTAH 1967

53A-27-102, (RENUMBERED FROM 63-7-18), AS ENACTED BY CHAPTER 128, LAWS OF UTAH 1967; 53A-27-103, (RENUMBERED FROM 63-7-19), AS ENACTED BY CHAPTER 128, LAWS OF UTAH 1967.

REPEALS: 53A-3-203, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-16-102, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-26-101, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-26-102, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-26-103, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-26-104, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-26-105, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-26-106, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-26-107, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-26-108, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-26-109, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-26-110, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-26-111, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988, read the first time and referred to the Rules Committee.

COMMUNICATIONS FRAUD AMENDMENT

S.B. No. 99 *Richard J. Carling*

AN ACT RELATING TO CRIMINAL LAW; REMOVING THE REQUIREMENT THAT A DEFENDANT PROVE THE ABSENCE OF THE ELEMENT OF INTENT IN AN AFFIRMATIVE DEFENSE.

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

AMENDS: 76-10-1301, AS ENACTED BY CHAPTER 157, LAWS OF UTAH 1985, read the first time and referred to the Rules Committee.

INTERJURISDICTIONAL TRANSFER OR PRISONERS

S.B. No. 100 *Lorin N. Pace*

AN ACT RELATING TO CORRECTIONS; PROVIDING AUTHORITY AND PROCEDURES FOR INTERNATIONAL TRANSFER OF CRIMINAL OFFENDERS.

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

ENACTS: 77-28b-1, UTAH CODE ANNOTATED 1953; 77-28b-2, UTAH CODE ANNOTATED 1953; 77-28b-3, UTAH CODE ANNOTATED 1953;

77-28b-4, UTAH CODE ANNOTATED 1953; 77-28b-5, UTAH CODE ANNOTATED 1953; 77-28b-6, UTAH CODE ANNOTATED 1953; 77-28b-7, UTAH CODE ANNOTATED 1953; 77-28b-8, UTAH CODE ANNOTATED 1953; 77-28b-9, UTAH CODE ANNOTATED 1953, read the first time and referred to the Rules Committee.

HIGHER EDUCATION INSTITUTIONAL NAME CHANGE

S.B. No. 101 *Haven J. Barlow, Boyd K. Storey, Lane Beattie, Winn L. Richards, Lorin N. Pace, Glade Nielsen, Craig Peterson, William T. Barton, Arnold Christensen, Dix McMullin, Stephen J. Rees, David H. Steele Paul T. Fordham, C.E. Peterson, Dixie Leavitt, Eldon A. Money, John Holmgren, Alarik Myrin, Cary Peterson*

AN ACT RELATING TO HIGHER EDUCATION; CHANGING THE NAME OF WEBER STATE COLLEGE TO WEBER STATE UNIVERSITY.

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

AMENDS: 27-12-59.1, AS LAST AMENDED BY CHAPTER 5, LAWS OF UTAH 1985; 53B-1-102, AS LAST AMENDED BY CHAPTER 22, LAWS OF UTAH 1989; 53B-2-101, AS ENACTED BY CHAPTERS 7 AND 167, LAWS OF UTAH 1987; 53B-3-102, AS ENACTED BY CHAPTERS 7 AND 167, LAWS OF UTAH 1987; 53B-8-101, AS ENACTED BY CHAPTERS 7 AND 167, LAWS OF UTAH 1987; 76-8-701, AS LAST AMENDED BY CHAPTERS 7 AND 167, LAWS OF UTAH 1987, read the first time and referred to the Rules Committee.

RULES COMMITTEE REPORT

Mr. President: January 10, 1990

The Senate rules Committee to which was referred the following Senate Bills and Resolutions:

S.B. No. 59	CONTRACTORS LICENSING AMENDMENTS (Business, Labor and Economic Development)
S.J.R. No. 1	WENDOVER ECONOMIC DEVELOPMENT RESOLUTION (Business, Labor and Economic Development)
S.J.R. No. 15	EARLY GRADUATION CREDIT RESOLUTION (Education)
S.B. No. 45	TRESPASS AMENDMENTS (Energy, Natural Resources & Agriculture)
S.B. No. 31	JUVENILE COURT CUSTODY AMENDMENTS (Judiciary)

S.B. No. 49 NONCONFORMING USES AMENDMENTS (State & Local)
S.B. No. 66 RETIREMENT SYSTEM TRANSFER (State & Local)
S.B. No. 78 POST-RETIREMENT RESTRICTIONS (State & Local)
S.J.R. No. 2 SPECIAL SESSION AMENDMENTS RESOLUTION (State & Local)
S.B. No. 55 REGULATION OF AUTOMOBILE INSURANCE PREMIUMS (Transportation & Public Safety)
S.B. No. 76 PROPERTY DAMAGE PROTECTION (Transportation & Public Safety)

reports the Bills and Resolutions to the Senate, and asks that they be printed and assigned to the proper committee.

C.E. Peterson,
Rules Committee Chairman

Committee reports read and adopted. President Christensen assigned the bills to the committees indicated.

* * *

Mr. President: January 10, 1990

The Senate Rules Committee to which was referred the following Resolution:

S.J.R. No. 12 COMPENSATION OF LEGISLATIVE IN-SESSION EMPLOYEES

reports the Resolution to the Senate, and asks that it be placed on Second Reading Calendar.

C.E. Peterson,
Rules Committee Chairman

Committee report read and adopted. The resolution was placed on Second Reading Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on S.B. Nos. 4, 27, 37, 12 and 22, and the bills were placed on Second Reading Calendar.

SECOND READING CALENDAR

S.B. No. 2, DISCLOSURE BY EXEMPT ORGANIZATIONS, was read the second time.

Mr. President: January 9, 1990

The Business, Labor, and Economic Development Standing Committee, to which was referred S.B. No. 2, DISCLOSURE BY EXEMPT ORGANIZATIONS, by Senator Beattie, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 2, Line 6:
after "Code" insert "shall"

Lane Beattie,
Committee Chairman

Committee report read and adopted.

On motion of Senator Beattie, the bill was amended as follows:

Page 1, Line 14:
After "PUBLIC;" insert "PROVIDING A SUNSET DATE;"

Page 1, Line 17:
After line 17 insert:
"63-55-216, UTAH CODE ANNOTATED 1953"

Page 2, Line 14:
After line 14 insert:
"Section 2. Section 63-55-216, Utah Code Annotated 1953, is enacted to read:
63-55-216. Repeal dates, title 16.
Section 16-6-99.2 is repealed January 1, 1994."

Page 2, Line 15:
Delete "2" and insert "3"

The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Farley	Fordham	Holmgren	Leavitt

McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Bunnell	Carling	Cornaby	Finlinson
Hillyard			

* * *

S.B. No. 6, EMPLOYMENT DISCRIMINATION PROCEEDINGS, was read the second time.

Mr. President: January 9, 1990

The Business, Labor, and Economic Development Standing Committee, to which was referred S.B. No. 6, EMPLOYMENT DISCRIMINATION PROCEEDINGS, by Senator Cornaby, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lane Beattie,
Committee Chairman

Committee report read and adopted. On motion of Senator Barlow, the bill was circled.

* * *

S.B. No. 10, HOMEOWNERS AND AUTO INSURANCE COMPARISON TABLE, was read the second time.

Mr. President: January 9, 1990

The Business, labor, and Economic Development Standing Committee, to which was referred S.B. No. 10, HOMEOWNERS AND AUTO INSURANCE COMPARISON TABLE, by Senator Beattie, has carefully considered the bill and reports it out of committee with the following amendments:

Page 1, Line 17 - 19:
Delete Lines 17 - 19

Page 1, Line 21:
After line 21 insert "63-55-231, UTAH CODE ANNOTATED"

Page 2, Line 1:
After "list" delete remainder of line 1

Page 2, Line 2:
Delete "this state, including"

Page 2, Line 3:
Delete ", and others requesting the comparison"

Page 2, Line 8:
After "ratio of" insert "justified and questionable"

Page 2, Line 9:
Delete "number of policies" and insert "premium dollar amount"

Page 2, Line 12:
After "Section 2." insert:

"Section 63–55–231, Utah Code Annotated 1953, is enacted to read:

63–55–231. Repeal dates, Title 31A.

(1) Title 31A, the Insurance Department, is repealed July 1, 1995.

(2) Section 31A–2–208.5, Comparison tables, is repealed July 1, 1995.

Section 3. If this act and H.B. 128, 1990 General Session, both pass, the provisions of this act affecting Section 63–55–231 supersede the provisions of H.B. No. 128 affecting Section 63–55–231.
and delete the remainder of page 2.

Pages 3 through 9:
Delete pages 3 through 9.

Lane Beattie,
Committee Chairman

Committee report read and adopted. Senators Carling and Finlinson are present. Senators Beattie, Barton and Cary Peterson commented. The bill passed on the following roll call:

Yeas, 22; Nays, 2; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black

Bunnell	Carling	Fordham	Leavitt
McAllister	McMullin	Money	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Voting in the negative were: Senators

Finlinson	Pace

Absent or not voting were: Senators

Cornaby	Farley	Hillyard	Holmgren
Myrin			

On motion of Senator McMullin, the bill was placed on Third Reading Table.

* * *

S.B. No. 13 EMPLOYERS' REINSURANCE FUND AMENDMENTS, was read the second time.

Mr. President: January 9, 1990

The Business, Labor, and Economic Development Standing Committee, to which was referred S.B. No. 13, EMPLOYERS' REINSURANCE FUND AMENDMENTS, by Senator Tempest has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lane Beattie,
Committee Chairman

Committee report read and adopted. On motion of Senator Tempest, the bill was circled.

* * *

S.B. No. 15, LABOR CODE REVISIONS, was read the second time.

Mr. President: January 9, 1990

The Business, Labor and Economic Development Standing Committee, to which was referred S.B. No. 15, LABOR CODE REVISIONS, by Senator Black, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 13, Line 6:
after "with" delete "an" and insert "a safety or health"

Page 16, Line 16:
after line 15 insert "(j) any employee employed by an establishment which is an amusement or recreational establishment if (i) it does not operate for more than seven months in any calendar year, or (ii) during the preceding calendar year its average receipts for any six months of that year were not more than 33 1/3 percent of its average receipts for the other six months of that year."

Page 18, Line 1:
after "representatives" delete "may enter and" and insert "shall have access to all payroll records of"

Page 18, Line 2:
delete "inspect"

Lane Beattie,
Committee Chairman

Committee report read and adopted. Senator Black explained the bill. Stephen M. Hadley, Chairman of the Industrial Commission of Utah; Commissioner Dixie Minson and John A. Medina, Director of the Labor and Anti-Discrimination Division spoke in Committee of the Whole. Senators Swan, Bunnell, Barton, McAllister, Beattie and Christensen commented. Dick Andrew representing the Lagoon Amusement Park spoke in Committee of the Whole. Senators Bunnell, Barlow, Farley, Pace and Black commented. Senators Beattie, Barton, and Steele commented.

Senator Black moved to delete the following amendment:

Page 16, Line 16:
after line 15 insert "(j) any employee employed by an establishment which is an amusement or recreational establishment if (i) it does not operate for more than seven months in any calendar year, or (ii) during the preceding calendar year its average receipts for any six months of that year were not more than 33 1/3 percent of its average receipts for the other six months of that year."

Senator Bunnell commented. The motion to delete the amendment failed on the following roll call:

Yeas, 8; Nays, 18; Absent, 3

Voting in the affirmative were: Senators

Black	Bunnell	Farley	Fordham
Money	Pace	Richards	Swan

Voting in the negative were: Senators

Barlow	Beattie	Carling	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Myrin	Nielsen	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Steele	Storey
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Barton	Cornaby	Finlinson

The bill as amended, passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Farley	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barton	Cornaby	Finlinson	Peterson, Craig

* * *

S.B. No. 28, AGRICULTURAL PRODUCTS DEALERS ACTS, was read the second time.

Mr. President: January 10, 1990

The Energy, Natural Resources and Agriculture Standing Committee to which was referred S.B. No. 28, AGRICULTURAL PRODUCTS DEALERS ACT, by Senators Eldon A. Money, 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 Myrin commented. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Barton	Cornaby	Farley	Finlinson
Nielsen			

* * *

On motion of Senator Cary Peterson the circles were removed from S.B. No. 6 and S.B. No. 13.

* * *

On motion of Senator Cary Peterson and at 12:00 noon, the Senate adjourned until 10:00 a.m., Friday, January 12, 1990.

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 Cornaby, excused.
Prayer – Senator Eldon A. Money.

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: January 12, 1990

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.

Paul T. Fordham,
Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM HOUSE

Mr. President: January 11, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.C.R. No. 6**, WATERFOWL RESOLUTION, by Representative Stephen M. Bodily, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed, **H.B. No. 14**, FREE DISTRIBUTION OF TOBACCO PRODUCTS, by Representative Hugh D. Rush, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 35**, STATUTE OF LIMITATION AMENDMENT, by Representative Beverly J. White, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 50**, FISHING LICENSE FEE FOR MENTALLY

RETARDED, by Representative Daniel H. 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 H.B. No. 95, PROHIBITION OF CERTAIN ANIMALS AS PETS, by Representative Lee Allen, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, H.B. No. 203, SUPPLEMENTAL APPROPRIATIONS ACT, by Representative Nolan E. Karras, et al, and the same is transmitted herewith for Senate consideration

Carole E. Peterson, Chief Clerk

H.C.R. No. 6 and H. B. Nos. 14, 35, 50, 95 and 203 were read the first time and referred to the Rules Committee.

SECRETARY OF SENATE REPORT

Committee reports have been received on S.B. Nos. 17, 30, and 53, and S.J.R. Nos. 5, 8, and 9 and the bills and resolution were placed on Second Reading Calendar.

PRESENTATION OF RESOLUTIONS

RESOLUTION HONORING UTAH'S MOTHER AND YOUNG MOTHER OF THE YEAR

S.C.R. No. 4 *Lyle W. Hillyard*

A CONCURRENT RESOLUTION OF THE LEGISLATURE AND THE GOVERNOR RECOGNIZING AMERICAN MOTHERS, INC., UTAH ASSOCIATION, FOR ITS OUTSTANDING WORK TO STRENGTHEN FAMILY AND THE HOME; AND HONORING JOANNE TODD MCKENNA, 1989 UTAH MOTHER OF THE YEAR, AND DIANE RICH WEESE, 1989 UTAH YOUNG MOTHER OF THE YEAR, read the first time and referred to the Rules Committee.

INTRODUCTION OF BILLS

UTAH LAKE AUTHORITY

S.B. No. 102 *Craig A. Peterson*

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; ESTABLISHING A UTAH LAKE AUTHORITY; DEFINING ITS

GOVERNANCE, POWERS, AND RESPONSIBILITIES; AND ESTABLISHING AN EFFECTIVE DATE.

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

ENACTS: 73-26-101, UTAH CODE ANNOTATED 1953; 73-26-201, UTAH CODE ANNOTATED 1953; 73-26-202, UTAH CODE ANNOTATED 1953; 73-26-203, UTAH CODE ANNOTATED 1953; 73-26-204, UTAH CODE ANNOTATED 1953, , read the first time and referred to the Rules Committee.

JUDICIAL AMENDMENTS

S.B. No. 103 *K.S. Cornaby*

AN ACT RELATING TO THE JUDICIARY; AMENDING THE JUDICIAL NOMINATION PROCESS; AMENDING A PROVISION REGARDING THE CHIEF JUSTICE; AUTHORIZING THE JUDICIAL COUNCIL TO PROVIDE FOR TEMPORARY SERVICE OF JUDGES IN OTHER COURTS; AMENDING COURT OF APPEALS JURISDICTION; AND MAKING TECHNICAL AMENDMENTS.

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

AMENDS: 20-1-7.4, AS ENACTED BY CHAPTER 208, LAWS OF UTAH 1987; 20-1-7.6, AS LAST AMENDED BY CHAPTER 208, LAWS OF UTAH 1987; 73-2-1, AS LAST AMENDED BY CHAPTER 248, LAWS OF UTAH 1988; 78-2a-3, AS LAST AMENDED BY CHAPTERS 73, 210, AND 248, LAWS OF UTAH 1988; 78-3-21, AS LAST AMENDED BY CHAPTER 214, LAWS OF UTAH 1989, read the first time and referred to the Rules Committee.

STATE GRASS DESIGNATED

S.B. No. 104 *Alarik Myrin*

AN ACT RELATING TO STATE AFFAIRS; DESIGNATING INDIAN RICE GRASS AS THE STATE GRASS.

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

ENACTS: 63-13-11.8, UTAH CODE ANNOTATED 1953, read the first time and referred to the Rules Committee.

SENTENCE GUIDELINES REGARDING AGGRAVATION AND MITIGATION

S.B. No. 105 *Karl G. Swan, Lorin N. Pace*

AN ACT RELATING TO CRIMINAL LAW; AMENDING AUTHORITY FOR ESTABLISHMENT AND APPLICATION OF GUIDELINES FOR AGGRAVATION AND MITIGATION IN SENTENCING.

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

AMENDS: 76-3-210, AS LAST AMENDED BY CHAPTER 107, LAWS OF UTAH 1987, read the first time and referred to the Rules Committee.

CONFLICTS OF INTEREST

S.B. No. 106 *Lyle W. Hillyard*

AN ACT RELATING TO STATE OFFICERS AND CANDIDATES; DEFINING TERMS; REQUIRING CERTAIN FINANCIAL DISCLOSURES BY ELECTED STATE OFFICIALS; REQUIRING DISCLOSURE OF CONFLICTS OF INTEREST BY LEGISLATORS; PROHIBITING GIFTS; PROVIDING PROCEDURES FOR ENFORCEMENT AND PENALTIES FOR VIOLATION OF THOSE REQUIREMENTS; MAKING TECHNICAL CORRECTIONS; AND PROVIDING AN EFFECTIVE DATE.

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

ENACTS: 67-16a-1, UTAH CODE ANNOTATED 1953; 67-16a 2, UTAH CODE ANNOTATED 1953; 67-16a-3, UTAH CODE ANNOTATED 1953; 67-16a-4, UTAH CODE ANNOTATED 1953; 67-16a-5, UTAH CODE ANNOTATED 1953; 67-16a-6, UTAH CODE ANNOTATED 1953; 67-16a-7, UTAH CODE ANNOTATED 1953; 67-16a-8, UTAH CODE ANNOTATED 1953, read the first time and referred to the Rules Committee.

UNIFORM ANATOMICAL GIFT ACT

S.B. No. 107 *William T. Barton*

AN ACT RELATING TO HEALTH; REPEALING AND REENACTING THE ANATOMICAL GIFT ACT; PROVIDING PROCEDURES FOR DONATING ORGANS FOR TRANSPLANTATION, THERAPY, AND RESEARCH; CREATING METHODS TO REVOKE AND AMEND DONATIONS BY NEXT OF KIN; AND PROHIBITING SALE OR PURCHASE OF ORGANS.

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

ENACTS: 26-28-9, UTAH CODE ANNOTATED 1953; 26-28-10, UTAH CODE ANNOTATED 1953; 26-28-11, UTAH CODE ANNOTATED 1953; 26-2-8-12, UTAH CODE ANNOTATED 1953.

REPEALS AND REENACTS: 26-28-1, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-28-2, AS LAST AMENDED BY CHAPTER 28, LAWS OF UTAH 1982; 26-28-3, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-28-4, AS LAST AMENDED BY CHAPTER 12, LAWS OF UTAH 1989; 26-28-5, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-28-6, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-28-7, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-28-8, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981, read the first time and referred to the Rules Committee.

PUBLIC CHOICE ON TRANSIT TAX AMENDMENTS

S.B. No. 108 *K.S. Cornaby, Richard B. Tempest*

AN ACT RELATING TO REVENUE AND TAXATION; ALLOWING A COUNTY, CITY, OR TOWN WITHIN A PUBLIC TRANSIT DISTRICT TO IMPOSE AN ADDITIONAL LOCAL SALES AND USE TAX OF 1/4 OF 1% TO FUND THE CONSTRUCTION AND OPERATION OF A FIXED GUIDEWAY AND EXPAND PUBLIC TRANSIT SYSTEM SUBJECT TO VOTER APPROVAL.

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

ENACTS: 59-12-502, UTAH CODE ANNOTATED 1953, read the first time and referred to the Rules Committee.

SETTLEMENT OF LITIGATION RELATING TO SAVINGS AND LOANS

S.B. No. 109 *Richard J. Carling, Omar B. Bunnell*

AN ACT RELATING TO SETTLEMENT OF CERTAIN CLAIMS AGAINST THE STATE REGARDING SAVINGS AND LOANS; PROVIDING FOR THE FUND TO PAY CERTAIN CLAIMS AGAINST THE STATE AND SETTLEMENT OF EXISTING LITIGATION.

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

ENACTS: 7-22-1, UTAH CODE ANNOTATED 1953; 7-22-2, UTAH CODE ANNOTATED 1953; 7-22-3, UTAH CODE ANNOTATED 1953; 7-22-4,

UTAH CODE ANNOTATED 1953; 7-22-5, UTAH CODE ANNOTATED 1953; 7-22-6, UTAH CODE ANNOTATED 1953; 7-22-7, UTAH CODE ANNOTATED 1953, read the first time and referred to the Rules Committee.

GOVERNMENTAL EMPLOYEE INDEMNIFICATION

S.B. No. 110 *Richard J. Carling, Omar B. Bunnell*

AN ACT RELATING TO GOVERNMENTAL IMMUNITY; PROVIDING THAT THE GOVERNMENTAL ENTITY SHALL PAY CERTAIN JUDGMENTS AGAINST GOVERNMENT EMPLOYEES ENTERED AFTER A CERTAIN DATE.

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

AMENDS: 63-30-36, AS LAST AMENDED BY CHAPTER 30, LAWS OF UTAH 1987, read the first time and referred to the Rules Committee.

SALES TAX - MANUFACTURING MACHINERY EXEMPTION

S.B. No. 111 *Omar B. Bunnell, Haven J. Barlow*

AN ACT RELATING TO REVENUE AND TAXATION; ELIMINATING THE SALES TAX EXEMPTION FOR MANUFACTURING EQUIPMENT; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 59-12-104, AS LAST AMENDED BY CHAPTERS 89, 169, AND 247, LAWS OF UTAH 1989, read the first time and referred to the Rules Committee.

INCOME TAX - FEDERAL TAX DEDUCTIBILITY

S.B. No. 112 *Omar B. Bunnell, Karl G. Swan*

AN ACT RELATING TO REVENUE AND TAXATION; ELIMINATING THE DEDUCTION FOR FEDERAL TAXES PAID; MAKING TECHNICAL CORRECTIONS; AND PROVIDING RETROSPECTIVE OPERATION.

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

AMENDS: 59-10-114, AS LAST AMENDED BY CHAPTERS 2, 4, AND 7, LAWS OF UTAH 1989, SECOND SPECIAL SESSION, read the first time and referred to the Rules Committee.

APPROPRIATION FOR WATER PROJECTS

S.B. No. 113 *Dixie L. Leavitt, Fred W. Finlinson, Eldon A. Money, John Holmgren, Omar B. Bunnell, C.E. Peterson*

AN ACT RELATING TO WATER AND IRRIGATION; APPROPRIATING $20,000,000 FROM THE GENERAL FUND TO BE USED BY THE DIVISION OF WATER RESOURCES AND THE DEPARTMENT OF HEALTH; AND PROVIDING AN EFFECTIVE DATE.

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

UTAH LIVING WILL AMENDMENTS

S.B. No. 114 *Fred W. Finlinson*

AN ACT RELATING TO THE UNIFORM PROBATE CODE; AUTHORIZING LIFE SUSTAINING TREATMENT TO BE WITHDRAWN FROM MINORS UNDER CERTAIN CIRCUMSTANCES; DELETING THE REQUIREMENT FOR A SECOND OPINION; AUTHORIZING ADDITIONAL WITNESSES; CLARIFYING A PATIENT'S RIGHT TO REFUSE TREATMENT; AND AUTHORIZING A PHYSICIAN TO WITHHOLD TREATMENT IN FUTILE CIRCUMSTANCES.

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

AMENDS: 75-1-1102, AS ENACTED BY CHAPTER 173, LAWS OF UTAH 1985; 75-2-1103, AS ENACTED BY CHAPTER 173, LAWS OF UTAH 1985; 75-2-1104, AS ENACTED BY CHAPTER 173, LAWS OF UTAH 1985; 75-2-1105, AS ENACTED BY CHAPTER 173, LAWS OF UTAH 1985; 75-2-1106, AS ENACTED BY CHAPTER 173, LAWS OF UTAH 1985; 75-2-107, AS LAST AMENDED BY CHAPTER 105, LAWS OF UTAH 1988; 75-2-1111, AS ENACTED BY CHAPTER 173, LAWS OF UTAH 1985; 75-2-1114, AS ENACTED BY CHAPTER 173, LAWS OF UTAH 1985.

ENACTS: 75-2-1117.5, UTAH CODE ANNOTATED 1953, read the first time and referred to the Rules Committee.

PUBLIC TELECOMMUNICATIONS AMENDMENTS

S.B. No. 115 *Fred W. Finlinson, Paul T. Fordham, David H. Steele, C.E. Peterson, Dix H. McMullin, Richard B. Tempest, Eldon A. Money, Dixie Leavitt, Stephen J. Rees,*

Lyle L. Hillyard, Cary Peterson, Wilford R. Black, William T. Barton, Richard J. Carling, LeRay McAllister, K.S. Cornaby

AN ACT RELATING TO PUBLIC TELECOMMUNICATIONS UTILITY LAW; AMENDING THE CRITERIA WHICH THE PUBLIC SERVICE COMMISSION SHALL CONSIDER IN DETERMINING WHETHER A TELECOMMUNICATIONS CORPORATION OR SERVICE SHOULD BE EXEMPTED FROM REGULATION; ALLOWING CERTAIN NEW TELECOMMUNICATIONS PRODUCTS OR SERVICES TO BE OFFERED TO THE PUBLIC WITHOUT THEIR RATES BEING APPROVED BY THE COMMISSION; REQUIRING THE COMMISSION TO ADOPT REGULATION REGARDING THE COST OF ESSENTIAL ACCESS SERVICES; AND ALLOWING THE COMMISSION TO ADOPT A METHOD OF RATE REGULATION WHEREBY PUBLIC UTILITY EARNINGS ABOVE A SPECIFIED LEVEL ARE SHARED BETWEEN THE UTILITY AND ITS CUSTOMERS.

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

AMENDS: 54-8b-3, AS ENACTED BY CHAPTER 257, LAWS OF UTAH 1985.

ENACTS: 54-4-4.1, UTAH CODE ANNOTATED 1953; 54-8b-3.1, UTAH CODE ANNOTATED 1953; 54-8b-3.2, UTAH CODE ANNOTATED 1953, read the first time and referred to the Rules Committee.

THIRD READING CALENDAR

On motion of Senator Cary Peterson, S.B. No. 2, DISCLOSURE BY EXEMPT ORGANIZATIONS, was read the third time and circled.

* * *

On motion of Senator Cary Peterson, S.B. No. 15, LABOR CODE REVISIONS, was read the third time and circled.

* * *

S.B. No. 28, AGRICULTURAL PRODUCTS DEALERS ACT, was read the third time.

On motion of Senator Money, the bill was amended.

Page 2, Line 1:
delete "on his own accord or"

The bill, as amended, passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Barlow	Barton	Bunnell	Farley
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Beattie	Black	Carling	Cornaby
Finlinson	Pace	Swan	

S.B. No. 28, as amended, was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator Cary Peterson, S.B. No. 6 was circled.

* * *

S.B. No. 13, EMPLOYERS' REINSURANCE FUND AMENDMENTS, was before the Senate and explained by Senator Tempest.

Stephen M. Hadley, Chairman of the Industrial Commission of Utah, spoke in Committee of the Whole. Senators McMullin and Christensen commented. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Farley	Finlinson	Fordham	Hillyard
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards

Steele Storey Swan Tempest
Pres. Christensen

Absent or not voting were: Senators
Black Carling Cornaby Holmgren

RULES COMMITTEE REPORT

Mr. President: January 12, 1990

The Senate Rules Committee to which was referred the following Senate Bills:

S.B. No. 18 DISCLOSURE OF PSYCHOLOGICALLY IMPAIRED PROPERTY (Business, Labor & Economic Development)
S.B. No. 23 BEAR RIVER DEVELOPMENT AND OVERSIGHT (Energy, Natural Resources & Agriculture)

reports the Bills to the Senate, and asks that they be printed and assigned to the proper committee, and

The Senate Rules Committee to which was referred the following House Bills and Resolutions:

H.B. No. 16 REAL ESTATE LICENSURE CONTINUING (Business, Labor and Economic Development)
H.J.R. No. 9 STRATEGIC PLANNING COMMITTEE RESOLUTION (Business & Labor and Economic Development)
H.B. No. 87 BREWERY LICENSEE AMENDMENTS (Health)
H.B. No. 75 SCOPE OF AUTHORITY FOR DIVISION OF CORPORATIONS (Judiciary)
H.B. No. 107 REVISED UNIFORM LIMITED PARTNERSHIP ACT (Revenue & Taxation)
H.B. No. 13 DRIVER LICENSE ACT AMENDMENTS (Transportation & Public Safety)
H.B. No. 90 SPECIAL FUEL TAX PERMIT AMENDMENTS (Transportation & Public Safety)

reports the Bills and Resolution to the Senate and asks that they be assigned to the proper committee.

C.E. Peterson,
Rules Committee Chairman

Committee reports read and adopted. President Christensen assigned the bills to the committees indicated.

THIRD READING CALENDAR

On motion of Senator Beattie, under suspension of the rules, the circle was removed from S.B. No. 2, DISCLOSURE BY EXEMPT ORGANIZATIONS, and the bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barton	Beattie	Bunnell	Carling
Farley	Finlinson	Fordham	Hillyard
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barlow	Black	Cornaby	Holmgren

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

SECOND READING CALENDAR

S.B. No. 3, WORKERS' COMPENSATION FUND AMENDMENTS, was read the second time.

Mr. President: January 9, 1990

The State and Local Affairs Committee, to which was referred S.B. No. 3, WORKERS' COMPENSATION FUND AMENDMENTS, by Senator Cornaby, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 4, Lines 23 And 24:
after "designee" delete ", who shall represent the state as a policyholder"

Page 7, Lines 9 and 10:
delete lines 9 and 10, and renumber accordingly

Craig A. Peterson,
Committee Chairman

Committee report read and adopted. Senator Finlinson moved the following amendments:

1. Page 1, Line 15:
After "BOARD;" insert:

"ALLOWING THE STATE TO OBTAIN WORKERS' COMPENSATION INSURANCE FROM SOURCES OTHER THAN THE FUND;"

2. Page 1, Line 17:
After Line 17 insert:

"35-1-49, AS LAST AMENDED BY CHAPTER 204, LAWS OF UTAH 1986
35-2-18, AS ENACTED BY CHAPTER 58, LAWS OF UTAH 1955"

3. Page 2, Line 1:
Insert: "Section 1. Section 35-1-49, Utah Code Annotated 1953, as last amended by Chapter 204, Laws of Utah 1986, is amended to read:

35-1-49. State department, commission, board, or other agency - Workers' compensation insurance.

[~~Each department, commission, board or other agency of the~~] The state shall [~~pay the insurance premium on its employees direct to the Workers' Compensation Fund of Utah.~~] secure workers' compensation insurance for its employees by:

(1) insuring and keeping insured, the payment of workers' compensation insurance with the Workers' Compensation Fund;

(2) insuring, and keeping insured, the payment of workers' compensation insurance with any stock corporation or mutual association authorized to transact business of workers' compensation insurance in this state, and filing the policy of insurance with the commission; or

(3) paying direct workers' compensation insurance in the amount, in the manner, and when due as provided for in this chapter and in Chapter 1, Title 35, from the Risk Management Fund established in Chapter 1, Title 65.

Section 2. Section 35-2-18, Utah Code Annotated 1953, as enacted by Chapter 58, Laws of Utah 1955, is amended to read:

35-2-18. State department, commission, board or agency - Workers' compensation insurance.

[~~Each department, commission, board, or other agency of the~~] The state shall [~~pay the insurance premium on its employees direct to the insurance fund.~~' secure workers' compensation insurance for its employees by:

(1) insuring and keeping insured, the payments of workers' compensation insurance with the Workers' Compensation Fund;

(2) insuring, and keeping insured, the payment of workers' compensation insurance with any stock corporation or mutual association authorized to transact business of workers' compensation insurance in this state, and filing the policy of insurance with the commission; or

(3) paying direct workers' compensation insurance in the amount, in the manner, and when due as provided for in this chapter and in Chapter 1, Title 35, from the Risk Management Fund established in Chapter 1, title 65."

4. Page 4, Line 22:
Delete "(ii)" and insert "(c) (i)"

5. Page 4, Line 24:
After Line 24 insert:
"(ii) Notwithstanding the provisions of Subsection (1)(c)(i), if the state elects to obtain workers' compensation insurance from an insurer other than the fund, the executive director of the Department of Administrative Services may not serve as a director of the fund."
and renumber accordingly.

6. Page 5, Line 1:
After "appoint" delete "two" and insert "at least three"

7. Page 5, Line 2:
After "policyholders" delete "other than the state".

8. Page 5, Line 5:
After "(ii) insert "at least"

9. Page 6, Line 22:
After Line 22 insert:

"(b) The chairman may call board meetings more frequently than quarterly and shall call additional board meetings if requested to do so by a majority of the board."
and renumber accordingly.

Senator Finlinson, Bunnell, McAllister, Christensen, Leavitt, C.E. Peterson, Bunnell, Swan and Beattie commented.

Gordon L. Crabtree, CPA, Director of the Department of Administrative Services, spoke in Committee of the Whole. Senators Bunnell, Myrin, Leavitt, Barton, Beattie, and Black commented.

Blaine C. Palmer, SPHR, President, Workers Compensation Fund of Utah, spoke in Committee of the Whole. Senators McMullin, Christensen, Bunnell and Beattie commented.

On motion of Senator Finlinson, Amendments 1, 2, 3, 4, 5, 6, 7 and 8 were withdrawn and Amendment No. 9 was adopted and incorporated in the bill.

On motion of Senator Fordham, the bill was circled.

* * *

On motion of Senator Cary Peterson, the circles were removed from S.B. Nos. 6, 3 and 15.

* * *

On motion of Senator Cary Peterson and at 12:00 noon, the Senate adjourned until Monday, January 15, 1990.

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 – Bill Hern, Associate Minister of the Church of Christ.

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: January 15, 1990

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.

Boyd K. Storey,
Committee Chairman

Committee report read and adopted.

COMMUNICATIONS FROM HOUSE

Mr. President: January 12, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.J.R. No. 1**, SALT LAKE REGIONAL TRAILS COUNCIL RESOLUTION, by Representative Janet Rose, and the 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. 4**, RESOLUTION RECOGNIZING MEDICAL ALERT PROGRAM, by Representative Paula Julander, and the 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. 23**, LIABILITY PROTECTION FOR VOLUNTEERS, by Representative Larry V. Lunt, et al, and the same is transmitted herewith for Senate consideration,

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 39**, REGULATION OF AUTOMATED DIALING

TELEPHONE SOLICITATION, by Representative Ted D. 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, **H.B. No. 40**, TERMS OF OFFICE FOR COUNTY COMMISSIONERS, by Representatives James F. 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. 55**, ITEMIZATION OF FEES FOR ADOPTION, by Representative Hugh D. Rush, and the 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**, EXTENSION OF ADOPTION AUTHORITY, by Representative Kurt E. Oscarson, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.J.R. No. 1, H.J.R. No. 4 and **H.B. Nos. 23, 39, 40, 55** and **72** were read the first time and referred to Rules Committee.

PRESENTATION OF RESOLUTIONS

PROMOTING MATH AND SCIENCE IN THE PUBLIC SCHOOLS RESOLUTION

S.J.R. No. 16 *David H. Steele*

A JOINT RESOLUTION OF THE LEGISLATURE REQUESTING THE STATE BOARD OF EDUCATION AND STATE BOARD OF REGENTS TO REVIEW CURRENT PROGRAMS IN MATHEMATICS AND SCIENCE AND REPORT ON WHAT THE LEGISLATURE CAN DO TO HELP FOCUS ON OR FACILITATE THE NEED TO FOSTER, PROMOTE, AND COORDINATE MATH AND SCIENCE EDUCATION THROUGHOUT THE STATE, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

AMENDMENTS TO PUBLIC OFFICERS AND EMPLOYEES ETHICS ACT

S.B. No. 116 *William T. Barton*

AN ACT RELATING TO OFFICERS AND EMPLOYEES AND PUBLIC CONTRACTS; ELIMINATING CERTAIN EXEMPTIONS FROM THE

CONFLICT OF INTEREST PROVISIONS IN THE ETHICS ACT CONCESSION CONTRACTS FOR PROFESSIONAL GOLFERS WHO ARE ALSO PUBLIC EMPLOYEES.

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

AMENDS: 67-16-3, AS LAST AMENDED BY CHAPTER 147, LAWS OF UTAH 1989; 67-16-8, AS LAST AMENDED BY CHAPTERS 147 AND 223, LAWS OF UTAH 1989, was read the first time and referred to the Rules Committee.

NEGATIVE CREDIT REPORT

S.B. No. 117 *Glade Nielsen, Craig Peterson*

AN ACT RELATING TO COMMERCIAL CREDIT; REQUIRING CREDITORS TO PROVIDE A DEBTOR WITH CERTAIN INFORMATION BEFORE FILING A NEGATIVE CREDIT REPORT.

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

AMENDS: 70C-7-107, AS ENACTED BY CHAPTER 24, LAWS OF UTAH 1988, was read the first time and referred to Rules Committee.

PROFESSIONAL BOXING FEES

S.B. No. 118 *William T. Barton*

AN ACT RELATING TO OCCUPATIONS AND PROFESSIONALS; IMPOSING A FEE ON EACH TICKET SOLD FOR ADMISSION TO A PROFESSIONAL BOXING CONTEST, MATCH, OR EXHIBITION; REQUIRING THE PROCEEDS FROM THE FEES COLLECTED TO BE USED TO SUPPORT AMATEUR BOXING IN THIS STATE; AND PROVIDING OTHER TECHNICAL MATTERS.

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

ENACTS: 58-48-12, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

SUSC NAME CHANGE

S.B. No. 119 *Dixie L. Leavitt, Winn L. Richards, Eldon A. Money, Haven J. Barlow, Cary Peterson, Lane Beattie, Craig Peterson, Boyd K. Storey, David H. Steele, Paul T. Fordham, William T. Barton, Lorin N. Pace, Alarik Myrin, Glade Nielsen, C.E. Peterson, Dix H. McMullin, Arnold Christensen, John Holmgren*

AN ACT RELATING TO HIGHER EDUCATION; CHANGING THE NAME OF SOUTHERN UTAH STATE COLLEGE TO SOUTHERN UTAH STATE UNIVERSITY.

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

AMENDS: 53B-1-102, AS LAST AMENDED BY CHAPTER 22, LAWS OF UTAH 1989; 53B-2-101, AS ENACTED BY CHAPTERS 7 AND 167, LAWS OF UTAH 1987; 53B-3-102, AS ENACTED BY CHAPTERS 7 AND 167, LAWS OF UTAH 1987; 53B-8-101, AS ENACTED BY CHAPTER S7 AND 167, LAWS OF UTAH 1987, was read the first time and referred to Rules Committee.

SECRETARY OF SENATE REPORT

Committee reports have been received on S.B. Nos. 9, 34, 35 and 24 and the bills were placed on Second Reading Calendar.

THIRD READING CALENDAR

On motion of Senator Black, S.B. No. 15, LABOR CODE REVISIONS, was circled.

* * *

S.B. No. 13, EMPLOYERS' REINSURANCE FUND AMENDMENTS, was read the third time and passed on following roll call:

Yeas, 22; Nays, 3; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Peterson, Cary	Peterson, C.E.
Peterson, Craig	Rees	Steele	Storey
Tempest	Pres. Christensen		

Voting in the negative were: Senators

Myrin	Nielsen	Richards	

Absent or not voting were: Senators

Beattie	Money	Pace	Swan

S.B. No. 13 was transmitted to the House.

SECOND READING CALENDAR

S.B. No. 6, EMPLOYMENT DISCRIMINATION PROCEEDINGS, was before the Senate and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Peterson, Cary	Peterson, C.E.
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator
Pace

COMMITTEE OF THE WHOLE

Appearing before the Senate in Committee of the Whole was Tom Stocks, Mayor of Moab, Utah and President of the Utah League of Cities and Towns.

SECOND READING CALENDAR

S.B. No. 3, WORKERS' COMPENSATION FUND AMENDMENTS, was before the Senate. Senators Cornaby, Beattie, Leavitt, Swan, Richards, Barton, and C.E. Peterson commented. The bill passed on the following roll call:

Yeas, 26; Nays, 2; Absent, 1

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson

Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, Cary	Peterson, C.E.
Rees	Richards	Steele	Storey
Tempest	Pres. Christensen		

Voting in the negative were: Senators
Barton Swan

Absent or not voting was: Senator
Peterson, Craig

* * *

S.B. No. 21, LEGISLATORS' COMPENSATION, was read the second time.

Mr. President: January 9, 1990

The State and Local Affairs Committee, to which was referred S.B. No. 21, LEGISLATORS' COMPENSATION, by Senator Black, has carefully considered the bill and reports it out of committee with a favorable recommendation and with the following amendments:

Page 1, Line 12:
after "LEGISLATORS' insert "; and providing an effective date"

Page 1, Line 24:
delete "$75" and insert "$100"

Page 1, Line 25:
delete "$75" and insert "$100"

Page 2, Line 17:
after Line 17 insert "This bill is effective January 1, 1991."

Craig A. Peterson,
Committee Chairman

Committee report read and adopted. Senator Black explained the bill. Senator Swan moved to delete "This bill is effective January 1, 1991." from the bill. Senators Hillyard and Black commented. Senator Barlow moved a substitute motion to delete all the committee amendments.

On motion of Senator Cary Peterson, the bill was circled.

* * *

H.B. No. 126, REVISOR'S STATUTE, was read the second time and explained by Senator C.E. Peterson. The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Peterson, Cary	Peterson, C.E.
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator
Pace

* * *

On motion of Senator Carling, under suspension of the rules H.B. No. 128, SUNSET ACT REVISIONS AND REAUTHORIZATION, was read the second and third times and explained by Senator Carling. Senator McAllister commented. The bill passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, Cary
Peterson, C.E.	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

H.B. No. 128 was transmitted to the House.

* * *

S.J.R. No. 12, COMPENSATION OF LEGISLATIVE IN-SESSION EMPLOYEES, was read the second time and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Cornaby	Farley	Fordham
Hillyard	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, Cary	Peterson, C.E.	Peterson, Craig	Rees
Richards	Steele	Storey	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Bunnell	Finlinson	Holmgren	Swan

* * *

S.B. No. 4, DUI PENALTY AMENDMENT, was read the second time.

Mr. President: January 10, 1990

The Judiciary Committee, to which was referred S.B. No. 4, DUI PENALTY AMENDMENT, by Senator Winn L. Richards, has carefully considered the bill and reports it out of committee favorably with the following amendments:

1. Page 3, Line 3:
   After "years" delete "after"

2. Page 3, Line 4:
   Delete "a first conviction"

3. Page 3, Line 16:
   After "A" insert "third or"

4. Page 3, Line 17:
   After "years" delete "after a second conviction"

5. Page 4, Line 3:
   Delete "Alcohol treatment, including inpatient treatment, is not a" and insert the following:
   "Enrollment in and completion of a chemical dependency rehabilitation

program approved by the court may be a sentencing alternative to incarceration or community service if the program provides intensive care or inpatient treatment and long term closely supervised follow through after the treatment."

6. Page 4, Line 4:
Delete entirely.

7. Page 4, Line 5:
Delete entirely.

8. Page 4, Line 6:
Delete entirely.

Lyle W. Hillyard
Committee Chairman

Committee report read and adopted. Senator Tempest was presiding. On motion of Senator Richards, the following substitute bill replaced the original bill.

DUI PENALTY AMENDMENT
(1-11-90 8:34 a.m.)

SUB. S.B. No. 4 *Winn L. Richards*

AN ACT RELATING TO CRIMINAL LAW; AMENDING PROVISIONS OF THE DUI LAW REGARDING THE FINE AND PENALTY FOR REPEAT OFFENSES AND THE PERIOD OF TIME APPLIED TO CALCULATE REPEAT OFFENSES.

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

AMENDS: 41-6-44, AS LAST AMENDED BY CHAPTER 17, LAWS OF UTAH 1988.

Senators Richards, Hillyard, Storey and McAllister commented. The substitute bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen

Peterson, Cary	Peterson, C.E.	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Barton	Finlinson	Pace

* * *

S.B. No. 27, GRAND JURY REFORM was read the second time.

Mr. President: January 10, 1990

The Senate Judiciary Committee, to which was referred S.B. No. 27, GRAND JURY REFORM, by Senator Lyle W. Hillyard, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 12, Line 15:
After "Subsection" insert (1),

Page 12, Line 15:
After "(3)" insert ", or (4)"

Page 28, Line 20:
After "Council" and before "." insert:
"for the fiscal year 1989–1990"

Page 28, Line 24:
Delete "appropriated by" and insert:
"requested as a supplemental appropriation from"

Page 29, Line 5:
Delete "dedicated credit" and insert "nonlapsing balance"

Lyle W. Hillyard,
Committee Chairman

Committee report read and adopted. Senators Hillyard, Barlow, and Richards commented. On motion of Senator Hillyard, the bill was circled.

* * *

On motion of Senator McMullin, S.B. No. 15 was placed on Third Reading Table, and the circles were removed from S.B. No. 21 and S.B. No. 27.

PRESENTATION OF RESOLUTIONS

CENTURY OF SERVICE RESOLUTION

S.J.R. No. 17 *Wilford R. Black, Jr.*

A JOINT RESOLUTION OF THE LEGISLATURE CONGRATULATING AND COMMENDING THE NATIONAL SOCIETY DAUGHTERS OF THE AMERICAN REVOLUTION AND THE UTAH SOCIETY, UINTAH CHAPTER, FOR THEIR CENTURY OF SERVICE FROM 1990 TO 1990, was read the first time and referred to Rules Committee.

* * *

On motion of Senator McMullin and at 12:00 noon, the Senate adjourned until Tuesday, January 16, 1990.

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.
Prayer – Noel Ravan, Pastor of the Salt Lake Christian Center

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: January 16, 1990
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.

Boyd K. Storey,
Committee Chairman
Committee report read and adopted. Senator Dix H. McMullin was presiding.

COMMUNICATIONS FROM HOUSE

Mr. President: January 15, 1990
I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 56**, ADOPTION ACT AMENDMENTS, by Representative Hugh D. Rush, and the same is transmitted herewith for Senate consideration

Carole E. Peterson, Chief Clerk
H.B. No. 56 was read the first time and referred to Rules Committee.

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B. Nos. 25, 31, 76,** and **H.B. Nos. 26, 58, 13, 17, 38,** and **90,** and the bills were placed on the Second Reading Calendar.

RULES COMMITTEE REPORT

Mr. President January 16, 1990

The Senate Rules Committee to which was referred the following Resolution:

S.J.R. No. 17 CENTURY OF SERVICE RESOLUTION

reports the Resolution to the Senate and asks that it be placed on the Second Reading Calendar.

C.E. Peterson,
Rules Committee Chairman

Committee reports read and adopted. The resolution was placed on Second Reading Calendar.

PRESENTATION OF RESOLUTIONS

MOTOR FUEL TAX CONSTITUTIONAL AMENDMENT

S.J.R. No. 18 *Lorin N. Pace*

A JOINT RESOLUTION OF THE LEGISLATURE PROPOSING TO AMEND THE UTAH CONSTITUTION; ALLOWING THE IMPOSITION OF A SURTAX ON MOTOR FUEL AND MOTOR VEHICLE RELATED CHARGES TO PAY FOR INSURANCE; AND PROVIDING AN EFFECTIVE DATE.

THIS RESOLUTION PROPOSES TO CHANGE THE UTAH CONSTITUTION AS FOLLOWS:

AMENDS: ARTICLE XIII, SEC. 13, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

MOTOR VEHICLE BUSINESS ACT AMENDMENTS

S.B. No. 120 *C.E. Peterson*

AN ACT RELATING TO MOTOR VEHICLES; AMENDING THE DEFINITION OF MOTOR VEHICLE TO EXCLUDE MOBILE HOMES AND CERTAIN TRAILERS; REQUIRING CERTAIN PAWNBROKERS TO BE LICENSED AS MOTOR VEHICLE DEALERS; AND MAKING TECHNICAL CORRECTIONS.

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

AMENDS: 41-3-7, AS LAST AMENDED BY CHAPTER 171, LAWS OF UTAH 1987; 41-3-7.5, AS LAST AMENDED BY CHAPTER 213, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

MASSAGE PRACTICE ACT

S.B. No. 121 *Richard J. Carling*

AN ACT RELATING TO OCCUPATIONS AND PROFESSIONS; REVISING LICENSURE FOR MASSAGE TECHNICIANS; PROVIDING REQUIREMENTS FOR LICENSES, EXEMPTIONS FROM LICENSURE, AND OTHER TECHNICAL CONDITIONS; AND PROVIDING AN EFFECTIVE DATE.

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

ENACTS: 58-47a-1, UTAH CODE ANNOTATED 1953; 58-47a-2, UTAH CODE ANNOTATED 1953; 58-47a-3, UTAH CODE ANNOTATED 1953; 58-47a-4, UTAH CODE ANNOTATED 1953; 58-47a-5, UTAH CODE ANNOTATED 1953; 58-47a-6, UTAH CODE ANNOTATED 1953; 58-47a-7, UTAH CODE ANNOTATED 1953; 58-47a-8, UTAH CODE ANNOTATED 1953; 58-47a-9, UTAH CODE ANNOTATED 1953; 58-47a-10, UTAH CODE ANNOTATED 1953; 58-47a-11, UTAH CODE ANNOTATED 1953.

REPEALS: 58-47-1, AS ENACTED BY CHAPTER 22, LAWS OF UTAH 1981; 58-47-2, AS LAST AMENDED BY CHAPTERS 21 AND 187, LAWS OF UTAH 1985; 58-47-3, AS LAST AMENDED BY CHAPTER 19, LAWS OF UTAH 1983; 58-47-4, AS ENACTED BY CHAPTER 22, LAWS OF UTAH 1981; 58-47-5, AS ENACTED BY CHAPTER 22, LAWS OF UTAH 1981; 58-47-6, AS ENACTED BY CHAPTER 22, LAWS OF UTAH 1981; 58-47-7, AS ENACTED BY CHAPTER 22, LAWS OF UTAH 1981; 58-47-8, AS LAST AMENDED BY CHAPTER 225, LAWS OF UTAH 1989; 58-47-8.5, AS ENACTED BY CHAPTER 19, LAWS OF UTAH 1983; 58-47-9, AS LAST AMENDED BY CHAPTER 225, LAWS OF UTAH 1989; 58-47-10, LAS LAST AMENDED BY CHAPTER 225, LAWS OF UTAH 1989; 58-47-11, AS LAST AMENDED BY CHAPTER 225, LAWS OF UTAH 1989; 58-47-12, AS ENACTED BY CHAPTER 22, LAWS OF UTAH 1981; 58-47-13, AS ENACTED BY CHAPTER 22, LAWS OF UTAH 1981; 58-47-14, AS LAST AMENDED BY CHAPTER 225, LAWS OF UTAH 1989; 58-47-15, AS ENACTED BY CHAPTER 22, LAWS OF UTAH 1981; 58-47-16, AS ENACTED BY CHAPTER 22, LAWS OF UTAH 1981; 58-47-17, AS LAST AMENDED BY CHAPTER 225, LAWS OF UTAH 1989; 58-47-18, AS ENACTED BY CHAPTER 22, LAWS OF UTAH 1981; 58-47-19, AS ENACTED BY CHAPTER 22, LAWS OF UTAH 1981; 58-47-20, AS ENACTED BY CHAPTER 22, LAWS OF UTAH 1981; 58-47-21, AS ENACTED BY CHAPTER 22, LAWS OF UTAH 1981; 58-47-22, AS ENACTED BY CHAPTER 22, LAWS OF UTAH; 1981; 58-47-23, AS ENACTED BY

CHAPTER 19, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

HIGHWAYS USERS' PROTECTION ACT

S.B. No. 122 *Lorin N. Pace, Winn L. Richards, Dix H. McMullin*

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; CREATING A HIGHWAY USERS' PROTECTIVE FUND IN THE DIVISION OF ADMINISTRATIVE SERVICES; AUTHORIZING THE FUND TO PROVIDE CERTAIN TYPES OF INDEMNITY TO PERSONS FOR PERSONAL INJURY AND PROPERTY DAMAGE ARISING FROM MOTOR VEHICLE ACCIDENTS; PROVIDING FUNDING OF THE ACCOUNT; REPEALING PROVISIONS SUPERSEDED BY CREATION OF THE FUND; MAKING TECHNICAL CORRECTIONS; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 27-12-155, AS LAST AMENDED BY CHAPTER 242, LAWS OF UTAH 1985; 31A-21-304, AS LAST AMENDED BY CHAPTER 91, LAWS OF UTAH 1987; 31A-22-302, AS LAST AMENDED BY CHAPTER 183, LAWS OF UTAH 1987; 31A-22-303, AS LAST AMENDED BY CHAPTER 215, LAWS OF UTAH 1988; 41-1-130, AS LAST AMENDED BY CHAPTER 183, LAWS OF UTAH 1987; 41-2-126.5, AS ENACTED BY CHAPTER 188, LAWS OF UTAH 1989; 41-2-128, AS LAST AMENDED BY CHAPTERS 188, 209, AND 252, LAWS OF UTAH 1989; 41-6-35.5, AS LAST AMENDED BY CHAPTER 98, LAWS OF UTAH 1988; 63-30-36, AS LAST AMENDED BY CHAPTER 30, LAWS OF UTAH 1987.

ENACTS: 63-1-57, UTAH CODE ANNOTATED 1953; 63-1-58, UTAH CODE ANNOTATED 1953; 63-1-59, UTAH CODE ANNOTATED 1953; 63-1-60, UTAH CODE ANNOTATED 1953; 63-1-61, UTAH CODE ANNOTATED 1953; 63-1-62, UTAH CODE ANNOTATED 1953; 63-1-63, UTAH CODE ANNOTATED 1953.

REPEALS: 41-12a-301, AS LAST AMENDED BY CHAPTER 162, LAWS OF UTAH 1987; 41-12a-302, AS LAST AMENDED BY CHAPTER 92, LAWS OF UTAH 1987; 41-12a-303, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-304, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-305, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-306, AS LAST AMENDED BY CHAPTER 92, LAWS OF UTAH 1987; 41-12a-401, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-402, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-403, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-405, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985;

41-12a-406, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-407, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-408, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-409, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-410, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-411, AS LAST AMENDED BY CHAPTER 98, LAWS OF UTAH 1988; 41-12a-412, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-501, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-502, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-503, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-504, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-505, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-506, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-507, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-508, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-509, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-510, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-511, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-512, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-513, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-601, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-602, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-603, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-604, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-605, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 41-12a-606, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985, was read the first time and referred to Rules Committee.

PHYSICIAN ASSISTANT LICENSING ACT

S.B. No. 123 *Richard J. Carling*

AN ACT RELATING TO OCCUPATIONS AND PROFESSIONS; PROVIDING LICENSURE FOR PHYSICIAN ASSISTANTS; PROVIDING REQUIREMENTS FOR LICENSES, SCOPE OF PRACTICE, EXEMPTIONS FROM LICENSURE, AND OTHER TECHNICAL CONDITIONS; PROVIDING FOR A LICENSING BOARD; AND PROVIDING AN EFFECTIVE DATE.

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

ENACTS: 58-12-70, UTAH CODE ANNOTATED 1953; 58-12-71, UTAH CODE ANNOTATED 1953; 58-12-72, UTAH CODE ANNOTATED 1953;

58–12–73, UTAH CODE ANNOTATED 1953; 58–12–74, UTAH CODE ANNOTATED 1953; 58–12–75, UTAH CODE ANNOTATED 1953; 58–12–76, UTAH CODE ANNOTATED 1953; 58–12–77, UTAH CODE ANNOTATED 1953; 58–12–78, UTAH CODE ANNOTATED 1953.

REPEALS: 58–12–40, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1985, was read the first time and referred to Rules Committee.

SECOND READING CALENDAR

On motion of Senator Black, under suspension of the rules, S.J.R. No. 17, CENTURY OF SERVICE RESOLUTION, was lifted from Rules Committee and read the second time.

On motion of Senator Black, the resolution was amended as follows:

Page 1, Line 12:
After "REVOLUTION" delete "AND THE" and insert a comma, and after "UTAH" insert "STATE"

Page 1, Line 13:
After "SOCIETY" delete the comma, and insert "NSDAR, AND THE"

Page 1, Line 29:
Delete "its" and insert "the" and after "Utah" insert "State" and after "Society" delete the comma and insert "NSDAR, the"

Page 2, Line 7
After "Society" delete the comma and insert "NSDAR, the"

Page 2, Line 15:
After "Revolution" delete "and" and insert a comma and after "Utah" insert "State" and after "Society" delete the comma and insert "NSDAR, and the"

Page 2, Line 18:
After "Revolution," delete "and" and after "Utah" insert "State"

Page 2, Line 19;
After "Society" delete the comma and insert "NSDAR, and the"

On motion of Senator Black, under suspension of the rules, 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

Barlow	Barton	Beattie	Black
Bunnell	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest		

Absent or not voting were: Senators

Carling	Pace	Pres. Christensen

S.J.R. No. 17, as amended, was transmitted to the House.

THIRD READING CALENDAR

S.B. No. 3, WORKERS COMPENSATION FUND AMENDMENT, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Carling
Cornaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest		

Absent or not voting were: Senators

Black	Bunnell	Pres. Christensen

S.B. No. 3, as amended, was transmitted to the House.

* * *

S.B. No. 6, EMPLOYMENT DISCRIMINATION PROCEEDINGS, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Carling
Cornaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest		

Voting in the negative was: Senator
Barton

Absent or not voting were: Senators

Bunnell	Pres. Christensen

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

* * *

H.B. No. 126, REVISOR'S STATUTE, was read the third time and passed on the following roll call:

Yeas, 27, Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	

Absent or not voting were: Senators

Farley	Pres. Christensen

H.B. No. 126 was signed by the President of the Senate in open session and returned to the House.

* * *

H.B. No. 128, SUNSET ACT REVISION AND REAUTHORIZATION, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Tempest		

Absent or not voting were: Senators

Farley	Swan	Pres. Christensen

H.B. No. 128 was signed by the President of the Senate in open session and returned to the House.

* * *

S.J.R. No. 12, COMPENSATION OF LEGISLATIVE IN-SESSION EMPLOYEES, was read the third time.

On motion of Senator C.E. Peterson, the resolution was amended as follows:

> Page 1, Lines 25 and 26:
> Delete "Compensation beyond Step 3 shall be authorized by the President of the Senate or the Speaker of the House."

S.J.R. No. 12 passed on the following roll call:

Yeas, 26, Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin

Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Tempest		

Absent or not voting were: Senators

Fordham	Swan	Pres. Christensen

S.J.R. No. 12, as amended, was transmitted to the House.

* * *

SUB. S.B. No. 4, DUI PENALTY 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	

Absent or not voting were: Senators

Money	Pres. Christensen

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

SECOND READING CALENDAR

On motion of Senator Dix McMullin, S.B. No. 21 was circled.

* * *

S.B. No. 27, GRAND JURY REFORM, was before the Senate.

On motion of Senator Lyle Hillyard, the bill was amended as follows:

Page 5, Line 14:
After "hearings." insert "Hearsay evidence may be presented at the

hearings only under the same provisions and limitations that apply to preliminary hearings."

Page 18, Line 13:
After "evidence" and before "." insert ", except the grand jury may receive hearsay evidence only under the same provisions and limitations that apply to preliminary hearings."

The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Steele
Storey	Swan	Tempest	

Absent or not voting were: Senators

Richards	Pres. Christensen

* * *

S.B. No. 37, MORTGAGE LENDING AND SERVICING ACT, was read the second time.

Mr. President: January 10, 1990

The Judiciary Standing Committee, to which was referred S.B. No. 37, MORTGAGE LENDING AND SERVICING ACT, by Senator Lane Beattie, 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 Beattie, Craig Peterson, Barton and Hillyard commented. Senator Hillyard's motion to circle the bill failed. Senator Black commented. The bill remained as unfinished business.

COMMUNICATION FROM HOUSE

Mr. President: January 16, 1990

I am directed to inform the Senate that the House of Representatives has this day passed H.C.R. No. 7, UTE INDIAN RECOGNITION RESOLUTION, by Representative Beverly Ann Evans, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Myrin, under suspension of the rules, the resolution was read the first, second, and third times. Jenna Duncan and Rena Duncan spoke in Committee of the Whole. The resolution passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	

Absent or not voting were: Senators

Farley	Pres. Christensen

H.C.R. No. 7 was signed by the President of the Senate in open session and returned to the House. President Christensen was presiding.

SECOND READING CALENDAR

S.B. No. 37, MORTGAGE LENDING AND SERVICING ACT, was again before the Senate. Senator Black's motion to circle the bill failed on the following roll call:

Yeas, 9; Nays, 19; Absent, 1

Voting in the affirmative were: Senators

Barton	Black	Bunnell	Hillyard
Money	Pace	Peterson, C.E.	Richards
Swan			

Voting in the negative were: Senators

Barlow	Beattie (exp.)	Carling	Cornaby
Finlinson	Fordham	Holmgren	Leavitt
McAllister	McMullin	Myrin	Nielsen
Peterson, Cary	Peterson, Craig	Rees	Steele
Storey	Tempest	Pres. Christensen	

Absent or not voting was: Senator
Farley

The bill passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie (conflict)	Bunnell
Carling	Cornaby	Finlinson	Fordham
Hillyard (exp.)	Holmgren	Leavitt	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Voting in the negative was: Senator
Black

Absent or not voting were: Senators

Farley	McAllister

RULES COMMITTEE REPORT

Mr. President: January 16, 1990

The Senate Rules Committee to which was referred the following House Resolution:

H.J.R. No. 8 JOINT RULES RESOLUTION
H.J.R. No. 1 SALT LAKE REGIONAL TRAILS COUNCIL RESOLUTION
reports the Resolutions to the Senate and asks that they be placed on the Second Reading Calendar.

C.E. Peterson,
Rules Committee Chairman

Committee reports read and adopted. The resolutions were placed on Second Reading Calendar.

SECOND READING CALENDAR

S.B. No. 12, UTAH OUTDOOR ADVERTISING LIMITATIONS, was read the second time.

Mr. President: January 10, 1990

The Senate Transportation & Public Safety Standing Committee, to which was referred S.B. No. 12, UTAH OUTDOOR ADVERTISING LIMITATIONS, by Senator Wilford R. Black, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Glade Nielsen,
Committee Chairman

Committee report read and adopted. Senators Black, Hillyard, Swan, Leavitt, Pace, Barlow, and McAllister commented. Terry K. Reid, Vice President of Reagan Outdoor Advertising spoke in Committee of the Whole.

On motion of Senator Pace, the bill was amended as follows:

Page 3, Lines 2 and 3:
delete ", including reasonable attorneys' fees"

The bill passed on the following roll call:

Yeas, 25; Nays, 2; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Rees	Steele	Storey	Swan
Pres. Christensen			

Voting in the negative were: Senators

Peterson, Craig	Tempest

Absent or not voting were: Senators

Bunnell	Richards

RULES COMMITTEE REPORT

Mr. President: January 16, 1990

The Senate Rules Committee to which was referred the following Senate Bills:

S.B. No. 38	DIVISION OF OCCUPATIONAL AND PROFESSIONAL (Business, Labor & Economic Development)
S.B. No. 56	DAM SAFETY AMENDMENTS (Energy, Natural Resources & Agriculture)
S.B. No. 72	BICYCLE PATHS AND TRAILS DEVELOPMENT (Energy, Natural Resources & Agriculture)
S.B. No. 83	SEISMIC INSTRUMENTATION BOARD (Energy, Natural Resources & Agriculture)
S.B. No. 113	APPROPRIATION FOR WATER PROJECTS (Energy, Natural Resources & Agriculture)
S.B. No. 47	JUVENILE COURT FILING AMENDMENT (Judiciary)
S.B. No. 52	GROUP CRIMINAL ACTIVITY PENALTIES (Judiciary)
S.B. No. 88	SMALL CLAIMS COURT AMENDMENTS (Judiciary)
S.B. No. 80	PHASE OUT OF INTANGIBLE REDUCTION (Revenue & Taxation)
S.B. No. 86	INDEPENDENT AGENCY AUDITS (State & Local)

reports the Bills to the Senate and asks that they be printed and assigned to the proper committee, and

Mr. President: January 16, 1990

The Senate Rules Committee to which was referred the following House Bills and Resolutions:

H.B. No. 39	REGULATION OF AUTOMATED DIALING SYSTEM (Energy, Natural Resources & Agriculture)
H.B. No. 50	FISHING LICENSE FEE FOR MENTALLY RETARDED (Energy, Natural Resources & Agriculture)
H.C.R. No. 6	WATERFOWL RESOLUTION (Energy, Natural Resources & Agriculture)
H.B. No. 95	PROHIBITION OF CERTAIN ANIMALS AS PETS (Health)
H.J.R. No. 4	RESOLUTION RECOGNIZING MEDIC ALERT PROGRAM (Health)

H.B. No. 35	STATUTE OF LIMITATION AMENDMENT (Judiciary)
H.B. No. 14	FREE DISTRIBUTION OF TOBACCO PRODUCTS (Social Services)
H.B. No. 23	VOLUNTEER ACTIVITIES RISK ALLOCATION (Social Services)
H.B. No. 55	ITEMIZATION OF FEES FOR ADOPTION (Social Services)
H.B. No. 72	EXTENSION OF ADOPTION AUTHORITY (Social Services)
H.B. No. 40	TERMS OF OFFICE FOR COUNTY COMMISSIONERS (State & Local)
H.B. No. 203	SUPPLEMENTAL APPROPRIATIONS ACT (State & Local)

reports the Bills and Resolutions to the Senate and asks that they be assigned to proper committee.

C.E. Peterson,
Rules Committee Chairman

Committee reports read and adopted. President Christensen assigned the bills to the committees indicated.

* * *

On motion of Senator Finlinson. and at 12:00 noon the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:20 p.m., with President Christensen presiding.

INTRODUCTION OF BILLS

VENUE FOR CONSUMER TRANSACTIONS

S.B. No. 124 *Richard J. Carling*

AN ACT RELATING TO JUDICIAL PROCEDURE; AMENDING VENUE PROVISIONS FOR ACTION ON A CONTRACT.

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

AMENDS: 78–13–4, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

INVESTIGATORY POWERS OVER CRIMES IN STATE PRISONS

S.B. No. 125 *Lorin N. Pace*

AN ACT RELATING TO LAW ENFORCEMENT AND CORRECTIONS; AUTHORIZING THE COUNTY SHERIFF TO INVESTIGATE CRIME AT CORRECTIONAL FACILITIES.

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

AMENDS: 64-13-17, AS LAST AMENDED BY CHAPTER 116, LAWS OF UTAH 1987, was read the first time and referred to Rules Committee.

EXPANSION OF SUNSET REVIEW

S.B. No. 126 *Wilford R. Black, Jr., Fred W. Finlinson, Richard J. Carling, K.S. Cornaby, Arnold Christensen, Dix H. McMullin, Cary Peterson*

AN ACT RELATING TO STATE AFFAIRS; INCLUDING CERTAIN BOARDS AND COMMITTEES IN THE SUNSET ACT.

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

ENACTS: 63-55-204, UTAH CODE ANNOTATED 1953; 63-55-220, UTAH CODE ANNOTATED 1953; 63-55-223, UTAH CODE ANNOTATED 1953; 63-55-226, UTAH CODE ANNOTATED 1953; 63-55-240, UTAH CODE ANNOTATED 1953; 63-55-241, UTAH CODE ANNOTATED 1953; 63-55-253, UTAH CODE ANNOTATED 1953; 63-55-262, UTAH CODE ANNOTATED 1953; 63-55-263, UTAH CODE ANNOTATED 1953; 63-55-265, UTAH CODE ANNOTATED 1953; 63-55-267, UTAH CODE ANNOTATED 1953; 63-55-270, UTAH CODE ANNOTATED 1953; 63-55-273, UTAH CODE ANNOTATED 1953; 63-55-277, UTAH CODE ANNOTATED 1953; 63-55-278, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

AUDITS OF STATE LAND LEASES AND PERMITS

S.B. No. 127 *David H. Steele*

AN ACT RELATING TO STATE LANDS; AUTHORIZING THE DIVISION OF STATE LANDS AND FORESTRY TO EXAMINE RECORDS AND INSPECT PREMISES FOR THE PURPOSE OF DETERMINING COMPLIANCE WITH RULES, LEASES, PERMITS, OR CONTRACTS.

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

ENACTS: 65A-1-11, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

DECERTIFICATION OF PEACE OFFICERS

S.B. No. 128 *K.S. Cornaby*

AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES; ESTABLISHING A PANEL FOR ADJUDICATIVE PROCEEDINGS INVOLVING PEACE OFFICERS; REVISING THE PROCEDURES UNDER WHICH DISCIPLINARY ACTION AGAINST A PEACE OFFICER MAY BE TAKEN.

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

AMENDS: 67-15-2.1, AS ENACTED BY CHAPTER 161, LAWS OF UTAH 1987.

ENACTS: 67-15-10.4, UTAH CODE ANNOTATED 1953.

REPEALS AND REENACTS: 67-15-10.5, AS LAST AMENDED BY CHAPTER 135, LAWS OF UTAH 1988, was read the first time and referred to Rules Committee.

EARLY GRADUATION INCENTIVES AMENDMENTS

S.B. No. 129 *Dix H. McMullin, C.E. Peterson, Stephen J. Rees*

AN ACT RELATING TO PUBLIC EDUCATION; ALLOWING EARLY GRADUATION ANY TIME BETWEEN THE CONCLUSION OF THE ELEVENTH GRADE AND THE CONCLUSION OF THE TWELFTH GRADE; AND PROVIDING FOR PROPORTIONATELY REDUCED INCENTIVES.

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

AMENDS: 53A-5-102, AS ENACTED BY CHAPTER 173, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

FAIR MARKET VALUE DETERMINATION

S.B. No. 130 *Lane Beattie, Dix H. McMullin, Arnold Christensen*

AN ACT RELATING TO REVENUE AND TAXATION; ESTABLISHING PROCEDURES FOR DETERMINING FAIR MARKET VALUE; AND PROVIDING RETROSPECTIVE OPERATION.

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

AMENDS: 59-2-102, AS LAST AMENDED BY CHAPTER 204, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

INCOME TAX - AMENDMENTS

S.B. No. 131 *Wilford R. Black, Jr., Omar B. Bunnell, Frances Farley, Karl G. Swan, Paul T. Fordham, Eldon A. Money*

AN ACT RELATING TO REVENUE AND TAXATION; CHANGING THE INCOME TAX BRACKETS; INDEXING THEM FOR INFLATION; ELIMINATING THE DEDUCTION FOR FEDERAL TAXES PAID; PROVIDING FOR REDUCED CLASSROOM SIZE IN PUBLIC SCHOOLS; MAKING OTHER TECHNICAL CORRECTIONS; AND PROVIDING RETROSPECTIVE OPERATION.

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

AMENDS: 53A-17-103, AS LAST AMENDED BY CHAPTER 279, LAWS OF UTAH 1989; 53A-17-106, AS LAST AMENDED BY CHAPTER 279, LAWS OF UTAH 1989; 59-10-104, AS LAST AMENDED BY CHAPTER 4, LAWS OF UTAH 1989, SECOND SPECIAL SESSION; 59-10-114, AS LAST AMENDED BY CHAPTERS 2, 4, AND 7, LAWS OF UTAH 1989, SECOND SPECIAL SESSION, was read the first time and referred to Rules Committee.

GOVERNANCE OF PUBLIC EDUCATION

S.B. No. 132 *Dixie L. Leavitt, Karl G. Swan, David H. Steele, Haven J. Barlow, Cary Peterson, C.E. Peterson, Lorin N. Pace, Omar B. Bunnell, Dix H. McMullin*

AN ACT RELATING TO PUBLIC EDUCATION; PROVIDING FOR A TASK FORCE ON THE GOVERNANCE OF PUBLIC EDUCATION; PROVIDING FOR STAFF AND SUPPORT SERVICES; PROVIDING FOR A REPORT TO THE LEGISLATURE; PROVIDING AN APPROPRIATION OF $25,000; AND PROVIDING AN EFFECTIVE DATE.

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

SEX OFFENDER TREATMENT

S.B. No. 133 *Karl G. Swan, Lyle L. Hillyard, Boyd K. Storey*

AN ACT RELATING TO CRIMINAL LAW; PROVIDING AN EXEMPTION ALLOWING SEXUALLY EXPLICIT MATERIALS TO BE USED FOR TREATMENT OF CRIMINAL OFFENDERS.

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

AMENDS: 76-10-1226, AS ENACTED BY CHAPTER 93, LAWS OF UTAH 1977.

ENACTS: 76-10-1207.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

CHIROPRACTIC IMPROVEMENT AMENDMENTS

S.B. No. 134 *Dix H. McMullin*

AN ACT RELATING TO OCCUPATIONS AND PROFESSIONS; ALLOWING ONLY LICENSED OSTEOPATHIC PHYSICIANS, MEDICAL DOCTORS, INTERNS, SUPERVISED STUDENTS, AND CHIROPRACTORS TO DIAGNOSE OR TREAT THE SPINE.

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

AMENDS: 58-12-51.6, AS LAST AMENDED BY CHAPTER 187, LAWS OF UTAH 1985, was read the first time and referred to Rules Committee.

CANCELLATION OF AUTOMOBILE PURCHASE

S.B. No. 135 *John P. Holmgren*

AN ACT RELATING TO CONSUMER PROTECTION; PROVIDING A RIGHT OF RETURN AND CANCELLATION OF AN AUTOMOBILE PURCHASE.

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

ENACTS: 13-20a-1, UTAH CODE ANNOTATED 1953; 13-20a-2, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

CONTINUITY OF GOVERNMENT ACT

S.B. No. 136 *K.S. Cornaby*

AN ACT RELATING TO EMERGENCY MANAGEMENT; PROVIDING FOR THE CONTINUITY OF GOVERNMENT FUNCTIONS IN AN EMERGENCY; PROVIDING FOR GUBERNATORIAL SUCCESSION; AND PROVIDING OTHER EMERGENCY INTERIM SUCCESSION PROCEDURES.

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

ENACTS: 63-5b-101, UTAH CODE ANNOTATED 1953; 63-5b-102, UTAH CODE ANNOTATED 1953; 63-5b-201, UTAH CODE ANNOTATED 1953; 63-5b-202, UTAH CODE ANNOTATED 1953; 63-5b-301, UTAH CODE ANNOTATED 1953; 63-5b-302, UTAH CODE ANNOTATED 1953; 63-5b-303, UTAH CODE ANNOTATED 1953; 63-5b-304, UTAH CODE ANNOTATED 1953; 63-5b-401, UTAH CODE ANNOTATED 1953; 63-5b-501, UTAH CODE ANNOTATED 1953; 63-5b-601, UTAH CODE ANNOTATED 1953; 63-5b-602, UTAH CODE ANNOTATED 1953; 63-5b-603, UTAH CODE ANNOTATED 1953; 63-5b-604, UTAH CODE ANNOTATED 1953; 63-5b-701, UTAH CODE ANNOTATED 1953; 63-5b-702, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

SECOND READING CALENDAR

On motion of Senator McMullin, under suspension of the rules, H.J.R. No. 8, JOINT RULES RESOLUTION, was read the second time.

Senator McMullin moved the following amendment:

Page 1, Line 22:
Delete "CHANGING THE TIME FOR MAKING REQUESTS FOR LEGISLATION;"

Page 1, Line 23:
Delete "THOSE" and after "REQUESTS" insert "FOR LEGISLATION"

Page 2, Lines 4-10:
Delete lines 4 through 10 and insert:

"During the interim, the Research and General Counsel Subcommittee shall consider and prioritize all requests for legislation, over ten, received from any legislator.

During the annual general session, the House Rules Committee, if it is a representative, and the Senate Rules Committee, if it is a senator, shall consider and prioritize all requests for legislation, over ten, received from any legislator.

These limitations do not include resolutions."

Senators McMullin, Leavitt, Tempest, Hillyard, Carling, C.E. Peterson, Farley and McAllister commented.

The motion passed on a voice vote and the amendments were placed in the resolution.

On motion of Senator McMullin ,the resolution was circled.

* * *

S.B. No. 22, REVISION TO STATE HIGHWAYS, was read the second time.

Mr. President: January 10, 1990

The Senate Transportation & Public Safety Standing Committee, to which was referred S.B. No. 22, REVISION TO STATE HIGHWAYS, by Senator Alarik Myrin, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Glade Nielsen,
Committee Chairman

Committee report read and adopted. Senators Myrin, McMullin, and Black commented. The bill remained as unfinished business.

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S.B. No. 21 and H.J.R. No. 8 were placed on Second Reading Table

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On motion of Senator McMullin and at 2:50 p.m. the Senate adjourned until 10:00 a.m. Wednesday, January 17, 1990.

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, except Senator Barton, excused.
Prayer – Reverend James Schaedler, Assemblies of God.

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: January 17, 1990

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.

Boyd K. Storey
Committee Chairman

Committee report read and adopted.

COMMUNICATIONS FROM HOUSE

Mr. President: January 16, 1990

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 3**, DOMESTIC VIOLENCE PROSECUTION RESOLUTION, by Representative Joanne R. Miller, 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. 1**, POLITICAL CONTRIBUTION DISCLOSURE, by Representative Robert A. Slack, and the 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. 29**, HEALTH CARE INSURANCE TASK FORCE, by Representative Joseph M. 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. 52**, DOMESTIC VIOLENCE AMENDMENTS, by

Representative R. Mont Evans, 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. 54**, DOMESTIC VIOLENCE NO-CONTACT REQUIREMENTS, by Representative R. Mont Evans, 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**, OVERSIGHT OF PORTS OF ENTRY, by Representative Stephen M. Bodily, 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. 108**, INTERFERENCE WITH ARRESTING OFFICER – AMENDMENT, by Representative Daniel H. Tuttle, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives this day passed **H.B. No. 109**, AMENDMENTS TO CONTROLLED SUBSTANCES ACT, by Representative Walt Bain, and the 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. 121**, INTERNATIONAL FUEL TAX AGREEMENT, by Representative Christine R. Fox, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.J.R. No. 3, SEC. SUB. H.B. No. 1 and **H.B. Nos. 29, 52, 54, 92, 108, 109** and **121** were read the first time and referred to Rules Committee.

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B. Nos. 45, 66, S.J.R. No. 2** and **H.B. No. 107**, and the bills and resolutions were placed on Second Reading Calendar.

INTRODUCTION OF BILLS

TASK FORCE ON JUVENILE ARSON

S.B. No. 137 *Fred W. Finlinson*

AN ACT RELATING TO JUVENILES AND THE CRIMINAL LAW; CREATING A TASK FORCE ON JUVENILE ARSON; ESTABLISHING

MEMBERSHIP OF THE TASK FORCE; ESTABLISHING THE POWERS AND DUTIES OF THE TASK FORCE; APPROPRIATING $25,000 FROM THE GENERAL FUND TO THE OFFICE OF LEGISLATIVE RESEARCH AND GENERAL COUNSEL; AND PROVIDING AN EFFECTIVE DATE.

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

ENACTS: 63-25a-1, UTAH CODE ANNOTATED 1953; 63-25a-2, UTAH CODE ANNOTATED 1953; 63-25a-3, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

INSURANCE CODE AMENDMENTS

S.B. No. 138 *C.E. Peterson*

AN ACT RELATING TO INSURANCE; GRANTING CERTAIN POWERS TO RECIPROCAL INSURERS AND INTERINSURANCE EXCHANGES; CLARIFYING APPEALS PROCEDURES; PROVIDING NOTICE OF TERMINATION OF COVERAGE; CLARIFYING DUTIES OF TITLE INSURANCE AGENTS AND MOTOR VEHICLE PERSONAL INJURY PROTECTION COVERAGE; INCREASING MINIMUM CAPITAL REQUIREMENTS TO HEALTH MAINTENANCE ORGANIZATIONS; AND MAKING TECHNICAL CORRECTIONS.

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

AMENDS: 31A-1-103, AS LAST AMENDED BY CHAPTERS 68 AND 182, LAWS OF UTAH 1989; 31A-8-103, AS ENACTED BY CHAPTER 204, LAWS OF UTAH 1986; 31A-8-212, AS LAST AMENDED BY CHAPTER 261, LAWS OF UTAH 1989; 31A-8-402, AS ENACTED BY CHAPTER 204, LAWS OF UTAH 1986; 31A-19-413, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985;31A-19-414, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 31A-22-307, AS LAST AMENDED BY CHAPTER 261, LAWS OF UTAH 1989; 31A-22-308, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 31A-22-607, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 31A-22-704, AS LAST AMENDED BY CHAPTER 95, LAWS OF UTAH 1987; 31A-23-211, AS LAST AMENDED BY CHAPTER 95, LAWS OF UTAH 1987; 31A-23-216, AS LAST AMENDED BY CHAPTER 261, LAWS OF UTAH 1989; 31A-26-213, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985.

ENACTS: 31A-4-114, UTAH CODE ANNOTATED 1953; 31A-22-716, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

UTAH ADMINISTRATIVE RULEMAKING ACT REVISION

S.B. No. 139 *LeRay McAllister*

AN ACT RELATING TO STATE AFFAIRS; AMENDING THE UTAH ADMINISTRATIVE RULEMAKING ACT; DEFINING THE DIVISION OF ADMINISTRATIVE RULES; CLARIFYING THE FIVE-YEAR REVIEW OF AGENCY RULES; AND MAKING TECHNICAL CHANGES.

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

AMENDS: 63-46a-2, AS LAST AMENDED BY CHAPTER 72, LAWS OF UTAH 1988; 63-46a-3, AS LAST AMENDED BY CHAPTER 72, LAWS OF UTAH 1988; 63-46a-4, AS LAST AMENDED BY CHAPTER 241, LAWS OF UTAH 1987; 63-46a-7, AS LAST AMENDED BY CHAPTER 241, LAWS OF UTAH 1987; 63-46a-9, AS LAST AMENDED BY CHAPTER 241, LAWS OF UTAH 1987; 63-46a-10, AS LAST AMENDED BY CHAPTER 241, LAWS OF UTAH 1987; 63-46a-11, AS LAST AMENDED BY CHAPTER 90, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

COMPENSATION FOR TEACHING EXPERIENCE

S.B. No. 140 *Lorin N. Pace*

AN ACT RELATING TO PUBLIC SCHOOLS; REQUIRING LOCAL SCHOOL BOARDS TO MAKE FINDINGS OF FACT AS TO AN INDIVIDUALS TOTAL TEACHING EXPERIENCE AND COMPENSATE THE INDIVIDUAL FOR THAT EXPERIENCE IF HIRED BY THE BOARD; AND PROVIDING AN EFFECTIVE DATE.

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

ENACTS: 53A-3-418, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

ALCOHOLIC BEVERAGE LAWS REVISIONS

S.B. No. 141 *Arnold Christensen, Cary G. Peterson, Dix McMullin Wilford R. Black, Jr., Eldon A. Money, Richard J. Carling, C.E. Peterson, Stephen J. Rees, Dixie Leavitt, Paul T. Fordham, Winn L. Richards, Lorin N. Pace, K.S. Cornaby, Lane Beattie, David H. Steele, John Holmgren, Lyle L. Hillyard, Richard B. Tempest, Fred W. Finlinson, Boyd K. Storey, Alarik Myrin, Craig Peterson*

AN ACT RELATING TO ALCOHOLIC BEVERAGES; COMPLETELY REVISING THE ALCOHOLIC BEVERAGE CONTROL LAWS OF UTAH;

APPROPRIATING $300,000 FROM THE GENERAL FUND FOR LIQUOR LAW IMPLEMENTATION AND ENFORCEMENT; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 11-10-1, AS LAST AMENDED BY CHAPTER 138, LAWS OF UTAH 1977; 11-10-2, AS ENACTED BY CHAPTER 24, LAWS OF UTAH 1959; 11-10-3, AS ENACTED BY CHAPTER 24, LAWS OF UTAH 1959; 11-10-4, AS ENACTED BY CHAPTER 24, LAWS OF UTAH 1959; 41-6-44.20, AS LAST AMENDED BY CHAPTERS 92 AND 138, LAWS OF UTAH 1987; 76-10-1506, AS ENACTED BY CHAPTER 72, LAWS OF UTAH 1979.

ENACTS: 32A-1-122, UTAH CODE ANNOTATED 1953; 32A-4-201, UTAH CODE ANNOTATED 1953; 32A-4-202, UTAH CODE ANNOTATED 1953; 32A-4-203, UTAH CODE ANNOTATED 1953; 32A-4-204, UTAH CODE ANNOTATED 1953; 32A-4-205, UTAH CODE ANNOTATED 1953; 32A-4-206, UTAH CODE ANNOTATED 1953; 32A-4-207, UTAH CODE ANNOTATED 1953; 32A-10-201, UTAH CODE ANNOTATED 1953; 32A-10-202, UTAH CODE ANNOTATED 1953; 32A-10-203, UTAH CODE ANNOTATED 1953; 32A-10-204, UTAH CODE ANNOTATED 1953; 32A-10-205, UTAH CODE ANNOTATED 1953; 32A-10-206, UTAH CODE ANNOTATED 1953; 32A-12-206, UTAH CODE ANNOTATED 1953; 32A-12-213, UTAH CODE ANNOTATED 1953; 32A-12-217, UTAH CODE ANNOTATED 1953.

RENUMBERS AND AMENDS: 32A-1-101, (RENUMBERED FROM 32A-1-1, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-1-102, (RENUMBERED FROM 32A-1-2, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-1-103, (RENUMBERED FROM 32A-1-3, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-1-104, (RENUMBERED FROM 32A-1-4, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-1-105, (RENUMBERED FROM 32A-1-5, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-1-106, (RENUMBERED FROM 32A-1-6, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-1-107, (RENUMBERED FROM 32A-1-7, AS L 32A-1-107, (RENUMBERED FROM 32A-1-7, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987); 32A-1-108, (RENUMBERED FROM 32A-1-8, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-1-109, (RENUMBERED FROM 32A-1-9, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-1-110, (RENUMBERED FROM 32A-1-10, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-1-111, (RENUMBERED FROM 32A-1-11, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-1-112, (RENUMBERED FROM 32A-1-12, AS

ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-1-113, (RENUMBERED FROM 32A-1-13, AS LAST AMENDED BY CHAPTER 1, LAWS OF UTAH 1986, FOURTH SPECIAL SESSION); 32A-1-114, (RENUMBERED FROM 32A-1-7.5, AS RENUMBERED AND AMENDED BY CHAPTER 2, LAWS OF UTAH 1987); 32A-1-115, (RENUMBERED FROM 32A-1-14, AS LAST AMENDED BY CHAPTER 2, LAWS OF UTAH 1987); 32A-1-116, (RENUMBERED FROM 32A-1-15, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-1-117, (RENUMBERED FROM 32A-1-17, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-1-118, (RENUMBERED FROM 32A-1-18, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-1-119, (RENUMBERED FROM 32A-1-19, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987); 32A-1-120, (RENUMBERED FROM 32A-1-20, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987); 32A-1-121, (RENUMBERED FROM 32A-1-16, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-1-201, (RENUMBERED FROM 32A-1-21, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-1-202, (RENUMBERED FROM 32A-1-22, AS LAST AMENDED BY CHAPTER 28, LAWS OF UTAH 1988); 32A-1-203, (RENUMBERED FROM 32A-1-23, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-1-204, (RENUMBERED FROM 32A-1-24, AS LAST AMENDED BY CHAPTER 169, LAWS OF UTAH 1988); 32A-1-205, (RENUMBERED FROM 32A-1-25, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-1-301, (RENUMBERED FROM 32A-16-7, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-1-302, (RENUMBERED FROM 32A-16-8, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-1-303, (RENUMBERED FROM 32A-16-9, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-1-304, (RENUMBERED FROM 32A-16-10, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-1-305, (RENUMBERED FROM 32A-16-13, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-1-401, (RENUMBERED FROM 32A-17-3, AS LAST AMENDED BY CHAPTER 242, LAWS OF UTAH 1988); 32A-1-501, (RENUMBERED FROM 32A-1-26, AS ENACTED BY CHAPTER 8, LAWS OF UTAH 1988); 32A-1-502, (RENUMBERED FROM 32A-1-27, AS ENACTED BY CHAPTER 8, LAWS OF UTAH 1988); 32A-1-503, (RENUMBERED FROM 32A-1-28, AS ENACTED BY CHAPTER 8, LAWS OF UTAH 1988); 32A-1-504, (RENUMBERED FROM 32A-1-29, AS ENACTED BY CHAPTER 8, LAWS OF UTAH 1988); 32A-1-505, (RENUMBERED FROM 32A-1-30, AS ENACTED BY CHAPTER 8, LAWS OF UTAH 1988); 32A-2-101, (RENUMBERED FROM 32A-2-1, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-2-102, (RENUMBERED FROM 32A-2-2, AS ENACTED BY CHAPTER 175, LAWS

OF UTAH 1985); 32A-2-103, (RENUMBERED FROM 32A-2-3, AS LAST AMENDED BY CHAPTER 77, LAWS OF UTAH 1988); 32A-2-104, (RENUMBERED FROM 32A-2-4, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-3-101, (RENUMBERED FROM 32A-3-1, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-3-102, (RENUMBERED FROM 32A-3-4, AS LAST AMENDED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-3-103, (RENUMBERED FROM 32A-3-2, AS ENACTED BY CHAPTER 161, LAWS OF UTAH 1987); 32A-3-104, (RENUMBERED FROM 32A-3-3, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-3-105, (RENUMBERED FROM 32A-3-5, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-3-106, (RENUMBERED FROM 32A-3-6, AS LAST AMENDED BY CHAPTER 256, LAWS OF UTAH 1989); 32A-3-107, (RENUMBERED FROM 32A-3-7, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-3-108, (RENUMBERED FROM 32A-3-8, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-4-101, (RENUMBERED FROM 32A-4-1, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-4-102, (RENUMBERED FROM 32A-4-4, AS LAST AMENDED BY CHAPTER 77, LAWS OF UTAH 1988); 32A-4-103, (RENUMBERED FROM 32A-4-2, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987); 32A-4-104, (RENUMBERED FROM 32A-4-3, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-4-105, (RENUMBERED FROM 32A-4-5, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-4-106, (RENUMBERED FROM 32A-4-6, AS LAST AMENDED BY CHAPTER 256, LAWS OF UTAH 1989); 32A-4-107, (RENUMBERED FROM 32A-4-7, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-5-101, (RENUMBERED FROM 32A-5-1, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-5-102, (RENUMBERED FROM 32A-5-5, AS LAST AMENDED BY CHAPTER 263, LAWS OF UTAH 1989); 32A-5-103, (RENUMBERED FROM 32A-5-3, AS LAST AMENDED BY CHAPTERS 92 AND 161, LAWS OF UTAH 1987); 32A-5-104, (RENUMBERED FROM 32A-5-4, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-5-105, (RENUMBERED FROM 32A-5-2, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-5-106, (RENUMBERED FROM 32A-5-6, AS LAST AMENDED BY CHAPTER 92, LAWS OF UTAH 1987); 32A-5-107, (RENUMBERED FROM 32A-5-7, AS LAST AMENDED BY CHAPTER 256, LAWS OF UTAH 1989); 32A-5-108, (RENUMBERED FROM 32A-5-8, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-6-101, (RENUMBERED FROM 32A-6-1, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-6-102, (RENUMBERED FROM 32A-6-4, AS LAST AMENDED BY CHAPTER 77, LAWS OF UTAH 1988); 32A-6-103,

(RENUMBERED FROM 32A-6-2, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987); 32A-6-104, (RENUMBERED FROM 32A-6-3, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-6-105, (RENUMBERED FROM 32A-6-8, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-6-201, (RENUMBERED FROM 32A-6-7, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-6-202, (RENUMBERED FROM 32A-6-11, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-6-301, (RENUMBERED FROM 32A-6-6, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-6-302, (RENUMBERED FROM 32A-6-9, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-6-401, (RENUMBERED FROM 32A-6-5, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-6-501, (RENUMBERED FROM 32A-6-10, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-6-601, (RENUMBERED FROM 32A-6-12, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-6-602, (RENUMBERED FROM 32A-6-13, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-7-101, (RENUMBERED FROM 32A-7-1, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-7-102, (RENUMBERED FROM 32A-7-4, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-7-103, (RENUMBERED FROM 32A-7-2, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987); 32A-7-104, (RENUMBERED FROM 32A-7-3, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-7-105, (RENUMBERED FROM 32A-7-5, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-7-106, (RENUMBERED FROM 32A-7-6, AS LAST AMENDED BY CHAPTER 92, LAWS OF UTAH 1987); 32A-8-101, (RENUMBERED FROM 32A-8-1, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-8-102, (RENUMBERED FROM 32A-8-4, AS LAST AMENDED BY CHAPTER 77, LAWS OF UTAH 1988); 32A-8-103, (RENUMBERED FROM 32A-8-2, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987); 32A-8-104, (RENUMBERED FROM 32A-8-3, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-8-105, (RENUMBERED FROM 32A-8-5, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-8-106, (RENUMBERED FROM 32A-8-6, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-8-201, (RENUMBERED FROM 32A-8-7, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-8-301, (RENUMBERED FROM 32A-8-8, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-8-401, (RENUMBERED FROM 32A-8-9, AS LAST AMENDED BY CHAPTER 45, LAWS OF UTAH 1988); 32A-9-101, (RENUMBERED FROM 32A-9-1, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-9-102, (RENUMBERED FROM 32A-9-4, AS LAST

AMENDED BY CHAPTER 77, LAWS OF UTAH 1988); 32A-9-103, (RENUMBERED FROM 32A-9-2, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987); 32A-9-104, (RENUMBERED FROM 32A-9-3, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-9-105, (RENUMBERED FROM 32A-9-5, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-9-106, (RENUMBERED FROM 32A-9-6, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-10-101, (RENUMBERED FROM 32A-10-7, AS LAST AMENDED BY CHAPTER 77, LAWS OF UTAH 1988); 32A-10-102, (RENUMBERED FROM 32A-10-8, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-11-101, (RENUMBERED FROM 32A-10-1, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-11-102, (RENUMBERED FROM 32A-10-4, AS LAST AMENDED BY CHAPTER 77, LAWS OF UTAH 1988); 32A-11-103, (RENUMBERED FROM 32A-10-2, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987); 32A-11-104, (RENUMBERED FROM 32A-10-3, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-11-105, (RENUMBERED FROM 32A-10-5, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-11-106, (RENUMBERED FROM 32A-10-6, AS LAST AMENDED BY CHAPTER 177, LAWS OF UTAH 1986); 32A-12-101, (RENUMBERED FROM 32A-12-1, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-102, (RENUMBERED FROM 32A-12-2, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-103, (RENUMBERED FROM 32A-12-3, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-104, (RENUMBERED FROM 32A-12-4, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-105, (RENUMBERED FROM 32A-12-5, AS LAST AMENDED BY CHAPTER 225, LAWS OF UTAH 1989); 32A-12-201, (RENUMBERED FROM 32A-12-6, AS LAST AMENDED BY CHAPTER 262, LAWS OF UTAH 1989); 32A-12-202, (RENUMBERED FROM 32A-12-7, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-203, (RENUMBERED FROM 32A-12-8, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-204, (RENUMBERED FROM 32A-12-9, AS LAST AMENDED BY CHAPTER 177, LAWS OF UTAH 1986); 32A-12-205, (RENUMBERED FROM 32A-12-10, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-207, (RENUMBERED FROM 32A-12-11, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-208, (RENUMBERED FROM 32A-12-12, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-209, (RENUMBERED FROM 32A-12-13, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-210, (RENUMBERED FROM 32A-12-13.3, AS ENACTED BY CHAPTER 82, LAWS OF UTAH 1986); 32A-12-211, (RENUMBERED FROM 32A-12-13.5, AS ENACTED BY CHAPTER 82,

LAWS OF UTAH 1986); 32A-12-212, (RENUMBERED FROM 32A-12-14, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-214, (RENUMBERED FROM 32A-12-15, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-215, (RENUMBERED FROM 32A-12-15.3, AS ENACTED BY CHAPTER 262, LAWS OF UTAH 1989); 32A-12-216, (RENUMBERED FROM 32A-12-21, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-218, (RENUMBERED FROM 32A-12-18, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-219, (RENUMBERED FROM 32A-12-19, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-220, (RENUMBERED FROM 32A-12-20, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-221, (RENUMBERED FROM 32A-12-13.7, AS ENACTED BY CHAPTER 82, LAWS OF UTAH 1986); 32A-12-301, (RENUMBERED FROM 32A-12-16, AS LAST AMENDED BY CHAPTER 28, LAWS OF UTAH 1988); 32A-12-302, (RENUMBERED FROM 32A-12-17, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-303, (RENUMBERED FROM 32A-12-32, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-304, (RENUMBERED FROM 32A-12-33, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-305, (RENUMBERED FROM 32A-12-34, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-306, (RENUMBERED FROM 32A-12-35, AS LAST AMENDED BY CHAPTER 92, LAWS OF UTAH 1987); 32A-12-307, (RENUMBERED FROM 32A-12-36, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-308, (RENUMBERED FROM 32A-12-37, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-309, (RENUMBERED FROM 32A-12-31, AS LAST AMENDED BY CHAPTER 92, LAWS OF UTAH 1987); 32A-12-401, (RENUMBERED FROM 32A-12-22, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-402, (RENUMBERED FROM 32A-12-23, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-403, (RENUMBERED FROM 32A-12-24, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-404, (RENUMBERED FROM 32A-12-31, AS LAST AMENDED BY CHAPTER 92, LAWS OF UTAH 1987); 32A-12-501, (RENUMBERED FROM 32A-12-25, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-502, (RENUMBERED FROM 32A-12-26, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-503, (RENUMBERED FROM 32A-12-27, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-504, (RENUMBERED FROM 32A-12-28, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-505, (RENUMBERED FROM 32A-12-29, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-12-506, (RENUMBERED FROM 32A-12-30, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-13-101,

(RENUMBERED FROM 32A-13-1, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-13-102, (RENUMBERED FROM 32A-13-2, AS LAST AMENDED BY CHAPTER 187, LAWS OF UTAH 1989); 32A-13-103, (RENUMBERED FROM 32A-13-3, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-13-104, (RENUMBERED FROM 32A-13-4, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-13-105, (RENUMBERED FROM 32A-13-5, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-13-106, (RENUMBERED FROM 32A-13-6, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-13-107, (RENUMBERED FROM 32A-13-7, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-13-108, (RENUMBERED FROM 32A-13-8, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-13-109, (RENUMBERED FROM 32A-13-9, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-14-101, (RENUMBERED FROM 32A-14-1, AS LAST AMENDED BY CHAPTER 240, LAWS OF UTAH 1989); 32A-14-102, (RENUMBERED FROM 32A-14-2, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-15-101, (RENUMBERED FROM 32A-15-1, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-15-102, (RENUMBERED FROM 32A-15-2, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-15-103, (RENUMBERED FROM 32A-15-3, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-15-104, (RENUMBERED FROM 32A-15-4, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-15-105, (RENUMBERED FROM 32A-15-5, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-15-106, (RENUMBERED FROM 32A-15-6, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-15-107, (RENUMBERED FROM 32A-15-7, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985); 32A-15-108, (RENUMBERED FROM 32A-15-8, AS ENACTED BY CHAPTER 175, LAWS OF UTAH 1985), was read the first time and referred to Rules Committee.

STANDING COMMITTEE REPORT

Mr. President: January 16, 1990

The State and Local Affairs Committee, to which was referred **S.B. No. 78**, POST-RETIREMENT RESTRICTIONS FOR ELECTED OFFICIALS, by Senator Barlow, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Craig A. Peterson
Committee chairman

Committee report read and adopted. **S.B. No. 78** was read the second time and placed on the Consent Calendar.

THIRD READING CALENDAR

S.B. No. 27, GRAND JURY REFORM, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Barton	McMullin	Pace

S.B. No. 27, as amended, was transmitted to the House.

* * *

On motion of Senator Beattie, S.B. No. 37, MORTGAGE LENDING AND SERVICING ACT, was read the third time and circled.

COMMITTEE OF THE WHOLE

United States Senator E.J. "Jake" Garn spoke in the Committee of the Whole.

* * *

On motion of Senator Beattie, the circle was removed from S.B. No. 37, MORTGAGE LENDING AND SERVICING ACT, and he explained the bill. The bill passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 6

Voting in the affirmative were: Senators

Barlow	Beattie	Carling	Cornaby
Farley	Finlinson	Hillyard	Leavitt

McAllister	McMullin	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Steele	Storey	Swan
Tempest	Pres. Christensen		

Voting in the negative was: Senator Black

Absent or not voting were: Senators

Barton	Bunnell	Fordham	Holmgren
Money	Richards		

S.B. No. 37 was transmitted to the House.

* * *

S.B. No. 12, UTAH OUTDOOR ADVERTISING LIMITATION, was read the third time and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Carling
Cornaby	Farley	Finlinson	Hillyard
Holmgren	Leavitt	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barton	Bunnell	Fordham	McAllister

S.B. No. 12, as amended, was transmitted to the House.

SECRETARY OF SENATE REPORT

A committee report has been received on S.B. No. 113, and the bill was placed on the Second Reading Calendar.

On motion of Senator Leavitt, under suspension of the rules, the bill will be considered at 11:20 a.m.

SECOND READING CALENDAR

S.B. No. 22, REVISION OF STATE HIGHWAYS, was before the Senate as unfinished business and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Beattie	Black	Carling	Cornaby
Farley	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Barlow	Barton	Bunnell

* * *

S.B. No. 17, TELECOMMUNICATIONS TAXATION, was read the second time.

Mr. President: January 11, 1990

The Revenue and Taxation Standing Committee, to which was referred S.B. No. 17, TELECOMMUNICATIONS TAXATION, by Senator Lyle Hillyard, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 10, line 18:
After "existed" insert "regarding interstate retail long distance charges and carrier access charges"

Lorin N. Pace
Committee chairman

Committee report read and adopted. Senator Hillyard explained the bill. Senators McAllister, Bunnell, and Black commented. Senator Bunnell moved the following amendments:

Page 10, Line 13
delete "1999" and insert "1995".

The motion failed on a voice vote. The bill passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Cornaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Voting in the negative was: Senator
McAllister

Absent or not voting were: Senators

Barton	Carling	Peterson, Craig

* * *

On motion of Senator McMullin, H.J.R. No. 8. JOINT RULES RESOLUTION, was lifted from Second Reading Table.

On motion of Senator McMullin, the resolution was amended as follows:

Page 2, Line 10:
After 2nd paragraph of tan copy insert:
"No more than 350 bills may be filed in the House of Representatives and no more than 350 bills may be filed in the Senate without the approval of the House Rules Committee or Senate Rules Committee, respectively."

On motion of Senator C.E. Peterson, under suspension of the rules, the resolution was read the third time and passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell

Farley	Finlinson	Fordham	Hillyard
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Rees	Richards	Steele
Storey	Swan	Pres. Christensen	

Voting in the negative was: Senator Tempest

Absent or not voting were: Senators

Barton	Carling	Comaby	Holmgren
Peterson, Craig			

H.J.R. No. 8, as amended, was returned to the House.

* * *

On motion of Senator McMullin, under suspension of the rules, S.B. No. 113, APPROPRIATION FOR WATER PROJECTS, was read the second time.

Mr. President January 17, 1990

The Senate Energy, Natural Resources and Agriculture Committee, to which was referred S.B. No. 113, APPROPRIATION FOR WATER PROJECTS, by Senator Dixie L. Leavitt 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. The bill was explained by Senator Leavitt. Senators Black, Bunnell, Hillyard, C.E. Peterson, and McMullin commented. Ronald W. Thompson, District Manager of the Washington County Water Conservancy spoke in Committee of the Whole. Senators Finlinson and Cary Peterson commented.

On motion of Senator McAllister, the bill was amended as follows:

Page 1, Line 11
delete "$20,000,000" and insert "$12,500,000"

Page 1, Line 17
delete "$15,000,000" and insert "$12,500,000"

Page 1, Lines 19 and 20
delete "of which an amount not to exceed $12,500,000 may be used"

Page 1, Lines 22 through 28
delete entirely

Page 1, Line 29
delete "(3)' and insert "(2)"

On motion of Senator Leavitt, under suspension of the rules, the bill was read the third time and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Farley	Finlinson (conflict)	
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Richards	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barton	Cornaby	Pace	Rees
Steele			

S.B. No. 113, as amended, was transmitted to the House.

* * *

S.J.R. No. 5, INCOME TAX EARMARK AMENDMENT, was read the second time.

Mr. President: January 11, 1990

The Revenue and Taxation Standing Committee to which was referred S.J.R. No. 5, INCOME TAX EARMARK AMENDMENT, by Senator Karl G. Swan, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lorin N. Pace
Committee chairman

Committee report read and adopted. Senators Swan, McAllister, Hillyard, Black, and Bunnell commented.

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On motion of Senator Cary Peterson, S.B. No. 21 was lifted from the Second Reading Table to the top of the Second Reading Calendar.

* * *

On motion of Senator Cary Peterson and at 12:00 noon, the Senate adjourned until 10:00 a.m. Thursday, January 18, 1990.

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, except Senator Rees, excused.
Prayer – Reverend Jerold Woolf, First Church of the Nazarene

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: January 18, 1990

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.

Boyd K. Storey
Committee Chairman

Committee report read and adopted.

COMMUNICATIONS FROM HOUSE

Mr. President: January 17, 1990

I am directed to inform the Senate that the House of Representatives has this day passed S.J.R. No. 12, COMPENSATION OF LEGISLATIVE IN-SESSION EMPLOYEES, by Senator Glade Nielsen, 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, Chief Clerk

S.J.R. No. 12 was signed by the President of the Senate in open session and referred to Rules Committee to be enrolled and transmitted to the Lieutenant Governor.

* * *

Mr. President: January 17, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, on Consent Calendar, H.J.R. No. 10, COMMEMORATIVE RESOLUTION FOR HOWARD D. JOHNSON, by Representative Gene Davis, and the 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, **SUB. H.B. No. 37**, TRAFFIC RIGHT-OF-WAY AMENDMENTS, by Representative Brent H. 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, **H.B. No. 77**, ENFORCEMENT OF NEW MOTOR VEHICLES WARRANTIES, by Representative Grant D. Protzman, and the 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. 81**, IMPERSONATING A PEACE OFFICER, by Representative Frank R. Pignanelli, and the 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. 89**, STOPPING AT PORTS OF ENTRY, by Representative Stephen M. Bodily, 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. 140**, AGRICULTURE AMENDMENTS, by Representative Lee Allen, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.J.R. No. 10, Sub. H.B. No. 37, and H.B. Nos. 77, 81, 89,, and 140 were read the first time and referred to Rules Committee.

RULES COMMITTEE REPORT

Mr. President: January 18, 1990

The Senate Rules Committee to which was referred the following Senate Bills and Resolutions:

S.B. No. 82	AMENDMENTS TO EMPLOYMENT SECURITY ACT (Business, Labor & Economic Development)
S.B. No. 98	TITLE 53A REVISIONS – PUBLIC EDUCATION (Education)
S.J.R. No. 16	PROMOTING MATH AND SCIENCE (Education)
S.B. No. 115	PUBLIC TELECOMMUNICATIONS AMENDMENTS (Energy, Natural Resources & Agriculture)
S.B. No. 58	STANDARDIZED EMISSION INSPECTIONS (Health)

S.B. No. 89	EXTORTION AMENDMENTS (Judiciary)
S.B. No. 90	SOLICITATION OF CRIMINAL ACT (Judiciary)
S.B. No. 91	PROSECUTION COUNCIL (Judiciary)
S.B. No. 92	DEATH PENALTY REPEAL (Judiciary)
S.B. No. 99	COMMUNICATIONS FRAUD AMENDMENT (Judiciary)
S.B. No. 100	INTERJURISDICTIONAL TRANSFER OF PRISONERS (Judiciary)
S.B. No. 103	JUDICIAL AMENDMENTS (Judiciary)
S.B. No. 62	APPLICATIONS FOR PROPERTY TAX EXEMPTIONS (Revenue and Taxation)
S.B. No. 67	SALES TAX – REPEAL EXEMPTIONS (Revenue and Taxation)
S.B. No. 85	STATE HOSPITAL TRUST FUND (Social Services)
S.B. No. 50	RETIREMENT BENEFITS AMENDMENTS (State and Local)
S.B. No. 57	RECODIFICATION OF SPECIAL DISTRICTS (State and Local)
S.B. No. 94	POST–EMPLOYMENT BENEFITS LIABILITIES (State and Local)
S.J.R. No. 18	MOTOR FUEL TAX CONSTITUTIONAL AMENDMENT (Transportation and Public Safety)
S.B. No. 60	OPTIONAL TITLING OF COLLECTOR MOTOR VEHICLES (Transportation and Public Safety)
S.B. No. 73	GOOD SAMARITAN PROTECTION FOR SKI PATROL (Transportation and Public Safety)

reports the Bills and Resolutions to the Senate and asks that they be printed and assigned to the proper committee.

C.E. Peterson,
Rules Committee Chairman

Mr. President January 18, 1990

The Senate Rules Committee to which was referred the following Resolution:

S.C.R. No. 4	RESOLUTION HONORING UTAH'S MOTHER AND YOUNG MOTHER OF THE YEAR

reports the Resolution to the Senate and asks that it be sent to the Second Reading Calendar.

C.E. Peterson,
Rules Committee Chairman

Committee reports read and adopted. President Christensen assigned the bills and resolutions to the committees indicated, and S.C.R. No. 4 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

INTERCOLLEGIATE COMPETITION AMONG THE STATE'S UNIVERSITIES AND COLLEGES

S.B. No. 142 *Dixie L. Leavitt, Haven J. Barlow*

AN ACT RELATING TO HIGHER EDUCATION; REQUIRING UNIVERSITIES AND COLLEGES WITH SIMILARLY CLASSED NCAA DIVISION I SPORTS TO HAVE IN-STATE HOME-AND-HOME COMPETITION EACH YEAR IN THOSE SPORTS; AND PROVIDING FOR A PHASE IN IF THERE ARE ADVANCED SCHEDULING CONFLICTS.

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

ENACTS: 53B-16-301, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

PARDONS AND PAROLES AMENDMENTS

S.B. No. 143 *Lyle W. Hillyard*

AN ACT RELATING TO CRIMINAL LAW; AMENDING THE FUNCTIONS OF THE BOARD OF PARDONS AND THE NUMBER OF MEMBERS; AND PROVIDING FOR A CHAIRPERSON AND HIS FUNCTIONS.

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

AMENDS: 77-27-1, AS LAST AMENDED BY CHAPTER 172, LAWS OF UTAH 1988; 77-27-2, AS LAST AMENDED BY CHAPTER 122, LAWS OF UTAH 1988; 77-27-4, AS LAST AMENDED BY CHAPTER 112, LAWS OF UTAH 1989; 77-27-5, AS LAST AMENDED BY CHAPTER 172, LAWS OF UTAH 1988; 77-27-7, AS LAST AMENDED BY CHAPTER 150, LAWS OF UTAH 1988, was read the first time and referred to Rules Committee.

PRESERVATION OF HERITAGE ACT

S.B. No. 144 *Dixie L. Leavitt*

AN ACT RELATING TO PROPERTY; ESTABLISHING A MECHANISM FOR COLLECTING INSTITUTIONS TO OBTAIN TITLE TO PROPERTY

DEPOSITED WITH THEM; ESTABLISHING A REBUTTABLE PRESUMPTION; PROVIDING NOTICE REQUIREMENT; AND ESTABLISHING A MECHANISM FOR CLAIMING PROPERTY FROM A COLLECTING INSTITUTION.

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

ENACTS: 63-77-1, UTAH CODE ANNOTATED 1953; 63-77-2, UTAH CODE ANNOTATED 1953; 63-77-3, UTAH CODE ANNOTATED 1953; 63-77-4, UTAH CODE ANNOTATED 1953; 63-77-5, UTAH CODE ANNOTATED 1953; 63-77-6, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

GROSS RECEIPTS TAX AMENDMENTS

S.B. No. 145 *Lyle W. Hillyard*

AN ACT RELATING TO REVENUE AND TAXATION; AMENDING THE FILING AND PAYMENT REQUIREMENTS OF THE GROSS RECEIPTS TAX; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 59-8-105, AS RENUMBERED AND AMENDED BY CHAPTER 2, LAWS OF UTAH 1987, was read the first time and referred to Rules Committee.

LEMON LAW EXPANSION

S.B. No. 146 *Lane Beattie*

AN ACT RELATING TO THE NEW MOTOR VEHICLES WARRANTIES ACT; EXPANDING ITS SCOPE TO INCLUDE LEASED VEHICLES AND MOTOR HOMES; AND MAKING TECHNICAL CORRECTIONS.

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

AMENDS: 13-20-2, AS ENACTED BY CHAPTER 168, LAWS OF UTAH 1985, was read the first time and referred to Rules Committee.

SECRETARY OF SENATE REPORT

Committee reports have been received on S.B. Nos. 23 and 56 and H.B. Nos. 51 and 75, and the bills were placed on Second Reading Calendar.

COMMITTEE OF THE WHOLE

Susan C. Biemesderfer, Policy Specialist Legislative Management for the National Conference of State Legislatures spoke in Committee of the Whole.

THIRD READING CALENDAR

S.B. No. 22, REVISION TO STATE HIGHWAYS, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Beattie	Black	Bunnell	Carling
Cornaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Barlow	Barton	McMullin	Money
Rees			

S.B. No. 22 was transmitted to the House.

* * *

S.B. No. 17, TELECOMMUNICATIONS TAXATION, was read the third time and passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Leavitt
McMullin	Money	Myrin	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Voting in the negative was: Senator
McAllister

Absent or not voting were: Senators

Holmgren	Nielsen	Rees

S.B. No. 17, as amended, was transmitted to the House.

SECOND READING CALENDAR

S.J.R. No. 5, INCOME TAX EARMARK AMENDMENT, was before the Senate as unfinished business. Senators Myrin, Black, Barlow, Swan, and Leavitt commented. The resolution passed on the following roll call:

Yeas, 17; Nays, 11 Absent, 1

Voting in the affirmative were: Senators

Barton	Beattie	Black	Bunnell
Farley	Fordham	Hillyard	Leavitt
McAllister	Money	Nielsen	Pace
Peterson, C.E.	Peterson, Craig	Richards	Storey
Swan			

Voting in the negative were: Senators

Barlow	Carling	Cornaby	Finlinson
Holmgren	McMullin	Myrin	Peterson, Cary
Steele	Tempest	Pres. Christensen	

Absent or not voting was: Senator
Rees

* * *

On motion of Senator Black, S.B. No. 21 was circled.

* * *

S.B. No. 30, REAUTHORIZATION OF INFORMATION PRACTICES TASK FORCE, was read the second time.

Mr. President January 11, 1990

The State and Local Affairs Committee, to which was referred S.B. No. 30, AUTHORIZATION OF INFORMATION PRACTICES TASK FORCE, by Senator Steele, has carefully considered the bill and reports it out of committee favorably with the following amendment:

Page 1, Line 19:
after "same" delete "membership, staff, and"

Craig A. Peterson
Committee chairman

Committee report read and adopted. On motion of Senator Steele, the bill was amended as follows:

Page 1, Line 19
delete "with the same" and also delete "purposes,"

The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Bunnell	Cornaby	Myrin	Rees

* * *

S.B. No. 53, PURCHASE OF RETIREMENT CREDIT, was read the second time.

Mr. President: January 11, 1990

The State and Local Affairs Committee, to which was referred S.B. No. 53, PURCHASE OF RETIREMENT CREDIT, by Senator McMullin, has carefully considered the bill and reports it out of committee favorably with the following amendment:

Page 1, Line 29
reinstate "four" and delete "two"

Craig A. Peterson
Committee chairman

Committee report read and adopted. Senator McMullin, Black, Leavitt, and Swan commented. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Black	Bunnell
Carling	Farley	Finlinson	Fordham
Holmgren	Leavitt	McAllister	McMullin
Money	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Beattie	Cornaby	Hillyard	Myrin
Rees			

* * *

S.J.R. No. 8, LEGISLATIVE CONSTITUTIONAL AMENDMENT, was read the second time.

Mr. President: January 11, 1990

The State and Local Affairs Committee, to which was referred S.J.R. No. 8, LEGISLATIVE CONSTITUTIONAL AMENDMENT, by Senator Hillyard, has carefully considered the bill and reports it out of committee favorably with the following amendment:

Page 1, Line 18:
delete and renumber accordingly

Page 2, lines 10–14:
delete Section 2 and renumber accordingly

Craig A. Peterson
Committee chairman

Committee report read and adopted. On motion of Senator Hillyard, the bill was circled.

* * *

S.J.R. No. 9, EMERGENCY POWERS AMENDMENT, was read the second time.

Mr. President: January 11, 1990

The State and Local Affairs Committee, to which was referred S.J.R. No. 9, EMERGENCY POWERS AMENDMENT, by Senator Hillyard, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Craig A. Peterson
Committee chairman

Committee report read and adopted. The resolution passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barlow	Barton	Black	Carling
Farley	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Nielsen	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Beattie	Bunnell	Cornaby	Myrin
Pace	Rees		

* * *

On motion of Senator Hillyard, S.J.R. No. 8, LEGISLATIVE CONSTITUTIONAL AMENDMENT, was uncircled.

Senator Hillyard moved to return the bill to its original language and allow annual general sessions to begin on the fourth Monday in January. Senators Black, McMullin, McAllister, Cary Peterson, Money, Swan and Steele commented.

The motion to amend passed on the following roll call:

Yeas, 16; Nays, 12; Absent, 1

Voting in the affirmative were: Senators

Barton	Black	Bunnell	Cornaby

Farley	Fordham	Hillyard	Holmgren
Leavitt	Pace	Peterson, C.E.	Peterson, Craig
Richards	Steele	Swan	Pres. Christensen

Voting in the negative were: Senators

Barlow	Beattie	Carling	Finlinson
McAllister	McMullin	Money	Myrin
Nielsen	Peterson, Cary	Storey	Tempest

Absent or not voting was: Senator
Rees

Senator McAllister moved the following amendments:

Page 1, Line 20:
After line 20 insert:
"ARTICLE VII, SEC. 6"

Page 3, Line 11:
After line 11 insert:
"Section 5. It is proposed to amend Article VII, Sec. 6, Utah Constitution, to read:
Sec. 6
(1) On extraordinary occasions, the Governor may convene the Legislature by proclamation, in which shall be stated the purpose for which the Legislature is to be convened[, and it]. During these extraordinary sessions the Legislature shall not transact [no] any legislative business except that for which it was especially convened[,] or [such] other legislative business [as] the Governor may call to its attention while in session. The Legislature [, however] may provide for the expenses of the extraordinary session and other matters incidental thereto.

(2) The Governor may also by proclamation convene the Senate in extraordinary session for the transaction of executive business. Except for consideration of Senate resolutions, the Senate shall not transact legislative business during these extraordinary sessions."

Page 3, Line 12:
Delete "Section 5." and insert "Section 6."

page 5, Line 4
Delete "Section 6." and insert "Section 7."

Page 6, Line 6:
Delete "Section 7." and insert "Section 8."

Page 6, Line 10:
Delete "Section 8." and insert "Section 9."

The motion to amend passed on the following roll call:

Yeas, 16; Nays, 9; Absent, 4

Voting in the affirmative were: Senators

Barlow	Beattie	Bunnell	Carling
Holmgren	McAllister	McMullin	Money
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Steele	Swan	Tempest

Voting in the negative were: Senators

Black	Cornaby	Farley	Fordham
Hillyard	Leavitt	Myrin	Richards
Pres. Christensen			

Absent or not voting were: Senators

Barton	Finlinson	Rees	Storey

The resolution passed on the following roll call:

Yeas, 15; Nays, 8; Absent, 6

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Carling
Farley	Fordham	Hillyard	Leavitt
Pace	Peterson, C.E.	Peterson, Craig	Richards
Steele	Swan	Tempest	

Voting in the negative were: Senators

Cornaby	McAllister	McMullin	Money
Myrin	Nielsen	Peterson, Cary	Pres. Christensen

Absent or not voting were: Senators

Barton	Bunnell	Finlinson	Holmgren
Rees	Storey		

* * *

S.B. No. 9, UTAH INJURED WORKER REEMPLOYMENT, was read the second time.

Mr. President: January 12, 1990

The Business, Labor and Economic Development Standing Committee, to which was referred S.B. No. 9, UTAH INJURED WORKER REEMPLOYMENT ACT, by Senator Richard Tempest, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 1, Line 17–19:
Delete lines 17 through 19

Page 2, Line 5:
After line 5 insert:
"63–55–235, UTAH CODE ANNOTATED"

Page 8, Line 10:
After "Section 15." insert:
"Section 63–55–235, Utah Code Annotated 1953, is enacted to read:
63–55–235. Repeal dates, title 35.
(1) Title 35, The Industrial Commission of Utah, is repealed July 1, 1995.
(2) Chapter 10, Title 35, The Utah Injured Worker Reemployment Act is repealed July 1, 1994.
Section 16. If this act and H.B. 128, 1990 General Session, both pass, the provisions of this act affecting Section 63–55–235 supersede the provisions of H.B. 128 affecting Section 63–55–235."
and delete the remainder of page 8

Pages 9–14:
Delete pages 9 through 14

Page 15, Lines 1–12:
Delete lines 1 through 12

Lane Beattie,
Committee Chairman

Committee report read and adopted. Senators Tempest, Barton, Black, Richards, Leavitt, Cornaby, Pace, and Bunnell commented.

On motion of Senator Black, the bill will be considered Monday, January 22 at 10:30 a.m.

* * *

S.B. No. 34, UNINSURED EMPLOYERS' FUND REVISIONS, was read the second time.

Mr. President: January 12, 1990

The Business, Labor and Economic Development Standing Committee to which was referred S.B. No. 34, UNINSURED EMPLOYERS' FUND REVISIONS, by Senator Richard Tempest, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lane Beattie,
Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Fordham
Hillyard	Leavitt	McAllister	McMullin
Money	Nielsen	Peterson, C.E.	Peterson, Cary
Richards	Steele	Swan	Tempest
Pres. Christensen			

Voting in the negative was: Senator
Pace

Absent or not voting were: Senators

Barton	Finlinson	Holmgren	Myrin
Peterson, Craig	Rees	Storey	

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S.B. No. 35, STANDARDIZED REPORTING OF INDUSTRIAL INJURIES AND OCCUPATIONAL DISEASES, was read the second time.

Mr. President: January 12, 1990

The Business, Labor and Economic Development Standing Committee, to which was referred S.B. No. 35, STANDARDIZED REPORTING OF INDUSTRIAL INJURIES AND OCCUPATIONAL DISEASES, by Senator Richard Tempest, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 10, Line 17:
After "attorney" delete "shall" and insert "may"

Page 11, Line 9:
After "commission"" insert "within"

Page 12, Line 3
After "providers" insert ", excluding hospitals,"

Page 12, Line 11:
After "provider" insert ", excluding any hospital,"

Page 13, Line 12:
After "attorney" delete "shall" and insert "may"

Page 14, Line 4:
After "commission" insert "within"

Page 14, Line 9:
After "commission." insert "Also, no report is required for occupational diseases which manifest after the employee is no longer employed by the employer with which the exposure occurred, or where the employer is not aware of an exposure occasioned by the employment which results in an occupational disease as defined by Section 35-2-27."

Page 14, Line 23:
After "providers" insert ", excluding hospitals,"

Page 15, Line 7:
After "providers" insert ", excluding any hospitals,"

Page 20, Line 7:
After "commission"" insert "within"

Page 20, Line 12:
After "commission." insert "Also, no report is required for occupational diseases which manifest after the employee is no longer employed by the employer with which the exposure occurred, or where the employer is not aware of an exposure occasioned by the employment which results in an occupational disease as defined by Section 35-2-27."

Lane Beattie,
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	Beattie	Bunnell	Carling
Cornaby	Farley	Fordham	Hillyard
Leavitt	McAllister	McMullin	Money
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Steele	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barton	Black	Finlinson	Holmgren
Myrin	Rees	Richards	Storey

* * *

S.B. No. 24, PURCHASING PRACTICES IN PUBLIC AND HIGHER EDUCATION, was read the second time.

Mr. President: January 12, 1990

The Education Standing Committee to which was referred S.B. No. 24, PURCHASING PRACTICES IN PUBLIC AND HIGHER EDUCATION, by Senator Dixie L. Leavitt, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Dixie L. Leavitt
Committee chairman

Committee report read and adopted. Senators Leavitt, Hillyard, McAllister, C.E. Peterson, Steele, Barlow, Barton, and McMullin commented.

The bill passed on the following roll call:

Yeas, 16; Nays, 8; Absent, 5

Voting in the affirmative were: Senators

Barlow	Beattie	Farley	Fordham
Leavitt	McAllister	McMullin	Money
Myrin	Pace	Peterson, Cary	Peterson, Craig
Richards	Steele	Swan	Pres. Christensen

Voting in the negative were: Senators

Barton	Carling	Comaby	Hillyard
Holmgren	Nielsen	Peterson, C.E.	Tempest

Absent or not voting were: Senators

Black	Bunnell	Finlinson	Rees
Storey			

On motion of Senator McMullin, the bill was placed on the Third Reading Table.

* * *

On motion of Senator McMullin, and at 12:00 noon, the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:20p.m. with President Christensen presiding.

STANDING COMMITTEE REPORT

Mr. President: January 18, 1990

The State and Local Affairs Committee, to which was referred **H.B. No. 203**, SUPPLEMENTAL APPROPRIATIONS ACT, by Representative Karras, 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.

Craig A. Peterson
Committee chairman

Committee report read and adopted. **H.B. No. 203** was read the second time and placed on Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B. Nos. 47, 52, 86**, and **H.B. Nos. 23, 40, 55**, and **72**, and the bills were placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

UNLAWFUL USE OF FIREARMS

S.B. No. 147 *Richard J. Carling*

AN ACT RELATING TO FIREARMS; REPEALING CERTAIN FISH AND GAME PROVISIONS AND CLARIFYING SIMILAR PROVISIONS IN THE CRIMINAL CODE.

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

AMENDS: 76-10-505, AS ENACTED BY CHAPTER 196, LAWS OF UTAH 1973; 76-10-508, AS ENACTED BY CHAPTER 196, LAWS OF UTAH 1973.

REPEALS: 23-20-21, AS ENACTED BY CHAPTER 46, LAWS OF UTAH 1971; 23-20-22, AS ENACTED BY CHAPTER 46, LAWS OF UTAH 1971, was read the first time and referred to Rules Committee.

CURATION OF ARCHAEOLOGICAL AND PALEONTOLOGICAL SPECIMENS

S.B. No. 148 *Stephen J. Rees*

AN ACT RELATING TO THE MUSEUM OF NATURAL HISTORY; REGULATING CURATION OF ARTIFACTS AND SPECIMENS; MODIFYING REQUIREMENTS FOR DISTRIBUTION OF RECOVERED SPECIMENS; AND MAKING TECHNICAL CORRECTIONS.

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

AMENDS: 53B-17-601, AS ENACTED BY CHAPTER 167, LAWS OF UTAH 1987; 63-18-25, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987.

ENACTS: 53B-17-603, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

FIRE FIGHTERS' RETIREMENT CREDIT PURCHASE

S.B. No. 149 *Lorin N Pace*

AN ACT RELATING TO PENSIONS; ALLOWING CERTAIN DISPATCHERS TO PURCHASE SERVICE CREDIT IN THE FIRE FIGHTERS' RETIREMENT SYSTEM; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 49-5-103, AS LAST AMENDED BY CHAPTERS 81 AND 84, LAWS OF UTAH 1989; 49-5-203, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1987, was read the first time and referred to Rules Committee.

UNIFORM COMMERCIAL CODE - LEASES

S.B. No. 150 *Fred W. Finlinson*

AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE; PROVIDING GUIDELINES FOR LEASE TRANSACTIONS; DEFINING

TERMS RELATING TO LEASES; PROVIDING FOR THE FORMATION, CONSTRUCTION, EFFECT, PERFORMANCE, AND DEFAULT OF LEASE CONTRACTS; AMENDING THE TERRITORIAL APPLICATION PROVISION OF THE UNIFORM COMMERCIAL CODE; AMENDING GENERAL DEFINITIONS OF THE UNIFORM COMMERCIAL CODE; AMENDING THE SECURITY INTEREST PROVISION OF CHAPTER 9, SECURED TRANSACTIONS; AND MAKING TECHNICAL CORRECTIONS.

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

AMENDS: 70A-1-105, AS LAST AMENDED BY CHAPTER 272, LAWS OF UTAH 1977; 70A-1-201, AS LAST AMENDED BY CHAPTER 218, LAWS OF UTAH 1989; 70A-9-113, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-9-306, AS LAST AMENDED BY CHAPTER 272, LAWS OF UTAH 1977; 70A-9-318, AS LAST AMENDED BY CHAPTER 272, LAWS OF UTAH 1977.

ENACTS: 70A-2a-101, UTAH CODE ANNOTATED 1953; 70A-2a-102, UTAH CODE ANNOTATED 1953; 70A-2a-103, UTAH CODE ANNOTATED 1953; 70A-2a-104, UTAH CODE ANNOTATED 1953; 70A-2a-105, UTAH CODE ANNOTATED 1953; 70A-2a-106, UTAH CODE ANNOTATED 1953; 70A-2a-107, UTAH CODE ANNOTATED 1953; 70A-2a-108, UTAH CODE ANNOTATED 1953; 70A-2a-109, UTAH CODE ANNOTATED 1953; 70A-2a-201 UTAH CODE ANNOTATED 1953; 70A-2a-202, UTAH CODE ANNOTATED 1953; 70A-2a-203 UTAH CODE ANNOTATED 1953; 70A-2a-204, UTAH CODE ANNOTATED 1953; 70A-2a-205, UTAH CODE ANNOTATED 1953; 70A-2a-206, UTAH CODE ANNOTATED 1953; 70A-2a-207, UTAH CODE ANNOTATED 1953; 70A-2a-208, UTAH CODE ANNOTATED 1953; 70A-2a-209, UTAH CODE ANNOTATED 1953; 70A-2a-210, UTAH CODE ANNOTATED 1953; 70A-2a-211, UTAH CODE ANNOTATED 1953; 70A-2a-212, UTAH CODE ANNOTATED 1953; 70A-2a-213, UTAH CODE ANNOTATED 1953; 70A-2a-214, UTAH CODE ANNOTATED 1953; 70A-2a-215, UTAH CODE ANNOTATED 1953; 70A-2a-216, UTAH CODE ANNOTATED 1953; 70A-2a-217, UTAH CODE ANNOTATED 1953; 70A-2a-218, UTAH CODE ANNOTATED 1953; 70A-2a-219, UTAH CODE ANNOTATED 1953; 70A-2a-220, UTAH CODE ANNOTATED 1953; 70A-2a-221, UTAH CODE ANNOTATED 1953; 70A-2a-301, UTAH CODE ANNOTATED 1953; 70A-2a-302, UTAH CODE ANNOTATED 1953; 70A-2a-303, UTAH CODE ANNOTATED 1953; 70A-2a-304, UTAH CODE ANNOTATED 1953; 70A-2a-305, UTAH CODE ANNOTATED 1953; 70A-2a-306, UTAH CODE ANNOTATED 1953; 70A-2a-307, UTAH CODE ANNOTATED 1953; 70A-2a-308, UTAH CODE ANNOTATED 1953; 70A-2a-309, UTAH CODE ANNOTATED 1953;

70A-2a-310, UTAH CODE ANNOTATED 1953; 70A-2a-401, UTAH CODE ANNOTATED 1953; 70A-2a-402, UTAH CODE ANNOTATED 1953; 70A-2a-403, UTAH CODE ANNOTATED 1953; 70A-2a-404, UTAH CODE ANNOTATED 1953; 70A-2a-405, UTAH CODE ANNOTATED 1953; 70A-2a-406, UTAH CODE ANNOTATED 1953; 70A-2a-407, UTAH CODE ANNOTATED 1953; 70A-2a-501, UTAH CODE ANNOTATED 1953; 70A-2a-502, UTAH CODE ANNOTATED 1953; 70A-2a-503, UTAH CODE ANNOTATED 1953; 70A-2a-504, UTAH CODE ANNOTATED 1953; 70A-2a-505, UTAH CODE ANNOTATED 1953; 70A-2a-506, UTAH CODE ANNOTATED 1953; 70A-2a-507, UTAH CODE ANNOTATED 1953; 70A-2a-508, UTAH CODE ANNOTATED 1953; 70A-2a-509, UTAH CODE ANNOTATED 1953; 70A-2a-510, UTAH CODE ANNOTATED 1953; 70A-2a-511, UTAH CODE ANNOTATED 1953; 70A-2a-512, UTAH CODE ANNOTATED 1953; 70A-2a-513, UTAH CODE ANNOTATED 1953; 70A-2a-514, UTAH CODE ANNOTATED 1953; 70A-2a-515, UTAH CODE ANNOTATED 1953; 70A-2a-516, UTAH CODE ANNOTATED 1953; 70A-2a-517, UTAH CODE ANNOTATED 1953; 70A-2a-518, UTAH CODE ANNOTATED 1953; 70A-2a-519, UTAH CODE ANNOTATED 1953; 70A-2a-520, UTAH CODE ANNOTATED 1953; 70A-2a-521, UTAH CODE ANNOTATED 1953; 70A-2a-522, UTAH CODE ANNOTATED 1953; 70A-2a-523, UTAH CODE ANNOTATED 1953; 70A-2a-524, UTAH CODE ANNOTATED 1953; 70A-2a-525, UTAH CODE ANNOTATED 1953; 70A-2a-526, UTAH CODE ANNOTATED 1953; 70A-2a-527, UTAH CODE ANNOTATED 1953; 70A-2a-528, UTAH CODE ANNOTATED 1953; 70A-2a-529, UTAH CODE ANNOTATED 1953; 70A-2a-530, UTAH CODE ANNOTATED 1953; 70A-2a-531, UTAH CODE ANNOTATED 1953; 70A-2a-532, UTAH CODE ANNOTATED 1953; 70A-2a-533 UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

SECOND READING CALENDAR

S.B. No. 25. WITHDRAWAL FROM WATER CONSERVANCY DISTRICTS, was read the second time.

Mr. President: January 14, 1990

The Energy, Natural Resources & Agriculture Standing Committee to which was referred **S.B. No. 25**, WITHDRAWAL FROM WATER CONSERVANCY DISTRICTS, 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 6, Line 23:
After "conditions" delete "may" and insert "shall"

Page 7, Lines 3–5:
Delete lines 3 through 5 and insert the following:
"(ii) continue to pay taxes as provided by Subsection (5)(b)
(b)(i) The property within the excluded area shall continue to be taxable for the purpose of paying its just proportion of any bonds of the district payable from the proceeds of assessments and taxes which are outstanding and unpaid at the time of the filing of the petition for exclusion until the bonded indebtedness payable from the proceeds of assessments and taxes is retired.
(ii) The excluded area is relieved of all other assessments, taxes and charges, including taxes and charges for payment of revenue bonds and maintenance and operation costs of the district, subject to Subsection (5)(b)(iii).
(iii) If the district has any bonds payable solely from revenues derived from the operation of the district's works which are outstanding and unpaid on the date of the filing of petition, the excluded areas shall continue to be taxable under the provisions of Section 73–9–16 for the payment of maintenance and operation costs of the district, but only to the extent and only in those years where it becomes necessary to levy a tax on the excluded area to prevent a default in the payment of principal and interest, or either, on the bonds."

Page 7, Line 6:
Delete "(b)" and insert "(c)"

Senator C.E. Peterson,
Acting 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

Barlow	Barton	Beattie	Black
Comaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Richards
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Bunnell	Carling	Pace	Rees
Storey			

* * *

On motion of Senator Holmgren, under suspension of the rules, S.B. No. 23, BEAR RIVER DEVELOPMENT AND OVERSIGHT, was lifted to the top of Second Reading Calendar, and read the second and third times.

Mr. President: January 17, 1990

The Senate Energy, Natural Resources and Agriculture Committee, to which was referred S.B. No. 23, BEAR RIVER DEVELOPMENT AND OVERSIGHT, by Senator John P. Holmgren, et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 12:
Delete "$1,500,000" and insert "$1,250,000"

Page 2, Line 21:
Delete "$1,500,000" and insert "$1,250,000"

Senator Fred W. Finlinson,
Committee Chairman

Committee report read and adopted. Senators Holmgren, Hillyard, and McAllister commented. Dee C. Hansen, Executive Director of Department of Natural Resources, State of Utah, spoke in Committee of the Whole. Senators Black, Farley, and Finlinson commented. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton (explained)	Beattie (conflict)	Black
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig (explained)		Richards	Steele
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Bunnell	Rees	Storey

S.B. No. 23, as amended, was transmitted to the House.

* * *

S.B. No. 31, JUVENILE COURT CUSTODY AMENDMENTS, was read the second time.

Mr. President: January 15, 1990

The Judiciary Committee, to which was referred S.B. No. 31, JUVENILE COURT CUSTODY AMENDMENTS, by Senator Haven J. Barlow, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 6, Line 15:
Delete "An" and insert "Except under Subsection (21), an"

Page 6, Line 21:
After "order of" insert "permanent"

Page 6, Line 22:
After "guardianship" insert "with a relative or other individual"

Page 6, Line 24:
After "dependency" insert a comma
Delete "Section" and insert "Subsection
After "78-3a-17" insert "(4)"

Page 7, Line 4:
After line 4 insert the following subsection:
"(c) Orders permanently terminating the rights of a parents, guardian, or custodian and permanent orders of custody and guardianship do not expire upon termination of jurisdiction of the juvenile court.

Lyle W. Hillyard,
Committee Chairman

Committee report read and adopted. Senators Barlow, McAllister, Black and Farley commented. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Comaby	Farley	Finlinson	Fordham
Hillyard	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Richards
Steele	Swan	Pres. Christensen	

Absent or not voting were: Senators

Bunnell	Carling	Holmgren	Rees
Storey	Tempest		

* * *

On motion of Senator McMullin, the Senate voted to consider Senate Bills on Second Reading Calendar.

* * *

S.B. No. 76, PROPERTY DAMAGE PROTECTION AGAINST UNINSURED MOTORISTS, was read the second time.

Mr. President: January 15, 1990

The Senate Transportation & Public Safety Standing Committee, to which was referred S.B. No. 76, PROPERTY DAMAGE PROTECTION AGAINST UNINSURED MOTORISTS, by Senator David H. Steele, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Glade Nielsen,
Committee Chairman

Committee report read and adopted. On motion of Senate Steele the bill was amended as follows:

Page 1, Line 23:
Delete "option" and insert "request"

Page 1, Line 26:
After "41-12a-301" insert "which policy does not provide insurance for collision damage"

Page 1, Line 26:
After "shall" delete "offer" and insert "provide"

Page 2, Line 18:
After "shall" insert "be subject to a $250 deductible and shall"

Page 2, Line 21:
After "may" delete "offer" and insert "make available additional"

Page 2, Line 22:
Delete "appropriately reduced" and insert "appropriate"

The bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Cornaby	Farley	Fordham
Hillyard	Holmgren	Leavitt	McAllister
Money	Myrin	Nielsen	Peterson, Cary
Peterson, Craig	Richards	Steele	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Bunnell	Finlinson	McMullin	Pace
Peterson, C.E.	Rees	Storey	

* * *

S.B. No. 21 was placed on Second Reading Table.

* * *

On motion of Senator Cary Peterson and at 3:10 p.m. the Senate adjourned until 10:00 a.m. Friday, January 19, 1990.

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 – Reverend Dale McArthur, First United Methodist Church

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: January 19, 1990

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.

Boyd K. Storey
Committee chairman

Committee report read and adopted.

COMMUNICATIONS FROM HOUSE

Mr. President: January 18, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, SUB. H.B. No. 20, LICENSURE OF ADDICTIONS COUNSELORS, by Representative Beverly J. White, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, H.B. No. 47, UTAH HEALTH CARE INFORMATION ACT, by Representative Hugh D. Rush, and the 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, LOCAL SALES AND USE TAX - POPULATION FIGURES, by Representative Walt Bain, 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. 100, TELEPHONE FRAUD, by Representative

Donald R. LeBaron, 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. 101**, UTAH SUBSTANCE ABUSE COUNCIL, by Representative H. Craig 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, as amended, **H.B. No. 61**, WILDERNESS TASK FORCE, by Representative David M. Adams, 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. 167**, NOTARIES PUBLIC REFORM ACT AMENDMENTS, by Representative Ted D. Lewis, and the 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. 183**, CONCEALED WEAPONS AMENDMENTS, by Representative Joseph L. Hull, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

SUB. H.B. No. 20 and H.B. Nos. 47, 82, 100, 101, 61, 167, and 183, were read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

PRISONER DEFINED

S.B. No. 151 *Haven J. Barlow*

AN ACT RELATING TO CRIMINAL LAW; AMENDING A DEFINITION OF "PRISONER."

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

AMENDS: 76-5-101, AS ENACTED BY CHAPTER 196, LAWS OF UTAH 1973, was read the first time and referred to Rules Committee.

PUBLICATION OF DOCUMENTS IN ENGLISH

S.B. No. 152 *Dix H. McMullin*

AN ACT RELATING TO STATE AFFAIRS; REQUIRING THAT DOCUMENTS PUBLISHED BY THE STATE OR A POLITICAL SUBDIVISION BE IN ENGLISH.

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

ENACTS: 63-13-17, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

AMENDMENTS TO STATE PERSONNEL LONGEVITY PROGRAM

S.B. No. 153 *LeRay McAllister*

AN ACT RELATING TO PERSONNEL, CLARIFYING MERIT INCREASES FOR CERTAIN SENIOR CAREER SERVICE EMPLOYEES; AND MAKING TECHNICAL CORRECTIONS.

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

AMENDS: 67-19-15.6, AS LAST AMENDED BY CHAPTER 122, LAWS OF UTAH 1988, was read the first time and referred to Rules Committee.

REVENUE TYPES

S.B. No. 154 *LeRay McAllister*

AN ACT RELATING TO REVENUE TYPES; ESTABLISHING MAJOR REVENUE TYPES; AND REGULATING THE DISPOSITION OF FUNDS COLLECTED OR CREDITED BY A STATE AGENCY.

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

REPEALS AND REENACTS: 63-38-9, AS LAST AMENDED BY CHAPTER 169, LAWS OF UTAH 1973, was read the first time and referred to Rules Committee.

ADULT ABUSE DATA BASE

S.B. No. 155 *Winn L. Richards*

AN ACT RELATING TO SOCIAL SERVICES; PROVIDING A STATEWIDE ADULT ABUSE DATA BASE; REQUIRING THE ESTABLISHMENT OF AN INDEX; ELIMINATING AMENDMENT AND EXPUNGEMENT PROCESS; IMPOSING DUE PROCESS STANDARDS ON THE DEPARTMENT; AND MAKING TECHNICAL CHANGES.

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

AMENDS: 62A-3-311.1, AS ENACTED BY CHAPTER 270, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

LAND SALES, TIMESHARE, AND CAMP RESORT AMENDMENTS

S.B. No. 156 *Stephen J. Rees*

AN ACT RELATING TO REAL ESTATE; PROVIDING FOR REGISTRATION OF SUBDIVIDED LANDS, TIMESHARES, AND CAMP RESORTS PRIOR TO SALE; REVISING THE FEES CHARGED FOR REGISTRATION OR EXEMPTION, AND PROVIDING FOR FEES FOR THE ISSUANCE OF TEMPORARY SALES PERMITS.

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

AMENDS: 57-11-4, AS LAST AMENDED BY CHAPTERS 48 AND 73, LAWS OF UTAH 1987; 57-11-5, AS LAST AMENDED BY CHAPTER 48, LAWS OF UTAH 1987; 58-11-6, AS LAST AMENDED BY CHAPTER 139, LAWS OF UTAH 1987; 57-11-10, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987; 57-19-5, AS ENACTED BY CHAPTER 73, LAWS OF UTAH 1987; 57-19-6, AS ENACTED BY CHAPTER 73, LAWS OF UTAH 1987; 57-19-9, AS ENACTED BY CHAPTER 73, LAWS OF UTAH 1987; 57-19-14, AS ENACTED BY CHAPTER 73, LAWS OF UTAH 1987; 57-19-15, AS ENACTED BY CHAPTER 73, LAWS OF UTAH 1987, was read the first time and referred to Rules Committee.

LIEN AGAINST RETIREMENT BENEFITS

S.B. No. 157 *Lyle W. Hillyard*

AN ACT RELATING TO PENSIONS; REQUIRING THE RETIREMENT BOARD TO PROVIDE FOR THE DIVISION OF BENEFITS IN DOMESTIC RELATIONS MATTERS PURSUANT TO AN ORDER OF A COURT OF COMPETENT JURISDICTION ON FILE WITH THE RETIREMENT OFFICE; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 49-1-609, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1987, was read the first time and referred to Rules Committee.

BONDING FOR PUBLIC SCHOOL AMENDMENTS

S.B. No. 158 *Lorin N. Pace*

AN ACT RELATING TO PUBLIC EDUCATION; PROVIDING FOR THE ISSUANCE OF $50,000,000 IN GENERAL OBLIGATION BONDS FOR THE

ESTABLISHMENT OF COMPUTER CENTERS IN PUBLIC ELEMENTARY SCHOOLS.

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

ENACTS: 63-77-1, UTAH CODE ANNOTATED 1953; 63-77-2, UTAH CODE ANNOTATED 1953; 63-77-3, UTAH CODE ANNOTATED 1953; 63-77-4, UTAH CODE ANNOTATED 1953; 63-77-5, UTAH CODE ANNOTATED 1953; 63-77-6, UTAH CODE ANNOTATED 1953; 63-77-7, UTAH CODE ANNOTATED 1953; 63-77-8, UTAH CODE ANNOTATED 1953; 63-77-9, UTAH CODE ANNOTATED 1953; 63-77-10, UTAH CODE ANNOTATED 1953; 63-77-11, UTAH CODE ANNOTATED 1953; 63-77-12, UTAH CODE ANNOTATED 1953; 63-77-13, UTAH CODE ANNOTATED 1953; 63-77-14, UTAH CODE ANNOTATED 1953; 63-77-15, UTAH CODE ANNOTATED 1953; 63-77-16, UTAH CODE ANNOTATED 1953; 63-77-17, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

PUBLIC SAFETY NEEDS TASK FORCE

S.B. No. 159 *Wilford R. Black, Dix H. McMullin, Richard J. Carling, Frances Farley, Winn L. Richards, Paul T. Fordham*

AN ACT RELATING TO PUBLIC SAFETY; CREATING A TASK FORCE TO STUDY ISSUES PERTAINING TO PUBLIC SAFETY NEEDS.

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

UAPA EXEMPTION OF STATE ACTIONS REGARDING CHILD PLACEMENT

S.B. No. 160 *David H. Steele*

AN ACT RELATING TO THE UTAH ADMINISTRATIVE PROCEDURES ACT; EXEMPTING FROM THAT ACT SPECIFIED STATE ACTIONS AND DECISIONS REGARDING PLACEMENT OR GUARDIANSHIP OF CHILDREN IN STATE CUSTODY.

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

AMENDS: 63-46b-1, AS LAST AMENDED BY CHAPTER 72, LAWS OF UTAH 1988, was read the first time and referred to Rules Committee.

UNIFORM FOREIGN MONEY CLAIMS ACT

S.B. No. 161 *Fred W. Finlinson*

AN ACT RELATING TO THE JUDICIAL CODE; ENACTING THE UNIFORM FOREIGN MONEY CLAIMS ACT.

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

ENACTS: 78–22b–101, UTAH CODE ANNOTATED 1953; 78–22b–102, UTAH CODE ANNOTATED 1953; 78–22b–103, UTAH CODE ANNOTATED 1953; 78–22b–104, UTAH CODE ANNOTATED 1953; 78–22b–105, UTAH CODE ANNOTATED 1953; 78–22b–106, UTAH CODE ANNOTATED 1953; 78–22b–107, UTAH CODE ANNOTATED 1953; 78–22b–108, UTAH CODE ANNOTATED 1953; 78–22b–109, UTAH CODE ANNOTATED 1953; 78–22b–110, UTAH CODE ANNOTATED 1953; 78–22b–111, UTAH CODE ANNOTATED 1953; 78–22b–112, UTAH CODE ANNOTATED 1953; 78–22b–113, UTAH CODE ANNOTATED 1953; 78–22b–114, UTAH CODE ANNOTATED 1953; 78–22b–115, UTAH CODE ANNOTATED 1953; 78–22b–116, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

S.J.R. No. 5, INCOME TAX EARMARK RESOLUTION, was read the third time. On motion of Senator Swan, there was a Call of the Senate. On motion of Senator Swan, the bill was circled.

* * *

S.B. No. 30, REAUTHORIZATION OF INFORMATION PRACTICES TASK FORCE, was read the third time and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	Money	Myrin	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Bunnell	McMullin	Nielsen	Richards

S.B. No. 30, as amended, was transmitted to the House.

* * *

S.B. No. 53, PURCHASE OF RETIREMENT CREDIT, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Bunnell	Nielsen	Richards

S.B. No. 53, as amended, was transmitted to the House.

* * *

S.J.R. No. 9, EMERGENCY POWERS AMENDMENT, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Bunnell	Nielsen	Richards

S.J.R. No. 9 was transmitted to the House.

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S.J.R. No. 8, LEGISLATIVE CONSTITUTIONAL AMENDMENT, was read the third time. Senators Hillyard, Tempest, McAllister, McMullin, Barton, and Leavitt commented.

Senator Hillyard moved the following amendment:

Page 2, Line 14:
delete "fourth" and insert "third"

The motion passed on the following roll call:

Yeas, 16; Nays, 12; Absent, 1

Voting in the affirmative were: Senators

Barton	Black	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	Pace	Peterson, C.E.	Peterson, Craig
Rees	Richards	Steele	Swan

Voting in the negative were: Senators

Barlow	Beattie	Carling	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, Cary	Storey	Tempest	Pres. Christensen

Absent or not voting was: Senator
Bunnell

On motion of Senator Hillyard, the bill was amended as follows:

Page 2, Line 14:
delete "third" and restore "second"

The resolution passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Richards	Steele	Swan	Tempest
Pres. Christensen			

Voting in the negative was: Senator
Myrin

Absent or not voting were: Senators

Bunnell	Rees	Storey

* * *

On motion of Senator Hillyard, under suspension of the rules, S.C.R. No. 4, RESOLUTION HONORING UTAH'S MOTHER AND YOUNG MOTHER OF THE YEAR, was read the second and third times. Senator Myrin was presiding. Joanne T. McKenna and Diane R. Weese 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

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Black	Leavitt	Pace

S.C.R. No. 4 was transmitted to the House.

RULES COMMITTEE REPORT

Mr. President: January 19, 1990

The Senate Rules Committee to which was referred the following Senate Bill:

S.B. No. 141 ALCOHOLIC BEVERAGE LAWS REVISIONS
(Business, Labor and Economic Development)

reports the Bill to the Senate and asks that it be printed and assigned to the proper committee.

C.E. Peterson,
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bill to Business, Labor and Economic Development Standing Committee.

THIRD READING CALENDAR

S.B. No. 34, UNINSURED EMPLOYEES' FUND REVISION, was read the third time and passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 12

Voting in the affirmative were: Senators

Beattie	Black	Bunnell	Carling
Farley	Fordham	Hillyard	McAllister
Money	Myrin	Nielsen	Rees
Richards	Steele	Storey	Swan
Tempest			

Absent or not voting were: Senators

Barlow	Barton	Cornaby	Finlinson
Holmgren	Leavitt	McMullin	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Pres. Christensen

S.B. No. 34 was transmitted to the House.

* * *

S.B. No. 35, STANDARDIZED REPORTING OF INDUSTRIAL INJURIES AND OCCUPATIONAL DISEASES, was read the third time and passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Beattie	Black	Bunnell	Carling
Farley	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Myrin
Peterson, Cary	Rees	Richards	Steele
Storey	Swan	Tempest	

Absent or not voting were: Senators

Barlow	Barton	Cornaby	Finlinson
Money	Nielsen	Pace	Peterson, C.E.
Peterson, Craig	Pres. Christensen		

S.B. No. 35, as amended, was transmitted to the House.

* * *

S.B. No. 25, WITHDRAWAL FROM WATER CONSERVANCY DISTRICTS, 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	Black	Bunnell	Carling
Farley	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Myrin	Peterson, Craig	Rees	Richards
Steele	Storey	Tempest	

Absent or not voting were: Senators

Barton	Beattie	Cornaby	Money
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Swan	Pres. Christensen		

* * *

S.B. No. 31, JUVENILE COURT CUSTODY AMENDMENTS, was read the third time and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barlow	Black	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest

Absent or not voting were: Senators

Barton	Beattie	Bunnell	Carling
Cornaby	Nielsen	Pace	Peterson, C.E.
Pres. Christensen			

S.B. No. 31, as amended, was transmitted to the House.

* * *

S.B. No. 76, PROPERTY DAMAGE PROTECTION AGAINST UNINSURED MOTORISTS, was read the third time and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Barlow	Black	Bunnell	Carling
Farley	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest		

Absent or not voting were: Senators

Barton	Beattie	Cornaby	Nielsen
Pace	Peterson, C.E.	Pres. Christensen	

S.B. No. 76, as amended, was transmitted to the House.

* * *

On motion of Senator Myrin, the Senate voted to allow him to change his vote from Nay to Aye on S.J.R. No. 8, LEGISLATIVE CONSTITUTIONAL AMENDMENT. The final vote was:

Yeas, 26; Nays, 0; Absent, 3

S.J.R. No. 8 was transmitted to the House.

* * *

On motions of Senators Money and Swan, the Senate voted to allow them to vote Aye on S.B. No. 25, WITHDRAWAL FROM WATER CONSERVANCY DISTRICTS. The final vote was:

Yeas, 21; Nays, 0; Absent, 8

S.B. No. 25 was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator McMullin, under suspension of the rules, the Senate voted to consider Senate Bills on Second Reading Calendar.

* * *

S.B. No. 45, TRESPASS AMENDMENTS, was read the second time.

Mr. President: January 14, 1990

The Energy, Natural Resources & Agricultural Standing Committee to which was referred S.B. No. 45, TRESPASS AMENDMENTS, by Senator Richard Tempest, 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 SUB. S.B. No. 45 replace the original bill.

Fred W. Finlinson
Committee chairman

Committee report read and adopted. The following substitute bill replaced the original bill.

TRESPASS AMENDMENTS
(1-10-90 11:26a.m.)

SUB. S.B. No. 45 *Richard B. Tempest*

AN ACT RELATING TO CRIMINAL LAW; AMENDING PENALTIES FOR TRESPASS.

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

AMENDS: 76-6-206, AS LAST AMENDED BY CHAPTER 32, LAWS OF UTAH 1974.

Senators Tempest, C.E. Peterson, Christensen, Fordham, Myrin, Swan, Money, Storey, Black, Farley, Barton, Leavitt, and Cary Peterson commented. The substitute bill passed on the following roll call:

Yeas, 18; Nays, 9; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Farley
Finlinson	Hillyard	Holmgren	Leavitt
McAllister	Money	Myrin	Nielsen
Peterson, Cary	Peterson, Craig	Rees	Richards
Tempest	Pres. Christensen		

Voting in the negative were: Senators

Black	Bunnell	Carling	Fordham
McMullin	Peterson, C.E.	Steele	Storey
Swan			

Absent or not voting were: Senators

Cornaby	Pace

* * *

On motion of Senator Swan, under suspension of the rules, the circle was removed from S.J.R. No. 5, INCOME TAX EARMARK AMENDMENT, and there was a Call of the Senate. The resolution passed on the following roll call:

Yeas, 19; Nays, 10; Absent, 0

Voting in the affirmative were: Senators

Barton	Beattie	Black	Bunnell
Farley	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	Money
Nielsen	Pace	Peterson, C.E.	Peterson, Craig
Rees	Richards	Swan	

Voting in the negative were: Senators

Barlow	Carling	Cornaby	McMullin

Myrin	Peterson, Cary	Steele	Storey
Tempest	Pres. Christensen		

SECRETARY OF SENATE REPORT

Committee reports have been received on S.B. Nos. 5, 83, 98 and S.J.R. Nos. 15 and 16, and the bills and resolutions were placed on Second Reading Calendar.

* * *

Senator Steele asked that S.J.R. No. 5, INCOME TAX EARMARK AMENDMENT, be held for reconsideration.

STANDING COMMITTEE REPORTS

Mr. President: January 19, 1990

The Senate Energy, Natural Resources and Agriculture Committee, to which was referred H.C.R. No. 6, WATERFOWL RESOLUTION, by Representative Stephen M. Bodily, 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 Energy, Natural Resources and Agriculture Committee, to which was referred H.B. No. 50, FISHING LICENSE FEE FOR MENTALLY RETARDED, by Representative Daniel H. Tuttle, 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 reports read and adopted. H.C.R. No. 6 and H.B. No. 50 were read the second time and placed on Consent Calendar.

* * *

On motion of Senator Rees, under suspension of the rules, the Senate voted to lift S.B. No. 5, RECYCLING OF WASTE TIRES, to the top of the calendar, and adopt the following substitute bill with the following amendments incorporated in the substitute bill:

Page 5, Line 18
After "(3)" insert "a"

Page 5, Line 19
After line 19 insert "(b) The commission may retain an amount not to exceed 2-1/2% of the recycling fee collected under this chapter for the cost to it of rendering its services."

RECYCLING OF WASTE TIRES
(1-12-90 1:24 p.m.)

SUB. S.B. No. 5 *Richard Tempest*

AN ACT RELATING TO THE HEALTH CODE; PROVIDING FOR WASTE TIRE RECYCLING FEES; PROVIDING PARTIAL REIMBURSEMENT TO RECYCLERS OF WASTE TIRES; AND PROVIDING A SUNSET DATE.

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

ENACTS: 26-32a-101, UTAH CODE ANNOTATED 1953; 26-32a-102, UTAH CODE ANNOTATED 1953; 26-32a-103, UTAH CODE ANNOTATED 1953; 26-32a-104, UTAH CODE ANNOTATED 1953; 26-32a-105, UTAH CODE ANNOTATED 1953; 26-32a-106, UTAH CODE ANNOTATED 1953; 26-32a-107, UTAH CODE ANNOTATED 1953; 26-32a-108, UTAH CODE ANNOTATED 1953; 26-32a-109, UTAH CODE ANNOTATED 1953; 26-32a-110, UTAH CODE ANNOTATED 1953; 26-32a-111, UTAH CODE ANNOTATED 1953; 26-32a-112, UTAH CODE ANNOTATED 1953; 26-32a-113, UTAH CODE ANNOTATED 1953; 26-32a-113, UTAH CODE ANNOTATED 1953; 26-32a-114; UTAH CODE ANNOTATED 1953; 26-32a-115, UTAH CODE ANNOTATED 1953; 65-55-226, UTAH CODE ANNOTATED 1953.

The substitute bill, with amendments, was placed at the bottom of the Second Reading Calendar.

* * *

On motion of Senator Cary Peterson, and at 12:00 noon, the Senate adjourned until 10:00a.m. Monday, January 22, 1990.

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 except Senator Craig Peterson, excused.
Prayer – Pastor Jerry Lewis, Southeast Christian Church.

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: January 22, 1990

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.

Boyd K. Storey,
Committee Chairman

Committee report read and adopted.

COMMUNICATIONS FROM HOUSE

Mr. President: January 22, 1990

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 16**, RESOLUTION HONORING UTAH'S OUTSTANDING TEACHERS, by Representative Nolan E. 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 **H.B. No. 10**, SUBCONTRACTOR LISTING ON PUBLIC CONSTRUCTION CONTRACTS, by Representative David M. Jones, and the 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. 79**, REMOVAL OF UNENFORCEABLE COVENANTS, by Representative H. Craig Moody, and the 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**, POSTSECONDARY PROPRIETARY

SCHOOL AMENDMENTS, by Representative Grant D. Protzman, 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. 154, TREE PLANTING FUND, by Representative Ted D. Lewis, and the same is transmitted herewith for Senate consideration, and

Carole E. Peterson, Chief Clerk

H.J.R. No. 16 and H.B. Nos. 10, 79, 132, 137, and 154 were read the first time and referred to Rules Committee.

* * *

Mr. President: January 19, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, S.B. No. 113, APPROPRIATION FOR WATER PROJECTS, by Senator Dixie L. Leavitt, which has been signed by the Speaker in open session, and the same is transmitted herewith for signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed S.C.R. No. 4, RESOLUTION HONORING UTAH'S MOTHER AND YOUNG MOTHER OF THE YEAR, by Senator Lyle W. Hillyard, which has been signed by the Speaker in open session and the same is transmitted herewith for the signature of the President.

C.E. Peterson,
Rules Committee Chairman

S.B. No. 113 and S.C.R. No. 4 were signed by the President of the Senate in open session, referred to Rules Committee to be enrolled and transmitted to the Governor.

STANDING COMMITTEE REPORT

Mr. President: January 19, 1990

The Judiciary Committee, to which was referred H.B. No. 35, STATUTE OF LIMITATION AMENDMENT, by Representative Beverly J. White, 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.

Senator Lyle W. Hillyard,
Chairman, and

The Health Committee, to which was referred H.J.R. No. 4, RESOLUTION RECOGNIZING MEDIC ALERT PROGRAM, by Representative Paula Julander, 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.

Senator Craig A. Peterson,
Acting Chairman, and

The Business, Labor, and Economic Development Standing Committee, to which was referred S.B. No. 38, DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING LICENSURE REVIEW PROCESS, 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 following amendments:

Page 1, Lines 24:
After "shall" reinsert "comply"

Page 1, Line 25:
Delete "hold an administrative hearing in compliance"

Page 1, Line 26:
After "Act" insert "; however, before proceeding under the provisions of 63-46b-20, providing for emergency adjudicative proceedings, the division shall review the proposed action with a committee of licensees appointed by the licensing board established under this title for the profession of the person against whom the action is proposed."

Lane Beattie,
Committee Chairman

Committee reports read and adopted. H.B. No. 35, H.J.R. No. 4 and S.B. No. 38, were read the second time and placed on Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on S.B. Nos. 32, 55, 59, 60, 73, S.J.R. No. 7 and H.B. Nos. 87 and 95, and the bills and resolutions were placed on Second Reading Calendar.

INTRODUCTION OF BILLS

FEES OF SHERIFFS AND PRECINCT OFFICERS

S.B. No. 162 *Lorin N. Pace*

AN ACT RELATING TO SHERIFFS AND CONSTABLES; ESTABLISHING CERTAIN DUTIES OF SHERIFFS AND CONSTABLES REGARDING COURT LEGAL PROCESS; AND INCREASING CERTAIN FEES.

AMENDS: 21-2-4, AS LAST AMENDED BY CHAPTER 27, LAWS OF UTAH 1980.

ENACTS: 17-16-8.1, UTAH CODE ANNOTATED 1953.

REPEALS: 21-3-5, AS ENACTED BY CHAPTER 44, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

UNIFORM COMMERCIAL CODE - CHECK AMENDMENTS

S.B. No. 163 *Richard J. Carling*

AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE; PROVIDING THAT THE NEGOTIATION OF AN INSTRUMENT MARKED "PAID IN FULL" DOES NOT ESTABLISH AN ACCORD AND SATISFACTION UNLESS THE PAYEE AGREES IN WRITING.

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

ENACTS: 70A-3-607, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

SPECIAL FUEL TAX AMENDMENT

S.B. No. 164 *Craig A. Peterson*

AN ACT RELATING TO REVENUE AND TAXATION; REQUIRING THE SPECIAL FUEL TAX TO BE COLLECTED AND PAID BY THE USER-DEALER IN ALL CASES; ALLOWING REFUNDS OF TAXES PAID BY USERS; REQUIRING CERTAIN DOCUMENTATION TO BE RETAINED FOR REFUND PURPOSES; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 59-13-301, AS LAST AMENDED BY CHAPTER 65, LAWS OF UTAH 1988; 59-13-312, AS ENACTED BY CHAPTER 6, LAWS OF UTAH 1987; 59-13-318, AS ENACTED BY CHAPTER 6, LAWS OF UTAH 1987, was read the first time and referred to Rules Committee.

CREDIT SERVICES ACT AMENDMENTS

S.B. No. 165 *Richard J. Carling*

AN ACT RELATING TO COMMERCE AND TRADE; PROHIBITING A CREDIT SERVICE ORGANIZATION FROM TRANSACTING BUSINESS WITHOUT REGISTERING WITH THE DIVISION AND FILING EVIDENCE OF OBTAINING EITHER A BOND OR LETTER OF CREDIT.

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

AMENDS: 13-21-3, AS ENACTED BY CHAPTER 29, LAWS OF UTAH 1985, was read the first time and referred to Rules Committee.

SCHOOL BUILDING STATE SUPPORTED PROGRAM AMENDMENTS

S.B. No. 166 *Lyle W. Hillyard*

AN ACT RELATING TO PUBLIC EDUCATION; DELETING THE ALLOWANCE FOR ADJUSTMENTS IN STATE ALLOCATIONS TO THE SCHOOL BUILDING STATE SUPPORTED PROGRAM ON THE BASIS OF RESIDUAL DEBT.

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

AMENDS: 53A-21-113, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988, was read the first time and referred to Rules Committee.

COLLEGE STUDENT IMMUNIZATION

S.B. No. 167 *Winn L. Richards*

AN ACT RELATING TO HIGHER EDUCATION; REQUIRING COLLEGE STUDENTS TO OBTAIN IMMUNIZATIONS; AND PROVIDING EXEMPTIONS.

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

ENACTS: 26-6-27, UTAH CODE ANNOTATED 1953; 53B-23-101, UTAH CODE ANNOTATED 1953; 53B-23-102, UTAH CODE ANNOTATED 1953; 53B-23-103, UTAH CODE ANNOTATED 1953; 53B-23-104, UTAH CODE ANNOTATED 1953; 53B-23-105, UTAH CODE ANNOTATED 1953; 53B-23-106, UTAH CODE ANNOTATED 1953; 53B-23-107, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

RULES COMMITTEE REPORT

Mr. President: January 19, 1990

The Senate Rules Committee to which was referred the following House Bills and Resolution:

H.B. No. 140	AGRICULTURE AMENDMENTS (Energy, Natural Resources & Agriculture)
H.B. No. 81	IMPERSONATING A PEACE OFFICER (Judiciary)
H.B. No. 52	DOMESTIC VIOLENCE AMENDMENTS (Social Services)
H.B. No. 54	DOMESTIC VIOLENCE NO-CONTACT REQUIREMENTS (Social Services)
H.B. No. 56	ADOPTION ACT AMENDMENTS (Social Services)
H.J.R. No. 3	DOMESTIC VIOLENCE PROSECUTION RESOLUTION (Social Services)
SECOND SUB. H.B. No. 1	POLITICAL CONTRIBUTION DISCLOSURE (State & Local)
SUBSTITUTE H.B. No. 37	TRAFFIC RIGHT-OF-WAY AMENDMENTS (Transportation & Public Safety)
H.B. No. 77	ENFORCEMENT OF NEW MOTOR VEHICLES WARRANTIES (Transportation & Public Safety)_
H.B. No. 89	STOPPING AT PORTS OF ENTRY (Transportation & Public Safety)
H.B. No. 92	OVERSIGHT OF PORTS OF ENTRY (Transportation & Public Safety)
H.B. No. 109	AMENDMENTS TO CONTROLLED SUBSTANCES ACT (Transportation & Public Safety)
H.B. No. 121	INTERNATIONAL FUEL TAX AGREEMENT IMPLEMENTATION (Transportation & Public Safety)

reports the Bills and Resolution to the Senate and asks that they be assigned to the proper committee, and

The Senate Rules Committee to which was referred the following Senate Bills and Resolution:

S.B. No. 19	UNIFORM SECURITIES ACT AMENDMENTS (Business, Labor and Economic Development)

S.B. No. 138	INSURANCE CODE AMENDMENTS (Business, Labor and Economic Development()
S.B. No. 26	UNDERGROUND STORAGE TANK ACT AMENDMENTS (Energy, Natural Resources and Agriculture)
S.B. No. 48	THEFT OF CABLE TV SERVICES AMENDMENTS (Energy, Natural Resources and Agriculture)
S.B. No. 102	UTAH LAKE AUTHORITY (Energy, Natural Resources and Agriculture)
S.B. No. 87	RESPIRATORY CARE PRACTICE ACT AMENDMENTS (Health)
S.B. No. 107	UNIFORM ANATOMICAL GIFT ACT (Health)
S.B. No. 75	PROBATION CRITERIA (Judiciary)
S.B. No. 116	AMENDMENTS TO PUBLIC OFFERS (Judiciary)
S.J.R. No. 13	CONSOLIDATION OF RETIREMENT SYSTEMS STUDY (State & Local)
S.B. No. 126	EXPANSION OF SUNSET REVIEW (State & Local)
S.B. No. 42	MOVEMENT OF IMPLEMENTS OF HUSBANDRY (Transportation & Public Safety)

reports the Bills and Resolution to the Senate and asks that they be printed and assigned to the proper committee.

C.E. Peterson,
Rules Committee Chairman

Committee reports read and adopted. President Christensen assigned the bills and resolutions to the committees indicated.

CONSENT CALENDAR

S.B. No. 78, POST-RETIREMENT RESTRICTIONS FOR ELECTED OFFICIALS, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Myrin	Pace	Peterson, C.E.

Peterson, Cary	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Cornaby	Farley	Money	Nielsen
Peterson, Craig			

S.B. No. 78 was transmitted to the House.

THIRD READING CALENDAR

SUBSTITUTE S.B. No. 45, TRESPASS AMENDMENTS, was read the third time. Senators Tempest, C.E. Peterson, Fordham, Black, Myrin, Finlinson, Barlow, Leavitt, Money, Barton and Cary Peterson commented. The substitute bill failed on the following roll call:

Yeas, 13; Nays, 15; Absent, 1

Voting in the affirmative were: Senators

Barton	Farley	Hillyard (explained)	Holmgren
Leavitt	McAllister	Money	Myrin
Nielsen	Peterson, Cary	Rees	Richards
Tempest			

Voting in the negative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Finlinson	Fordham
McMullin	Pace	Peterson, C.E.	Steele
Storey	Swan	Pres. Christensen	

Absent or not voting was: Senator
Peterson, Craig

SUB. S.B. No. 45 was filed.

* * *

Senator Steele, having asked that S.J.R. No. 5, INCOME TAX EARMARK AMENDMENT, to be held for possible reconsideration, now asked that it be placed on the calendar and circled.

SECOND READING CALENDAR

S.B. No. 9, UTAH INJURED WORKER REEMPLOYMENT ACT was before the Senate as a Special Order.

Ed Mayne, President Secretary–Treasurer Utah State AFL–CIO, Virginius Dabney, Attorney at Law, Stephen M. Hadley, Chairman, Industrial Commission of Utah, and Thomas R. Carlson, Commissioner, Dixie L. Minson, Commissioner, and Larry D. Bunkall, President, Utah Manufacturers Association and Representative Janet Rose spoke in Committee of the Whole.

The bill passed on the following roll call:

Yeas, 18; Nays, 9; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Carling
Finlinson	Hillyard	Leavitt	McAllister
McMullin	Myrin	Nielsen	Peterson, C.E.
Peterson, Cary	Rees	Steele	Storey
Tempest	Pres. Christensen		

Voting in the negative were: Senators

Black	Bunnell	Comaby	Farley
Fordham	Money	Pace	Richards
Swan			

Absent or not voting were: Senators

Holmgren	Peterson, Craig

COMMITTEES OF THE WHOLE

On motion of Senator Richards, the Senate resolved into a Committee of the Whole. Appearing before the Senate was Robert J. Twiggs, Director, Center for Aerospace Technology.

On motion of Senator Myrin, the Senate resolved into a Committee of the Whole, appearing before the Senate were Luke J. Duncan, Chairman, Northern Ute Tribe Uintah and Ouray Reservation, and Robert Whitehorse, Montezuma Creek, Utah, and Mark Maryboy, Commissioner, San Juan County, and Johnny R. Thompson, Vice Chairman, Navajo Nation and James Jim.

RULES COMMITTEE REPORT

Mr. President: January 22, 1990

S.B. No. 132 GOVERNANCE OF PUBLIC EDUCATION (Education)

reports the Bill to the Senate and asks that it be printed and assigned to the proper committee.

C.E. Peterson,
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bill to the committee indicated.

STANDING COMMITTEE REPORT

Mr. President: January 22, 1990

The Senate Social Services Standing Committee, to which was referred **H.B. No. 14**, FREE DISTRIBUTION OF TOBACCO PRODUCTS, by Representative Hugh D. Rush, 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 Social Services Standing Committee, to which was referred **S.B. No. 85**, STATE HOSPITAL TRUST FUND, by Senator John P. Holmgren, 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.

Boyd K. Storey,
Committee Chairman

H.B. No. 14 and **S.B. No. 85** were read the second time and placed on Consent Calendar.

* * *

On motion of Senator Cary Peterson, **S.J.R. No. 5** was uncircled.

* * *

On motion of Senator Cary Peterson and at 12:00 noon the Senate adjourned until 10:00 a.m. Tuesday, January 23, 1990.

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 – The Very Reverend Joachim Hatzidakis, Holy Trinity Greek Orthodox Church.

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: January 23, 1990

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.

Boyd K. Storey,
Committee Chairman

Committee report read and adopted.

COMMUNICATIONS FROM HOUSE

Mr. President: January 22, 1990

I am directed to inform the Senate that the House of Representatives has this day passed on Consent Calendar, H.C.R. No. 2, MULTIPLE USES OF PUBLIC LANDS RESOLUTION, by Representative James F. 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.C.R. No. 14, RESOLUTION RECOGNIZING WEBER STATE COLLEGE, by Representative Dionne P. Halverson, 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. 4, RISK MANAGEMENT FUND AMENDMENTS, by Representative Ronald J. Ockey, and the 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. 18, NUCLEAR FACILITY SITING,

by Representative H. Craig Moody, and the 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. 21, P.O.W. LICENSE PLATE RENEWAL EXEMPTION, by Representative Jed W. 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, as amended, H.B. No. 65, REVISIONS TO LABOR CODE, 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. 137, THEFT OFFENSE AMENDMENTS, by Representative Bob Anderton, and the 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, PRIVILEGED COMMUNICATIONS AMENDMENTS, by Representative Nolan E. 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. 162, FUNDING TEXTBOOKS FOR PUBLIC EDUCATION, by Representative Richard J. Bradford, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.C.R. No. 2, H.C.R. No. 14 and H.B. No. 4 and SUB. H.B. No. 18 and H.B. Nos. 21, 65, 137, 145, and 162 were read the first time and referred to Rules Committee.

RULES COMMITTEE REPORT

Mr. President: January 22, 1990

The Senate Rules Committee to which was referred the following House Bills:

H.B. No. 10	SUBCONTRACTOR LISTING ON ADMINISTRATIVE SERVICES (Business, Labor & Economic Development)
H.B. No. 132	POSTSECONDARY PROPRIETARY SCHOOL AMENDMENTS (Education)
H.B. No. 154	TREE PLANTING FUND (Energy, Natural Resources & Agriculture)

H.B. No. 79 REMOVAL OF UNENFORCEABLE COVENANTS
(Judiciary)

reports the Bills to the Senate and asks that they be assigned to the proper committee, and

The Senate Rules Committee to which was referred the following Senate Bills:

S.B. No. 51 SALES TAX – EXEMPTION
(Business, Labor & Economic Development)

S.B. No. 135 CANCELLATION OF AUTOMOBILE PURCHASE
(Business, Labor & Economic Development)

S.B. No. 129 EARLY GRADUATION INCENTIVES AMENDMENTS
(Education)

S.B. No. 105 SENTENCE GUIDELINES REGARDING CRIMINAL LAW
(Judiciary)

S.B. No. 106 CONFLICTS OF INTEREST
(State & Local)

reports the Bills to the Senate and asks that they be printed and assigned to the proper committee, and

The Senate Rules Committee to which was referred the following Resolution:

H.J.R. No. 16 RESOLUTION HONORING UTAH'S OUTSTANDING TEACHERS

reports the Resolution to the Senate and asks that it be sent to the Second Reading Calendar.

C.E. Peterson,
Rules Committee Chairman

Committee reports read and adopted. President Christensen assigned the bills and resolutions to the committees and calendars as indicated.

SECRETARY OF SENATE REPORT

Committee reports have been received on S.B. Nos. 57 and 94, and the bills were placed on Second Reading Calendar.

INTRODUCTION OF BILLS

STANDARDS FOR IMPOSITION OF THE DEATH PENALTY

S.B. No. 168 *K.S. Cornaby, Lyle W. Hillyard*

AN ACT RELATING TO CRIMINAL LAW; AMENDING CERTAIN STANDARDS REGARDING IMPOSITION OF THE DEATH PENALTY.

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

AMENDS: 76-3-207, AS LAST AMENDED BY CHAPTER 19, LAWS OF UTAH 1982, was read the first time and referred to Rules Committee.

INSURANCE BENEFIT FOR LINE OF DUTY DEATH

S.B. No. 169 *Paul T. Fordham*

AN ACT RELATING TO INSURANCE; MANDATING THE PURCHASE OF A GROUP INSURANCE POLICY PAYABLE TO BENEFICIARY OF A STATE EMPLOYEE WHO DIES IN THE LINE OF DUTY; AUTHORIZING THE PURCHASE OF SUCH A POLICY BY POLITICAL SUBDIVISIONS THROUGH THE GROUP INSURANCE DIVISION; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 49-8-405, AS ENACTED BY CHAPTER 85, LAWS OF UTAH 1988, was read the first time and referred to Rules Committee.

CRIMINAL PENALTIES FOR HAZARDOUS WASTE VIOLATIONS

S.B. No. 170 *Stephen J. Rees*

AN ACT RELATING TO HEALTH; PROVIDING FOR CRIMINAL SANCTIONS; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 26-14-13, AS LAST AMENDED BY CHAPTER 238, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

CONSENT CALENDAR

H.B. No. 203, SUPPLEMENTAL APPROPRIATIONS ACT, was read the third time and explained by Senator Black. The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin

Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator Finlinson

H.B. No. 203, was signed by the President of the Senate in open session and returned to the House.

THIRD READING CALENDAR

On motion of Senator Swan, **S.J.R. No. 5** was circled.

* * *

S.B. No. 9, UTAH INJURED WORKER REEMPLOYMENT ACT, was read the third time. The bill passed on the following roll call:

Yeas, 19; Nays, 8; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Carling
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Myrin	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Steele
Storey	Tempest	Pres. Christensen	

Voting in the negative were: Senators

Black (explained)	Bunnell	Cornaby	Farley
Fordham	Money	Richards	Swan

Absent or not voting were: Senators

Finlinson	Pace

S.B. No. 9, as amended, was transmitted to the House.

SECOND READING CALENDAR

H.B. No. 26, UNIFORM TRANSFERS TO MINORS ACT, was read the second time and explained by Senator Craig Peterson.

Mr. President: January 15, 1990

The Judiciary Standing Committee, to which was referred **H.B. No. 26**, UNIFORM TRANSFERS TO MINORS ACT, by Representative John L. Valentine, 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, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Finlinson	Pace

* * *

On motion of Senator Black, under suspension of the rules, **S.B. No. 15**, LABOR CODE REVISIONS, was lifted from Third Reading Table.

Senator Black moved the following amendments:

Goldenrod
Page 16, Line 15:
Delete the committee amendment to follow line 15 and insert the following new subsection:

"(j) any seasonal hourly employee employed by a seasonal amusement

establishment with permanent structures and facilities which (i) does not operate for more than seven months in any calendar year or (ii) during the preceding calendar year, its average receipts for any six months of such year were not more than 33 1/3 percent of its average receipts for the other six months of such year; may be paid less than the applicable minimum wage provided the other direct monetary compensation from tips, incentives, commissions, end-of-season bonus or other forms of pay is sufficient to cause the average hourly rate of total compensation for the season of seasonal hourly employees who continue to work to the end of the operating season to equal the applicable minimum wage."

Senator Beattie commented. The motion passed on a voice vote, and the bill was amended. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Fordham	Hillyard	Holmgren	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Finlinson	Leavitt	Rees

S.B. No. 15, as amended, was transmitted to the House.

* * *

H.B. No. 58, RULES OF CRIMINAL PROCEDURE REVISION, was read the second time, and explained by Senator Hillyard.

Mr. President: January 15, 1990

The Judiciary Standing Committee, to which was referred **H.B. No. 58**, RULES OF CRIMINAL PROCEDURE REVISION, by Representative Byron L. Harward, 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, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Farley	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Black	Cornaby	Finlinson

* * *

H.B. No. 13, DRIVER LICENSE ACT AMENDMENTS was read the second time, and explained by Senator Craig Peterson.

Mr. President: January 15, 1990

The Senate Transportation & Public Safety Standing Committee, to which was referred **H.B. No. 13**, DRIVER LICENSE ACT AMENDMENTS, by Representative Christine R. Fox, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Glade Nielsen,
Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black

Bunnell	Carling	Farley	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Cornaby	Finlinson	Peterson, Cary

* * *

H.B. No. 17, CERTIFICATION REQUIREMENTS OF SHERIFFS, was read the second time, and explained by Senator Bunnell.

Mr. President: January 15, 1990

The Senate Transportation & Public Safety Standing Committee, to which was referred **H.B. No. 17, CERTIFICATION REQUIREMENTS OF SHERIFFS**, by Representative Mike Dmitrich, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Glade Nielsen,
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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Fordham
Hillyard	Holmgren	Leavitt	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Craig	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Cornaby	Finlinson	McAllister	Peterson, Cary
Rees			

* * *

H.B. No. 38, RESIDENCY REQUIREMENTS OF CERTAIN ELECTED OFFICIALS, was read the second time, and explained by Senator Myrin.

Mr. President: January 15, 1990

The Senate Transportation & Public Safety Standing Committee, to which was **H.B. No. 38**, RESIDENCY REQUIREMENTS OF CERTAIN ELECTED OFFICIALS, by Representative Stephen M. Bodily, has carefully considered the bill and reports it out of committee favorably and with the following amendment:

Page 4, Line 11:
Reinstate "and" and delete ", district, or"

Glade Nielsen,
Committee Chairman

Committee report read and adopted. Senator Pace commented. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Fordham
Hillyard	Holmgren	Leavitt	McMullin
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Craig	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Black	Finlinson	McAllister	Money
Peterson, Cary	Rees		

* * *

H.B. No. 90, SPECIAL FUEL TAX PERMIT AMENDMENTS, was read the second time, and explained by Senator Myrin.

Mr. President: January 15, 1990

The Senate Transportation & Public Safety Standing committee, to which was referred H.B. No. 90, SPECIAL FUEL TAX PERMIT AMENDMENTS, by Representative Stephen M. Bodily, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Glade Nielsen,
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	Barton	Bunnell	Carling
Cornaby	Farley	Fordham	Hillyard
Holmgren	Leavitt	McMullin	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Craig
Richards	Steele	Storey	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Beattie	Black	Finlinson	McAllister
Money	Peterson, Cary	Rees	Swan

* * *

On motion of Senator McMullin, H.J.R. No. 1, SALT LAKE REGIONAL TRAILS COUNCIL RESOLUTION was read the second time and circled.

* * *

H.B. No. 107, REVISED UNIFORM LIMITED PARTNERSHIP ACT, was read the second time, and explained by Senator Cornaby.

Mr. President: January 16, 1990

The Revenue and Taxation Standing Committee to which was referred H.B. No. 107, REVISED UNIFORM LIMITED PARTNERSHIP ACT, by Representative Nancy S. Lyon, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lorin N. Pace,
Committee Chairman

Committee report read and adopted. Senator Nielsen commented. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Black	Bunnell
Carling	Cornaby	Farley	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Richards	Steele	Storey	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Beattie	Finlinson	Rees	Swan

* * *

S.B. No. 66, RETIREMENT SYSTEMS TRANSFER, was read the second time.

Mr. President: January 16, 1990

The State and Local Affairs Committee, to which was referred S.B. No. 66, RETIREMENT SYSTEMS TRANSFER, by Senator Cornaby, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Craig Peterson,
Committee Chairman

Committee report read and adopted. Senator Black commented. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators
Barton Finlinson Rees

* * *

S.J.R. No. 2, SPECIAL SESSION AMENDMENTS RESOLUTION, was read the second time.

Mr. President: January 16, 1990

The State and Local Affairs Committee, to which was referred S.J.R. No. 2, SPECIAL SESSION AMENDMENTS RESOLUTION, by Senator McAllister, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Craig A. Peterson,
Committee Chairman

Committee reports read and adopted. On motion of Senator McAllister, the bill was returned to Rules Committee.

* * *

S.B. No. 56, DAM SAFETY AMENDMENTS, was read the second time.

Mr. President: January 17, 1990

The Senate Energy, Natural Resources and Agriculture Committee, to which was referred S.B. No. 56, DAM SAFETY AMENDMENTS, by Senator Frances Farley et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 9, Lines 4–15:
Delete lines 4 – 15 and insert the following:

"(1) the state engineer may require the owner of a dam or proposed dam to obtain the services of an independent consultant or team of consultants approved by the state engineer to consult regarding the adequacy of the design, construction, or operation of the dam if safety considerations pertaining to the design, construction, or operation of the dam warrant an independent review.

(2) The state engineer shall make rules specifying:

(a) the safety considerations that will be considered in determining if an independent review is required:

(b) the requisite qualifications and experience of the independent consultants; and

(c) the timing of the consultants' review so that their recommendations are made in a timely manner.

(3)(a) the independent consultants shall be considered to be the agents of the owner of the dam.

(b) The costs of the independent consultants' services shall be paid by the owner of the dam.

(c) The owner of the dam may require the independent consultants to consider other issues, in addition to safety considerations, such as:

(i) design selections or alternatives;
(ii) site selection;
(iii) cost effectiveness; or
(iv) other tasks as defined by the contract."

Page 13, Line 1:
After "conduct" delete "work or"

Page 13, Line 22:
After "owner of" delete "his" and insert "the" and after "comply;" delete "and"

Page 13, Line 24:
After "specifications" insert "; or (c) approve the modification to the approved plans and specifications"

Page 14, Line 23:
Delete "insure that" and insert "determine if"

Page 17, Line 9:
After "necessary to" delete "insure that" and insert "keep"

Page 17, Line 10:
After "structures" delete "are kept"

Fred W. Finlinson,
Committee Chairman

Committee report read and adopted.

On motion of Senator Money, the bill was amended as follows:

Page 17, Line 1:
Before "The state" insert "(1)"

Page 17, Line 3:
After "construction." insert the new subsection:

"(2)(a) In implementing this section, the State Engineer will develop a priority list giving appropriate consideration to:

(i) the potential for loss of life;
(ii) possible property damage; and
(iii) the size of the dams.

(b) Upon completion of the listing, the State Engineer will, beginning in 1991:

(i) select the 25 top priority dams on the list each year; and
(ii) undertake preliminary investigations to determine:

(A) in what areas the dams and appurtenant facilities do not comply with the minimum standards set by the State Engineer; and
(B) what information is lacking to make an adequate determination.

On motion of Senator Farley, the bill was amended as follows:

Page 14, Lines 22–24:
After "project" delete "to insure that it was built according to plans and that all work is completed"

Page 15, Line 1:
after "determines" delete "the work is satisfactory;" and insert:
"that:

(i) the project was constructed in accordance with plans approved by the state engineer under Sections 73–5a–203 and 73–5a–303; and
(ii) during construction, inspections and tests were conducted as required by Section 73–5a–301;"

Page 2 of Committee Report:
Delete the amendment made on Page 14, Line 23

Robert (Bob) L. Morgan, P.E., State Engineer, Department of Natural Resources Division of Water Rights, spoke in Committee of the Whole. Senators

Farley, Money, Leavitt, Craig Peterson and Hillyard commented. The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator
Finlinson

* * *

On motion of Senator Beattie, under suspension of the rules S.B. No. 10, HOMEOWNERS AND AUTO INSURANCE COMPARISON TABLE, was lifted from Third Reading Table, read the third time, and the fiscal note was amended as follows:

January 23, 1990

MANAGEMENT AND FISCAL ANALYSTS
S.B. No. 10 AMENDED

This bill requires the Insurance Department to publish a rate comparison table of motor vehicle and homeowners insurance. It is estimated that the Department can handle the rate comparison within existing budgets. The Department would need approximately $2,000, however, for printing costs. This expense would be funded from the General Fund in FY 1991.

OFFICE OF THE LEGISLATIVE FISCAL ANALYST

The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black

Bunnell	Carling	Cornaby	Farley
Fordham	Hillyard	Leavitt	McAllister
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Finlinson	Holmgren	McMullin

S.B. No. 10, as amended, was transmitted to the House.

* * *

H.B. No. 51, JUROR AND WITNESS FEES AMENDMENTS, was read the second time, and explained by Senator Hillyard.

Mr. President: January 17, 1990

The Judiciary Committee, to which was referred **H.B. No. 51, JUROR AND WITNESS FEES AMENDMENTS**, by Representative R. Lee Ellerston, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 2, Line 18:
After "lodging" insert "and meal"

Page 4, Line 18:
After "mileage" insert ", lodging"

Lyle W. Hillyard,
Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Finlinson	Money	Rees

* * *

H.B. No. 75, SCOPE OF AUTHORITY AND DIVISIONS OF CORPORATIONS, was read the second time, and explained by Senator Cornaby.

Mr. President: January 17, 1990

The Judiciary Committee, to which was referred **H.B. No. 75,** SCOPE OF AUTHORITY AND DIVISIONS OF CORPORATIONS, by Representative T.D. Lewis, has carefully considered the bill the reports it out of committee favorably with the following amendments:

Page 2, Line 1:
After "investigate" insert ", upon complaint, the"

Page 2, Line 5:
After "administered" delete "and enforced"

Page 2, Line 12:
After "administer" delete "and enforce"

Page 3, Line 5:
After "administered" delete "and enforce"

Lyle W. Hillyard,
Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Fordham	Holmgren	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Finlinson	Hillyard	Leavitt

* * *

S.B. No. 47, JUVENILE COURT FILING AMENDMENT, was read the second time, and explained by Senator Hillyard.

Mr. President: January 17, 1990

The Judiciary Standing Committee, to which was referred S.B. No. 47, JUVENILE COURT FILING AMENDMENT by Senator Haven J. Barlow, 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, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Finlinson	Rees

SECRETARY OF SENATE REPORT

A committee report has been received on S.B. No. 141, ALCOHOLIC BEVERAGE LAWS REVISIONS, and the bill was placed on Second Reading Calendar.

On motion of Senator Carling, the bill will be considered at 2:00 p.m. Thursday, January 25, 1990.

SECOND READING CALENDAR

S.B. No. 52, GROUP CRIMINAL ACTIVITY PENALTIES, was read the second time.

Mr. President: January 17, 1990

The Judiciary Standing Committee, to which was referred S.B. No. 52, GROUP CRIMINAL ACTIVITY PENALTIES, by Senator Paul T. Fordham, 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 C.E. Peterson, Hillyard and Steele commented. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Fordham	Hillyard	Holmgren	Leavitt
McAllister	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Finlinson	McMullin	Pace	Peterson, Craig

* * *

H.B. No. 23, LIABILITY PROTECTION FOR VOLUNTEERS, was read the second time and explained by Senator Hillyard.

Mr. President: January 18, 1990

The Senate Social Services Standing Committee, to which was referred H.B. No. 23, LIABILITY PROTECTION FOR VOLUNTEERS, by Representative Larry V. Lunt, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Boyd K. Storey,
Committee Chairman

Committee reports read and adopted. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	Money	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

McMullin	Myrin	Rees

* * *

H.B. No. 55, ITEMIZATION OF FEES FOR ADOPTION, was read the second time, and explained by Senator Steele.

Mr. President: January 18, 1990

The Senate Social Services Standing Committee, to which was referred H.B. No. 55, ITEMIZATION OF FEES FOR ADOPTION, by Representative Hugh D. Rush, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Boyd K. Storey,
Committee Chairman

Committee reports read and adopted. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Cornaby	Farley	Finlinson	Hillyard
Holmgren	Leavitt	McAllister	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barton	Carling	Fordham	McMullin

* * *

On motion of Senator Swan, under suspension of the rules, S.J.R. No. 5, INCOME TAX EARMARK AMENDMENT, was uncircled and before the Senate on reconsideration. Senators Steele, Cornaby, Cary Peterson, Bunnell, Swan, and Storey commented. On motion of Senator Swan, there was a Call of the Senate.

The resolution passed on the following roll call:

Yeas, 20; Nays, 7; Absent, 2

Voting in the affirmative were: Senators

Barton	Beattie	Black	Bunnell
Farley	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	Money
Nielsen	Pace	Peterson, C.E.	Peterson, Craig
Rees	Richards	Storey	Swan

Voting in the negative were: Senators

Barlow	Cornaby	Myrin	Peterson, Cary
Steele	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Carling	McMullin

S.J.R. No. 5 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 Christensen presiding.

COMMUNICATIONS FROM HOUSE

Mr. President: January 23, 1990

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 2**, SCHEDULING OF ANNUAL GENERAL SESSIONS, by Representative Robert A. Slack, and the 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. 98**, HUMAN RESOURCE MANAGEMENT AND GROUP INSURANCE AMENDMENTS, by Representative Rob W. 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 **H.B. No. 120**, MINIMUM RETIREMENT ALLOWANCE FOR PUBLIC EMPLOYEES, by Representative Byron L. Harward, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 174**, FIRE FIGHTER SYSTEM SOCIAL SECURITY OFFSET, by Representative Rob W. Bishop, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.J.R. No. 2, and **H.B. Nos. 98, 120** and **174** were read the first time and referred to Rules Committee.

* * *

Mr. President: January 23, 1990

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. 8**, JOINT RULES RESOLUTION, by Representative Rob W. Bishop, et al, and requests the Senate to recede from its amendments.

Carole E. Peterson, Chief Clerk

On motion of Senator C.E. Peterson, the Senate voted to not recede from its amendments. President Christensen appointed a committee comprised of Senators C.E. Peterson, Leavitt and Money to meet with a like committee from the House.

H.J.R. No. 8, was returned to the House.

SECOND READING CALENDAR

H.B. No. 72, EXTENSION OF ADOPTION AUTHORITY, was read the second time, and explained by Senator Richards.

Mr. President: January 18, 1990

The Senate Social Services Standing Committee, to which was referred H.B. No. 72, EXTENSION OF ADOPTION AUTHORITY, by Representative Kurt E. Oscarson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Boyd K. Storey,
Committee Chairman

Committee report read and adopted. Senator Hillyard commented. On motion of Senator Richards, the bill was circled.

* * *

S.B. No. 86, INDEPENDENT AGENCY AUDITS, was read the second time.

Mr. President: January 18, 1990

The State and Local Affairs Committee, to which was referred S.B. No. 86, INDEPENDENT AGENCY AUDITS, by Senator McAllister, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 2, Line 5:
after "Finance" delete "Authority" and insert "Agency"

Page 2, Line 8:
after "financial" delete "audit"

Craig A. Peterson,
Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Fordham
Hillyard	Holmgren	Leavitt	McAllister
Money	Myrin	Nielsen	Peterson, C.E.

Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Voting in the negative was: Senator Cornaby

Absent or not voting were: Senators

Finlinson	McMullin	Pace

* * *

H.B. No. 40, TERMS OF OFFICE FOR COUNTY COMMISSIONERS, was read the second time, and explained by Senator Storey.

Mr. President: January 18, 1990

The State and Local Affairs Committee, to which was referred **H.B. No. 40,** TERMS OF OFFICE FOR COUNTY COMMISSIONERS, by Representative Yardley, has carefully considered the bill and reports it out of committee favorably with the following amendment:

Lilac copy Page 1, Line 27a:
reinstate "Monday" and delete "REGULAR BUSINESS DAY"

Craig A. Peterson,
Committee Chairman

Committee report read and adopted. On motion of Senator Storey, the bill was amended as follows:

Lilac copy Page 1, Line 27:
After "(2)" insert:

(a) Whenever two county commission positions are vacant for a general election, they are designated "county commissioner A" and "county commissioner B."

(b) At the time a candidate for the county commission files a declaration of candidacy for a county commission position when there are two positions vacant, he shall designate on the declaration of candidacy form whether he is a candidate for county commissioner A or county commissioner B.

(c) No person may file a declaration of candidacy for, be a candidate for, or be elected to, two county commission positions in one general election.

(3)"

Senators Christensen, Myrin, Black, and Swan commented. The bill passed on the following roll call:

Yeas, 23; Nays, 4; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Carling
Farley	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Voting in the negative were: Senators

Black	Cornaby	Money	Myrin

Absent or not voting were: Senators

Bunnell	McMullin

* * *

S.B. No. 98, TITLE 53A REVISIONS – PUBLIC EDUCATION, was read the second time.

Mr. President: January 18, 1990

The Education Standing Committee to which was referred S.B. No. 98, TITLE 53A REVISIONS – PUBLIC EDUCATION, by Senator Lyle W. Hillyard, has carefully considered the bill and reports it out of committee with a favorable recommendation with the following amendments:

Page 22, Line 1:
After "school" delete "employees" and insert "employee". After "means" delete "all" and insert "an"

Page 22, Line 2:
After "support" delete "employees" and insert "employee".

Page 22, Line 18:
After "means" delete "all" and insert "a";
after "professional" insert "employee"

Page 22, Line 19:
Delete "personnel"

Page 22, Line 20:
After "who" delete "hold" and insert "holds", after "for" insert "a" and delete "positions" and insert "position".

Page 22, Line 21:
Insert "a" before valid; after "valid" delete "certificates" and insert "certificate".

Page 26, Line 24:
After "three" remove brackets around "years".

Page 28, Line 23:
After "grade" insert "." and delete "or the".

Page 28, Line 24:
Delete "minor's services are required for the support of a parent.".

Dixie L. Leavitt,
Committee Chairman

Committee report read and adopted. On motion of Senator Hillyard, the bill was amended as follows:

Page 7, Lines 24 and 25:
delete entirely

Page 8, Lines 1 through 13:
delete entirely
renumber sections

Page 29, Line 4:
restore "regularly established"

The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	Money	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Carling	McMullin	Myrin	Richards

* * *

S.J.R. No. 15, EARLY GRADUATION CREDIT RESOLUTION, was read the second time.

Mr. President: January 18, 1990

The Education Standing Committee, to which was referred S.J.R. No. 15, EARLY GRADUATION CREDIT RESOLUTION, by Senator David H. Steele, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Dixie L. Leavitt,
Committee Chairman

Committee reports read and adopted. Senators Steele, Finlinson, Bunnell, Barlow and Christensen commented. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	Money	Myrin	Nielsen
Pace	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Black	McMullin	Peterson, C.E.

* * *

On motion of Senator Holmgren H.J.R. No. 1, SALT LAKE REGIONAL TRAILS COUNCIL RESOLUTION was uncircled and passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	Money	Myrin
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Pres. Christensen			

Voting in the negative was: Senator

Nielsen

Absent or not voting were: Senators

McMullin	Pace	Tempest

* * *

S.J.R. No. 16, PROMOTING MATH AND SCIENCE IN PUBLIC EDUCATION, was read the second time.

Mr. President: January 18, 1990

The Education Standing Committee to which was referred S.J.R. No. 16, PROMOTING MATH AND SCIENCE IN PUBLIC EDUCATION, by Senator David H. Steele, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Dixie L. Leavitt,
Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Carling
Cornaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Black	Bunnell	McMullin

* * *

On motion of Senator Cary Peterson H.B. No. 72, was uncircled.

* * *

On motion of Senator Cary Peterson and at 3:00 p.m., the Senate adjourned until 10:00 a.m., Wednesday, January 24, 1990.

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 Pace, Farley, McAllister, and McMullin, excused.

Prayer – Pastor Albert A. Bodaski, Jr., Our Savior's Lutheran Church

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: January 24, 1990

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.

Boyd K. Storey,
Committee Chairman

Committee report read and adopted.

COMMUNICATIONS FROM HOUSE

Mr. President: January 23, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **SUB. H.B. No. 34**, WASTE TIRE RECYCLING, by Representative David S. Ostler, 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. 115**, RETIREMENT ALLOWANCE INCREASE AMENDMENTS, by Representative Byron L. Harward, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 105**, PROPERTY TAX AMENDMENTS, by Representative John L. Valentine, 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**, CORPORATE TRADEMARKS AND SERVICE MARKS,

by Representative Ted D. Lewis, and the 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. 97**, RETIREMENT OPERATION STATUS, by Representative Rob W. 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. 94**, RETIREMENT SYSTEM COMPLIANCE, by Representative Rob W. 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. 62**, INSURANCE COMPANIES DISCLOSURE, by Representative R. Mont Evans, et al,, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

SUB. H.B. No. 34, and H.B. Nos. 115, 105, 122, 97, 94, and 62 were read the first time and referred to the Rules Committee.

PRESENTATION OF RESOLUTIONS

RESOLUTION HONORING RALPH BLACKMAN

S.C.R. No. 5 *Cary G. Peterson, Lyle L. Hillyard*

A CONCURRENT RESOLUTION OF THE LEGISLATURE AND THE GOVERNOR HONORING RALPH STEPHENSON BLACKHAM FOR HIS LONG AND DISTINGUISHED SERVICE IN INDUSTRY, HIS COMMUNITY, AND THE STATE, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

PUBLIC SAFETY SALARY PACKAGE

S.B. No. 171 *Wilford R. Black, Jr., Alarik Myrin, Richard J. Carling, K.S. Cornaby, Lyle L. Hillyard, Eldon A. Money, Richard B. Tempest*

AN ACT RELATING TO APPROPRIATIONS; PROVIDING AN APPROPRIATION OF $441,000 FOR FISCAL YEAR 1990-91 TO THE DEPARTMENT OF PUBLIC SAFETY TO IMPLEMENT A SALARY PACKAGE; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS NEW MATERIAL, was read the first time and referred to Rules Committee.

STATE BUILDING OWNERSHIP AUTHORITY RESPONSIBILITIES

S.B. No. 172 *Lorin N. Pace*

AN ACT RELATING TO PUBLIC SCHOOLS; REQUIRING THE STATE BUILDING OWNERSHIP AUTHORITY TO DO A SCHOOL FACILITIES ASSESSMENT OF THE PUBLIC SCHOOLS; AND REQUIRING THE TRANSFER OF OWNERSHIP OF SCHOOL FACILITIES FROM LOCAL SCHOOL BOARDS TO THE STATE BUILDING OWNERSHIP AUTHORITY.

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

ENACTS: 63-9a-24, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

STATE-OWNED HEALTH CARE FACILITIES

S.B. No. 173 *Richard J. Carling*

AN ACT RELATING TO GOVERNMENTAL IMMUNITY; ESTABLISHING LIABILITY LIMITS FOR CERTAIN HEALTH CARE FACILITIES AND TRUST ACCOUNTS; ESTABLISHING A RECOVERY PROCEDURE WHEN CLAIMS EXCEED THOSE LIMITS; AND MAKING TECHNICAL CORRECTIONS.

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

ENACTS: 63-30-34.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

FIREWORKS DEALER LICENSE FEES

S.B. No. 174 *Dix H. McMullin, Arnold Christensen*

AN ACT RELATING TO FIREWORKS; LIMITING LICENSE FEES FOR RETAIL SALE OF FIREWORKS TO A MAXIMUM OF $200.

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

AMENDS: 11-3-9, AS ENACTED BY CHAPTER 127, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

FUNDING FOR TOURISM, RECREATION, AND CONVENTION FACILITIES

S.B. No. 175 *Dix H. McMullin, Arnold Christensen, Fred W. Finlinson, Richard J. Carling, Lorin N. Pace, Wilford R. Black, Paul T. Fordham, Haven J. Barlow, Richard B. Tempest, David H. Steele, Boyd K. Storey, K.S. Cornaby*

AN ACT RELATING TO TOURISM AND RECREATION; ALLOWING COUNTIES TO IMPOSE A TOURISM, RECREATION, AND CONVENTION TAX TO PROVIDE REVENUES FOR TOURISM, RECREATION, AND CONVENTION FACILITIES; PROVIDING TECHNICAL AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 17-31-2, AS LAST AMENDED BY CHAPTER 211, LAWS OF UTAH 1989, 59-12-301, AS RENUMBERED AND AMENDED BY CHAPTER 5, LAWS OF UTAH 1987.

ENACTS: 59-12-601, UTAH CODE ANNOTATED 1953; 59-12-602, UTAH CODE ANNOTATED 1953; 59-12-603, UTAH CODE ANNOTATED 1953.

REPEALS: 17-31-1, AS LAST AMENDED BY CHAPTER 5, LAWS OF UTAH 1987, was read the first time and referred to Rules Committee.

UTAH HOMESTEAD RIGHTS

S.B. No. 176 *Lyle W. Hillyard*

AN ACT RELATING TO HOMESTEAD EXEMPTIONS; SPECIFYING THAT A HOMESTEAD EXEMPTION IS A PROPERTY RIGHT FOR PURPOSES OF ACTIONS BROUGHT BY THE INTERNAL REVENUE SERVICE.

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

AMENDS: 78-23-3, AS ENACTED BY CHAPTER 111, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

BUDGETARY PROCEDURES ACT AMENDMENTS

S.B. No. 177 *Lyle W. Hillyard*

AN ACT RELATING TO ACCOUNTING; ESTABLISHING A UNIFORM DATE FOR RECOGNIZING STATE LIABILITY FOR MEDICAID CLAIMS; AND MAKING TECHNICAL CORRECTIONS.

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

AMENDS: 63-38-8, AS LAST AMENDED BY CHAPTER 132, LAWS OF UTAH 1988, was read the first time and referred to Rules Committee.

CONSENT CALENDAR

H.B. No. 50, FISHING LICENSE FEE FOR MENTALLY RETARDED, was read the third time, explained by Senator Bunnell, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Fordham	Hillyard	Holmgren
Leavitt	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Carling	Cornaby	Farley	Finlinson
McAllister	McMullin	Pace	Swan

H.B. No. 50 was signed by the President of the Senate in open session and returned to the House.

* * *

H.C.R. No. 6, WATERFOWL RESOLUTION, was read the third time, explained by Senator Holmgren, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Fordham	Hillyard	Holmgren
Leavitt	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Carling	Cornaby	Farley	Finlinson
McAllister	McMullin	Pace	Swan

H.C.R. No. 6 was signed by the President of the Senate in open session and returned to the House.

THIRD READING CALENDAR

H.B. No. 26, UNIFORM TRANSFER TO MINORS ACT, was read the third time, explained by Senator Craig Peterson, and passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Fordham	Hillyard	Holmgren	Leavitt
Myrin	Nielsen	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Pres. Christensen	

Absent or not voting were: Senators

Barton	Carling	Cornaby	Farley
Finlinson	McAllister	McMullin	Money
Pace	Tempest		

H.B. No. 26, was signed by the President of the Senate in open session and returned to the House.

* * *

H.B. No. 58, RULES OF CRIMINAL PROCEDURE REVISION, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Fordham	Hillyard	Holmgren
Leavitt	Myrin	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Carling	Cornaby	Farley	Finlinson
McAllister	McMullin	Money	Pace
Rees			

H.B. No. 58 was signed by the President of the Senate in open session and returned to the House.

* * *

H.B. No. 13, DRIVER LICENSE ACT AMENDMENTS, was read the third time, explained by Senator Craig Peterson, and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Fordham	Hillyard	Holmgren
Leavitt	Myrin	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Black	Cornaby	Farley	Finlinson
McAllister	McMullin	Money	Pace
Rees			

H.B. No. 13 was signed by the President of the Senate in open session and returned to the House.

* * *

H.B. No. 17, CERTIFICATION REQUIREMENTS OF SHERIFFS, was read the third time, explained by Senator Bunnell, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Fordham
Hillyard	Holmgren	Leavitt	Myrin

Nielsen	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Farley	Finlinson	McAllister	McMullin
Money	Pace	Rees	

H.B. No. 17 was signed by the President of the Senate in open session and returned to the House.

* * *

H.B. No. 38, RESIDENCY REQUIREMENTS OF CERTAIN ELECTED OFFICIALS, was read the third time, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barlow	Barton	Black	Bunnell
Carling	Cornaby	Fordham	Hillyard
Holmgren	Leavitt	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Beattie	Farley	Finlinson	McAllister
McMullin	Money	Pace	Rees

H.B. No. 38, as amended, was transmitted to the House.

* * *

H.B. No. 90, SPECIAL FUEL TAX PERMIT AMENDMENTS, was read the third time, explained by Senator Myrin, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barlow	Barton	Black	Carling

Cornaby	Fordham	Hillyard	Holmgren
Leavitt	Myrin	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Beattie	Bunnell	Farley	Finlinson
McAllister	McMullin	Money	Pace

H.B. No. 90 was signed by the President of the Senate in open session and returned to the House.

* * *

H.B. No. 107, REVISED UNIFORM LIMITED PARTNERSHIP ACT, was read the third time, explained by Senator Cornaby, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barlow	Barton	Black	Carling
Cornaby	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	Myrin	Nielsen
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Beattie	Bunnell	Farley	McAllister
McMullin	Money	Pace	Peterson, C.E.

H.B. No. 107 was signed by the President of the Senate in open session and returned to the House.

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S.B. No. 66, RETIREMENT SYSTEM TRANSFER, was read the third time, explained by Senator Black, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Cornaby	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	Myrin
Nielsen	Peterson, Cary	Peterson, Craig	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Bunnell	Farley	McAllister	McMullin
Money	Pace	Peterson, C.E.	Rees

S.B. No. 66 was transmitted to the House.

* * *

S.B. No. 56, DAM SAFETY AMENDMENTS, was read the third time, explained by Senator Black, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Cornaby	Fordham	Hillyard
Holmgren	Leavitt	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Bunnell	Farley	Finlinson	McAllister
McMullin	Money	Pace	Rees

* * *

H.B. No. 51, JUROR AND WITNESS FEES AMENDMENT, was read the third time, explained by Senator Craig Peterson, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barlow	Barton	Black	Carling
Cornaby	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Beattie	Bunnell	Farley	McAllister
McMullin	Money	Pace	Steele

H.B. No. 51, as amended, was returned to the House.

* * *

H.B. No. 75, SCOPE OF AUTHORITY FOR DIVISION OF CORPORATIONS AND COMMERCIAL CODE, was read the third time, explained by Senator Cornaby, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Fordham
Hillyard	Holmgren	Leavitt	Myrin
Nielsen	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Farley	Finlinson	McAllister	McMullin
Money	Pace		

H.B. No. 75, as amended, was transmitted to the House.

* * *

On motion of Senator Steele, the Senate voted to allow him to vote Aye on S.B. No. 56, DAM SAFETY AMENDMENTS. The vote was:

Yeas, 22; Nays, 0; Absent, 7

* * *

S.B. No. 47, JUVENILE COURT FILING AMENDMENTS, was read the third time, explained by Senator Barlow, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
Myrin	Nielsen	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Farley	McAllister	McMullin	Money
Pace			

S.B. No. 47 was returned to the House.

* * *

S.B. No. 52, GROUP CRIMINAL ACTIVITY PENALTIES, was read the third time, explained by Senator Fordham, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
Myrin	Nielsen	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Farley	McAllister	McMullin	Money
Pace	Rees		

S.B. No. 52 was transmitted to the House.

* * *

H.B. No. 23, VOLUNTEER ACTIVITIES RISK ALLOCATION, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Finlinson	Fordham
Hillyard (conflict)	Holmgren	Leavitt	Money
Myrin	Nielsen	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Black	Farley	McAllister	McMullin
Pace	Rees		

H.B. No. 23 was signed by the President of the Senate in open session and returned to the House.

* * *

H.B. No. 55, ITEMIZATION OF FEES FOR ADOPTION, was read the third time, explained by Senator Steele, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barlow	Barton	Bunnell	Cornaby
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Beattie	Black	Carling	Farley
McAllister	McMullin	Pace	Rees

H.B. No. 55 was signed by the President of the Senate in open session and returned to the House.

* * *

S.B. No. 86, INDEPENDENT AGENCY AUDITS, was read the third time, explained by Senator Holmgren, and passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 6

Voting in the affirmative were: Senators

Barlow	Barton	Bunnell	Carling
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Voting in the negative was: Senator
Cornaby

Absent or not voting were: Senators

Beattie	Black	Farley	McAllister
McMullin	Pace		

S.B. No. 86, as amended, was transmitted to the House. Senator Pace is present.

* * *

H.B. No. 40, TERMS OF OFFICE FOR COUNTY COMMISSIONERS, was read the third time, explained by Senator Storey, and passed on the following roll call:

Yeas, 19; Nays, 5; Absent, 5

Voting in the affirmative were: Senators

Barlow	Bunnell	Carling	Finlinson

Fordham	Hillyard	Holmgren	Leavitt
Money	Nielsen	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Voting in the negative were: Senators

Barton	Black	Cornaby	Myrin
Pace			

Absent or not voting were: Senators

Beattie	Farley	McAllister	McMullin
Rees			

H.B. No. 40, as amended, was transmitted to the House.

* * *

S.B. No. 98, TITLE 53A REVISIONS – PUBLIC EDUCATION, was read the third time, and passed on the following roll call:

Yeas, 22; Nays, 2; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Bunnell	Carling
Cornaby	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Voting in the negative were: Senators

Beattie	Money

Absent or not voting were: Senators

Black	Farley	McAllister	McMullin
Rees			

COMMUNICATION FROM HOUSE

Mr. President: January 24, 1990

I am directed to inform the Senate that the Speaker of the House has this day appointed a Conference Committee consisting of Representatives Bishop, Harward and Lewis to act with a like Committee from the Senate to consider or amend H.J.R. No. 8, JOINT RULES RESOLUTION, by Representative Rob W. Bishop, et al.

Carole E. Peterson, Chief Clerk

Communication filed.

THIRD READING CALENDAR

S.J.R. No. 15, EARLY GRADUATION CREDIT 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

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Black	Farley	McAllister	McMullin
Rees			

S.J.R. No. 15 was transmitted to the House.

* * *

H.J.R. No. 1, SALT LAKE REGIONAL TRAILS COUNCIL RESOLUTION, was read the third time, explained by Senator Holmgren, and passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell

Carling	Cornaby	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	Money
Myrin	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Voting in the negative was: Senator
Nielsen

Absent or not voting were: Senators

Black	Farley	McAllister	McMullin
Rees			

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

* * *

S.J.R. No. 16, PROMOTING MATH AND SCIENCE IN THE PUBLIC SCHOOLS RESOLUTION, was read the third time, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barton	Beattie	Bunnell	Carling
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Barlow	Black	Cornaby	Farley
McAllister	McMullin		

S.J.R. No. 16 was returned to the House.

SECOND READING CALENDAR

H.B. No. 72, EXTENSION OF ADOPTION AUTHORITY, was before the Senate, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Beattie	Bunnell	Carling	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Barlow	Barton	Black	Cornaby
Farley	McAllister	McMullin	

* * *

S.B. No. 83, SEISMIC INSTRUMENTATION BOARD, was read the second time, and explained by Senator Craig Peterson.

Mr. President: January 19, 1990

The Senate Energy, Natural Resources and Agriculture Committee, to which was referred **S.B. No. 83**, SEISMIC INSTRUMENTATION BOARD, by Senator Craig A. Peterson, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 3, Line 18:
After "receive" delete "no per diem or" and after "expenses" insert "when necessary"

Fred W. Finlinson,
Committee Chairman

Committee reports read and adopted. Senator Farley is present. Senators Hillyard, Swan, C.E. Peterson, Cary Peterson, Pace, Leavitt, Storey, Holmgren and Barlow commented. The bill passed on the following roll call:

Yeas, 24; Nays, 2; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Richards	Swan	Tempest	Pres. Christensen

Voting in the negative were: Senators

Steele	Storey

Absent or not voting were: Senators

McAllister	McMullin	Rees

* * *

On motion of Senator Beattie, the Senate voted to allow him to change his vote from Nay to Aye on S.B. No. 98, TITLE 53A REVISIONS - PUBLIC EDUCATION, the final vote was:

Yeas, 23; Nays, 1; Absent, 5

S.B. No. 98, as amended, was transmitted to the House.

* * *

On motion of Senator Farley, the Senate voted to allow her to vote Aye on S.B. No. 56, DAM SAFETY AMENDMENT, the final vote was:

Yeas, 23; Nays, 0; Absent, 6

S.B. No. 56, as amended, was transmitted to the House.

* * *

SUB. S.B. No. 5, RECYCLING OF WASTE TIRES, was read the second time.

Mr. President: January 19, 1990

The Health Standing Committee to which was referred S.B. No. 5, RECYCLING OF WASTE TIRES, by Senator Richard Tempest, has carefully

considered the bill and reports it out of committee with a favorable recommendation.

Stephen Rees,
Committee Chairman

On motion of Senator Rees, **SUB. S.B. No. 5**, with amendments, was adopted on January 19, 1990 and was before the Senate.

On motion of Senator Tempest, the bill was amended as follows:

Page 5, Lines 23:
After "use tax" insert "under chapter 12, title 59"

Senator Black's motion to amend on Page 4, Lines 19 and 20 by changing "14" to "15" failed on the following roll call:

Yeas, 10; Nays, 17; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Black	Cornaby
Fordham	Hillyard	Money	Nielsen
Richards	Storey		

Voting in the negative were: Senators

Beattie	Bunnell	Carling	Farley
Finlinson	Holmgren	Leavitt	Myrin
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Steele	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

McAllister	McMullin

Senators Tempest, Swan, Money, Black, Finlinson, Barton, Leavitt, Beattie, and Bunnell commented. The substitute bill passed on the following roll call:

Yeas, 21; Nays, 4; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	Myrin
Pace	Peterson, C.E.	Peterson, Craig	Richards

Steele	Storey	Swan	Tempest
Pres. Christensen			

Voting in the negative were: Senators

Black (explained)	Cornaby	Money	Nielsen

Absent or not voting were: Senators

McAllister	McMullin	Peterson, Cary	Rees

RULES COMMITTEE REPORT

Mr. President: January 24, 1990

The Senate Rules Committee to which was referred the following Senate Bills:

S.B. No. 79	PROCUREMENT AMENDMENTS FOR STATE CONSTRUCTION PROJECTS (Business, Labor & Economic Development)
S.B. No. 96	STANDARDIZED REPORTING OF PUBLIC EDUCATION DATA (Education)
S.B. No. 101	HIGHER EDUCATION INSTITUTIONAL NAME CHANGE (Education)
S.B. No. 119	SUSC NAME CHANGE (Education)
S.B. No. 158	BONDING FOR PUBLIC SCHOOL IMPROVEMENTS (Education)
S.B. No. 54	GREAT SALT LAKE DEVELOPMENT (Energy, Natural Resources & Agriculture)
S.B. No. 110	GOVERNMENTAL EMPLOYEE INDEMNIFICATION (Judiciary)
S.B. No. 124	VENUE FOR CONSUMER TRANSACTIONS (Judiciary)
S.B. No. 112	INCOME TAX – FEDERAL TAX DEDUCTIBILITY (Revenue & Taxation)
S.B. No. 144	PRESERVATION OF HERITAGE ACT (State & Local)
S.B. No. 149	FIRE FIGHTERS' RETIREMENT CREDIT PURCHASE (State & Local)
S.B. No. 157	LIEN AGAINST RETIREMENT BENEFITS (State & Local)
S.B. No. 128	DECERTIFICATION OF PEACE OFFICERS (Transportation & Public Safety)

reports the Bills to the Senate and asks that they be printed and assigned to the proper committee, and

The Senate Rules Committee to which was referred the following House Resolution:

H.C.R. No. 14 RESOLUTION RECOGNIZING WEBER STATE COLLEGE
reports the Resolution to the Senate and asks it be placed on Second Reading Calendar, and

The Senate Rules Committee to which was referred the following House Bill:

H.B. No. 65 REVISIONS TO LABOR CODE
reports the Bill to the Senate and asks that it be placed on the Second Reading Calendar, and

The Senate Rules Committee to which was referred the following House Bills and Resolution:

H.B. No. 162	FUNDING TEXTBOOKS FOR PUBLIC EDUCATION (Education)
H.C.R. No. 2	MULTIPLE USES OF PUBLIC LANDS RESOLUTION (Energy, Natural Resources & Agriculture)
H.B. No. 61	WILDERNESS TASK FORCE (Energy, Natural Resources & Agriculture)
H.B. No. 137	THEFT OFFENSE AMENDMENTS (Judiciary)
H.B. No. 145	PRIVILEGED COMMUNICATIONS AMENDMENTS (Social Services)
H.B. No. 4	RISK MANAGEMENT FUND AMENDMENTS (State & Local)
H.B. No. 108	INTERFERENCE WITH ARRESTING OFFICER AMENDMENT (Transportation & Public Safety)
H.B. No. 21	P.O.W. LICENSE PLATE RENEWAL EXEMPTION (Transportation & Public Safety)

reports the Bills and Resolution to the Senate and asks that they be assigned to the proper committee.

C.E. Peterson,
Rules Committee Chairman

Committee reports read and adopted. President Christensen assigned the bills and resolutions to the committees and calendars as indicated.

STANDING COMMITTEE REPORT

Mr. President: January 24, 1990

The Revenue and Taxation Standing Committee, to which was referred S.B. No. 80, PHASE OUT OF INTANGIBLE REDUCTION, by Senator Omar B. Bunnell, has carefully considered the bill and has sent it back to Rules Committee with a recommendation to place it on the Interim Committee study list.

Cary G. Peterson,
Acting Committee Chairman

Committee report read and adopted. S.B. No. 80 was returned to Rules Committee.

* * *

Mr. President: January 23, 1990

The Senate Transportation & Public Safety Standing Committee, to which was referred H.B. No. 121, INTERNATIONAL FUEL TAX AGREEMENT IMPLEMENTATION, by Representative Christine R. Fox, 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.

Glade Nielsen,
Committee Chairman

Committee report read and adopted. H.B. No. 121 was read the second time and placed on Consent Calendar.

* * *

Mr. President: January 23, 1990

The Judiciary Committee, to which was referred S.B. No. 89, EXTORTION 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 with the following amendment:

Page 2, Line 5:
After "class" delete "A" and insert "B"

Lyle W. Hillyard,
Committee Chairman

Committee report read and adopted. S.B. No. 89 was read the second time and placed on Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on S.B. No. 62, 72, 115, H.B. Nos. 89, 116, 133 and SUB. H.B. No. 37, and the bills were placed on Second Reading Calendar.

* * *

On motion of Senator Cary G. Peterson and at 12:00 noon, the Senate adjourned until Thursday, January 25, 1990 at 10:00 a.m.

EIGHTEENTH 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 McMullin and McAllister, excused.

Prayer – Pastor Danny Butcher, Sandy Baptist Church

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: January 25, 1990

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.

Boyd K. Storey
Committee Chairman

Committee report read and adopted.

COMMUNICATIONS FROM HOUSE

Mr. President: January 24, 1990

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 3**, RESOLUTION HONORING BETTY CALDER, by Representative Beverly Ann Evans, 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. 43**, UTAH FIT PREMISES ACT, by Representative H. Craig Moody, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 106**, CHILD SUPPORT GUIDELINES AMENDMENTS, by Representative Kelly C. Atkinson, 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. 114**, INMATE INCOME AND EXPENSES, by

Representative Grant D. Protzman, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.C.R. No. 3 and H.B. Nos. 43, 106, and 114 were read the first time and referred to the Rules Committee.

* * *

Mr. President: January 24, 1990

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 3, WORKERS' COMPENSATION FUND AMENDMENTS, by Senator K.S. Cornaby, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Chief Clerk

S.B. No. 3 was signed by the President of the Senate in open session, referred to Rules Committee to be enrolled and transmitted to the Governor.

SECRETARY OF SENATE REPORT

Committee reports have been received on H.B. Nos. 39, 52, 56, and H.J.R. No. 3, and the bills were placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

PUBLIC SCHOOL CLASS SIZE

S.B. No. 178 *Lorin N. Pace*

AN ACT RELATING TO PUBLIC EDUCATION; PROVIDING THAT EACH SCHOOL DISTRICT SHALL MAINTAIN AN AVERAGE CLASS SIZE IN KINDERGARTEN OF NO MORE THAN 20 STUDENTS PER CLASS; AND PROVIDING FOR A PHASED-IN REDUCTION OF CLASS SIZE IN GRADES ONE THROUGH SIX.

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

ENACTS: 53A-17-301, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

COMMUNITY CONTROL CORRECTIONS PROGRAM

S.B. No. 179 *Lorin N. Pace*

AN ACT RELATING TO CRIMINAL LAW; IMPLEMENTING THE HOME CONFINEMENT LEGISLATION; AND PROVIDING APPLICATION AND PROCEDURES.

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

AMENDS: 77-18-1, AS LAST AMENDED BY CHAPTER 226, LAWS OF UTAH 1989.

ENACTS: 78-28a-1, UTAH CODE ANNOTATED 1953; 78-28a-2, UTAH CODE ANNOTATED 1953; 78-28a-3, UTAH CODE ANNOTATED 1953; 78-28a-4, UTAH CODE ANNOTATED 1953; 78-28a-5, UTAH CODE ANNOTATED 1953; 78-28a-6, UTAH CODE ANNOTATED 1953; 78-28a-7, UTAH CODE ANNOTATED 1953; 78-28a-8, UTAH CODE ANNOTATED 1953; 78-28a-9, UTAH CODE ANNOTATED 1953; 78-28a-10, UTAH CODE ANNOTATED 1953; 78-28a-11, UTAH CODE ANNOTATED 1953; 78-28a-12, UTAH CODE ANNOTATED 1953; 78-28a-13, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

CONSENT CALENDAR

S.B. No. 38, DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING REVIEW PROCESS, 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	Barton	Beattie	Black
Bunnell	Cornaby	Farley	Fordham
Holmgren	Leavitt	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Carling	Finlinson	Hillyard	McAllister
McMullin	Peterson, Craig		

S.B. No. 38, as amended, was transmitted to the House.

* * *

H.J.R. No. 4, RESOLUTION RECOGNIZING MEDICAL ALERT PROGRAM, was read the third time, explained by Senator Richards, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Cornaby	Farley	Fordham	Holmgren
Leavitt	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Bunnell	Carling	Finlinson	Hillyard
McAllister	McMullin		

H.J.R. No. 4, was signed by the President of the Senate in open session and returned to the House.

* * *

H.B. No. 35, STATUTE OF LIMITATION 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

Barlow	Barton	Beattie	Black
Carling	Cornaby	Farley	Fordham
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Bunnell	Finlinson	Hillyard	Holmgren
Leavitt	McAllister	McMullin	

H.B. No. 35 was signed by the President of the Senate in open session and returned to the House.

* * *

H.B. No. 14, FREE DISTRIBUTION OF TOBACCO PRODUCTS, was read the third time, explained by Senator Steele, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Cornaby	Farley	Fordham
Holmgren	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Bunnell	Finlinson	Hillyard	Leavitt
McAllister	McMullin		

H.B. No. 14 was signed by the President of the Senate in open session and returned to the House.

* * *

S.B. No. 85, STATE HOSPITAL TRUST FUND, 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	Barton	Beattie	Black
Carling	Cornaby	Farley	Fordham
Holmgren	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Bunnell	Finlinson	Hillyard	Leavitt
McAllister	McMullin		

S.B. No. 85 was transmitted to the House.

THIRD READING CALENDAR

H.B. No. 72, EXTENSION OF ADOPTION AUTHORITY, was read the third time, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Farley	Fordham	Hillyard
Holmgren	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Bunnell	Cornaby	Finlinson	Leavitt
McAllister	McMullin	Money	Rees

H.B. No. 72 was signed by the President of the Senate in open session and returned to the House.

* * *

S.B. No. 83, SEISMIC INSTRUMENTATION BOARD, was read the third time. Senator Craig Peterson's motion to suspend the rules and vote on the bill failed on the following roll call:

Yeas, 9; Nays, 13; Absent, 7

Voting in the affirmative were: Senators

Barton	Beattie	Carling	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Tempest
Pres. Christensen			

Voting in the negative were: Senators

Barlow	Black	Bunnell	Fordham
Hillyard	Holmgren	Money	Myrin
Nielsen	Richards	Steele	Storey
Swan			

Absent or not voting were: Senators

Cornaby	Farley	Finlinson	Leavitt
McAllister	McMullin	Rees	

On motion of Senator Craig Peterson, the bill was placed on the Third Reading Table.

* * *

On motion of Senator Tempest, SUB. S.B. No. 5, RECYCLING OF WASTE TIRES, was read the third time and circled.

SECOND READING CALENDAR

S.B. No. 59, CONTRACTORS LICENSING AMENDMENTS, was read the second time.

Mr. President: January 18, 1990

The Business, Labor, and Economic Development Standing Committee, to which was referred S.B. No. 59, CONTRACTORS LICENSING AMENDMENTS, by Senator Glade Nielsen has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 4, Line 1:
Delete ", however:" and insert ":"

Page 4, Lines 2–5:
Delete lines 2–5

Page 7, Line 24:
Delete ", or shall hire a licensed plumber or electrician as an"

Page 8, Lines 1–2
Delete lines 1–2

Page 17, Line 6:
After "jurisdiction" insert "except for contract prequalification procedures required by state agencies"

Lane Beattie,
Committee Chairman

Committee report read and adopted. Senators Steele and Beattie commented. On motion of Senator Nielsen, the bill was amended as follows:

Page 4, Lines 1–5:
Delete the amendments to lines 1–5 on the standing committee report

Page 8, Line 2:
After the deleted language insert ", except that a Residential and Small Commercial contractor engaged in the construction of single-family and multi-family residences up to four units may hire a licensed plumber or electrician as an employee."

Senator Beattie's motion to amend on Page 18, Line 7 after "under this chapter" insert "said person shall not be awarded a contract for the work" failed on a standing vote. Senators Nielsen, Steele, Black, Beattie, C.E. Peterson, Leavitt, Barton, Christensen and Pace commented. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Craig	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Carling	McAllister	McMullin	Peterson, Cary
Rees	Richards		

* * *

S.J.R. No. 7, LABOR ARTICLE REVISION, was read the second time.

Mr. President: January 18, 1990

The Business, Labor, and Economic Development Standing Committee, to which was referred S.J.R. No. 7, LABOR ARTICLE REVISION, by Senator Lyle W. Hillyard, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lane Beattie,
Committee Chairman

Committee report read and adopted. The resolution passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
Money	Myrin	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Bunnell	McAllister	McMullin	Nielsen
Pace			

* * *

H.B. No. 87, BREWERY LICENSEE AMENDMENTS, was read the second time and explained by Senator Carling.

Mr. President: January 18, 1990

The Health Committee, to which was referred **H.B. No. 87,** BREWERY LICENSE AMENDMENTS, by Representative Mike Dmitrich, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Craig A. Peterson
Acting chairman

Committee report read and adopted. On motion of Senator Myrin, the bill was circled.

* * *

H.B. No. 95, PROHIBITIONS OF CERTAIN ANIMALS AS PETS, was read the second time, and explained by Senator Money.

Mr. President: January 18, 1990

The Health Committee, to which was referred **H.B. No. 95,** PROHIBITIONS OF CERTAIN ANIMALS AS PETS, by Representative Lee Allen, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Craig A. Peterson
Acting chairman

Committee report read and adopted. Senators Money, Black, Beattie, Barton, Myrin, Pace, and Farley commented. Robert Hasenyager, Research Consultant with the Division of Wildlife Resources, and Sherri Larsen spoke in Committee of the Whole.

On motion of Senator Barton, the bill was amended as follows:

Page 1, after Line 28:
Insert the following: "(4) This section does not prohibit a person from continuing to keep a raccoon or coyote that he owns as of the effective date of this act."

The bill passed on the following roll call:

Yeas, 17; Nays, 6; Absent, 6

Voting in the affirmative were: Senators

Beattie	Bunnell	Carling	Farley
Finlinson	Fordham	Leavitt	Money
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Voting in the negative were: Senators

Barlow	Barton	Myrin	Nielsen
Pace	Rees		

Absent or not voting were: Senators

Black	Cornaby	Hillyard	Holmgren
McAllister	McMullin		

* * *

S.B. No. 32, FEES LIMITATIONS ON TRUST DEEDS, was read the second time.

Mr. President: January 19, 1990

The Judiciary Committee, to which was referred S.B. No. 32, FEES LIMITATIONS ON TRUST DEEDS, by Senator Lorin N. Pace has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 2, Lines 11:
Place brackets before and after "$100" and insert "$250"

Page 2, Line 17:
After "occurred." insert "Provided that the limit on trustee's and attorney's fees in the preceding sentence shall apply only if (i) the property described in the trust deed consists exclusively of the owner's primary residence and contains no more than 4 dwelling units, and (ii) there has been no prior foreclosure proceedings on the trust deed within one year prior to the notice of default by the same obligated party. Provided, also, that the limit on trustee's and attorney's fees shall not apply to reasonable fees and costs incurred in bankruptcy or other legal proceedings affecting the property described in the trust deed, the trustor or his successor in interest in the trust property or any part thereof, or any other person having a subordinate lien or encumbrance of record thereon or any beneficiary under a subordinate trust deed. In the event of a dispute over attorney's fees, either party may apply to any court of our state for a resolution. In such event the obligated party may re-instate the trust deed by paying the defaulted amount and the litigation shall be as to attorney's fees only. In the event the court finds that the demanded fees are reasonable, the non-payment of such fees shall constitute a default under the trust deed note."

Lyle W. Hillyard
Committee Chairman

Committee report read and adopted. On motion of Senator Pace, the bill was circled.

* * *

On motion of Senator Myrin, **H.B. No. 87**, BREWERY LICENSEE AMENDMENTS, was uncircled, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Fordham
Money	Myrin	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barton	Finlinson	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Pace

* * *

S.B. No. 60, OPTIONAL TITLING OF COLLECTOR MOTOR VEHICLES, was read the second time.

Mr. President: January 19, 1990

The Senate Transportation & Public Safety Standing Committee, to which was referred S.B. No. 60, OPTIONAL TITLING OF COLLECTOR MOTOR VEHICLES, by Senator Glade Nielsen, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Glade Nielsen
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

Barlow	Beattie	Black	Carling
Cornaby	Farley	Finlinson	Fordham
Leavitt	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Pres. Christensen		

Absent or not voting were: Senators

Barton	Bunnell	Hillyard	Holmgren
McAllister	McMullin	Tempest	

* * *

On motion of Senator Beattie, the Senate voted to lift S.B. No. 93, COMMON MEASURE PROPERTY DESCRIPTION, from the Rules Committee and strike its enacting clause.

* * *

On motion of Senator Carling, under suspension of the rules, **H.J.R. No. 16**, RESOLUTION HONORING UTAH'S OUTSTANDING TEACHER, 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Leavitt	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Craig	Rees	Richards	Steele
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Hillyard	Holmgren	McAllister	McMullin
Peterson, Cary	Storey	Swan	

H.J.R. No. 16 was signed by the President of the Senate in open session and returned to the House.

* * *

S.B. No. 73, GOOD SAMARITAN PROTECTION FOR SKI PATROL, was read the second time.

Mr. President: January 19, 1990

The Senate Transportation and Public Safety Standing Committee, to which was referred **S.B. No. 73**, GOOD SAMARITAN PROTECTION FOR SKI PATROL, by Senator Lane Beattie, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 3, Line 14:
After the word "course" delete "in first"

Page 3, Line 15–16:
Delete Lines 15 and 16

Page 3, Line 17:
Delete "Patrol, or an equivalent course of instruction"

Glade Nielsen
Committee Chairman

Committee report read and adopted. On motion of Senator Beattie, the bill was circled.

* * *

On motion of Senator Cary Peterson, under suspension of the rules, H.C.R. No. 14, RESOLUTION RECOGNIZING WEBER STATE COLLEGE, 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	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Leavitt	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Barton	Hillyard	Holmgren	McAllister
McMullin	Storey		

H.C.R. No. 14 was signed by the President of the Senate in open session and returned to the House.

* * *

S.B. No. 55, REGULATION OF AUTOMOBILE INSURANCE PREMIUMS, was read the second time.

Mr. President: January 19, 1990

The Senate Transportation and Public Safety Standing Committee, to which was referred S.B. No. 55, REGULATION OF AUTOMOBILE INSURANCE PREMIUMS, by Senator John P. Holmgren, has carefully considered the bill and reports it out of committee favorable with the recommendation that the original bill be deleted in body and title and that SUB. S.B. No. 55 replace the original bill.

SUB. S.B. No. 55 to be amended as follows:

Page 1, Line 24
Delete "or" and insert "and"

Page 1, Line 25:
After the word "violation" insert "per individual"

Glade Nielsen
Committee Chairman

Committee report read and adopted. The following substitute bill replaced the original bill:

REGULATION OF AUTOMOBILE INSURANCE PREMIUMS
(1-18-90 6:33 p.m.)

SUB. S.B. No. 55 *John P. Holmgren*

AN ACT RELATING TO INSURANCE; RESTRICTING MOTOR VEHICLE COVERAGE RATE INCREASES FOR CERTAIN TRAFFIC VIOLATIONS.

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

ENACTS: 31A-19-211, UTAH CODE ANNOTATED 1953.

On motion of Senator Carling, the bill was circled.

* * *

On motion of Senator Cary Peterson, and at 12:00 noon, the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:10 p.m. with President Arnold Christensen presiding.

SPECIAL ORDER OF BUSINESS
(S.B. No. 141, ALCOHOLIC BEVERAGE LAWS REVISION)

S.B. No. 141, ALCOHOLIC BEVERAGE LAWS REVISIONS, was read the second time.

Mr. President: January 23, 1990

The Business, Labor, and Economic Development Standing Committee, to which was referred S.B. No. 141, ALCOHOLIC BEVERAGE LAWS REVISIONS, by Senator Arnold Christensen et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lane Beattie,
Committee Chairman

Committee report read and adopted. On motion of Senator Carling, the bill was amended as follows:

Page 53, Line 9:
Delete "by rule"

Page 108, Line 15:
Delete "standard" and insert "original"

Page 110, Line 15:
After "(13)" delete "No" and insert "Beginning July 1, 1991, no"

Page 126, Line 3:
Delete "standard" and insert "original"

Page 155, Line 1:
After "(k)" delete "No" and insert "Beginning July 1, 1991, no"

Page 183, Line 2:
Delete"standard" and insert "original"

Page 220, Line 10:
After "(4)" insert "(a) Beer may not be sold or offered for sale at any on-premise beer retailer licensee after 1:00 a.m. and before 10:00 a.m.

(b)"

Page 220, Line 11:
Delete "(a)" and insert "(i)"

Page 220, Line 12:
Delete "(b)" and insert "(ii)"

Page 220, Line 13:
Delete "(c)" and insert "(iii)"

Page 220, Line 14:
Delete "(d)" and insert "(iv)"

Page 245, Line 7:
After "(i)" insert "but may consume"

Page 245, Line 18:
After "(2)" delete "The" and insert "Except as provided in Subsection (1)(c)(i), the"

Page 289, Line 20:
Delete "32A-12-212" and insert "32A-12-213" and after "(b)" and insert "and (c)"

Senators Swan and Christensen commented. Senator Barton's motion to amend on Page 109, Line 24 by deleting "before 1:00" and insert "before 12:00 noon" failed on a voice vote. Senators Hillyard, Barton, and Holmgren commented.

On motion of Senators Carling and Hillyard the following is placed in the Senate Journal.

LEGISLATIVE INTENT STATEMENT REGARDING
S.B. No. 141, ALCOHOLIC BEVERAGE LAWS REVISIONS

"By passing Senate Bill 141, Alcoholic Beverage Laws Revisions, at the 1990 General Session, the Utah Legislature intends and acknowledges that any dramshop liability established or continued under this bill is in addition to and does not supersede any other liability that may attach to the acts of any person who may cause injury to another person by serving, selling, or otherwise supplying any alcoholic beverage to that other person, whether such liability arises from the common law or otherwise."

On motion of Senator Cary Peterson, under suspension of the rules, the bill was read the third time and passed on the following roll call:

Yeas, 23; Nays, 2; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard (conflict)	Holmgren
Leavitt	Money	Myrin	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Richards
Steele	Tempest	Pres. Christensen	

Voting in the negative were: Senators
Nielsen Swan

Absent or not voting were: Senators
McAllister McMullin Rees Storey

S.B. No. 141, as amended, was transmitted to the House.

* * *

On motion of Senator Cary Peterson the cirlces were removed from S.B. No. 32, SUB. S.B. No. 55, S.B. No. 73 and SUB. S.B. No. 5.

* * *

On motion Cary Peterson, and at 3:10 p.m., the Senate adjourned until 10:00 a.m. Friday, January 26, 1990.

NINETEENTH 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 McMullin and Storey, excused.

Prayer – Lew Hancock, Minister of the Southside Church of Christ

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: January 26, 1990

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the journal for the eighteenth day and find it correct with minor amendments noted on the final copy.

Paul T. Fordham
Committee member

Committee report read and adopted.

COMMUNICATIONS FROM HOUSE

Mr. President: January 25, 1990

I am directed to inform the Senate that the House of Representatives , on reconsideration, has this day passed **H.B. No. 38**, RESIDENCY REQUIREMENTS OF CERTAIN ELECTED OFFICIALS, by Representative Stephen M. Bodily, and 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. 40**, TERMS OF OFFICE FOR COUNTY COMMISSIONERS, by Representative James F. Yardley, and 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. 51**, JUROR AND WITNESS FEES AMENDMENT, by Representative R. Lee

Ellertson, and 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. 75**, SCOPE OF AUTHORITY FOR DIVISION OF CORPORATIONS AND COMMERCIAL CODE, by Representative Ted D. Lewis, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Chief Clerk

H.B. Nos. 38, 40, 51, and 75 were signed by the President of the Senate in open session and returned to the House.

* * *

Mr. President: January 25, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.J.R. No. 15**, RENOVATION OF PIONEER TRAIL STATE PARK COMMENDATION RESOLUTION, by Representative Donald R. 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 **H.C.R. No. 19**, UNITED MINE WORKERS OF AMERICAN RESOLUTION, by Representative Mike Dmitrich, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 68**, INSURANCE BENEFITS FOR BENEFICIARIES OF PEACE OFFICERS, by Representative R. Mont Evans, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 148**, REQUIREMENT TO FURNISH SOCIAL SECURITY NUMBERS, by Representative Lloyd 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.B. No. 160**, TASK FORCE ON VOLUNTEERS FOR COMMUNITY SERVICE, by Representative David M. Jones, and the 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. 219**, LATE REGISTRATION OF VOTERS, by Representative Afton Bradshaw, and the 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. 229**, BOARD OF STATE HISTORY AMENDMENTS, by Representative Rob W. Bishop, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.J.R. No. 15, H.C.R. No. 19, and H.B. Nos. 68, 148, 160, 219, and 229 were read the first time and referred to the Rules Committee.

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B. Nos. 18, 19, 51, 129, 132, 58, 87, S.J.R. 11** and **H.B. Nos. 16** and **132**, and the bills and resolution were placed on Second Reading Calendar.

STANDING COMMITTEE REPORT

Mr. President: January 25, 1990

The Senate Transportation and Public Safety Standing Committee, to which was referred **H.B. No. 108**, INTERFERENCE WITH ARRESTING OFFICER – AMENDMENT, by Representative Daniel H. Tuttle, 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.

Glade Nielsen
Committee chairman

Committee report read and adopted. **H.B. No. 108** was read the second time and placed on Consent Calendar.

COMMUNICATION FROM THE GOVERNOR

Dear Speaker Karras & President Christensen January 25, 1990

This is to inform you that on January 16, 1990, I signed **H.C.R. No. 7**, UTE INDIAN RECOGNITION RESOLUTION, and have forwarded it to the Lieutenant Governor for filing, and

This is to inform you that on January 25, 1990, I signed **H.B. No. 128**, SUNSET ACT REVISIONS AND REAUTHORIZATIONS, and have forwarded it to the Lieutenant Governor for filling.

Norman H. Bangerter
Governor

Communications filed.

INTRODUCTION OF BILLS

DIVORCED PARENTS COMPLIANCE WITH RESIDENTIAL PROVISIONS FOR A CHILD

S.B. No. 180 *Dix H. McMullin, David H. Steele, Lyle L. Hillyard, LeRay McAllister, Arnold Christensen, Boyd K. Storey, Wilford R. Black*

AN ACT RELATING TO DOMESTIC RELATIONS; REQUIRING DIVORCE DECREES TO SPECIFY IN A RESIDENTIAL ORDER THE TIMES AND PLACES THE CHILD SPENDS WITH EACH PARENT; PROVIDING PENALTIES FOR VIOLATION OF THESE PROVISIONS; AND PROVIDING GROUNDS FOR AMENDING THE ORDER.

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

AMENDS: 30-3-5, AS LAST AMENDED BY CHAPTERS 72 AND 100, LAWS OF UTAH 1985.

ENACTS: 30-3-5.3, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

CRIMINAL OFFENSE CHARGES

S.B. No. 181 *Winn L. Richards*

AN ACT RELATING TO CRIMINAL PROCEDURE; ENACTING PROVISIONS REGARDING THE CHARGING OF OFFENSES; AND REQUIRING THE CONSTITUTIONAL TWO-THIRDS VOTE FOR PASSAGE.

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

ENACTS: 77-8a-1, (FORMERLY 77-35-9) UTAH CODE ANNOTATED 1953.

REPEALS: 77-35-9, AS ENACTED BY CHAPTER 14, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

EDUCATIONAL TELECOMMUNICATION

S.B. No. 182 *Richard B. Tempest*

AN ACT RELATING TO EDUCATION; DESIGNATING THE BROADCAST CENTER AT THE UNIVERSITY OF UTAH AS THE STATEWIDE PUBLIC TELECOMMUNICATIONS FACILITY FOR

EDUCATION IN UTAH; AND REQUIRING THE STATE EDUCATIONAL TELECOMMUNICATIONS OPERATIONS CENTER TO DEVELOP AND OPERATE A STATEWIDE MULTI-OPTION TELECOMMUNICATIONS SYSTEM.

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

ENACTS: 53B-17-102, UTAH CODE ANNOTATED 1953; 53B-17-103, UTAH CODE ANNOTATED 1953.

REPEALS AND REENACTS: 53B-17-101, AS ENACTED BY CHAPTER 167, LAWS OF UTAH 1987, was read the first time and referred to Rules Committee.

REPEAL OF ORS BAIL COLLECTION

S.B. No. 183 *John P. Holmgren*

AN ACT RELATING TO THE OFFICE OF RECOVERY SERVICES; REPEALING REQUIREMENT THAT THE OFFICE COLLECT BAIL AMOUNTS; AND CLARIFYING PUBLIC ASSISTANCE REQUIREMENTS.

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

AMENDS: 62A-9-130, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-11-104, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 77-7-19, AS LAST AMENDED BY CHAPTER 157, LAWS OF UTAH 1989.

REPEALS: 62A-11-109, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

SUB. S.B. No. 5, RECYCLING OF WASTE TIRES, was before the Senate. Senators Tempest and Holmgren commented. On motion of Senator Black, the bill was circled.

* * *

S.B. No. 59, CONTRACTOR LICENSING AMENDMENTS, was read the third time.

On motion of Senator Nielsen, the bill was amended as follows:

Page 4, Line 1:
Delete ", however:" and insert ":"

Page 4, Lines 2–5:
Delete lines 2–5

Page 4, Line 6:
Delete "or"

Page 4, Line 8:
After line 8 insert: "(d) For purposes of subsections (a) through (c):

(i) no more than one unlicensed person may be so employed unless more than five licensed electricians are employed by the shop; and

(ii) no shop may so employ unlicensed persons in excess of the five to one ratio permitted by this subsection."

Page 18, Line 7:
After "under this chapter" insert "said person shall not be awarded a contract for the work"

The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Barton	McMullin	Pace	Richards
Storey			

S.B. No. 59, as amended, was transmitted to the House.

* * *

S.J.R. No. 7, LABOR ARTICLE REVISION, was read the third time. Senators Hillyard, Swan, and Black commented, and the bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
Money	Myrin	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Barton	Cornaby	McMullin	Pace
Storey			

S.J.R. No. 7 was transmitted to the House.

* * *

H.B. No. 95, PROHIBITION OF CERTAIN ANIMALS AS PETS, was read the third time and passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Cornaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
Money	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Swan	Tempest	Pres. Christensen

Voting in the negative was: Senator
Myrin

Absent or not voting were: Senators

Barton	Carling	McMullin	Storey

H.B. No. 95, as amended, was transmitted to the House.

* * *

H.B. No. 87, BREWERY LICENSEE AMENDMENTS, was read the third time and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Cornaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barton	Carling	McMullin	Storey

H.B. No. 87 was signed by the President of the Senate in open session and returned to the House.

* * *

S.B. No. 60, OPTIONAL TITLING OF COLLECTOR MOTOR VEHICLES, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Barton	McMullin	Storey

S.B. No. 60 was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator McAllister, **S.B. No. 72**, BICYCLE PATHS AND TRAILS DEVELOPMENT, will be considered Monday, January 29 at 10:30 a.m.

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S.B. No. 32, FEES LIMITATIONS ON TRUST DEEDS, was before the Senate. Senator Pace explained the bill.

Senator Hillyard moved the following amendments:

Page 2, Line 9:
Before "trustee's" insert "reasonable".

Page 2, Line 10:
Restore the bracketed word "and".
Delete the words "fees not in excess of $75, and".

Page 2, Lines 10 and 11:
Delete the words: "not in excess of ~~[$100.00]~~ $250.00, provided such fees were"

Page 2, Line 17:
Delete all language added by the Senate Committee amendment.

Page 2, Line 18:
Delete "(a)"

Page 3, Lines 19, 20
Delete lines 19 and 20, and insert the following in lieu thereof: "(3) Before causing a notice of default to be filed for record under a trust deed covering property consisting exclusively of the owner's primary residence and containing no more than four dwelling unites, the trustee or beneficiary shall give written notice of the breach of the trust deed. The notice shall identify the breach and a date not less than 30 days from the date the notice is mailed by which the breach must be cured. The notice shall be mailed by certified mail to the trustor at the trustor's last known address and to the occupant at the property address. If the breach is cured within the time specified in the notice, no trustee's or attorney's fee may be charged to the trustor and no notice of default may be filed for record with respect to the breach which was cured.

Karen Silver, Salt Lake Community Action Program, and Lorin D. Ronnow, Attorney at Law, spoke in Committee of the Whole. Senators Pace, Hillyard, Beattie, Leavitt, Black and Barlow commented.

Senator Pace moved a substitute motion to amend the bill by removing the standing committee amendments. Senators Hillyard and Barlow commented. Senator Pace withdrew his substitute motion.

Senator Hillyard's motion to amend failed on a voice vote. The bill passed on the following roll call:

Yeas, 17; Nays, 7; Absent, 5

Voting in the affirmative were: Senators

Barlow	Black	Bunnell	Farley
Fordham	Holmgren	Leavitt	McAllister
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Steele	Swan
Tempest			

Voting in the negative were: Senators

Beattie	Carling	Comaby	Finlinson
Hillyard	Rees	Pres. Christensen	

Absent or not voting were: Senators

Barton	McMullin	Peterson, Craig	Richards
Storey			

* * *

SUB. S.B. No. 55, REGULATION OF AUTOMOBILE INSURANCE PREMIUMS, was before the Senate.

On motion of Senator Holmgren, the substitute bill was amended as follows:

Page 1, Line 25:
Delete line 25 including the language inserted on line 25 by the committee report dated January 19, 1990 and insert "three-year period prior to the policy period of a single speeding violation per individual or three speeding violations per household"

Page 1, Line 26:
Delete "41-6-52"

Senators Holmgren, C.E. Peterson, Finlinson and Leavitt commented. The substitute bill passed on the following roll call:

Yeas, 20; Nays, 3; Absent, 6

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Carling
Farley	Finlinson	Fordham	Hillyard
Holmgren	McAllister	Money	Myrin
Nielsen	Pace	Peterson, Cary	Peterson, Craig
Richards	Swan	Tempest	Pres. Christensen

Voting in the negative were: Senators

Bunnell	Leavitt (conflict)	Peterson, C.E.	

Absent or not voting were: Senators

Barton	Cornaby	McMullin	Rees
Steele	Storey		

* * *

On motion of Senator Beattie, S.B. No. 73 was circled.

* * *

S.B. No. 57, RECODIFICATION OF SPECIAL DISTRICTS, was read the second time.

Mr. President: January 22, 1990

The State and Local Affairs Committee, to which was referred S.B. No. 57, RECODIFICATION OF SPECIAL DISTRICTS, by Senator McMullin, has carefully considered the bill and reports it out of committee with a favorable recommendation.

LeRay L. McAllister,
Acting committee Chairman

Committee reports read and adopted. On motion of Senator Cary Peterson, the bill was circled.

* * *

S.B. No. 94, POST-EMPLOYMENT BENEFITS LIABILITIES, was read the second time. Senators McAllister, Leavitt, Cary Peterson and Hillyard commented.

Mr. President: January 22, 1990

The State and Local Affairs Committee, to which was referred S.B. No. 94, POST-EMPLOYMENT BENEFITS LIABILITIES, by Senator McAllister, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 4, Lines 18-21:
Delete lines 18 through 21 and insert "that is responsible for accounting standards used by public entities."

Page 5, Line 22:
After "of" delete "their" and insert "his"

Page 8, Line 11:
After "the" insert "post-employment"

Page 8, Line 12:
After "benefits" insert "after post-employment liabilities are recognized"

Page 8, Line 19:
After "(ii)" delete "to"

LeRay L. McAllister
Acting Committee Chairman

Committee reports read and adopted. The bill passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Finlinson	Hillyard	Holmgren
Leavitt	McAllister	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Richards
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Barton	Cornaby	Farley	Fordham
McMullin	Money	Pace	Rees
Storey			

COMMITTEE OF THE WHOLE

On motion of Senator Black, the Senate resolved into a Committee of the Whole. Appearing before the Senate were Reed L. Reeve, Utah Motor Transport Association and Joe Mack and Leo Nellessen with America's Road Team.

SECOND READING CALENDAR

On motion of Senator Nielsen, S.B. No. 57, RECODIFICATION OF SPECIAL DISTRICTS, was uncircled and before the Senate. Senator Finlinson commented. On motion of Senator Black, Senator Finlinson is to be allowed to review the 1,068 pages of the bill over the weekend. On motion of Senator Nielsen, the bill was circled.

RULES COMMITTEE REPORT

Mr. President: January 26, 1990

The Senate Rules Committee to which was referred the following Senate Bills and Resolution:

S.B. No. 68	PRODUCT MANUFACTURERS' LIABILITY AMENDMENTS (Business, Labor & Economic Development)
S.B. No. 69	PRODUCTS LIABILITY DEFENSES (Business, Labor & Economic Development)
S.B. No. 70	PRODUCTS SELLERS' LIABILITY AMENDMENTS (Business, Labor & Economic Development)
S.B. No. 150	UNIFORM COMMERCIAL CODE-LEASES (Business, Labor & Economic Development)
S.B. No. 127	AUDITS OF STATE LAND LEASES AND PERMITS (Energy, Natural Resources & Agriculture)
S.B. No. 84	INSURANCE COVERAGE FOR ADOPTION-RELATED EXPENSES (Social Services)
S.B. No. 29	ELIGIBILITY FOR TAX RELIEF PROGRAMS (Revenue & Taxation)
S.B. No. 153	AMENDMENTS TO STATE PERSONNEL LONGEVITY PROGRAM (State & Local)
S.C.R. No. 3	RESOLUTION URGING PROTECTION OF THE FLAG (Social Services)
S.B. No. 120	MOTOR VEHICLE BUSINESS ACT AMENDMENTS (Transportation & Public Safety)

reports the Bills and Resolution to the Senate and asks that they be printed and assigned to the proper committee, and

The Senate Rules Committee to which was referred the following House Bills:

H.B. No. 100	TELEPHONE FRAUD (Business, Labor & Economic Development)
SUB.	
H.B. No. 18	NUCLEAR FACILITY SITING (Health)
H.B. No. 47	UTAH HEALTH CARE INFORMATION ACT (Health)
H.B. No. 105	PROPERTY TAX AMENDMENTS (Revenue & Taxation)
H.B. No. 43	UTAH FIT PREMISES ACT (Social Services)
H.B. No. 106	CHILD SUPPORT GUIDELINES AMENDMENTS (Social Services)
H.B. No. 94	RETIREMENT SYSTEM COMPLIANCE (State & Local)
H.B. No. 98	HUMAN RESOURCE MANAGEMENT (State & Local)
H.B. No. 115	RETIREMENT ALLOWANCE INCREASE AMENDMENTS (State & Local)
H.B. No. 120	MINIMUM RETIREMENT ALLOWANCE FOR PUBLIC (State & Local)

reports the bills to the Senate and asks that they be assigned to the proper committee, and

The Senate Rules Committee to which was referred the following House bill:

SUB.
H.B. No. 34 WASTE TIRE RECYCLING

reports the bill to the Senate and asks that it be placed on the Second Reading Calendar.

C.E. Peterson,
Rules Committee Chairman

Committee reports read and adopted. President Christensen assigned the bills and resolution to the committee and calendar as indicated.

* * *

Mr. President: January 26, 1990

The Senate Rules Committee to which was referred the following House Resolutions:

H.C.R. No. 3	RESOLUTION HONORING BETTY CALDER
H.J.R. No. 10	COMMEMORATIVE RESOLUTION FOR HOWARD D. JOHNSON

reports the resolutions to the Senate and asks that they be printed and placed on the Consent Calendar.

C.E. Peterson,
Rules Committee Chairman

Committee reports read and adopted. H.C.R. No. 3 and H.J.R. No. 10 were read the second time and placed on Consent Calendar.

* * *

Mr. President: January 26, 1990

The Senate Rules Committee to which was referred the following Senate Resolution:

S.C.R. No. 5 RESOLUTION HONORING RALPH BLACKHAM

reports the resolution to the Senate and asks that it be printed and placed on the Consent Calendar.

C.E. Peterson,
Rules Committee Chairman

Committee reports read and adopted. S.C.R. No. 5 was read the second time and placed on Consent Calendar.

SECOND READING CALENDAR

On motion of Senator Black, under suspension of the rules, H.B. No. 65, REVISIONS TO LABOR CODE, was read the second and third times, and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Comaby	Farley	Fordham	Holmgren
McAllister	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Richards
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Barton	Carling	Finlinson	Hillyard
Leavitt	McMullin	Money	Rees
Storey			

H.B. No. 65 was signed by the President of the Senate in open session and returned to the House.

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On motion of Senator Cary Peterson, the circles were removed from **SUB. S.B. No. 5** and **S.B. No. 73** and **S.B. No. 57.**

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On motion of Senator Cary Peterson, and at 12:00 noon, the Senate adjourned until Monday, January 29, 1990 at 10:00 a.m.

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.
Prayer – Senator Lyle W. Hillyard

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: January 29, 1990

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the journal for the nineteenth day and find it correct with minor amendments noted on the final copy.

Paul T. Fordham,
Committee Member

Committee report read and adopted.

COMMUNICATION FROM GOVERNOR

Speaker Karras and President Christensen: January 26, 1990

This is to inform you that on January 26, 1990, I signed H.B. No. 203, SUPPLEMENTAL APPROPRIATIONS ACT, and have forwarded it to the Lieutenant Governor for filing.

Norman H. Bangerter,
Governor

Communication filed.

COMMUNICATIONS FROM HOUSE

Mr. President: January 26, 1990

I am direct to inform the Senate that the House of Representatives has this day passed, as amended, H.C.R. No. 11, RESOLUTION HONORING R. LAVAUN COX, by Representative Mike Dmitrich, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, H.B. No. 5, SUGGESTION AWARDS PROGRAM, by

Representative Stanley M. Smedley, and the 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. 15**, SMOKE DETECTOR ACT, by Representative Joseph L. Hull, and the 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. 63**, OIL AND GAS SEVERANCE TAX AMENDMENTS, by Representative Ted D. Lewis, and the 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**, ENTRANCE REQUIREMENTS AT INSTITUTIONS OF HIGHER EDUCATION, by Representative Douglas J. Holmes, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 168**, CORPORATION AND BUSINESS NAME STANDARDS, by Representative Nancy S. Lyon, and the 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. 173**, RETIREMENT OFFICE AMENDMENTS, by Representative Rob W. Bishop, 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. 181**, REPORTING OF LITIGATION AND LITIGATION COSTS IN THE PUBLIC SCHOOLS, by Representative Jed W. Wasden, and the 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. 185**, PROCEDURAL AMENDMENTS TO THE NONPROFIT AND BUSINESS CORPORATIONS ACTS, by Representative Nancy S. Lyon, and the 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, **H.B. No. 191**, MUNICIPAL IMPROVEMENT DISTRICT AMENDMENTS, by Representative R. Haze 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. 195**, WORKERS' COMPENSATION ACT AMENDMENTS, by

Representative David S. Ostler, and the 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. 228, DURABLE POWER OF ATTORNEY AMENDMENTS, by Representative Ted D. 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. 243, PEACE OFFICER QUALIFICATION OF COUNTY SHERIFFS, by Representative Mike Dmitrich, and the same is transmitted herewith for Senate consideration and

I am directed to inform the Senate that the House of Representatives has this day passed H.B. No. 273, STATE FIRE-PREVENTION AMENDMENTS, by Representative Daniel H. Tuttle, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.C.R. No. 11, H.B. Nos. 5, 15, SUB. H.B. No. 63, H.B. No. 155, 168, 173, 181, 185, 191, 195 228, SUB. H.B. No. 243, and H.B. No. 273, were read the first time and referred to Rules Committee.

PRESENTATION OF RESOLUTION

RESOLUTION HONORING BRIGHTON HIGH SCHOOL

S.C.R. No. 6 *Fred W. Finlinson, Arnold Christensen*

A CONCURRENT RESOLUTION OF THE LEGISLATURE AND THE GOVERNOR HONORING THE BRIGHTON HIGH SCHOOL STAR LAB SPACE FLIGHT SIMULATION PROGRAM; AND URGING THE STATE BOARD OF EDUCATION AND THE STATE ADVISORY COUNCIL ON SCIENCE AND TECHNOLOGY TO ASSIST IN THE FUNDING OF AN AEROSPACE CENTER TO FURTHER ENHANCE THE EDUCATIONAL BENEFITS OF THE STARLAB PROGRAM, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

COUGAR AND BEAR PERMITS

S.B. No. 184 *Richard B. Tempest*

AN ACT RELATING TO THE DIVISION OF WILDLIFE RESOURCES; PROVIDING THAT THE UTAH WILDLIFE BOARD WILL ONLY GRANT

TAKING PERMITS FOR COUGAR AND BEAR THAT WILL NOT RESULT IN A REDUCTION OF CURRENT POPULATIONS.

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

ENACTS: 23-14-18.1, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

MUDGUARD AND FENDER REQUIREMENT

S.B. No. 185 *David H. Steele*

AN ACT RELATING TO MOTOR VEHICLES; CLARIFYING MUDGUARD AND FENDER REQUIREMENTS ON CERTAIN VEHICLES.

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

AMENDS: 41-6-150.10, AS ENACTED BY CHAPTER 73, LAWS OF UTAH 1955, was read the first time and referred to Rules Committee.

NOTICE PERIOD FOR WATER DISTRICT REPORT

S.B. No. 186 *Cary G. Peterson, Fred W. Finlinson*

AN ACT RELATING TO WATER CONSERVANCY DISTRICTS; AMENDING THE TIME PERIOD WHEN THE SUMMARY OF A DISTRICT'S FINANCIAL REPORT SHALL BE PUBLISHED.

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

AMENDS: 73-9-9, AS LAST AMENDED BY CHAPTER 199, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

FORFEITURE HEARING JURISDICTION

S.B. No. 187 *Winn L. Richards*

AN ACT RELATING TO CRIMINAL PROCEDURE; PROVIDING THAT FORFEITURE PROCEEDINGS REGARDING DRUG VIOLATION MAY BE HELD IN CIRCUIT COURT, IN ADDITION TO DISTRICT COURT.

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

AMENDS: 58-37-13, AS LAST AMENDED BY CHAPTER 87, LAWS OF UTAH 1987, was read the first time and referred to Rules Committee.

SUBCONTRACTOR OIL AND GAS MECHANICS LIEN LAW

S.B. No. 188 *Alarik Myrin, Fred W. Finlinson*

AN ACT RELATING TO OIL, GAS, AND MINING LIENS; REQUIRING SUBCONTRACTORS TO PROVIDE NOTICE TO THE OWNER PRIOR TO

FILING A LIEN; AND SPECIFYING THAT PAYMENTS MADE ARE HELD IN TRUST UNTIL ALL LIEN CLAIMANTS HAVE BEEN PAID.

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

AMENDS: 38-10-101, AS ENACTED BY CHAPTER 170, LAWS OF UTAH 1987; 38-10-102, AS ENACTED BY CHAPTER 170, LAWS OF UTAH 1987; 38-10-105, AS ENACTED BY CHAPTER 170, LAWS OF UTAH 1987.

ENACTS: 38-10-102.1, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

DEPARTMENT OF FINANCIAL INSTITUTIONS AMENDMENTS

S.B. No. 189 *C.E. Peterson*

AN ACT RELATING TO FINANCIAL INSTITUTIONS; CONFORMING STATE LAW WITH CERTAIN FEDERAL LAW PROVISIONS; AMENDING PROVISIONS CONCERNING THE REQUIRED FREQUENCY OF BOARD MEETINGS; CLARIFYING CERTAIN TAX LIABILITIES FOR CREDIT UNIONS; AND RESOLVING CONFLICTS CONCERNING CERTAIN COMMERCIAL LENDING PRACTICES AND REQUIREMENTS.

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

AMENDS: 7-2-6, AS LAST AMENDED BY CHAPTER 267, LAWS OF UTAH 1989; 7-2-9, AS LAST AMENDED BY CHAPTER 267, LAWS OF UTAH 1989; 7-3-32, AS ENACTED BY CHAPTER 16, LAWS OF UTAH 1981; 7-9-34, AS ENACTED BY CHAPTER 16, LAWS OF UTAH 1981; 70C-1-106, AS ENACTED BY CHAPTER 267, LAWS OF UTAH 1989; 70C-4-102, AS ENACTED BY CHAPTER 159, LAWS OF UTAH 1985, was read the first time and referred to Rules Committee.

USER FEES

S.B. No. 190 *LeRay McAllister*

AN ACT RELATING TO FEES; ESTABLISHING UNIFORM PROCEDURES FOR SETTING FEES; PROVIDING REQUIREMENTS FOR DEPOSIT OF FEES; ESTABLISHING WHEN AGENCIES MAY IMPOSE FEES; ESTABLISHING A PROCEDURE FOR ASSESSING FEES WITHOUT LEGISLATIVE APPROVAL; MAKING TECHNICAL CHANGES, AND PROVIDING AN EFFECTIVE DATE.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS: AMENDS: 1-1-5, AS LAST AMENDED BY CHAPTER 1, LAWS OF UTAH 1969; 2-1-7.5, AS LAST AMENDED BY CHAPTER 23, LAWS OF

UTAH 1989; 2-1-12, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987; 2-1-15, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 2-1-16, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 2-2-7, AS LAST AMENDED BY CHAPTER 7, LAWS OF UTAH 1987, FIRST SPECIAL SESSION; 3-1-6, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 3-1-36, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 4-2-2, AS LAST AMENDED BY CHAPTERS 104 AND 130, LAWS OF UTAH 1985; 4-9-6, AS LAST AMENDED BY CHAPTER 19, LAWS OF UTAH 1985; 4-16-7, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979; 4-23-7, AS LAST AMENDED BY CHAPTER 1, LAWS OF UTAH 1984, THIRD SPECIAL SESSION; 4-24-7, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979; 4-24-8, AS LAST AMENDED BY CHAPTER 130, LAWS OF UTAH 1985; 4-24-21, AS LAST AMENDED BY CHAPTER 130, LAWS OF UTAH 1985; 4-24-22, AS LAST AMENDED BY CHAPTER 130, LAWS OF UTAH 1985; 4-35-6, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1986; 7-1-401, AS LAST AMENDED BY CHAPTER 267, LAWS OF UTAH 1989; 7-1-402, AS LAST AMENDED BY CHAPTER 229, LAWS OF UTAH 1987; 7-1-705, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987; 7-9-8, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 8-4-5, AS REPEALED AND REENACTED BY CHAPTER 258, LAWS OF UTAH 1989; 10-2-108, AS LAST AMENDED BY CHAPTER 27, LAWS OF UTAH 1983; 11-17A-9, AS LAST AMENDED BY CHAPTER 82, LAWS OF UTAH 1987; 13-1-2, AS LAST AMENDED BY CHAPTER 225, LAWS OF UTAH 1989; 13-11-7, AS LAST AMENDED BY CHAPTER 92, LAWS OF UTAH 1987; 13-11-17, AS LAST AMENDED BY CHAPTER 58, LAWS OF UTAH 1983; 13-11-19, AS LAST AMENDED BY CHAPTER 58, LAWS OF UTAH 1983; 13-18-10, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 13-18-14, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 13-18-15, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987; 13-18-17, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987; 13-22-6, AS ENACTED BY CHAPTER 122, LAWS OF UTAH 1987; 13-22-7, AS ENACTED BY CHAPTER 122, LAWS OF UTAH 1987; 13-22-9, AS ENACTED BY CHAPTER 122, LAWS OF UTAH 1987; 16-6-99, AS ENACTED BY CHAPTER 66, LAWS OF UTAH 1987; 16-6-99.1, AS LAST AMENDED BY CHAPTER 222, LAWS OF UTAH 1988; 16-6-100, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 16-6-100.5, AS ENACTED BY CHAPTER 36, LAWS OF UTAH 1988; 16-6-101, AS LAST AMENDED BY CHAPTER 15, LAWS OF

UTAH 1984, SECOND SPECIAL SESSION; 16-6-124.5, AS ENACTED BY CHAPTER 36, LAWS OF UTAH 1988; 16-7-11, AS LAST AMENDED BY CHAPTER 178, LAWS OF UTAH 1985; 16-10-88.1, AS ENACTED BY CHAPTER 66, LAWS OF UTAH 1987; 16-10-88.2, AS LAST AMENDED BY CHAPTER 222, LAWS OF UTAH 1988; 16-10-123, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 16-10-124, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 16-10-125, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 16-12-3, AS LAST AMENDED BY CHAPTER 178, LAWS OF UTAH 1985; 16-13-12, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 22-4-9, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987; 23-14-13, AS LAST AMENDED BY CHAPTER 76, LAWS OF UTAH 1986; 23-14-18, AS ENACTED BY CHAPTER 46, LAWS OF UTAH 1971; 23-15-10, AS ENACTED BY CHAPTER 46, LAWS OF UTAH 1971; 23-17-10, AS ENACTED BY CHAPTER 162, LAWS OF UTAH 1986; 23-19-10, AS LAST AMENDED BY CHAPTER 33, LAWS OF UTAH 1973; 23-19-13, AS LAST AMENDED BY CHAPTER 90, LAWS OF UTAH 1979; 23-19-17.7, AS ENACTED BY CHAPTER 30, LAWS OF UTAH 1984; 26-1-6, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-1-27, AS LAST AMENDED BY CHAPTER 180, LAWS OF UTAH 1989; 26-2-12, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-2-20, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-4-22, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-8-2.5, AS LAST AMENDED BY CHAPTER 46, LAWS OF UTAH 1989; 26-8-4, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987; 26-8-6, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-10-6, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-12-5, AS LAST AMENDED BY CHAPTER 167, LAWS OF UTAH 1989; 26-13-6, AS LAST AMENDED BY CHAPTER 188, LAWS OF UTAH 1988; 26-13-18, AS LAST AMENDED BY CHAPTER 238, LAWS OF UTAH 1989; 26-13-23, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-14-21, AS LAST AMENDED BY CHAPTER 254, LAWS OF UTAH 1989; 26-14-23, AS LAST AMENDED BY CHAPTER 154, LAWS OF UTAH 1989; 26-14E-302, AS ENACTED BY CHAPTER 268, LAWS OF UTAH 1989; 26-18-3, AS LAST AMENDED BY CHAPTER 165, LAWS OF UTAH 1989; 26-18-3.5, AS ENACTED BY CHAPTER 135, LAWS OF UTAH 1983; 26-21-5, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-21-6, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-21-8, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-26-4, AS LAST AMENDED BY CHAPTER 80, LAWS OF UTAH 1989; 27-12-136.4, AS LAST AMENDED BY CHAPTER 144, LAWS OF UTAH 1989; 27-12-137.5, AS ENACTED BY CHAPTER 52, LAWS

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AMENDED BY CHAPTER 242, LAWS OF UTAH 1989; 61-1-4, AS LAST AMENDED BY CHAPTER 284, LAWS OF UTAH 1983; 61-1-11, AS LAST AMENDED BY CHAPTER 284, LAWS OF UTAH 1983; 61-1-18.4, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 61-2-5.5, AS LAST AMENDED BY CHAPTER 48, LAWS OF UTAH 1987; 61-2-9, AS LAST AMENDED BY CHAPTER 182, LAWS OF UTAH 1988; 61-2A-4, AS LAST AMENDED BY CHAPTER 48, LAWS OF UTAH 1987; 62A-1-111, AS LAST AMENDED BY CHAPTER 22, LAWS OF UTAH 1989; 62A-2-105, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-4-107, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-4-109, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-4-111, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-4-403, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-5-103, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-5-105, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-5-107, AS LAST AMENDED BY CHAPTER 74, LAWS OF UTAH 1988; 62A-5-206, AS LAST AMENDED BY CHAPTER 242, LAWS OF UTAH 1988; 62A-7-123, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-8-104, AS LAST AMENDED BY CHAPTER 242, LAWS OF UTAH 1988; 62A-8-403, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1988; 62A-10-106, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-11-327, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-102, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-104, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-115, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 63-1-19, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1986; 63-1-25, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1986; 63-1-53, AS ENACTED BY CHAPTER 102, LAWS OF UTAH 1986; 63-2-66, AS LAST AMENDED BY CHAPTER 86, LAWS OF UTAH 1985; 63-2-85.4, AS LAST AMENDED BY CHAPTER 92, LAWS OF UTAH 1987; 63-5-6, AS ENACTED BY CHAPTER 250, LAWS OF UTAH 1989; 63-9-52, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1976; 63-11-19.1, AS ENACTED BY CHAPTER 136, LAWS OF UTAH 1989; 63-11-40, AS LAST AMENDED BY CHAPTER 204, LAWS OF UTAH 1975; 63-11-44, AS LAST AMENDED BY CHAPTER 48, LAWS OF UTAH 1982; 63-11-45, AS LAST AMENDED BY CHAPTER 48, LAWS OF UTAH 1982; 63-17-4, AS LAST AMENDED BY CHAPTER 65, LAWS OF UTAH 1984; 63-18-25, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987; 63-29-7, AS LAST AMENDED BY CHAPTER 40, LAWS OF UTAH 1985; 63-29-16, AS LAST AMENDED BY CHAPTER 31, LAWS OF UTAH 1988; 63-29A-104, AS LAST AMENDED BY CHAPTER 149, LAWS OF UTAH 1988; 63-29A-105.5, AS ENACTED BY

CHAPTER 149, LAWS OF UTAH 1988; 63-29A-107, AS LAST AMENDED BY CHAPTER 149, LAWS OF UTAH 1988; 63-29A-109, AS ENACTED BY CHAPTER 164, LAWS OF UTAH 1987; 63-29A-110, AS ENACTED BY CHAPTER 164, LAWS OF UTAH 1987; 63-29A-111.5, AS ENACTED BY CHAPTER 149, LAWS OF UTAH 1988; 63-34-5, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 63-38-3, AS LAST AMENDED BY CHAPTERS 208 AND 225, LAWS OF UTAH 1989; 63-56-66, AS ENACTED BY CHAPTER 75, LAWS OF UTAH 1980; 63-63A-3, AS ENACTED BY CHAPTER 46, LAWS OF UTAH 1989; 63-70-1, AS LAST AMENDED BY CHAPTER 137, LAWS OF UTAH 1989; 63-70-3, AS ENACTED BY CHAPTER 137, LAWS OF UTAH 1989; 63-73-10, AS ENACTED BY CHAPTER 137, LAWS OF UTAH 1988; 64-2A-4, AS ENACTED BY CHAPTER 170, LAWS OF UTAH 1985; 64-4-7, AS ENACTED BY CHAPTER 323, LAWS OF UTAH 1983; 65A-1-2, AS LAST AMENDED BY CHAPTER 1, LAWS OF UTAH 1988 SECOND SPECIAL SESSION; 65A-1-4, AS ENACTED BY CHAPTER 121, LAWS OF UTAH 1988; 65A-5-2, AS ENACTED BY CHAPTER 121, LAWS OF UTAH 1988; 65A-7-12, AS ENACTED BY CHAPTER 121, LAWS OF UTAH 1988; 65A-8-5, AS ENACTED BY CHAPTER 121, LAWS OF UTAH 1988; 65A-9-4, AS ENACTED BY CHAPTER 121, LAWS OF UTAH 1989; 67-1A-2, AS ENACTED BY CHAPTER 68, LAWS OF UTAH 1984; 67-3-1, AS LAST AMENDED BY CHAPTER 21, LAWS OF UTAH 1985; 67-5-3, AS LAST AMENDED BY CHAPTER 76, LAWS OF UTAH 1982; 67-15-4, AS LAST AMENDED BY CHAPTER 69, LAWS OF UTAH 1987; 70-3-3, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 70-3-6, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 70-3-7, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 70A-9-403, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 70A-9-404, AS LAST AMENDED BY CHAPTER 50, LAWS OF UTAH 1987; 70A-9-405, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 70A-9-406, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 70A-9-407, AS LAST AMENDED BY CHAPTER 92, LAWS OF UTAH 1987; 71-7-3, AS REPEALED AND REENACTED BY CHAPTER 112, LAWS OF UTAH 1988; 73-2-14, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1982, SECOND SPECIAL SESSION; 73-3-25, AS LAST AMENDED BY CHAPTERS 25 AND 161, LAWS OF UTAH 1987; 73-10-26, AS LAST AMENDED BY CHAPTER 57, LAWS OF UTAH 1988; 73-18-4, AS REPEALED AND REENACTED BY CHAPTER 99, LAWS OF UTAH 1987; 73-18-7, AS LAST AMENDED BY CHAPTER 99,

LAWS OF UTAH 1987; 73-18-12.7, AS ENACTED BY CHAPTER 118, LAWS OF UTAH 1987; 73-18-22, AS LAST AMENDED BY CHAPTER 197, LAWS OF UTAH 1986; 75-5-312, AS LAST AMENDED BY CHAPTER 104, LAWS OF UTAH 1988; 75-5-417, AS LAST AMENDED BY CHAPTER 104, LAWS OF UTAH 1988; 76-10-1209, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 77-18-2, AS LAST AMENDED BY CHAPTER 78, LAWS OF UTAH 1987; 77-26-16, AS LAST AMENDED BY CHAPTER 72, LAWS OF UTAH 1989; 77-27-8, AS ENACTED BY CHAPTER 213, LAWS OF UTAH 1985; 78-3-16.5, AS LAST AMENDED BY CHAPTER 7, LAWS OF UTAH 1988 SECOND SPECIAL SESSION; 78-3A-54, AS LAST AMENDED BY CHAPTERS 150 AND 153, LAWS OF UTAH 1989; 78-4-24, AS LAST AMENDED BY CHAPTER 7, LAWS OF UTAH 1988 SECOND SPECIAL SESSION; 78-6-14, AS LAST AMENDED BY CHAPTER 22, LAWS OF UTAH 1989; 78-6-14, AS LAST AMENDED BY CHAPTER 22, LAWS OF UTAH 1989; 78-14-12, AS LAST AMENDED BY CHAPTERS 26 AND 225, LAWS OF UTAH 1989; 78-22A-7, AS ENACTED BY CHAPTER 169, LAWS OF UTAH 1983; 78-24A-8, AS ENACTED BY CHAPTER 288, LAWS OF UTAH 1983; 78-30-14, AS LAST AMENDED BY CHAPTER 20, LAWS OF UTAH 1985; 78-30-18, AS ENACTED BY CHAPTER 39, LAWS OF UTAH 1987; 78-51-21, AS LAST AMENDED BY CHAPTER 215, LAWS OF UTAH 1971; 78-51-24, AS LAST AMENDED BY CHAPTER 195, LAWS OF UTAH 1963.

ENACTS: 4-20-1.1, UTAH CODE ANNOTATED 1953; 41-1-49.21, UTAH CODE ANNOTATED 1953; 53A-3-418, UTAH CODE ANNOTATED 1953; 63-38A-101, UTAH CODE ANNOTATED 1953; 63-38A-102, UTAH CODE ANNOTATED 1953; 63-38A-103, UTAH CODE ANNOTATED 1953; 63-38A-201, UTAH CODE ANNOTATED 1953; 63-38A-202, UTAH CODE ANNOTATED 1953; 63-38A-203, UTAH CODE ANNOTATED 1953; 63-38A-204, UTAH CODE ANNOTATED 1953; 63-38A-205, UTAH CODE ANNOTATED 1953; 63-38A-206, UTAH CODE ANNOTATED 1953; 63-38A-301, UTAH CODE ANNOTATED 1953; 63-38A-302, UTAH CODE ANNOTATED 1953; 63-38A-401, UTAH CODE ANNOTATED 1953.

RENUMBERS AND AMENDS: 13-1A-5, (RENUMBERED FROM 21-1-2.5, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION); 17-16B-1, (RENUMBERED FROM 21-2-1, UTAH CODE ANNOTATED 1953); 17-16B-2, (RENUMBERED FROM 21-2-2, AS LAST AMENDED BY CHAPTERS 2, 47, 104, AND 152, LAWS OF UTAH 1988); 17-16B-3, (RENUMBERED FROM 21-2-3, AS LAST AMENDED BY CHAPTER 50, LAWS OF UTAH 1987); 17-16B-4, (RENUMBERED FROM 21-2-4, AS LAST AMENDED BY CHAPTER 27, LAWS OF UTAH 1980); 17-16B-5, (RENUMBERED FROM 21-2-5, AS LAST AMENDED BY CHAPTER 4, LAWS OF UTAH 1987); 17-16B-6,

(RENUMBERED FROM 21-2-6, UTAH CODE ANNOTATED 1953); 17-16B-7, (RENUMBERED FROM 21-2-7, AS LAST AMENDED BY CHAPTER 33, LAWS OF UTAH 1961); 17-16B-8, (RENUMBERED FROM 21-3-3.5, AS ENACTED BY CHAPTER 27, LAWS OF UTAH 1980); 17-16B-9, (RENUMBERED FROM 21-6-2, UTAH CODE ANNOTATED 1953); 17-16B-10, (RENUMBERED FROM 21-7-9, UTAH CODE ANNOTATED 1953); 17-16B-11, (RENUMBERED FROM 21-7-2, UTAH CODE ANNOTATED 1953); 17-16B-12, (RENUMBERED FROM 21-6-7, UTAH CODE ANNOTATED 1953); 17-16B-13, (RENUMBERED FROM 21-7-14, UTAH CODE ANNOTATED 1953); 17-25-2, (RENUMBERED FROM 21-3-5, AS ENACTED BY CHAPTER 44, LAWS OF UTAH 1983); 63-38A-501, (RENUMBERED FROM 21-7-1, UTAH CODE ANNOTATED 1953); 63-38A-502, (RENUMBERED FROM 21-7-11, UTAH CODE ANNOTATED 1953); 63-38A-503, (RENUMBERED FROM 21-7-12, UTAH CODE ANNOTATED 1953); 63-38A-504, (RENUMBERED FROM 21-7-15, UTAH CODE ANNOTATED 1953); 67-1A-2.5, (RENUMBERED FROM 21-1-2, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION); 67-3-1.5, (RENUMBERED FROM 21-1-3, UTAH CODE ANNOTATED 1953); 67-5A-1, (RENUMBERED FROM 21-6-1, UTAH CODE ANNOTATED 1953); 67-5A-2, (RENUMBERED FROM 21-7-9, UTAH CODE ANNOTATED 1953); 67-5A-3, (RENUMBERED FROM 21-7-2, UTAH CODE ANNOTATED 1953); 67-5A-4, (RENUMBERED FROM 21-6-6, UTAH CODE ANNOTATED 1953); 78-2A-2.5, (RENUMBERED FROM 21-1-4, AS LAST AMENDED BY CHAPTER 111, LAWS OF UTAH 1986); 78-5-135.5, (RENUMBERED FROM 21-7-19, UTAH CODE ANNOTATED 1953); 78-11-7.5, (RENUMBERED FROM 21-7-4, UTAH CODE ANNOTATED 1953); 78-46A-1, (RENUMBERED FROM 21-5-1, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1989); 78-46A-2, (RENUMBERED FROM 21-5-1.5, AS ENACTED BY CHAPTER 153, LAWS OF UTAH 1989); 78-46A-3, (RENUMBERED FROM 21-5-2, UTAH CODE ANNOTATED 1953); 78-46A-4, (RENUMBERED FROM 21-5-3, UTAH CODE ANNOTATED 1953); 78-46A-5, (RENUMBERED FROM 21-5-4, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1989); 78-46A-6, (RENUMBERED FROM 21-5-4.5, AS ENACTED BY CHAPTER 153, LAWS OF UTAH 1989); 78-46A-7, (RENUMBERED FROM 21-5-5, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1989); 78-46A-8, (RENUMBERED FROM 21-5-6, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1989); 78-46A-9, (RENUMBERED FROM 21-5-7, UTAH CODE ANNOTATED 1953); 78-46A-10, (RENUMBERED FROM 21-5-7.5, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1989); 78-46A-11, (RENUMBERED FROM 21-5-8, AS LAST AMENDED BY CHAPTER 153,

LAWS OF UTAH 1989); 78-46A-12, (RENUMBERED FROM 21-5-9, AS LAST AMENDED BY CHAPTERS 153 AND 157, LAWS OF UTAH 1989); 78-46A-13, (RENUMBERED FROM 21-5-10, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1989); 78-46A-14, (RENUMBERED FROM 21-5-11, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1989); 78-46A-15, (RENUMBERED FROM 21-5-14, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1989); 78-46A-16, (RENUMBERED FROM 21-5-15, AS LAST AMENDED BY CHAPTER 98, LAWS OF UTAH 1977); 78-46A-17, (RENUMBERED FROM 21-5-16, UTAH CODE ANNOTATED 1953); 78-46A-18, (RENUMBERED FROM 21-5-17, AS LAST AMENDED BY CHAPTER 40, LAWS OF UTAH 1967); 78-46A-19, (RENUMBERED FROM 21-5-18, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1989); 78-46A-20, (RENUMBERED FROM 21-6-4, UTAH CODE ANNOTATED 1953); 78-46A-21, (RENUMBERED FROM 21-6-5, AS LAST AMENDED BY CHAPTER 90, LAWS OF UTAH 1981); 78-46A-22, (RENUMBERED FROM 21-7-16, AS LAST AMENDED BY CHAPTER 77, LAWS OF UTAH 1977); 78-46A-23, (RENUMBERED FROM 21-7-17, UTAH CODE ANNOTATED 1953); 78-46A-24, (RENUMBERED FROM 21-7-18, UTAH CODE ANNOTATED 1953).

REPEALS: 21-1-1, UTAH CODE ANNOTATED 1953; 21-3-3, AS ENACTED BY CHAPTER 27, LAWS OF UTAH 1980; 21-3-4, UTAH CODE ANNOTATED 1953; 21-4-1, AS LAST AMENDED BY CHAPTER 30, LAWS OF UTAH 1986; 21-4-2, UTAH CODE ANNOTATED 1953; 21-7-3, UTAH CODE ANNOTATED 1953; 21-7-5, UTAH CODE ANNOTATED 1953; 21-7-6, UTAH CODE ANNOTATED 1953; 21-7-7, UTAH CODE ANNOTATED 1953; 21-7-10, UTAH CODE ANNOTATED 1953; 21-7-13, UTAH CODE ANNOTATED 1953; 23-14-16, AS ENACTED BY CHAPTER 46, LAWS OF UTAH 1971; 63-38-17, AS LAST AMENDED BY CHAPTER 154, LAWS OF UTAH 1986, was read the first time and referred to Rules Committee.

UNIFORM COMMERCIAL CODE AMENDMENTS

S.B. No. 191 *Fred W. Finlinson*

AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE; ENACTING CHAPTER 4A TO DEAL WITH FUNDS TRANSFERS; ENUMERATING SUBJECT MATTER; PROVIDING RULES FOR THE ISSUANCE AND ACCEPTANCE OF PAYMENT ORDERS; PROVIDING RULES FOR THE EXECUTION OF A SENDERS PAYMENT ORDER BY A RECEIVING BANK; PROVIDING RULES FOR PAYMENT IN GENERAL; PROVIDING MISCELLANEOUS PROVISIONS AFFECTING FUNDS TRANSFERS IN GENERAL; AMENDING CHAPTER 6 DEALING WITH

BULK SALES BY AUCTION OR BY LIQUIDATOR; CLARIFYING THE OBLIGATIONS OF THE BUYER; REQUIRING CERTAIN NOTICE TO CLAIMANTS; PROVIDING FOR DISTRIBUTION SCHEDULES; CREATING LIABILITY FOR NONCOMPLIANCE; SPECIFYING FILING REQUIREMENTS; DEFINING CERTAIN TERMS; AND MAKING CONFORMING AND TECHNICAL AMENDMENTS.

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

AMENDS: 70A-1-105, AS LAST AMENDED BY CHAPTER 272, LAWS OF UTAH 1977; 70A-1-201, AS LAST AMENDED BY CHAPTER 218, LAWS OF UTAH 1989; 70A-1-207, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-6-101, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965.

ENACTS: 70A-4a-101, UTAH CODE ANNOTATED 1953; 70A-4a-102, UTAH CODE ANNOTATED 1953; 70A-4a-103, UTAH CODE ANNOTATED 1953; 70A-4a-104, UTAH CODE ANNOTATED 1953; 70A-4a-105, UTAH CODE ANNOTATED 1953; 70A-4a-106, UTAH CODE ANNOTATED 1953; 70A-4a-107, UTAH CODE ANNOTATED 1953; 70A-4a-108, UTAH CODE ANNOTATED 1953; 70A-4a-201, UTAH CODE ANNOTATED 1953; 70A-4a-202, UTAH CODE ANNOTATED 1953; 70A-4a-203, UTAH CODE ANNOTATED 1953; 70A-4a-204, UTAH CODE ANNOTATED 1953; 70A-4a-205, UTAH CODE ANNOTATED 1953; 70A-4a-206, UTAH CODE ANNOTATED 1953; 70A-4a-207, UTAH CODE ANNOTATED 1953; 70A-4a-208, UTAH CODE ANNOTATED 1953; 70A-4a-209, UTAH CODE ANNOTATED 1953; 70A-4a-210, UTAH CODE ANNOTATED 1953; 70A-4a-211, UTAH CODE ANNOTATED 1953; 70A-4a-212, UTAH CODE ANNOTATED 1953; 70A-4a-301, UTAH CODE ANNOTATED 1953; 70A-4a-302, UTAH CODE ANNOTATED 1953; 70A-4a-303, UTAH CODE ANNOTATED 1953; 70A-4a-304, UTAH CODE ANNOTATED 1953; 70A-4a-101, UTAH CODE ANNOTATED 1953; 70A-4a-305, UTAH CODE ANNOTATED 1953; 70A-4a-401, UTAH CODE ANNOTATED 1953; 70A-4a-402, UTAH CODE ANNOTATED 1953; 70A-4a-403, UTAH CODE ANNOTATED 1953; 70A-4a-404, UTAH CODE ANNOTATED 1953; 70A-4a-405, UTAH CODE ANNOTATED 1953; 70A-4a-406, UTAH CODE ANNOTATED 1953; 70A-4a-501, UTAH CODE ANNOTATED 1953; 70A-4a-502, UTAH CODE ANNOTATED 1953; 70A-4a-503, UTAH CODE ANNOTATED 1953; 70A-4a-504, UTAH CODE ANNOTATED 1953; 70A-4a-505, UTAH CODE ANNOTATED 1953; 70A-4a-506, UTAH CODE ANNOTATED 1953; 70A-4a-507, UTAH CODE ANNOTATED 1953.

REPEALS AND REENACTS: 70A-6-102, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-6-103, AS ENACTED BY CHAPTER 154,

LAWS OF UTAH 1965; 70A-6-104, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-6-105, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-6-106, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-6-107, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-6-108, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-6-109, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965; 70A-6-110, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965.

REPEALS: 70A-6-111, AS ENACTED BY CHAPTER 154, LAWS OF UTAH 1965, was read the first time and referred to Rules Committee.

STANDING COMMITTEE REPORT

Mr. President: January 25, 1990

The Senate Energy, Natural Resources and Agriculture Committee, to which was referred **S.B. No. 48**, THEFT OF CABLE TV SERVICES AMENDMENTS, by Senator Haven J. Barlow, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on Consent Calendar..

Fred W. Finlinson,
Committee Chairman

Committee report read and adopted. **S.B. No. 48** was read the second time and placed on the Consent Calendar, and

Mr. President: January 26, 1990

The Social Services Standing Committee, to which was referred **H.B. No. 145**, PRIVILEGED COMMUNICATIONS AMENDMENT, by Representative Nolan E. Karras, 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.

John P. Holmgren,
Acting Committee Chairman

Committee report read and adopted. **H.B. No. 145** was read the second time and placed on the Consent Calendar, and

Mr. President: January 26, 1990

The State and Local Affairs Committee, to which was referred **S.B. No. 126**, EXPANSION OF SUNSET REVIEW, by Senator Black 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, Lines 15–16:
Delete lines 15 and 16 and renumber accordingly

Craig Peterson,
Committee Chairman

Committee report read and adopted. S.B. No. 126 was read the second time and placed on the Consent Calendar, and

Mr. President: January 26, 1990

The State and Local Affairs Committee, to which was referred S.B. No. 149, FIRE FIGHTERS' RETIREMENT CREDIT PURCHASE, by Senator Pace, has carefully considered the bill, reports it out of committee with a favorable recommendation, and asks that it be placed on the Consent Calendar.

Craig Peterson,
Committee Chairman

Committee report read and adopted. S.B. No. 149 was read the second time and placed on the Consent Calendar, and

Mr. President: January 26, 1990

The State and Local Affairs Committee, to which was referred S.B. No. 157, LIEN AGAINST RETIREMENT BENEFITS, by Senator Hillyard, has carefully considered the bill, reports it out of committee with favorable recommendation, and asks that it be placed on the Consent Calendar.

Craig Peterson,
Committee Chairman

Committee report read and adopted. S.B. No. 157 was read the second time and placed on the Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on S.B. Nos. 26, 91, 92, 103, 144, S.J.R. No. 13 and SECOND SUB. H.B. No. 1, H.B. Nos. 4, 21, 77, 162, and 109, and the bills and resolutions were placed on Second Reading Calendar.

CONSENT CALENDAR

S.B. No. 89, EXTORTION 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

Barlow	Barton	Black	Carling

Farley	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Tempest	Pres. Christensen

Absent or not voting were: Senators

Beattie	Bunnell	Cornaby	Nielsen
Swan			

S.B. No. 89, as amended, was transmitted to the House.

* * *

H.B. No. 121, INTERNATIONAL FUEL TAX AGREEMENT, was read the third time, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Bunnell	Cornaby	Swan

H.B. No. 121 was signed by the President of the Senate in open session and returned to the House.

THIRD READING CALENDAR

SUB. S.B. No. 5, RECYCLING OF WASTE TIRES, was before the Senate. Senator Black's motion to circle the substitute bill failed on a voice vote.

On motion of Senator Carling, the substitute bill was amended as follows:

Page 5, after Line 23a:
Insert "The tire retailer may retain 2 1/2% of the recycling fee collected under this chapter for the cost of collecting the fee."

Senator Black's motion to amend on Page 4, Lines 19 and 20 by changing "14" to "15" failed on the following roll call:

Yeas, 9; Nays, 16; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Black	Cornaby
Finlinson	McAllister	Money	Nielsen
Peterson, C.E.			

Voting in the negative were: Senators

Beattie	Carling	Fordham	Hillyard
Holmgren	Leavitt	McMullin	Myrin
Pace	Peterson, Cary	Peterson, Craig	Richards
Steele	Storey	Tempest	Pres. Christensen

Absent or not voting were: Senators

Bunnell	Farley	Rees	Swan

Jerry Petersen, Owner/Manager of Big O Tires, and Dr. Harry Gibbons, Salt Lake County Health Department, spoke in Committee of the Whole.

On motion of Senator Tempest, the substitute bill was amended as follows:

Page 4, Line 15:
After "apply to" insert "recapped or"

On motion of Senator McAllister, the substitute bill was amended as follows:

Page 7, Lines 8 and 9
Delete "Division of Finance" and
Insert "Division of Environmental Health"

Page 8, Lines 1 and 2
Delete "Division of Finance" and
Insert "Division of Environmental Health"

Page 8, Line 5 and Line 6 and Line 9 and Line 19
Delete "Division of Finance;" and
Insert "Division of Environmental Health"

Senators Tempest, Carling, C.E. Peterson, Black, McMullin, Barton, Swan, and McAllister commented. Senator Black's motion to adopt a Second Substitute bill failed on a voice vote. The substitute bill passed on the following roll call:

Yeas, 24; Nays, 4; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Pace
Peterson, C.E.	Peterson, Craig	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Voting in the negative were: Senators

Black (exp.)	Cornaby	Nielsen	Peterson, Cary

Absent or not voting was: Senator
Rees

SUB. S.B. No. 5, as amended, was transmitted to the House.

* * *

On motion of Senator Tempest, the Senate voted to strike the enacting clause on **SUB. H.B. No. 34**, WASTE TIRE RECYCLING.

* * *

S.B. No. 72, BICYCLE PATHS AND TRAILS DEVELOPMENT, was read the second time and was before the Senate as a special order of business.

Mr. President: January 24, 1990

The Senate Energy, Natural Resources and Agriculture Committee, to which was referred **S.B. No. 72**, BICYCLE PATHS AND RECREATIONAL TRAILS DEVELOPMENT, by Senator LeRay McAllister, 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 **SUB. S.B. No. 72** replace the original bill.

SUB. S.B. No. 72 to be amended as follows:

Page 3, Line 18:
After "division" delete "may" and insert "shall"

Fred W. Finlinson
Committee chairman

Committee report read and adopted. The following substitute bill replaced the original bill and was amended.

BICYCLE PATHS AND RECREATIONAL TRAILS DEVELOPMENT
(1-23-90 9:02 a.m.)

SUB. S.B. No. 72 *LeRay McAllister*

AN ACT RELATING TO PARKS AND RECREATION; DIRECTING THE DIVISION OF PARKS AND RECREATION TO MAKE PLANS FOR RECREATIONAL TRAILS; CREATING THE BICYCLE TRAIL FUND; SPECIFYING USES FOR MONIES IN THE BICYCLE TRAIL FUND; AND APPROPRIATING $2,000,000 TO THE FUND.

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

ENACTS: 63-11-66, UTAH CODE ANNOTATED 1953; 63-11-67, UTAH CODE ANNOTATED 1953; 63-11-68, UTAH CODE ANNOTATED 1953; 63-11-69, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

Russell J. Veenema, Executive Director of the Park City Area Chamber of Commerce/Convention & Visitors Bureau, Norm Sims, and Del Brown, District Representative for Utah-United States Cycling Federation spoke in Committee of the Whole.

Senators McAllister, Myrin, Black, Pace, Bunnell, Hillyard, and Leavitt commented.

The substitute bill passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin

Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Richards	Steele	Storey	Tempest
Pres. Christensen			

Voting in the negative was: Senator Nielsen

Absent or not voting were: Senators

Cornaby	Rees	Swan

On motion of Senator McAllister, the substitute bill was placed on the Second Reading Table.

* * *

On motion of Senator Farley, the Senate voted to consider S.B. No. 92, DEATH PENALTY REPEAL, at 11:00 a.m. Thursday, February 8, 1990.

* * *

S.B. No. 32, FEES LIMITATIONS ON TRUST DEEDS, was read the third time. Senators Carling, Cary Peterson, Pace, and Leavitt commented. The bill failed on the following roll call:

Yeas, 14; Nays, 14; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Black	Bunnell
Farley	Holmgren	Leavitt (conflict)	McAllister
McMullin	Myrin	Nielsen	Pace (conflict)
Richards	Swan		

Voting in the negative were: Senators

Beattie	Carling (conflict)	Cornaby	Finlinson(conflict)
Fordham	Hillyard (conflict)	Money	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Steele	Storey
Tempest	Pres. Christensen		

Absent or not voting was: Senator Rees

STANDING COMMITTEE REPORT

Mr. President: January 25, 1990

The Transportation & Public Safety Standing Committee, to which was referred S.B. No. 42, MOVEMENT OF IMPLEMENTS OF HUSBANDRY, by Senator John P. Holmgren has carefully considered the bill and reports the bill tabled and recommends that it be returned to Rules Committee.

Glade Nielsen
Committee Chairman

Committee report read and adopted. S.B. No. 42 was returned to the Rules Committee.

* * *

On motion of Senator Fordham, S.B. No. 32, FEES LIMITATION ON TRUST DEEDS, will be held for possible reconsideration tomorrow.

* * *

SUB. S.B. No. 55, REGULATION OF AUTOMATIC INSURANCE PREMIUM, was read the third time and passed on the following roll call:

Yeas, 23; Nays, 3; Absent, 3

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling (exp.)	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, Cary	Peterson, Craig	Richards	Storey
Swan	Tempest	Pres. Christensen	

Voting in the negative were: Senators

Barton	Peterson, C.E. (exp.)	Steele

Absent or not voting were: Senators

Leavitt	Pace	Rees

SUB. S.B. No. 55, as amended, was transmitted to the House.

* * *

S.B. No. 94, POST-EMPLOYMENT BENEFITS LIABILITIES, was read the third time and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Beattie	Rees

S.B. No. 94, as amended, was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator Cary Peterson, S.B. No. 73 was circled.

* * *

On motion of Senator McMullin, S.B. No. 57 was circled.

* * *

S.B. No. 115, PUBLIC TELECOMMUNICATIONS AMENDMENTS, was read the second time.

Mr. President: January 24, 1990

The Senate Energy, Natural Resources and Agriculture Committee, to which was referred S.B. No. 115, PUBLIC TELECOMMUNICATIONS AMENDMENTS, 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 17
After "COST OF" delete "ESSENTIAL"

Page 1, Line 27:
After line 27 insert "54-8b-3.3, UTAH CODE ANNOTATED 1953"

Page 2, Line 8:
After "order" insert "or adoption of a rule"

Page 2, Line 10-11:
After "may" delete "file with the commission an election not to proceed with that method of rate regulation" and insert "elect not to proceed with the method of rate regulation by filing with the commission a notice that it does not intend to proceed with the method of rate regulation"

Page 2, Line 11:
After line 11 insert the following: "(3) No gas corporation shall be subject to the method of rate regulation specified in Subsection (1)."

Page 4, Lines 8-9:
After "subject to" delete "a sufficiently competitive market" and insert "effective competition"

Page 4, Line 12:
After "subject to" delete "a sufficiently competitive market" and insert "effective competition"

Page 4, Line 24;
After "(f) the" delete "number and" and after "type" insert "and degree"

Page 5, Lines 1-4:
Delete lines 1 through 4

Page 5, Line 5:
Delete "(7)(a)" and insert "(6)(a)"

Page 5, Line 17:
After "service;" delete "or"

Page 5, Line 19:
After "service" delete "." and insert "; or"

Page 5, Line 19:
After line 19 insert the following: "(c) a product or service which is a direct replacement for a fully regulated product or service or is functionally required to provide basic local exchange or access service."

Page 7, Line 3:
After "cost of" delete "essential"

Page 7, Line 9:
Delete "essential"

Page 7, Line 10:
After line 10 insert a new section as follows:

"Section 5. Section 54-8b-3.3, Utah Code Annotated 1953, is enacted to read:

54-8b-3.3 Services which must be offered on a non-discriminatory basis - Non-competitive services to be cost-based - Packaged services

(1) As used in this section, "cost-based" means that the prices for the telecommunications services shall be established after taking into consideration the cost of providing the service. The term "cost-based" does not prevent the establishment of prices that promote the universal availability of service in the state.

(2) Notwithstanding any other provision of this chapter:

(a) no telecommunications corporation with more than 50,000 access lines in the state and which provides a non-competitive service shall:

(i) as to the pricing and provisioning of the non-competitive service, make or grant any undue or unreasonable preference or advantage to any person, corporation, or locality; or

(ii) in providing services which utilize the local exchange network:

(A) make or give any undue or unreasonable preference or advantage to any person, corporation, or locality; or

(B) subject any person, corporation, or locality to any undue or unreasonable prejudice or disadvantage.

(b) non-competitive services provided by a telecommunications corporation with more than 50,000 access lines in the state shall be non-discriminatory, cost-based, and subject to resale as determined by the commission; and

(c) non-competitive services may be packaged with other services, so long as they are also offered on a separate, unbundled basis."

Fred W. Finlinson
Committee chairman

Committee report read and adopted. Senators Finlinson, Black, Swan and Barlow commented.

On motion of Senator Finlinson, the bill was amended as follows:

Page 2, Lines 4–11:
Delete lines 4 through 11 and insert the following:

"(1) The commission may, by rule or order, adopt any method of rate regulation consistent with this title, including a method whereby revenues or earnings of a public utility above a specified level are equitably shared between the public utility and its customers.

(2) Not later than 60 days from the entry of an order or adoption of a rule adopting a method of rate regulation whereby revenues or earnings of a public utility above a specified level are equitably shared between the public utility and its customers, the public utility may elect not to proceed with the method of rate regulation by filing with the commission a notice that it does not intend to proceed with the method of rate regulation.

Page 2:
Delete all committee amendments on page 2 of the bill

Senator Swan's motion to delete the new language on Page 2, Lines 4 through 11 failed on a voice vote.

On motion of Senator Cary Peterson, the bill will remain as unfinished business.

* * *

On motion of Senator Cary Peterson, the circles were removed from S.B. No. 73 and S.B. No. 57.

* * *

On motion of Senator Cary Peterson, the Senate adjourned until 10:00 a.m., Tuesday, January 30, 1990.

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.
Prayer – Senator C.E. Peterson

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: January 30, 1990

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.

Boyd K. Storey,
Committee Chairman

Committee report read and adopted.

COMMUNICATIONS FROM HOUSE

Mr. President: January 29, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.C.R. No. 8**, ROCKY MOUNTAIN TOBACCO–FREE CHALLENGE RESOLUTION, by Representative Lloyd 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, **SUB. H.C.R. No. 9**, RESOLUTION ON SHARON STEEL SITE, by Representative Melvin R. 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 on Consent Calendar, **H.J.R. No. 19**, VOLUNTARY WATER CONSERVATION RESOLUTION, by Representative Melvin R. 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. 169**, DUI ALCOHOL AND DRUG TESTING FEE,

by Representative Ronald J. Ockey, and the 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. 232, FEE FOR COLLECTION OF CHILD SUPPORT REPEALED, by Representative Kelly C. Atkinson, and the 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. 263, OBTAINING CONTROLLED SUBSTANCES AMENDMENT, by Representative Walt Bain, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.C.R. No. 8, SUB. H.C.R. No. 9, H.J.R. No. 19 and H.B. No. 169, 232, and 263, were read the first time and referred to Rules Committee.

* * *

Mr. President: January 29, 1990

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. 95, PROHIBITION OF CERTAIN ANIMALS AS PETS, by Representative Lee Allen, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Chief Clerk

H.B. No. 95 was signed by the President of the Senate in open session and returned to the House.

* * *

Mr. President: January 29, 1990

I am directed to inform the Senate that the House of Representatives has this day passed on Consent Calendar, S.B. No. 11, FOURTH AMENDMENT ENFORCEMENT ACT REPEAL by Senator Lyle W. 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. 28, AGRICULTURAL PRODUCTS DEALERS ACT, 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.

Carole E. Peterson, Chief Clerk

S.B. No. 11 and S.B. No. 28 were signed by the President of the Senate in open session, referred to Rules Committee to be enrolled and transmitted to the Governor.

SECRETARY OF SENATE REPORT

Committee reports have been received on S.B. Nos. 16, 82, 107, H.B. No. 10, 47, SUB. H.B. No. 18 and H.J.R. No. 9, and the bills and resolutions were placed on Second Reading Calendar.

INTRODUCTION OF BILLS

REJECTION OF WATER APPROPRIATION APPLICATION

S.B. No. 192 *Richard B. Tempest*

AN ACT RELATING TO WATER AND IRRIGATION; PROVIDING THAT AN APPROVAL OF AN APPLICATION TO APPROPRIATE WATER SHALL BE REJECTED IF IT INTERFERES WITH THE PRESERVATION OF ENDANGERED SPECIES CRITICAL HABITAT.

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

AMENDS: 73-3-8, AS LAST AMENDED BY CHAPTER 239, LAWS OF UTAH 1985, was read the first time and referred to Rules Committee.

DIESEL EMISSION INSPECTIONS

S.B. No. 193 *Stephen J. Rees*

AN ACT RELATING TO MOTOR VEHICLES; ESTABLISHING A DIESEL INSPECTION AND MAINTENANCE PROGRAM; REQUIRING COUNTIES TO IMPLEMENT THE PROGRAM.

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

AMENDS: 26-1-30, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981.

ENACTS: 26-13-6.1, UTAH CODE ANNOTATED 1953; 41-6-163.7, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

GOVERNMENTAL IMMUNITY FOR DAMAGES OF POLICE PURSUED VEHICLE

S.B. No. 194 *Richard J. Carling*

AN ACT RELATING TO GOVERNMENTAL IMMUNITY; PRESERVING GOVERNMENTAL IMMUNITY FOR PEACE OFFICERS DRIVING MOTOR VEHICLES IN PURSUIT OF ACTUAL OR SUSPECTED VIOLATIONS OF THE LAW; AND MAKING TECHNICAL CORRECTIONS.

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

AMENDS: 63-30-7, AS LAST AMENDED BY CHAPTER 129, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

SALT LAKE SKILLS CENTER

S.B. No. 195 *Haven J. Barlow*

AN ACT RELATING TO POST SECONDARY EDUCATION; PROVIDING A ROLE AND MISSION FOR THE SALT LAKE SKILLS CENTER; AND PLACING THE CENTER UNDER THE GENERAL CONTROL AND SUPERVISION OF THE STATE BOARD OF REGENTS.

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

ENACTS: 53-16-301, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

ORGANIC FOOD ACT

S.B. No. 196 *William T. Barton*

AN ACT RELATING TO FOOD; PROHIBITING THE SALE OF FOOD LABELED OR ADVERTISED AS ORGANIC IF THE FOOD CONTAINS CERTAIN SUBSTANCES.

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

ENACTS: 4-5-3.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

UTAH CONSERVATION CORPS

S.B. No. 197 *Lorin N. Pace*

AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE; ESTABLISHING THE UTAH CONSERVATION CORPS WITHIN THE

DEPARTMENT OF AGRICULTURE; ESTABLISHING THE POWERS, DUTIES, AND RESPONSIBILITIES OF THE CORPS; AND PROVIDING AN EFFECTIVE DATE.

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

ENACTS: 4-18-14, UTAH CODE ANNOTATED 1953; 4-38-1, UTAH CODE ANNOTATED 1953; 4-38-2, UTAH CODE ANNOTATED 1953; 4-38-3, UTAH CODE ANNOTATED 1953; 4-38-4, UTAH CODE ANNOTATED 1953; 4-38-5, UTAH CODE ANNOTATED 1953; 4-38-6, UTAH CODE ANNOTATED 1953; 4-38-7, UTAH CODE ANNOTATED 1953; 4-38-8, UTAH CODE ANNOTATED 1953; 4-38-9, UTAH CODE ANNOTATED 1953; 4-38-10, UTAH CODE ANNOTATED 1953; 4-38-11, UTAH CODE ANNOTATED 1953; 4-38-12, UTAH CODE ANNOTATED 1953; 4-38-13, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

OPERATOR SERVICES REQUIREMENTS

S.B. No. 198 *K.S. Cornaby*

AN ACT RELATING TO PUBLIC TELECOMMUNICATIONS UTILITY LAW; DIRECTING THE PUBLIC SERVICE COMMISSION TO MAKE RULES SPECIFYING REQUIREMENTS FOR THE PROVISION OF OPERATOR SERVICES; MAKING THE DIVISION OF PUBLIC UTILITIES RESPONSIBLE FOR THE ENFORCEMENT OF THE RULES; AND SETTING PENALTIES FOR THE VIOLATION OF THE RULES.

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

AMENDS: 54-8b-2, AS LAST AMENDED BY CHAPTER 96, LAWS OF UTAH 1989.

ENACTS: 54-8b-13, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

SEVERANCE TAXES ON METALLIFEROUS MINERALS

S.B. No. 199 *Lyle W. Hillyard*

AN ACT RELATING TO REVENUE AND TAXING; AMENDING THE FORMULA FOR DETERMINING THE SEVERANCE TAX ON COPPER; AND PROVIDING RETROSPECTIVE OPERATION.

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

AMENDS: 59-5-202, AS LAST AMENDED BY CHAPTER 183, LAWS OF UTAH 1988; 59-5-203, AS LAST AMENDED BY CHAPTER 183, LAWS OF UTAH 1988, was read the first time and referred to Rules Committee.

SECOND READING CALENDAR

S.B. No. 115, PUBLIC TELECOMMUNICATION AMENDMENT was before the Senate as unfinished business. On motion of Senator Finlinson, the Senate Journal is to record the following statement.

"Response to Senator Barlow's concerns yesterday:

1. Senator Barlow appeared to be concerned that the language of this would require the Commission to adopt an incentive plan. THAT IS NOT THE CASE. All the language does is to make clear that the PSC has the authority to consider such a plan. In 1988, the PSC rejected such a plan and indicated that it needed to look at all aspects of such a plan before it would adopt it.

2. In considering an incentive plan, the PSC will obviously retain the power to make the plan subject to conditions that will assure the protection of all ratepayers.

3. It is not the intent of this legislation to grant any utility a competitive advantage. The purpose is to grant the PSC the flexibility to deal with a telephone industry that is increasingly dynamic and changing.

4. Finally, this legislation does not hurt captive customers. The PSC retains all of its existing powers to regulate. The Commission can do nothing under this bill without having hearing and giving all parties an opportunity to assure that their interests are protected."

Senator Finlinson, Swan, and Bunnell commented. On motion of Senator Barlow, the bill was amended as follows:

Page 5, Line 4:
After deleted language insert "(6) In determining if the proposed exemption is in the public interest, the commission shall consider, in addition to other relevant factors, the impact the proposed exemption would have on captive customers of the telecommunications corporation.

Page 5, Line 5:
Delete "(6)(a)" and restore "(7)(a)"

The bill passed on the following roll call:

Yeas, 23; Nays, 3; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Cornaby	Finlinson	Fordham	Hillyard
Holmgren	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Tempest	Pres. Christensen	

Voting in the negative were: Senators

Bunnell	Farley	Swan

Absent or not voting were: Senators

Carling	Leavitt	McAllister

* * *

On motion of Senator Fordham, under suspension of the rules, S.B. No. 32, FEE LIMITATIONS ON TRUST DEEDS was before the Senate on reconsideration. On motion of Senator Pace, there was a Call of the Senate.

Senator Pace's motion to reconsider passed on the following roll call:

Yeas, 19; Nays, 9; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Farley	Fordham	Holmgren
McAllister	McMullin	Myrin	Nielsen
Pace	Rees	Richards	Steele
Storey	Swan	Tempest	

Voting in the negative were: Senators

Carling	Cornaby	Finlinson	Hillyard
Money	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Pres. Christensen			

Absent or not voting was: Senator
Leavitt

The bill, on reconsideration, passed on the following roll call:

Yeas, 17; Nays, 11; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Black	Bunnell
Farley	Fordham	Holmgren	McAllister
McMullin	Myrin	Nielsen	Pace
Richards	Steele	Storey	Swan
Tempest			

Voting in the negative were: Senators

Beattie	Carling	Cornaby	Finlinson
Hillyard	Money	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Pres. Christensen	

Absent or not voting was Senator
Leavitt

S.B. No. 32, as amended, was transmitted to the House.

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On motion of Senator Beattie, S.B. No. 72 was placed on Third Reading Table.

* * *

On motion of Senator McMullin, S.B. No. 57 was circled.

* * *

H.B. No. 116, PROCESS SERVER AMENDMENTS, was read the second time and explained by Senator C.E. Peterson.

Mr. President: January 23, 1990

The Judiciary Committee, to which was referred H.B. No. 116, PROCESS SERVER AMENDMENTS, by Representative Ted E. Lewis, et al, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 1, Line 24:
After "the" delete "Private"

Page 1, Line 27:
After "78–12a–2" delete "Private"

Page 2, Lines 8, 9, 10 and 11:
Delete entirely.

Page 2, after line 11:
Insert the following:

"(2) Other persons may serve process as prescribed by the Utah Rules of Civil Procedure."

Lyle W. Hillyard,
Committee Chairman

Committee report read and adopted. Senator Pace commented. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Barton	Cornaby	Peterson, Craig

* * *

H.B. No. 133, CONSTABLE AMENDMENTS, was read the second time and explained by C.E. Peterson.

Mr. President: January 23, 1990

The Judiciary Committee, to which was referred H.B. No. 133, CONSTABLE AMENDMENTS, by Representative Ted D. lewis, 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 McAllister, Carling, Steele, Pace, Storey, Black, and Tempest commented. Senator Money was presiding. The bill passed on the following roll call:

Yeas, 17; Nays, 7; Absent, 5

Voting in the affirmative were: Senators

Black	Bunnell	Fordham	Hillyard
Holmgren	Leavitt	McAllister	Myrin
Nielsen	Peterson, C.E.	Peterson, Cary	Rees
Richards	Storey	Swan	Tempest
Pres. Christensen			

Voting in the negative were: Senators

Barlow	Barton	Farley	McMullin
Money	Pace	Steele	

Absent or not voting were: Senators

Beattie	Carling	Cornaby	Finlinson
Peterson, Craig			

* * *

On motion of Senator Cary Peterson **S.B. No. 101**, HIGHER EDUCATION INSTITUTIONAL NAME CHANGE and **S.B. No. 119**, SUSC NAME CHANGE, will be considered tomorrow at 11:00 a.m.

* * *

S.B. No. 62, APPLICATIONS FOR PROPERTY TAX EXEMPTIONS, was read the second time.

Mr. President: January 24, 1990

The Revenue and Taxation Standing Committee to which was referred **S.B. No. 62**, APPLICATIONS FOR PROPERTY TAX EXEMPTIONS, by Senator Boyd K. Storey, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Cary G. Peterson,
Acting Committee Chairman

Committee report read and adopted. Senator Nielsen commented. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Bunnell	Cornaby
Farley	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Beattie	Black	Carling	Finlinson

* * *

SUB H.B. No. 37, TRAFFIC RIGHT-OF-WAY AMENDMENTS, was read the second time, and explained by Senator Fordham.

Mr. President: January 23, 1990

The Senate Transportation & Public Safety Standing Committee, to which was referred SUBSTITUTE H.B. No. 37,, TRAFFIC RIGHT-OF-WAY AMENDMENTS, by Representative Brent H. Goodfellow, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Glade Nielsen
Committee Chairman

Committee report read and adopted. Senator Hillyard and Nielsen commented. The substitute bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators
Finlinson Pace

* * *

H.B. No. 89, STOPPING AT PORTS OF ENTRY, was read the second time, and explained by Senator Myrin.

Mr. President: January 23, 1990

The Senate Transportation & Public Safety Standing Committee, to which was referred **H.B. No. 89, STOPPING AT PORTS OF ENTRY,** by Representative Stephen M. Bodily, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Glade Nielsen
Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator
Finlinson

* * *

H.B. No. 92, OVERSIGHT OF PORTS OF ENTRY, was read the second time and explained by Senator Myrin.

Mr. President: January 23, 1990

The Senate Transportation and Public Safety Standing Committee, to which was referred **H.B. No. 92, OVERSIGHT OF PORTS OF ENTRY,** by Representative Stephen M. Bodily, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Glade Nielsen
Committee Chairman

Committee report read and adopted. Senator Swan commented. The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator
Finlinson

* * *

On motion of Senator Black, H.B. No. 39 was circled. President Christensen was again presiding.

* * *

H.B. No. 52, DOMESTIC VIOLENCE AMENDMENTS, was read the second time, and explained by Senator Storey.

Mr. President: January 24, 1990

The Senate Social Services Standing Committee, to which was referred H.B. No. 52, DOMESTIC VIOLENCE AMENDMENTS, by Representative R. Mont Evans, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Boyd K. Storey,
Committee Chairman

Committee report read and adopted. Senators Carling, Holmgren, Hillyard, and McAllister commented. On motion of Senator Carling, the bill was circled.

* * *

H.B. No. 54, DOMESTIC VIOLENCE NO-CONTRACT REQUIREMENTS, was read the second time.

Mr. President: January 24, 1990

The Senate Social Services Standing Committee, to which was referred H.B. No. 54, DOMESTIC VIOLENCE NO-CONTACT REQUIREMENTS, by Representative R. Mont Evans, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Boyd K. Storey,
Committee Chairman

Committee report read and adopted. Senator Hillyard 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 2:20 p.m. with President Christensen presiding.

SECOND READING CALENDAR

H.B. No. 54, DOMESTIC VIOLENCE NO-CONTACT REQUIREMENTS, was before the Senate as unfinished business. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barlow	Beattie	Bunnell	Carling
Cornaby	Finlinson	Fordham	Hillyard
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Steele
Storey	Swan	Pres. Christensen	

Absent or not voting were: Senators

Barton	Black	Farley	Holmgren
Richards	Tempest		

* * *

On motion of Senator Storey, **H.B. No. 52**, DOMESTIC VIOLENCE AMENDMENTS was uncircled, and will be considered tomorrow at 10:30 a.m.

* * *

On motion of Senator McMullin **S.B. No. 57**, RECODIFICATION OF SPECIAL DISTRICTS, was uncircled, and before the Senate.

On motion of Senator McMullin, the bill was amended as follows:

Page 1068, Line 15:
After line 15 insert:
"Section 970. This act does not make any change in the substantive law. If the passage of this act or the correction of cross-references provided for in this act results in any error or change in the substantive law as it existed on January 1, 1990, the Legislature intends that the error or change in law be interpreted as if this recodification had not occurred."

The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Steele
Storey	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Richards	Swan

* * *

On motion of Senator Black, **H.B. No. 39**, REGULATION OF AUTOMATED DIALING TELEPHONE SOLICITATION, was uncircled, and read the second time.

Mr. President: January 24, 1990

The Senate Energy, Natural Resources and Agriculture Committee, to which was referred H.B. No. 39, REGULATION OF AUTOMATED DIALING TELEPHONE SOLICITATION, by Representative Ted D. Lewis et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 6:
After "burglar alarm system" delete "or" and insert "," and after "fire alarm system" insert ", or voice messaging system"

Page 3, Line 18:
After line 18 insert the following:
"(5) The division shall enact rules to protect the privacy of telephone subscribers with non-published telephone numbers."

Fred W. Finlinson,
Committee Chairman

Committee report read and adopted. On motion of Senator Black, the following Senate Substitute bill replaced the original bill and the committee amendments were not needed.

REGULATION OF AUTOMATED DIALING TELEPHONE SOLICITATION

(1-29-90 10:44 a.m.)

SENATE SUBSTITUTE H.B. No. 39 *Ted D. Lewis, James F. Yardley, Donald R. LeBaron*

AN ACT RELATING TO PUBLIC UTILITIES; REQUIRING THOSE WHO USE AN AUTOMATED DIALING SYSTEM TO REGISTER WITH THE DIVISION OF CONSUMER PROTECTION; AUTHORIZING THE DIVISION TO MAKE AND ENFORCE RULES FOR AUTOMATED DIALING SYSTEMS WITH RECORDED MESSAGES; AND PROVIDING PENALTIES.

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

AMENDS: 63-55-213, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1990.

ENACTS: 13-25-1, UTAH CODE ANNOTATED 1953; 13-25-2, UTAH CODE ANNOTATED 1953; 13-25-3, UTAH CODE ANNOTATED 1953; 13-25-4, UTAH CODE ANNOTATED 1953; 13-25-5, UTAH CODE ANNOTATED 1953.

The Senate Substitute bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Comaby	Richards

* * *

H.B. No. 56, ADOPTION ACT AMENDMENTS, was read the second time, and explained by Senator Steele.

Mr. President: January 24, 1990

The Senate Social Services Standing Committee, to which was referred H.B. No. 56, ADOPTION ACT AMENDMENTS, by Representative Hugh D. Rush, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Boyd K. Storey,
Committee Chairman

Committee report read and adopted. Senators Christensen, Money, Bunnell, and Pace commented. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barton	Beattie	Black	Bunnell
Comaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Steele (explained)	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators
Barlow Carling Richards

RULES COMMITTEE REPORT

Mr. President: January 30, 1990

The Senate Rules Committee to which was referred the following Senate Bills:

S.B. No. 117	NEGATIVE CREDIT REPORT (Business, Labor & Economic Development)
S.B. No. 163	UNIFORM COMMERCIAL CODE – CHECK AMENDMENTS (Business, Labor & Economic Development)
S.B. No. 165	CREDIT SERVICES ACT AMENDMENTS (Business, Labor & Economic Development)
S.B. No. 121	MASSAGE PRACTICE ACT (Health)
S.B. No. 123	PHYSICIAN ASSISTANT LICENSING ACT (Health)
S.B. No. 134	CHIROPRACTIC IMPROVEMENT AMENDMENTS (Health)
S.B. No. 156	LAND SALES, TIMESHARE (Health)
S.B. No. 77	CONTINGENT ATTORNEY FEES (Judiciary)
S.B. No. 143	PARDONS AND PAROLES AMENDMENTS (Judiciary)
S.B. No. 151	PRISONER DEFINED (Judiciary)
S.B. No. 61	INTEREST PAYABLE ON PROPERTY TAX JUDGEMENTS (Revenue & Taxation)
S.B. No. 33	TAX PENALTY AMENDMENTS (Revenue & Taxation)
S.B. No. 44	SALES TAX EXEMPTION FOR POLLUTION CONTROL FACILITIES (Revenue & Taxation)
S.B. No. 154	REVENUE TYPES (Revenue & Taxation)
S.B. No. 189	DEPARTMENT OF FINANCIAL INSTITUTIONS AMENDMENTS (Revenue & Taxation)
S.B. No. 155	ADULT ABUSE DATA BASE (Social Services)
S.B. No. 104	STATE GRASS DESIGNATED (State & Local)
S.B. No. 63	TRANSPORTATION FUND MONIES (Transportation & Public Safety)
S.B. No. 164	SPECIAL FUEL TAX AMENDMENT (Transportation & Public Safety)

report the bills to the Senate and asks that they be printed and assigned to the proper committee.

C.E. Peterson,
Rules Committee Chairman

Committee reports read and adopted. President Christensen assigned the bills to the committees indicated.

INTRODUCTION OF BILLS

SPECIAL IMPROVEMENT DISTRICT AMENDMENTS

S.B. No. 200 *Fred W. Finlinson*

AN ACT RELATING TO SPECIAL IMPROVEMENT DISTRICTS; PROVIDING VARIOUS CHANGES IN THE MANNER AND PROCEDURES FOR ADDING PROPERTIES TO SPECIAL IMPROVEMENT DISTRICTS, SECURING ASSESSMENT BONDS, RECORDING ASSESSMENT LIENS, AND FIXING MATURITIES FOR INTERIM WARRANTS FOR MUNICIPALITIES AND COUNTIES; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 10-16-5, AS LAST AMENDED BY CHAPTERS 3 AND 226, LAWS OF UTAH 1988; 10-16-7, AS LAST AMENDED BY CHAPTERS 3 AND 226, LAWS OF UTAH 1988; 10-16-10, AS LAST AMENDED BY CHAPTER 1, LAWS OF UTAH 1988, FOURTH SPECIAL SESSION; 10-16-16, AS LAST AMENDED BY CHAPTERS 3 AND 226, LAWS OF UTAH 1988; 10-16-18, AS LAST AMENDED BY CHAPTER 226, LAWS OF UTAH 1988; 10-16-27.1, AS LAST AMENDED BY CHAPTER 1, LAWS OF UTAH 1988, FOURTH SPECIAL SESSION; 10-16-29, AS LAST AMENDED BY CHAPTER 1, LAWS OF UTAH 1988, FOURTH SPECIAL SESSION; 10-16-30.1, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988, FOURTH SPECIAL SESSION; 10-16-31, AS LAST AMENDED BY CHAPTER 3 AND 226, LAWS OF UTAH 1988; 10-16-31.5, AS ENACTED BY CHAPTER 226, LAWS OF UTAH 1988; 10-16-33, AS LAST AMENDED BY CHAPTER 226, LAWS OF UTAH 1988; 10-16-35, AS ENACTED BY CHAPTER 27, LAWS OF UTAH 1969; 10-16-36, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988; 17-7-5, AS LAST AMENDED BY CHAPTERS 3 AND 226, LAWS OF UTAH 1988; 17-7-7, AS LAST AMENDED BY CHAPTERS 3 AND 226, LAWS OF UTAH 1988; 17-7-10, AS LAST AMENDED BY CHAPTER 85, LAWS OF UTAH 1981; 17-7-18, AS LAST AMENDED BY CHAPTER 226, LAWS OF UTAH 1988; 17-7-26.1, AS ENACTED BY CHAPTER 142, LAWS OF UTAH 1987; 17-7-29, AS LAST AMENDED BY CHAPTER 85, LAWS OF UTAH 1981; 17-7-31, AS LAST AMENDED BY CHAPTERS 3 AND 226, LAWS OF UTAH 1988; 17-7-31.5, AS ENACTED BY CHAPTER 226, LAWS OF UTAH 1988; 17-7-33, AS LAST AMENDED BY CHAPTER 226, LAWS OF UTAH 1988; 17-7-35, AS

LAST AMENDED BY CHAPTER 85, LAWS OF UTAH 1981; 17-7-36, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988

ENACTS: 10-16-37.1, UTAH CODE ANNOTATED 1953; 17-7-37.1, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

* * *

On motion of Senator Cary Peterson and at 3:00 p.m., the Senate adjourned until 10:00 a.m., Wednesday, January 31, 1990.

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.
Prayer – Senator LeRay McAllister.

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: January 31, , 1990

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.

Paul T. Fordham,
Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM HOUSE

Mr. President: January 30, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 85**, SALES TAX – AIRCRAFT EXEMPTION, by Representative David S. Ostler, and the 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, **SUB. H.B. No. 99**, CAMPAIGN SIGNS, by Representative Scott W. 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 **H.B. No. 119**, LICENSURE OF YOUTH SERVICES, by Representative Kurt E. Oscarson, and the 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. 130**, FARMLAND ASSESSMENT ACT AMENDMENTS, by Representative R. Mont Evans, 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. 144**, SCHOOL WARNING DEVICES, by Representative Arlo D. James, 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. 152**, REAUTHORIZATION OF SPECIAL DISTRICTS REVIEW COMMITTEE, 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.B. No. 157**, REPORTING CAMPAIGN CONTRIBUTIONS, by Representative H. Craig Moody, and the 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. 158**, SCHOOL DISTRICT ACCOUNTABILITY, by Representative Richard J. Bradford, 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. 163**, ARRAIGNMENT JURISDICTION, by Representative Beverly J. White, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 175**, RETIREMENT OPTION AMENDMENTS, by Representative Jay Fawson, and the 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**, RETIREMENT SYSTEM CREDIT TRANSFER, by Representative Byron L. Harward, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **SUB. H.B. No. 201**, QUALIFICATIONS OF ADMINISTRATIVE LAW JUDGES, by Representative Kelly C. Atkinson, and the 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. 212**, COUNTY SURVEYOR AMENDMENTS, by Representative Jeril B. Wilson, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 223**, NOTARIES PUBLIC BONDING AMENDMENTS, by Representative Martin R. 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. 244**, JUVENILE TRAFFIC OFFENSES AMENDMENT, by Representative Afton B. Bradshaw, and the 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. 251**, PROSECUTOR AMENDMENTS, by Representative Jerrold S. Jensen, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.B. No. 85, SUB. H.B. No. 99 and H.B. Nos. 119, 130, 144, 152, 157, 158, 163, 175, 176, SUB. H.B. No. 201, H.B. Nos. 212, 223, 244, and 251, were read the first time and referred to Rules Committee.

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B. Nos. 54, 75, 90, 99, and 100**, and the bills were placed on Second Reading Calendar.

STANDING COMMITTEE REPORT

Mr. President: January 30, 1990

The Judiciary Committee, to which was referred **S.B. No. 105**, SENTENCE GUIDELINES REGARDING AGGRAVATION AND MITIGATION, by Senator Karl G. Swan 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.

Lyle W. Hillyard,
Committee Chairman

Committee report read and adopted. **S.B. No. 105** was read the second time and placed on Consent Calendar.

PRESENTATION OF RESOLUTIONS

RESOLUTION HONORING FRANK C. CARMAN

S.J.R. No. 19 *Omar B. Bunnell*

A JOINT RESOLUTION OF THE LEGISLATURE COMMEMORATING THE LIFE OF FRANK C. CARMAN, BROADCAST PIONEER AND SERVICE VOLUNTEER, was read the first time and referred to Rules Committee.

FAIR MARKET VALUE DETERMINATION

S.J.R. No. 20 *Lane Beattie*

A JOINT RESOLUTION OF THE LEGISLATURE PROPOSING TO AMEND THE UTAH CONSTITUTION; ALLOWING THE LEGISLATURE TO PROVIDE FOR THE TAXATION OF PROPERTY; AND PROVIDING AN EFFECTIVE DATE, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

CUSTOMER SERVICE PRACTICES OF CABLE TV

S.B. No. 201 *Fred W. Finlinson*

AN ACT RELATING TO CABLE TELEVISION; AUTHORIZING THE PUBLIC SERVICE COMMISSION TO REGULATE CUSTOMER SERVICE PRACTICES OF CABLE TELEVISION COMPANIES; DIRECTING THE DIVISION OF PUBLIC UTILITIES TO ENFORCE CUSTOMER SERVICE RULES; AND SETTING A PENALTY FOR VIOLATION OF A RULE.

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

ENACTS: 54-14-1, UTAH CODE ANNOTATED 1953; 54-14-2, UTAH CODE ANNOTATED 1953; 54-14-3, UTAH CODE ANNOTATED 1953; 54-14-4, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

TRIBAL-STATE RELATIONS ACT

S.B. No. 202 *Omar B. Bunnell*

AN ACT RELATING TO INDIAN RELATIONS; CREATING A UTAH STATE COMMISSION FOR INDIAN AFFAIRS, A BOARD OF INDIAN AFFAIRS, AND A SAN JUAN NAVAJO COMMITTEE.

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

ENACTS: 63-36b-101, UTAH CODE ANNOTATED 1953; 63-36b-102, UTAH CODE ANNOTATED 1953; 63-36b-201, UTAH CODE ANNOTATED 1953; 63-36b-202, UTAH CODE ANNOTATED 1953; 63-36b-301, UTAH CODE ANNOTATED 1953; 63-36b-302, UTAH CODE ANNOTATED 1953; 63-36b-401, UTAH CODE ANNOTATED 1953; 63-36b-402, UTAH CODE ANNOTATED 1953; 63-36b-403, UTAH CODE ANNOTATED 1953.

REPEALS: 63-36-1, AS LAST AMENDED BY CHAPTER 234, LAWS OF UTAH 1979; 63-36-2, AS LAST AMENDED BY CHAPTER 212, LAWS OF

UTAH 1989; 63-36-3, AS LAST AMENDED BY CHAPTER 10, LAWS OF UTAH 1978; 63-36-4, AS ENACTED BY CHAPTER 174, LAWS OF UTAH 1967; 63-36-5, AS LAST AMENDED BY CHAPTER 234, LAWS OF UTAH 1979; 63-36-6, AS ENACTED BY CHAPTER 174, LAWS OF UTAH 1967; 63-36-7, AS LAST AMENDED BY CHAPTER 238, LAWS OF UTAH 1977; 63-36-8, AS LAST AMENDED BY CHAPTER 234, LAWS OF UTAH 1979; 63-36-18, AS ENACTED BY CHAPTER 168, LAWS OF UTAH 1973; 63-36a-1, AS ENACTED BY CHAPTER 244, LAWS OF UTAH 1989; 63-36a-2, AS ENACTED BY CHAPTER 244, LAWS OF UTAH 1989; 63-36a-3, AS ENACTED BY CHAPTER 244, LAWS OF UTAH 1989; 63-36a-4, AS ENACTED BY CHAPTER 244, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

AFTERMARKET CRASH PARTS ACT

S.B. No. 203 *C.E. Peterson*

AN ACT RELATING TO COMMERCE AND TRADE; REQUIRING DISCLOSURE OF THE USE OF CERTAIN PARTS NOT MADE BY THE MANUFACTURER OF THE MOTOR VEHICLE IN THE REPAIR OF A MOTOR VEHICLE.

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

ENACTS: 13-20a-101, UTAH CODE ANNOTATED 1953; 13-20a-102, UTAH CODE ANNOTATED 1953; 13-20a-103, UTAH CODE ANNOTATED 1953; 13-20a-104, UTAH CODE ANNOTATED 1953; 13-20a-105, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

SALES TAX NEXUS

S.B. No. 204 *Dixie L. Leavitt*

AN ACT RELATING TO REVENUE AND TAXATION; CLARIFYING THE DEFINITION AND STATUS OF RETAILERS AND VENDORS IN THE SALES TAX CODE TO INCLUDE PERSONS WHO SOLICIT CONSUMERS IN UTAH THROUGH ADVERTISING OR OTHER MEDIA; PROVIDING OTHER TECHNICAL CHANGES; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 59-12-102, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1988; 59-12-107, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1988, was read the first time and referred to Rules Committee.

DEFINITION OF FAIR MARKET VALUE

S.B. No. 205 *K. S. Cornaby*

AN ACT RELATING TO REVENUE AND TAXATION; AMENDING THE DEFINITION OF FAIR MARKET VALUE FOR ASSESSMENT AND TAXATION PURPOSES; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 59-2-102, AS LAST AMENDED BY CHAPTER 204, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

EXPANSION OF INITIATIVE AND REFERENDUM PROCEDURES

S.B. No. 206 *William T. Barton*

AN ACT RELATING TO INITIATIVES AND REFERENDUMS; ALLOWING LOCAL VOTERS TO USE INITIATIVE AND REFERENDUM TO INITIATE OR CHALLENGE BUDGETS AND TAX LEVIES OF COUNTIES, CITIES, OR TOWNS.

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

AMENDS: 20-11-21, AS LAST AMENDED BY CHAPTER 154, LAWS OF UTAH 1987, was read the first time and referred to Rules Committee.

UNIFORM CHILD CUSTODY JURISDICTION ACT AMENDMENTS

S.B. No. 207 *John P. Holmgren*

AN ACT RELATING TO THE JUDICIAL CODE; AMENDING A PROVISION REGARDING JURISDICTION UNDER THE UNIFORM CHILD CUSTODY JURISDICTION ACT.

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

AMENDS: 78-45c-3, AS ENACTED BY CHAPTER 41, LAWS OF UTAH 1980, was read the first time and referred to Rules Committee.

CONSENT CALENDAR

H.B. No. 108, INTERFERENCE WITH ARRESTING OFFICER, was read the third time, explained by Senator Cornaby, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Beattie	Holmgren	Leavitt	Peterson, Cary
Peterson, Craig			

H.B. No. 108 was signed by the President of the Senate in open session and returned to the House.

* * *

H.C.R. No. 3, RESOLUTION HONORING BETTY CALDER, 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	Barton	Black	Carling
Cornaby	Farley	Finlinson	Fordham
Hillyard	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Beattie	Bunnell	Holmgren	Leavitt
Peterson, Cary	Peterson, Craig		

H.C.R. No. 3 was signed by the President of the Senate in open session and returned to the House.

* * *

H.J.R. No. 10, COMMEMORATIVE RESOLUTION FOR HOWARD D. JOHNSON, 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	Barton	Black	Bunnell
Carling	Farley	Finlinson	Fordham
Hillyard	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Peterson, C.E.
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Beattie	Cornaby	Holmgren	Pace
Peterson, Cary	Peterson, Craig		

H.J.R. No. 10 was signed by the President of the Senate in open session and returned to the House.

* * *

S.C.R. No. 5, RESOLUTION HONORING RALPH BLACKHAM, was read the third time, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Beattie	Holmgren	Pace	Peterson, Cary

S.C.R. No. 5 was transmitted to the House.

THIRD READING CALENDAR

S.B. No. 115, PUBLIC TELECOMMUNICATIONS AMENDMENTS, was read the third time, and passed on the following roll call:

Yeas, 23; Nays, 2; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Black	Carling
Farley	Finlinson	Fordham	Hillyard
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Craig	Rees	Richards	Steele
Storey	Tempest	Pres. Christensen	

Voting in the negative were: Senators

Bunnell	Swan

Absent or not voting were: Senators

Beattie	Cornaby	Holmgren	Peterson, Cary

S.B. No. 115, as amended, was transmitted to the House.

* * *

H.B. No. 116, PROCESS SERVER AMENDMENTS, was read the third time.

On motion of Senator Pace, the bill was amended as follows:

Page 2, Line 13:
delete "and telephone number"

The bill passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Barlow	Black	Bunnell	Carling
Farley	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Craig	Rees	Richards
Steele	Swan	Tempest	Pres. Christensen

Voting in the negative was: Senator
Barton

Absent or not voting were: Senators

Beattie	Cornaby	Peterson, Cary	Storey

H.B. No. 116, as amended, was transmitted to the House.

* * *

H.B. No. 133, CONSTABLE AMENDMENTS, was read the third time.

Ken Bates, Murray Precinct Constable, and Michelle Wiley, West Valley Precinct Deputy Constable, and Richard Oldroyd, Utah Commission on Criminal and Juvenile Justice, spoke in Committee of the Whole. Senators McMullin, Pace, Barton, Swan and Black commented. The bill failed on the following roll call:

Yeas, 11; Nays, 15; Absent, 3

Voting in the affirmative were: Senators

Bunnell	Finlinson	Hillyard	Holmgren
Leavitt	McAllister	Peterson, Craig	Richards
Storey	Swan	Tempest	

Voting in the negative were: Senators

Barlow	Barton	Black	Cornaby
Farley	Fordham	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Rees	Steele	Pres. Christensen	

Absent or not voting were: Senators

Beattie	Carling	Peterson, Cary

Senator C.E. Peterson asked that the bill be held for possible reconsideration.

SECOND READING CALENDAR

H.B. No. 52, DOMESTIC VIOLENCE AMENDMENTS, was before the Senate. Senator Leavitt was presiding.

Wayne D. Shepherd, Director of Public Safety Chief of Police, University of Utah, Sidney P. Groll, Cache County Sheriff, Bob Terrango, Executive Director,

Community Counseling Center, James F. Housley, Executive Director, Statewide Association of Prosecutors, Robert W. Wright, Captain, Sandy City Police Department, Sgt. Charles Gilbert, Salt Lake City, Police Department, and Keith L. Stoney, Chief Prosecuting Attorney for West Valley City, Utah, and Representative Mont Evans spoke in Committee of the Whole.

Senators Swan, Black, and Cornaby commented. President Christensen was again presiding. Senator Hillyard, Farley, and Swan, commented. The bill passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Voting in the negative was: Senator
Cornaby

Absent or not voting were: Senators
Nielsen Rees

SPECIAL ORDER OF BUSINESS

S.B. No. 101, HIGHER EDUCATION INSTITUTIONAL NAME CHANGE, and S.B. No. 119, SUSC NAME CHANGE were before the Senate at 11:30 a.m.

S.B. No. 101, HIGHER EDUCATION INSTITUTIONAL NAME CHANGE, was read the second time.

Mr. President: January 29, 1990

The Education Standing Committee, to which was referred **S.B. No. 101, HIGHER EDUCATION INSTITUTIONAL NAME CHANGE**, by Senator Haven J. Barlow, has carefully considered the bill and reports it out of committee with a favorable recommendation with the following amendments:

Page 1, Line 12:
After "UNIVERSITY" insert "; AND PROVIDING AN EFFECTIVE DATE"

Page 4, Line 22:
Insert the following between lines 22 and 23:
"(2) A change in the name of an institution within the system of higher education shall not be considered a change in the role of mission of the institution, unless otherwise authorized by the State Board of Regents. (3) It is not the intent of the Legislature to increase the number of research universities in the state."

Page 4, Line 23:
Delete "(2)" and insert "(4)"

Page 8, Line 25:
After line 25 insert the following:
"Section 7. This act takes effect January 1, 1991."

Dixie L. Leavitt,
Committee Chairman

Committee report read and adopted, and

S.B. No. 119, SUSC NAME CHANGE, was read the second time.

Mr. President: January 29, 1990

The Education Standing Committee to which was referred **S.B. No. 119, SUSC NAME CHANGE**, by Senator Dixie L. Leavitt, has carefully considered the bill and reports it out of committee with a favorable recommendation with the following amendments:

Page 1, Line 12:
After "UTAH" delete "State", after "UNIVERSITY" insert "; AND PROVIDING AN EFFECTIVE DATE.'

Page 2, Line 1:
After "Utah" delete "State"

Page 2, Line 8:
Insert the following between lines 8 and 9:
"(2) A change in the name of an institution within the system of higher education shall not be considered a change in the role or mission of the institution, unless otherwise authorized by the State Board of Regents. (3) It is not the intent of the Legislature to increase the number of research universities in the state."

Page 2, Line 9:
Delete "(2)" and insert "(4)"

Page 2, Line 21:
After "Utah" delete "State"

Page 3, Line 12:
After "Southern Utah" delete "State"

Page 4, Line 10:
After "Utah" delete "State"

Page 5, Line 11:
After line 11 insert the following:
"Section 5. This act takes effect January 1, 1991."

Dixie L. Leavitt,
Committee Chairman

Committee report read and adopted, and

S.B. No. 101, HIGHER EDUCATION INSTITUTIONAL NAME CHANGE, was before the Senate. Gerald R. Sherratt, President of S.U.S.C. and Stephen D. Nadauld, President of Weber State spoke in Committee of the Whole.

Senator Finlinson moved to amend the Committee amendments placed on Page 4 between Lines 22 and 23 by deleting the words "the State Board of Regents" and insert "statute". Senators Barlow, Hillyard and Leavitt commented. The motion failed.

Senator Finlinson moved to amend the committee amendments placed on Page 4 between Line 22 and 23 by adding after "universities in the state" the words "or master degrees at four year institutions". The motion failed.

Senator Finlinson moved the following amendment:

Page 9, Lines 1-5:
Insert the following:
" The Davis County Vocational Education Center shall hereafter be referred to as the Haven J. Barlow Community College. Such an institutional name change shall not effect the scope of the constitution nor the source and nature of the institution's funding.

The motion passed on a voice vote, and the amendment was placed in the bill.

Senator Barlow, C.E. Peterson, Storey, Cornaby, Hillyard, McAllister, Finlinson, and Richards commented. The bill passed on the following roll call:

Yeas, 20; Nays, 7; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Holmgren	Leavitt	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey (conflict)	Swan	Pres. Christensen

Voting in the negative were: Senators

Carling	Cornaby	Farley	Finlinson
Hillyard	McAllister	Tempest	

Absent or not voting were: Senators

Black	Fordham

S.B. No. 119, SUSC NAME CHANGE was before the Senate, and passed on the following roll call:

Yeas, 20; Nays, 7; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Holmgren	Leavitt	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Pres. Christensen

Voting in the negative were: Senators

Carling	Cornaby	Farley	Finlinson
Hillyard	McAllister	Tempest	

Absent or not voting were: Senators

Black	Fordham

* * *

On motion of Senator Cary Peterson and at 12:30 p.m. the Senate adjourned until Thursday, February 1, 1990.

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.

Prayer – Dean William F. Maxwell, Cathedral of St. Mark of the Episcopal Church in Utah.

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: February 1, 1990

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.

Boyd K. Storey,
Committee Chairman

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 31, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, S.B. No. 2, DISCLOSURE BY EXEMPT ORGANIZATIONS, by Representative Lane Beattie, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Beattie, 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

Barlow	Barton	Beattie	Bunnell
Carling	Farley	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Peterson, C.E.

Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Black	Cornaby	Finlinson	Pace

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

* * *

Mr. President: January 31, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, S.B. No. 37, MORTGAGE LENDING AND SERVICING ACT, by Representative Lane Beattie, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Beattie 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Carling	Cornaby	Finlinson	Pace

S.B. No. 37 was transmitted to the House.

* * *

Mr. President: January 30, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 146**, JUVENILE COURT PROTECTIVE ORDERS, by Representative Jerrold S. Jensen, and the 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. 147**, AMENDMENTS TO CRIME VICTIMS REPARATIONS, by Representative R. Mont Evans, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 153**, COMPENSATION FOR WILDLIFE DAMAGE, by Representative Beverly Ann Evans, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 199**, CHILD GUARDIAN AD LITEM APPOINTMENT, by Representative R. Mont Evans, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 213**, HEALTH FACILITY LICENSURE AND INSPECTION ACT, by Representative Joseph M. Moody, and the 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. 239**, PHARMACY PRACTICE ACT AMENDMENTS, by Representative Walt Bain, and the 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. 257**, PERSONAL REPRESENTATIVE COMPENSATION, by Representative Ted D. 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 **H.B. No. 281**, JUDICIAL CONDUCT COMMISSION AMENDMENTS, by Representative Stephen M. Bodily, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.B. Nos. 146, 147, 153, 199, 213, 239, 257 and **281** were read the first time and referred to Rules Committee.

* * *

Mr. President: January 30, 1990

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 78, POST-RETIREMENT RESTRICTIONS FOR ELECTED OFFICIALS, By Senator Haven J. Barlow, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 13, EMPLOYERS' REINSURANCE FUND AMENDMENTS, by Senator Richard B. Tempest, 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. 17, CENTURY OF SERVICE RESOLUTION, by Senator Wilford R. Black, Jr., which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed S.C.R. No. 1, TENTH AMENDMENT RESOLUTION, by Senator Arnold Christensen, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed S.C.R. No. 2, RESOLUTION URGING CONGRESSIONAL REPEAL OF THE REQUIREMENT FOR A 55 MILE PER HOUR SPEED LIMIT, by Senator Richard J. 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.

Carole E. Peterson, Chief Clerk

S.B. No. 78, S.B. No. 13, S.J.R. No. 17, S.C.R. No. 1 and S.C.R. No. 2 were signed by the President of the Senate in open session, referred to Rules Committee to be enrolled and transmitted to the Governor and S.J.R. No. 17 to be transmitted to the Lieutenant Governor.

RULES COMMITTEE REPORTS

Mr. President: February 1, 1990

The Senate Rules Committee to which was referred the following Senate Resolution:

S.C.R. No. 6 RESOLUTION HONORING BRIGHTON HIGH SCHOOL reports the Resolution to the Senate and asks that it be printed and placed on the Consent Calendar.

C.E. Peterson,
Rules Committee Chairman

Committee reports read and adopted. S.C.R. No. 6 was read the second time and placed on Consent Calendar, and

Mr. President: February 1, 1990

The Senate Rules Committee which was referred the following House Resolution:

H.C.R. No. 19 UNITED MINE WORKERS OF AMERICA RESOLUTION reports the Resolution to the Senate and asks that it be placed on the Consent Calendar.

C.E. Peterson,
Rules Committee Chairman

Committee report read and adopted. H.C.R. No. 19 was read the second time and placed on Consent Calendar, and

Mr. President: February 1, 1990

The Senate Rules Committee to which was referred the following Senate Bills:

S.B. No. 147	UNLAWFUL USE OF FIREARMS (Energy, Natural Resources and Agriculture)
S.B. No. 148	CURATION OF ARCHAELOGICAL (Energy, Natural Resources and Agriculture)
S.B. No. 184	COUGAR AND BEAR PERMITS (Energy, Natural Resources & Agriculture)
S.B. No. 186	NOTICE PERIOD FOR WATER DISTRICT REPORT (Energy, Natural Resources & Agriculture)
S.B. No. 188	SUBCONTRACTOR OIL AND GAS MECHANICS LIEN LAW (Energy, Natural Resources & Agriculture)
S.B. No. 198	OPERATOR SERVICES REQUIREMENTS (Energy, Natural Resources & Agriculture)
S.B. No. 170	CRIMINAL PENALTIES FOR HAZARDOUS WASTE VIOLATIONS (Health)
S.B. No. 173	STATE-OWNED HEALTH CARE FACILITIES (Health)
S.B. No. 161	UNIFORM FOREIGN MONEY CLAIMS ACT (Revenue and Taxation)
S.B. No. 133	SEX OFFENDER TREATMENT (Social Services)

S.B. No. 160 UAPA EXEMPTION OF STATE ACTIONS (Social Services) reports the Bills to the Senate and asks that they be printed and assigned to the proper committee, and

Mr. President: February 1, 1990

The Senate Rules committee to which was referred the following House Bills:

H.B. No. 82	LOCAL SALES AND USE TAX – POPULATION FIGURES (Education)
H.B. No. 168	CORPORATION AND BUSINESS NAME STANDARDS (Education)
H.B. No. 114	INMATE INCOME AND EXPENSES (Judiciary)
H.B. No. 167	NOTARIES PUBLIC REFORM ACT AMENDMENTS (Judiciary)
H.B. No. 148	REQUIREMENT TO FURNISH SOCIAL SECURITY NUMBERS (Social Services)
H.B. No. 97	RETIREMENT OPERATION STATUS (State and Local)
H.B. No. 173	RETIREMENT OFFICE AMENDMENTS (State and Local)
H.B. No. 174	FIRE FIGHTER SYSTEM SOCIAL SECURITY OFFSET (State and Local)
H.B. No. 68	INSURANCE BENEFITS FOR BENEFICIARIES (Transportation and Public Safety)

reports the Bills to the Senate and asks that they be assigned to the proper committee.

C.E. Peterson,
Rules Committee Chairman

Committee reports read and adopted. President Christensen assigned the bills to the committees indicated.

STANDING COMMITTEE REPORTS

Mr. President: January 30, 1990

The State and Local Affairs Committee, to which was referred **H.B. No. 120,** MINIMUM RETIREMENT ALLOWANCE FOR PUBLIC EMPLOYEES, by Representative Harward, has carefully considered the bill, reports it out of committee with a favorable recommendation, and asks that it be placed on the Consent Calendar.

Craig A. Peterson
Committee Chairman

Committee report read and adopted. **H.B. No. 120** was read the second time and placed on Consent Calendar.

* * *

Mr. President: January 30, 1990

The Revenue and Taxation Standing Committee to which was referred S.B. No. 67, SALES TAX – REPEAL EXEMPTIONS, by Senator LeRay L. McAllister, has carefully considered the bill and reports the bill tabled and recommends that it be returned to Rules Committee.

Lorin N. Pace
Committee Chairman

Committee report read and adopted. S.B. No. 67 was returned to Rules Committee.

* * *

Mr. President: January 30, 1990

The State and Local Affairs Committee, to which was referred H.B. No. 115, RETIREMENT ALLOWANCE FOR PUBLIC EMPLOYEES, by Representative Harward, has carefully considered the bill, reports it out of Committee with a favorable recommendation, and asks that it be placed on the Consent Calendar.

Craig A. Peterson
Committee Chairman

Committee report read and adopted. H.B. No. 115 was read the second time and placed on Consent Calendar.

* * *

Mr. President: January 31, 1990

The Business, Labor, and Economic Development Standing Committee, to which was referred S.B. No. 135, CANCELLATION OF AUTOMOBILE PURCHASE, by Senator John P. Holmgren, has carefully considered the bill and recommends that the original bill be deleted in body and title and that SUB. S.B. No. 135 replace the original bill, and that it be returned to Rules Committee.

Lane Beattie
Committee Chairman

CANCELLATION OF AUTOMOBILE PURCHASE

SUB. S.B. No. 135 *John P. Holmgren*

AN ACT RELATING TO MOTOR VEHICLES; PROVIDING A RIGHT OF RETURN AND CANCELLATION OF AN AUTOMOBILE PURCHASE.

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

ENACTS: 41-3-40, UTAH CODE ANNOTATED 1953; 41-3-41, UTAH CODE ANNOTATED 1953.

Committee report read and adopted. **SUB. S.B. No. 135** replaced the original bill and it was returned to Rules Committee.

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B. Nos. 20, 29, 79, 150, 158, S.C.R. No. 3** and **H.B. Nos. 43, 94, 98,** and **105,** and the bills and resolutions were placed on the Second Reading Calendar.

PRESENTATION OF RESOLUTIONS

SPECIAL SERVICE DISTRICTS RESOLUTION

S.J.R. No. 21 *K.S. Cornaby*

A JOINT RESOLUTION OF THE LEGISLATURE RELATING TO SPECIAL SERVICE DISTRICTS; SUBSTITUTING THIS RESOLUTION FOR A RESOLUTION PASSED AT THE 1989 GENERAL SESSION OF THE 48TH LEGISLATURE; AND PROVIDING AN EFFECTIVE DATE.

THIS RESOLUTION REPEALS AND WITHDRAWS ENROLLED H.J.R. NO. 26 PASSED AT THE 1989 GENERAL SESSION OF THE 48TH LEGISLATURE AND REPLACES IT WITH THIS RESOLUTION, AND PROPOSES TO CHANGE THE UTAH CONSTITUTION AS FOLLOWS:

AMENDS: ARTICLE XIV, SEC. 8, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

UTAH CONTROLLER GENERAL ACT

S.B. No. 208 *Fred W. Finlinson*

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; CREATING A UTAH CONTROLLER GENERAL AND ADVISORY BOARD; AND DIRECTING OVERSIGHT RESPONSIBILITIES.

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

ENACTS: 63-77-1, UTAH CODE ANNOTATED 1953, 63-77-2, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

SALARY AVERAGING FOR PAY INCREASES

S.B. No. 209 *C.E. Peterson*

AN ACT RELATING TO SALARY INCREASES; APPROPRIATING A DESIGNATED AMOUNT TO STATE AGENCIES, HIGHER EDUCATION, AND PROVIDING A MECHANISM FOR ITS DISTRIBUTION.

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

OFF-HIGHWAY VEHICLE REGISTRATION AMENDMENTS

S.B. No. 210 *John P. Holmgren*

AN ACT RELATING TO OFF-HIGHWAY VEHICLES; LIMITING THE AMOUNT THAT THE MOTOR VEHICLE DIVISION KEEPS TO COVER THE COST OF REGISTERING OFF-HIGHWAY VEHICLES.

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

AMENDS: 41-22-3, AS LAST AMENDED BY CHAPTER 21, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

BONDING FOR WATER PROJECTS

S.B. No. 211 *Fred W. Finlinson, John Holmgren*

AN ACT RELATING TO WATER AND IRRIGATION; AUTHORIZING THE ISSUANCE AND SALE OF $50,000,000 OF BONDS FOR WATER DEVELOPMENT, WASTEWATER, AND DRINKING WATER PROJECT LOANS; SPECIFYING THE USE OF BOND PROCEEDS AND THE MANNER OF ISSUANCE OF BONDS; CREATING A SINKING FUND; PROVIDING THAT INTEREST ON ALL MONEY IN THE WATER RESOURCES CONSERVATION AND DEVELOPMENT FUND ACCRUE TO THAT FUND; AND AMENDING PROVISIONS RELATING TO THE WATER DEVELOPMENT COORDINATING COUNCIL

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

AMENDS: 73-10-25, AS LAST AMENDED BY CHAPTER 215, LAWS OF UTAH 1987; 73-10c-3, AS LAST AMENDED BY CHAPTER 123, LAWS OF UTAH 1985; 73-10c-4, AS LAST AMENDED BY CHAPTER 123, LAWS OF UTAH 1985; 73-10c-5, AS LAST AMENDED BY CHAPTER 13, LAWS OF UTAH 1987, FIRST SPECIAL SESSION.

ENACTS: 73-10c-5.1, UTAH CODE ANNOTATED 1953; 73-10f-1, UTAH CODE ANNOTATED 1953; 73-10f-2, UTAH CODE ANNOTATED 1953;

73-104-3, UTAH CODE ANNOTATED 1953; 73-10f-4, UTAH CODE ANNOTATED 1953; 73-10f-5, UTAH CODE ANNOTATED 1953; 73-10f-6, UTAH CODE ANNOTATED 1953; 73-10f-7, UTAH CODE ANNOTATED 1953; 73-10f-8, UTAH CODE ANNOTATED 1953; 73-10f-9, UTAH CODE ANNOTATED 1953; 73-10f-10, UTAH CODE ANNOTATED 1953; 73-10f-11, UTAH CODE ANNOTATED 1953; 73-10f-12, UTAH CODE ANNOTATED 1953; 73-10f-13, UTAH CODE ANNOTATED 1953; 73-10f-14, UTAH CODE ANNOTATED 1953; 73-10f-15, UTAH CODE ANNOTATED 1953; 73-10f-16, UTAH CODE ANNOTATED 1953; 73-10f-17, UTAH CODE ANNOTATED 1953; 73-10f-18, UTAH CODE ANNOTATED 1953; 73-10f-19, UTAH CODE ANNOTATED 1953; 73-10f-20, UTAH CODE ANNOTATED 1953; 73-10f-21, UTAH CODE ANNOTATED 1953; 73-10f-22, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

CONSENT CALENDAR

S.B. No. 48, THEFT OF CABLE TV SERVICES AMENDMENTS, was read the third third and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Cornaby	Farley	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Carling	Finlinson	Nielsen

S.B. No. 48 was transmitted to the House.

* * *

S.B. No. 126, EXPANSION OF SUNSET REVIEW, was read the third time, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator
Carling

S.B. No. 126, as amended, was transmitted to the House.

* * *

S.B. No. 149, FIRE FIGHTERS RETIREMENT CREDIT PURCHASE, 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

S.B. No. 149 was transmitted to the House.

* * *

S.B. No. 157, LIEN AGAINST RETIREMENT BENEFITS, was read the third time, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Cornaby	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Carling Farley

S.B. No. 157 was transmitted to the House.

* * *

On motion of Senator Cary Peterson, under suspension of the rules, **H.B. No. 145**, PRIVILEGED COMMUNICATION AMENDMENTS, was read the third time, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator

Holmgren

H.B. No. 145 was signed by the President of the Senate in open session and returned to the House.

THIRD READING CALENDAR

S.B. No. 62, APPLICATIONS FOR PROPERTY TAX EXEMPTION, was read the third time; Senator Cornaby was presiding. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	

Absent or not voting were: Senators

Holmgren Pres. Christensen

S.B. No. 62 was transmitted to the House.

* * *

SUB. H.B. No. 37, TRAFFIC RIGHT-OF-WAY AMENDMENTS, was read the third time, and explained by Senator Fordham.

On motion of Senator Hillyard, the bill was amended as follows:

Buff Page 4, Line 7:
After "intersection" insert "not regulated by an official traffic control device,"

Buff Page 4, Line 10:
Bracket "Subsection" and insert "Subsections" and after "(3)" insert "and (4)"

Buff Page 4, Line 13:
Delete "does not have" and insert "is not regulated by" delete "signal" and insert "device"

Buff Page 4, Line 19:
Delete "without" and insert "not regulated by"

Buff Page 4, Line 20:
Delete "signal" and insert "device"

Buff Page 4, Line 22:
After line 22 insert

"(4) The operator of a vehicle approaching an intersection not regulated by an official traffic control device, from a highway that is not paved, shall yield the right-of-way to the operator of any vehicle on a paved intersecting highway."

The substitute bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	

Absent or not voting were: Senators

McMullin	Pres. Christensen

SUB. H.B. No. 37, as amended, was transmitted to the House.

* * *

H.B. No. 89, STOPPING AT PORTS OF ENTRY, was read the third time, explained by Senator Myrin, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	

Absent or not voting were: Senators

McMullin	Pres. Christensen

H.B. No. 89 was signed later this day by the President of the Senate and returned to the House.

* * *

H.B. No. 92, OVERSIGHT OF PORTS OF ENTRY, was read the third time, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest		

Absent or not voting were: Senators

Black	McMullin	Pres. Christensen

H.B. No. 92 was signed by the President of the Senate later this day and returned to the House.

* * *

On motion of Senator Storey H.B. No. 54, DOMESTIC VIOLENCE NO-CONTACT REQUIREMENTS, was read the third time and placed on the Third Reading Table.

* * *

On motion of Senator Storey, H.B. No. 52, DOMESTIC VIOLENCE AMENDMENTS, was placed on the Third Reading Table.

* * *

S.B. No. 57, RECODIFICATION OF SPECIAL 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

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Hillyard	Holmgren	Leavitt	McAllister
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Tempest

Absent or not voting were: Senators

Barton	Fordham	McMullin	Swan
Pres. Christensen			

S.B. No. 57, as amended, was transmitted to the House.

* * *

SENATE SUB. H.B. No. 39, REGULATION OF AUTOMATED DIALING TELEPHONE SOLICITORS, was read the third time.

On motion of Senator Beattie the bill was amended as follows:

Page 4, Line 10:
After "after" delete "9:00" and insert "8:00"

The Senate Substitute bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Finlinson	Hillyard
Holmgren	Leavitt	McAllister	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	

Absent or not voting were: Senators

Barton	Farley	Fordham	McMullin
Tempest	Pres. Christensen		

SENATE SUB. H.B. No. 39, as amended, was transmitted to the House.

* * *

H.B. No. 56, ADOPTION ACT AMENDMENTS was read the third time.

On motion of Senator Steele, the bill was amended as follows:

Lilac Page 4, Line 16:
Before "Either" insert "Except as provided in Section 78–30–5," and change "Either" to "either".

The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Rees	Richards	Steele	Storey
Swan	Tempest		

Absent or not voting were: Senators

McMullin	Peterson, Craig	Pres. Christensen

H.B. No. 56, as amended, was returned to the House.

* * *

S.B. No. 101, HIGHER EDUCATION INSTITUTIONAL NAME CHANGES, was read the third time.

Senator Barlow moved to delete the following amendment which was placed in the bill yesterday by motion of Senator Finlinson.

Page 9, Lines 1–5:
Insert the following:
" The Davis County Vocational Education Center shall hereafter be

referred to as the Haven J. Barlow Community College. Such an institutional name change shall not effect the scope of the constitution nor the source and nature of the institution's funding.

The motion failed on a 13 yea, 13 nay standing vote and the amendment remained in the bill.

On motion of Senator Finlinson, the bill was amended as follows:

Goldenrod Page 4, Line 22f:
After "STATE" insert "BEYOND THE UNIVERSITY OF UTAH AND UTAH STATE UNIVERSITY"

The bill passed on the following roll call:

Yeas, 20; Nays, 7; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Finlinson	Fordham	Holmgren	Leavitt
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Richards	Steele	Storey	Swan

Voting in the negative were: Senators

Black	Carling	Cornaby	Farley
Hillyard	McAllister	Tempest	

Absent or not voting were: Senators

Rees	Pres. Christensen

* * *

S.B. No. 119, SUSC NAME CHANGE, was read the third time.

On motion of Senator Finlinson, the bill was amended as follows:

Goldenrod Page 2, Line 8f:
After "STATE" insert "BEYOND THE UNIVERSITY OF UTAH AND UTAH STATE UNIVERSITY"

The bill passed on the following roll call:

Yeas, 19; Nays, 7; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Finlinson	Fordham	Holmgren	Leavitt
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Richards	Steele	Swan	

Voting in the negative were: Senators

Black	Carling	Cornaby	Farley
Hillyard	McAllister	Tempest	

Absent or not voting were: Senators

Rees	Storey	Pres. Christensen

S.B. No. 119, as amended, was transmitted to the House.

SECOND READING CALENDAR

H.J.R. No. 3, DOMESTIC VIOLENCE PROSECUTION RESOLUTION, was read the second time.

Mr. President: January 24, 1990

The Senate Social Services Standing committee, to which was referred H.J.R. No. 3, DOMESTIC VIOLENCE PROSECUTION RESOLUTION, by Representative Joanne R. Milner, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Boyd K. Storey,
Committee Chairman

Committee report read and adopted. The resolution passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Richards	Steele	Storey
Swan	Tempest		

Absent or not voting were: Senators

Bunnell	Rees	Pres. Christensen

On motion of Senator Storey, under suspension of the rules, the bill was placed on the Third Reading Table.

* * *

S.B. No. 18, DISCLOSURE OF PSYCHOLOGICALLY IMPACTED PROPERTY, was read the second time.

Mr. President: January 25, 1990

The Business, Labor, and Economic Development Standing Committee, to which was referred **S.B. No. 18,** DISCLOSURE OF PSYCHOLOGICALLY IMPACTED PROPERTY, by Senator Lane Beattie, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lane Beattie,
Committee Chairman

Committee report read and adopted. Senators Beattie, Swan, Tempest, Richards, Cornaby, Cary Peterson, McAllister, and Hillyard commented. Senator Swan moved, under suspension of the rules, on Page 2 to delete Lines 13 and 14 as follows:

"(a) the site or suspected site of a murder, other felony, or suicide; or
(a)"

The motion failed on a voice vote. The bill passed on the following roll call:

Yeas, 18; Nays, 8; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Carling
Cornaby	Farley	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Myrin
Nielsen	Peterson, C.E.	Peterson, Cary	Rees
Steele	Storey		

Voting in the negative were: Senators

Black	Bunnell	Finlinson	Fordham
Money	Richards	Swan	Tempest

Absent or not voting were: Senators

Pace	Peterson, Craig	Pres. Christensen

* * *

S.B. No. 19, UNIFORM SECURITIES ACT AMENDMENTS, was read the second time.

Mr. President: January 25, 1990

The Business, Labor, and Economic Development Standing committee, to which was referred **S.B. No. 19**, UNIFORM SECURITIES ACT AMENDMENTS, by Senator K.S. Cornaby, 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. 19** replace the original bill.

Lane Beattie,
Committee Chairman

Committee report read and adopted. The following substitute bill replaced the original bill.

UNIFORM SECURITIES ACT AMENDMENTS
(1-24-90 7:22 p.m.)

SUBSTITUTE S.B. No. 19 *K.S. Cornaby*

AN ACT RELATING TO SECURITIES; PROVIDING FOR CONFORMITY WITHIN THE SECURITIES DIVISION WITH THE UTAH ADMINISTRATIVE PROCEDURES ACT; ALLOWING THE DIRECTOR OF THE DIVISION RATHER THAN THE EXECUTIVE DIRECTOR OF THE DEPARTMENT TO DENY, SUSPEND, OR REVOKE LICENSES AND REGISTRATIONS; PROVIDING THE DIVISION CERTAIN ENFORCEMENT POWERS; PROVIDING FOR ENFORCEMENT OF THE UNIFORM SECURITIES ACT; PROVIDING FUNDING FOR THE EDUCATION AND TRAINING OF SECURITIES INVESTORS; AND MAKING TECHNICAL CORRECTIONS.

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

AMENDS: 61-1-3, AS LAST AMENDED BY CHAPTER 284, LAWS OF UTAH 1983; 61-1-4, AS LAST AMENDED BY CHAPTER 284, LAWS OF UTAH 1983; 61-1-5, AS LAST AMENDED BY CHAPTER 92, LAWS OF UTAH 1987; 61-1-6, AS LAST AMENDED BY CHAPTER 171, LAWS OF UTAH 1987; 61-1-11, AS LAST AMENDED BY CHAPTER 284, LAWS OF UTAH 1983; 61-1-12, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987; 61-1-13, AS LAST AMENDED BY CHAPTER 225, LAWS OF UTAH 1989; 61-1-14, AS LAST AMENDED BY CHAPTER 92, LAWS OF UTAH 1987; 61-1-18.4, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 61-1-18.5, AS LAST AMENDED BY

CHAPTER 225, LAWS OF UTAH 1989; 61-1-19, AS LAST AMENDED BY CHAPTER 284, LAWS OF UTAH 1983; 61-1-20, AS LAST AMENDED BY CHAPTER 107, LAWS OF UTAH 1986; 61-1-21, AS LAST AMENDED BY CHAPTER 284, LAWS OF UTAH 1983; 61-1-22, AS LAST AMENDED BY CHAPTER 107, LAWS OF UTAH 1986; 61-1-23, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987; 61-1-26, AS LAST AMENDED BY CHAPTER 284, LAWS OF UTAH 1983; 78-27-50, AS ENACTED BY CHAPTER 143, LAWS OF UTAH 1977.

ENACTS: 61-1-18.7, UTAH CODE ANNOTATED 1953

John C. Baldwin, Director, State of Utah Department of Commerce, spoke in Committee of the Whole. Senators Hillyard, McAllister, Bunnell, Pace, Black, Nielsen and Cornaby commented. The substitute bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	

Absent or not voting were: Senators

McMullin	Pres. Christensen

* * *

On motion of Senator Barlow, under suspension of the rules, **S.B. No. 101**, HIGHER EDUCATIONAL NAME CHANGES, was before the Senate on reconsideration. Senator Carling's motion to recess failed.

On motion of Senator Barlow, the bill was amended as follows:

Goldenrod Page 9 Lines 1 through 5:
Delete entirely.

The bill, on reconsideration, passed on the following roll call:

Yeas, 18; Nays, 8; Absent, 3

Voting in the affirmative were: Senators

Barlow	Beattie	Bunnell	Fordham
Holmgren	Leavitt	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Richards	Steele
Storey	Swan		

Voting in the negative were: Senators

Black	Carling	Cornaby	Farley
Finlinson	Hillyard	McAllister	Tempest

Absent or not voting were: Senators

Barton	Rees	Pres. Christensen

S.B. No. 101, as amended, was transmitted to the House.

* * *

On motion of Senator Cary Peterson and at 12:05 p.m., the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:15 p.m. with President Christensen presiding.

COMMUNICATIONS FROM HOUSE

Mr. President: January 30, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 57**, VEHICLE SIZE, WEIGHT, AND LOAD REVISIONS, by Representative Christine R. Fox, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.B. No. 57, was read the first time and referred to Rules Committee.

* * *

Mr. President: January 31, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **SECOND SUB. S.B. No. 4**, DUI PENALTY AMENDMENT,

by Senator Winn L. Richards, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

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

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Farley	Finlinson	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Voting in the negative was: Senator
Black

Absent or not voting were: Senators

Comaby	Fordham	Money	Peterson, Craig
Rees			

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

* * *

Mr. President: February 1, 1990

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. 116**, PROCESS SERVER AMENDMENTS, by Representative Ted D. Lewis, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Chief Clerk

H.B. No. 116 was signed by the President of the Senate in open session and returned to the House.

RECONSIDERATION

On motion of Senator C.E. Peterson, **H.B. No. 133**, CONSTABLE AMENDMENTS, was before the Senate on reconsideration, and there was a Call of the Senate. The bill passed on the following roll call:

Yeas, 19; Nays, 9; Absent, 1

Voting in the affirmative were: Senators

Barlow	Beattie	Bunnell	Finlinson
Hillyard	Holmgren	Leavitt	Money
Myrin	Nielsen	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Storey
Swan	Tempest	Pres. Christensen	

Voting in the negative were: Senators

Barton	Black (explained)	Carling	Cornaby
Farley (explained)	McAllister	McMullin	Pace
Steele			

Absent or not voting was: Senator
Fordham

H.B. No. 133 was signed by the President of the Senate in open session and returned to the House.

* * *

S.B. No. 51, SALES TAX – EXEMPTION FOR FACTORY BUILT HOMES, was read the second time.

Mr. President: January 25, 1990

The Business, Labor and Economic Development committee, to which was referred **S.B. No. 51, SALES TAX – EXEMPTION FOR FACTORY BUILT HOMES,** by Senator Richard B. Tempest, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lane Beattie,
Committee Chairman

Committee report read and adopted. Senators Tempest, Black, Nielsen, Bunnell, Hillyard, Christensen, McAllister, Beattie, Barlow, Swan, Storey, and Rees commented. The bill passed on the following roll call:

Yeas, 19; Nays, 7; Absent, 3

Voting in the affirmative were: Senators

Barlow (conflict)	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Hillyard

Holmgren	McMullin	Myrin	Pace
Peterson, C.E.	Peterson, Cary	Rees	Steele
Storey	Tempest	Pres. Christensen	

Voting in the negative were: Senators

Black	McAllister	Money	Nielsen
Peterson, Craig	Richards	Swan	

Absent or not voting were: Senators

Finlinson	Fordham	Leavitt

On motion of Senator Hillyard, under suspension of the rules, the bill was placed on the Third Reading Table.

RECONSIDERATION

On motion of Senator Cornaby, under suspension of the rules, **H.B. No. 107**, REVISED UNIFORM LIMITED PARTNERSHIP ACT, was before the Senate on reconsideration. Lilac Page 48 was not with the bill when previously considered. The page was now before the Senate. The bill passed on reconsideration on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Hillyard	Holmgren	McAllister	McMullin
Money	Myrin	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Finlinson	Fordham	Leavitt	Pace

H.B. No. 107 was signed by the President of the Senate in open session and returned to the House.

PRESENTATION OF RESOLUTIONS

RESOLUTION COMMEMORATING CHESLEY PETERSON

S.C.R. No. 7 *Wilford R. Black, Jr., and all members of the Senate*

A CONCURRENT RESOLUTION OF THE LEGISLATURE AND THE GOVERNOR HONORING MAJOR GENERAL CHESLEY PETERSON, WHO

PASSED AWAY JANUARY 28, 1990, FOR HIS DISTINGUISHED MILITARY CAREER AND HIS COMMITMENT TO THE IDEAL OF FREEDOM, was read the first time.

On motion of Senator Black, 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

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Barton	Finlinson	Fordham	Hillyard
Peterson, Craig			

S.C.R. No. 7, was transmitted to the House.

* * *

On motion of Senator Cary Peterson and at 3:10 p.m. the Senate adjourned until 10:00 a.m. February 2, 1990.

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 Senators Black, Fordham, and Pace, excused.

Prayer – Pastor Tim McGill, Hope Chapel Foursquare Gospel

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: February 2, 1990

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.

Boyd K. Storey,
Committee Chairman

Committee report read and adopted.

COMMUNICATION FROM THE GOVERNOR

President Christensen and Speaker Karras: February 1, 1990

This is to inform you that on February 1, 1990, I signed S.B. No. 113, APPROPRIATION FOR WATER PROJECTS, and have forwarded it to the Lieutenant Governor for filing.

Norman H. Bangerter
Governor

Communication filed.

COMMUNICATIONS FROM HOUSE

Mr. President: February 1, 1990

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 17, TELECOMMUNICATIONS TAXATION, by Senator Lyle W. 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, Chief Clerk

S.B. No. 17 was signed by the President of the Senate in open session, referred to Rules Committee to be enrolled and transmitted to the Governor.

STANDING COMMITTEE REPORT

Mr. President: February 2, 1990

The Judiciary Committee, to which was referred H.B. No. 79, REMOVAL OF UNENFORCEABLE COVENANTS, 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 Judiciary Committee, to which was referred H.B. No. 81, IMPERSONATING A PEACE OFFICER, by Representative Frank R. Pignanelli, 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.

Lyle W. Hillyard
Committee Chairman

Committee reports read and adopted. H.B. No. 79 and H.B. No. 81 were read the second time and placed on Consent Calendar.

* * *

Mr. President: February 1, 1990

The Senate Transportation and Public Safety Standing Committee, to which was referred S.B. No. 63, TRANSPORTATION FUND MONIES, by Senator Dix H. McMullin, 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.

Glade Nielsen
Committee Chairman

Committee report read and adopted. S.B. No. 63 was read the second time and placed on Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on S.B. Nos. 88, 102, 116, 120, 143, 164, H.B. No. 137 and H.C.R. No. 2, and the bills and resolution were placed on Second Reading Calendar.

PRESENTATION OF RESOLUTIONS

SALES TAX EXEMPTIONS SUNSET
(changed to S.J.R. No. 33 – See 2/19/90)

S.R. No. 2 *LeRay McAllister*

A RESOLUTION OF THE SENATE REQUESTING THAT ALL SALES AND USE TAX EXEMPTIONS BE STUDIED BY THE REVENUE AND TAX INTERIM COMMITTEE OF THE LEGISLATURE, was read the first time and referred to Rules Committee.

ANTHONY COMMISSION RESOLUTION

S.J.R. No. 22 *Arnold Christensen, Craig A. Peterson, Lorin N. Pace, Lyle L. Hillyard*

A JOINT RESOLUTION OF THE LEGISLATURE RECOGNIZING THE ANTHONY COMMISSION FOR ITS LEADERSHIP IN REVIEWING THE CURRENT RESTRICTIONS ON TAX-EXEMPT FINANCING, was read the first time and referred to Rules Committee.

NEW ALCOHOLIC BEVERAGE LAWS IMPLEMENTATION REVIEW

S.J.R. No. 23 *Richard J. Carling, Arnold Christensen*

A JOINT RESOLUTION OF THE LEGISLATURE DIRECTING THE MANAGEMENT COMMITTEE TO ASSIGN TO THE BUSINESS AND LABOR INTERIM COMMITTEE A STUDY OF THE IMPLEMENTATION OF S.B. NO. 141 AS IT RELATES TO THE ALLOCATION OF RESTAURANT AND PRIVATE CLUB LIQUOR LICENSES, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

PUBLIC SAFETY ELIGIBILITY AMENDMENTS

S.B. No. 212 *K.S. Cornaby, Richard J. Carling*

AN ACT RELATING TO PENSIONS; CLARIFYING ELIGIBILITY PROVISIONS OF THE PUBLIC SAFETY RETIREMENT SYSTEM.

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

AMENDS: 49-4-203, AS LAST AMENDED BY CHAPTER 82, LAWS OF UTAH 1989; 49-4a-203, AS ENACTED BY CHAPTER 260, LAWS OF UTAH

1989; UNCODIFIED SECTION 5, CHAPTER 82, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

BOATING AMENDMENTS

S.B. No. 213 *Karl G. Swan, Omar B. Bunnell*

AN ACT RELATING TO BOATING; REQUIRING MOTORBOATS AND SAILBOATS TO BE REGISTERED WHEN ON THE WATERS OF THIS STATE; AUTHORIZING IMPOUNDMENT OF BOATS UNDER CERTAIN CONDITIONS; CREATING ANTITHEFT MEASURES FOR BOATS; SETTING A LIMIT ON BOAT REGISTRATION ADMINISTRATIVE COSTS; AND MAKING TECHNICAL CHANGES.

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

AMENDS: 41-1-149, AS LAST AMENDED BY CHAPTER 38, LAWS OF UTAH 1984; 73-18-7, AS LAST AMENDED BY CHAPTER 99, LAWS OF UTAH 1987; 73-18-12.7, AS ENACTED BY CHAPTER 118, LAWS OF UTAH 1987; 73-18-22, AS LAST AMENDED BY CHAPTER 197, LAWS OF UTAH 1986.

ENACTS: 73-18-7.1, UTAH CODE ANNOTATED 1953; 73-18-7.2, UTAH CODE ANNOTATED 1953; 73-18-7.3, UTAH CODE ANNOTATED 1953; 73-18-7.4, UTAH CODE ANNOTATED 1953; 73-18-8.1, UTAH CODE ANNOTATED 1953; 73-18-20.1, UTAH CODE ANNOTATED 1953; 73-18-20.2, UTAH CODE ANNOTATED 1953; 73-18-20.3, UTAH CODE ANNOTATED 1953; 73-18-20.4, UTAH CODE ANNOTATED 1953; 73-18-20.5, UTAH CODE ANNOTATED 1953; 73-18-20.6, UTAH CODE ANNOTATED 1953; 73-18-20.7, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

INDIAN BURIAL APPROPRIATION

S.B. No. 214 *Karl G. Swan, William T. Barton*

AN ACT RELATING TO NATIVE AMERICAN BURIALS; APPROPRIATING $50,000 TO THE GOVERNOR'S OFFICE FOR FISCAL YEAR 1989-90 FOR THE SURVEY, PROTECTION, AND REMOVAL OF NATIVE AMERICAN BURIALS ON STATE LANDS WITHIN THE GREAT SALT LAKE MARSHES.

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

SUBPOENA POWERS ACT AMENDMENT

S.B. No. 215 *Richard J. Carling*

AN ACT RELATING TO CRIMINAL PROCEDURE; AMENDING PROVISIONS REGARDING SECRECY IN USE OF INVESTIGATIVE SUBPOENAS.

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

AMENDS: 77-22-2, AS LAST AMENDED BY CHAPTER 123, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

CORPORATIONS AMENDMENTS

S.B. No. 216 *Dixie L. Leavitt*

AN ACT RELATING TO CORPORATIONS; MAKING THE POSITION OF VICE-PRESIDENT IN BUSINESS CORPORATIONS AND PROFESSIONAL CORPORATIONS OPTIONAL; AND MAKING TECHNICAL CHANGES.

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

AMENDS: 16-10-45, AS ENACTED BY CHAPTER 28, LAWS OF UTAH 1961; 16-11-8, AS ENACTED BY CHAPTER 20, LAWS OF UTAH 1963, was read the first time and referred to Rules Committee.

WATER PROJECTS APPROPRIATIONS

S.B. No. 217 *Dixie L. Leavitt*

AN ACT RELATING TO WATER AND IRRIGATION; APPROPRIATING $7,500,000 FROM THE GENERAL FUND TO BE USED BY THE DIVISION OF WATER RESOURCES AND THE DEPARTMENT OF HEALTH; AND PROVIDING AN EFFECTIVE DATE.

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

RURAL FIRE PROTECTION APPARATUS FUND

S.B. No. 218 *Karl G. Swan*

AN ACT RELATING TO FIRE CONTROL; CREATING THE RURAL FIRE PROTECTION APPARATUS FUND; SPECIFYING THE PURPOSE, USES, AND CONTENTS OF THE FUND; APPROPRIATING $500,000 FOR FISCAL YEAR 1990-91 TO THE FUND; AND PROVIDING AN EFFECTIVE DATE.

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

ENACTS: 65A-8-13, UTAH CODE ANNOTATED; 65A-8-14, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

MONEY LAUNDERING AND PRECURSOR CHEMICAL

S.B. No. 219 *Craig A. Peterson*

AN ACT RELATING TO CRIMINAL LAW; INCLUDING VIOLATIONS OF THE MONEY LAUNDERING AND CURRENCY TRANSACTION REPORTING ACT AND THE CONTROLLED SUBSTANCE PRECURSOR ACT AS UNLAWFUL ACTIVITIES FOR PURPOSES OF RACKETEERING PROSECUTIONS.

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

AMENDS: 76-10-1602, AS LAST AMENDED BY CHAPTERS 1 AND 38, LAWS OF UTAH 1988, was read the first time and referred to Rules Committee.

INCOME TAX CHECKOFF FOR HIGHER EDUCATION

S.B. No. 220 *Dixie L. Leavitt*

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING FOR A CHECKOFF ON THE STATE INCOME TAX RETURN FOR CERTAIN PURPOSES RELATED TO HIGHER EDUCATION.

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

ENACTS: 59-10-549, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

MEDICAID SHORTFALL FUNDING

S.B. No. 221 *LeRay McAllister, C.E. Peterson, Eldon A. Money, Craig Peterson*

AN ACT RELATING TO HEALTH CARE FINANCING; PROVIDING APPROPRIATIONS TO FUND DISALLOWANCES IN FEDERAL FINANCIAL PARTICIPATIONS; AND PROVIDING AN EFFECTIVE DATE.

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

GOVERNANCE OF QUASI PUBLIC BODIES

S.B. No. 222 *Dix H. McMullin, Lyle L. Hillyard, Glade Nielsen, LeRay McAllister*

AN ACT RELATING TO INDEPENDENT AGENCIES; CREATING A SUBCOMMITTEE TO OVERSEE INDEPENDENT AGENCIES; DEFINING ITS RESPONSIBILITIES; PROVIDING STAFF TO THE SUBCOMMITTEE; DEFINING STAFF'S RESPONSIBILITIES; AND PROVIDING FOR AUDITS; AND PROVIDING AN EFFECTIVE DATE.

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

ENACTS: 36-12-8.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

THIRD READING CALENDAR

S.B. No. 18, DISCLOSURE OF PSYCHOLOGICALLY IMPACTED PROPERTY, was read the third time and passed on the following roll call:

Yeas, 21; Nays, 2; Absent, 6

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Carling
Cornaby	Farley	Holmgren	Leavitt
McAllister	McMullin	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Steele	Storey	Swan	Tempest
Pres. Christensen			

Voting in the negative were: Senators

Hillyard (exp.)	Money

Absent or not voting were: Senators

Black	Bunnell	Finlinson	Fordham
Pace	Richards		

S.B. No. 18 was transmitted to the House.

* * *

SUB. S.B. No. 19, UNIFORM SECURITIES ACT 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

Barlow	Barton	Bunnell	Carling
Comaby	Farley	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Beattie	Black	Finlinson	Fordham
Pace			

SUB. S.B. No. 19 was transmitted to the House.

SECOND READING CALENDAR

H.B. No. 16, REAL ESTATE LICENSURE CONTINUING EDUCATION REQUIREMENTS, was read the second time.

Mr. President: January 25, 1990

The Business, Labor, and Economic Development Standing Committee, to which was referred **H.B. No. 16,** REAL ESTATE LICENSURE CONTINUING EDUCATION REQUIREMENTS, by Representative Richard J. Bradford, et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 9
Delete "As" and insert "Effective January 1, 1992, as"

Lane Beattie
Committee chairman

Committee report read and adopted. On motion of Senator Barton, the bill was circled.

* * *

S.B. No. 129, EARLY GRADUATION INCENTIVES AMENDMENTS, was read the second time.

Mr. President: January 25, 1990

The Education Standing Committee, to which was referred **S.B. No. 129,** EARLY GRADUATION INCENTIVES AMENDMENTS, by Senator Dix H.

McMullin, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Dixie L. Leavitt
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

Barlow	Barton	Beattie	Bunnell
Carling	Farley	Finlinson	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Pres. Christensen	

Absent or not voting were: Senators

Black	Cornaby	Fordham	Pace
Swan	Tempest		

* * *

On motion of Senator Carling, under suspension of the rules, S.B. No. 87, RESPIRATORY CARE PRACTICE ACT, was lifted to the top of the calendar, and read the second time.

Mr. President: January 25, 1990

The Health Committee, to which was referred S.B. No. 87, RESPIRATORY CARE PRACTICE ACT, by Senator Richard J. Carling, 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 SUB. S.B. No. 87 replace the original bill.

Stephen J. Rees
Committee chairman

Committee report read and adopted. The following substitute bill replaced the original bill.

RESPIRATORY CARE PRACTICE ACT
(1-24-90 1:55 p.m.)

SUB S.B. No. 87 *Richard J. Carling, Winn L. Richards, Arnold Christensen*

AN ACT RELATING TO OCCUPATIONS AND PROFESSIONS; PROVIDING LICENSURE REQUIREMENTS FOR RESPIRATORY CARE

PRACTITIONERS; CREATING A RESPIRATORY CARE LICENSING BOARD WITH DUTIES AND RESPONSIBILITIES; PROVIDING PENALTIES FOR VIOLATIONS OF THE CHAPTER; AND PROVIDING AN EFFECTIVE DATE.

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

ENACTS: 58-57-1, UTAH CODE ANNOTATED 1953; 58-57-2, UTAH CODE ANNOTATED 1953; 58-57-3, UTAH CODE ANNOTATED 1953; 58-57-4, UTAH CODE ANNOTATED 1953; 58-57-5, UTAH CODE ANNOTATED 1953; 58-57-6, UTAH CODE ANNOTATED 1953; 58-57-7, UTAH CODE ANNOTATED 1953; 58-57-8, UTAH CODE ANNOTATED 1953; 58-57-9, UTAH CODE ANNOTATED 1953; 58-57-10, UTAH CODE ANNOTATED 1953; 58-57-11, UTAH CODE ANNOTATED 1953; 58-57-12, UTAH CODE ANNOTATED 1953; 58-57-13, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

The substitute bill passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 6

Voting in the affirmative were: Senators

Barlow	Beattie	Bunnell	Carling
Farley	Finlinson	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Peterson, C.E.	Peterson, Cary	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Voting in the negative was: Senator
Barton

Absent or not voting were: Senators

Black	Cornaby	Fordham	Nielsen
Pace	Peterson, Craig		

COMMITTEE OF THE WHOLE

On motion of Senator Richards, the Senate resolved into a Committee of the Whole. Appearing before the Senate was Dawn Olson, Ogden, Utah, Ms. Wheelchair Utah 1990. Senators Barlow and Farley commented.

SECOND READING CALENDAR

On motion of Senator Beattie, **H.B. No. 16**, REAL ESTATE LICENSURE CONTINUING EDUCATION REQUIREMENTS, was uncircled, and before the Senate. Senator Black is present.

On motion of Senator Barlow, the bill was amended as follows:

Page 2, Lines 10 and 11:
After "education" delete "approved by the division and commission"

Page 2, Line 11:
After "period." insert " The division with the concurrence of the commission shall certify education which may include, but shall not be limited to, state conventions, home study courses, video courses, and closed circuit television courses."

Page 2, Line 13:
After "exceed" delete "three" and insert "four"

Senators Beattie, Barlow, C.E. Peterson, Barton, and Cary Peterson commented.

On motion of Senator Cary Peterson, the bill was amended as follows:

Page 2, Line 9:
After "shall" insert "demonstrate competence or"

Page 2, Line 19:
After "education" insert "or demonstrate competence as"

Page 3, Line 8:
After "education" insert "or demonstrate competence as"

Senator McAllister and Tempest commented. The bill passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Cornaby	Farley	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Peterson, C.E.

Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Pres. Christensen

Voting in the negative was: Senator Tempest

Absent or not voting were: Senators

Carling	Finlinson	Fordham	Pace

COMMUNICATIONS FROM HOUSE

Mr. President: February 2, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, under suspension of the rules, **H.B. No. 373**, TAX FILING AMENDMENTS, by Representative Nolan E. Karras, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.B. No. 373 was read the first time.

On motion of Senator Nielsen, under suspension of the rules, the bill was before the Senate; and the following statement is to be placed in the Senate Journal.

"On March 28, 1989, the United States Supreme Court issued the Davis V. Michigan decision. The Supreme Court in Davis, told Utah and over 20 other states that they may no longer tax federal pensions differently than pensions received by state and local government retirees.

In September of 1989, the Utah Legislature amended Utah law to comply with the Davis decision by taxing the pensions of state and local government retirees. The Davis decision did not mandate that refunds be granted for prior years. The question of whether refunds are to be granted will ultimately be decided by the courts.

Since the Davis decision was issued only days before the April tax filing deadline, there was understandable confusion surrounding what action individuals should take to preserve their refund claims in the event refunds were granted. under Utah law, a three-year statute of limitations applies to refunds claims. As such, persons claiming a refund for tax year 1985 needed to file a protective claim by April 17, 1989. Due to the timing of the Davis decision, however, many people, particularly those without access to professional tax preparation services, were unable to file protective claims by that date. This proposed legislation would grant federal retirees additional time to file protective claims for tax year 1985 only.

It should be emphasized that this legislation does not address the question of whether refunds should be granted. The language of the bill is explicitly limited to the issue of fair access to the refund adjudication process. Nor does this legislation reflect any change in the state's position on whether refunds should be granted. It is the position of the state of Utah that the Davis case does not mandate refunds and that position is being defended in the ongoing litigation. However, in order to treat all persons fairly the Tax Commission has asked for this filing extension legislation."

On motion of Senator Nielsen, under suspension of the rules, 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

Barlow	Beattie	Black	Bunnell
Cornaby	Farley	Finlinson	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Pres. Christensen

Absent or not voting were: Senators

Barton	Carling	Fordham	Pace
Tempest			

H.B. No. 373 was signed by the President of the Senate in open session and returned to the House.

SECOND READING CALENDAR

S.B. No. 132, GOVERNANCE OF PUBLIC EDUCATION, was read the second time. Senator Pace is present.

Mr. President: January 25, 1990

The Education Standing Committee to which was referred **S.B. No. 132**, GOVERNANCE OF PUBLIC EDUCATION, by Senator Dixie L. Leavitt, has carefully considered the bill and reports it out favorably with a recommendation that it be deleted in body and title and that **SUBSTITUTE S.B. No. 132** replace the original bill.

Dixie L. Leavitt
Committee Chairman

Committee report read and adopted. The following substitute bill replaced the original bill.

GOVERNANCE OF PUBLIC EDUCATION
(1–26–90 8:04 a.m.)

SUB. S.B. No. 132 *Dixie L. Leavitt*

AN ACT RELATING TO PUBLIC EDUCATION; PROVIDING FOR A TASK FORCE ON THE GOVERNANCE OF PUBLIC EDUCATION; PROVIDING FOR STAFF AND SUPPORT SERVICES; PROVIDING FOR A REPORT TO THE LEGISLATURE; PROVIDING AN APPROPRIATION OF $25,000; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT ENACTS NEW MATERIAL.

On motion of Senator Hillyard, the bill was amended as follows:

Green Page 4, Line 8;
Delete "1990–91" and insert "1989–90"

Senators Black, Pace and Barton commented. The substitute bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Cornaby	Finlinson	Hillyard
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Richards	Steele
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Carling	Farley	Fordham	Holmgren
Rees	Storey		

* * *

S.J.R. No. 11, EDUCATION ARTICLE REVISION RESOLUTION, was read the second time.

Mr. President: January 25, 1990

The Education Standing Committee to which was referred S.J.R. No. 11, EDUCATION ARTICLE REVISION RESOLUTION, by Senator John P.

Holmgren, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Dixie L. Leavitt,
Committee Chairman

Committee report read and adopted. On motion of Senator Leavitt, the bill was circled.

* * *

S.B. No. 58, STANDARDIZED EMISSION INSPECTIONS, was read the second time.

Mr. President: January 25, 1990

The Health Committee, to which was referred S.B. No. 58, STANDARDIZED EMISSION INSPECTIONS, by Senator Stephen J. Rees, 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 SECOND SUBSTITUTE S.B. No. 58 replace the original bill.

Stephen J. Rees,
Committee Chairman

Committee report read and adopted. On motion of Senator Rees, the SECOND SUBSTITUTE was replaced by the following THIRD SUBSTITUTE bill and it replaced the original bill. A FIRST SUBSTITUTE bill was never adopted.

STANDARDIZED EMISSION INSPECTIONS
(2-1-90 6:07 p.m.)

THIRD SUBSTITUTE
S. B. No. 58 *Stephen J. Rees*

AN ACT RELATING TO MOTOR VEHICLES; PROVIDING FOR STANDARDIZED EMISSION INSPECTION CRITERIA FOR VEHICLE REGISTRATION.

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

ENACTS: 26-13-6.1, UTAH CODE ANNOTATED 1953; 41-6-163.7, UTAH CODE ANNOTATED 1953.

The Third Substitute Bill passed on the following roll call:

Yeas, 20; Nays, 6; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Finlinson
Leavitt	McAllister	McMullin (explained.)	
Myrin	Pace	Peterson, Cary	Peterson, Craig
Rees (explained)	Steele	Swan	Tempest
Pres. Christensen			

Voting in the negative were: Senators

Black	Hillyard (explained)	Money	Nielsen
Peterson, C.E.	Richards		

Absent or not voting were: Senators

Fordham	Holmgren	Storey

COMMUNICATIONS FROM HOUSE

Mr. President: February 2, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by attached committee report, **S.B. No. 141**, ALCOHOLIC BEVERAGE LAWS REVISIONS, by Senator Arnold Christensen, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

Mr. Speaker: February 1, 1990

Your Committee on Business and Labor, to which was referred **S.B. No. 141**, ALCOHOLIC BEVERAGE LAWS REVISIONS, by Senator Christensen, has carefully considered said bill and reports the same out favorably with the following amendments:

Page 111, Line 6:
Delete "July 1, 1990" and insert "January 1, 1991"

Page 111, Line 11:
Delete "July 1, 1990" and insert "January 1, 1991"

Page 111, Line 17:
Delete "July 1, 1990" and insert "January 1, 1991"

Page 127, Line 16:
Delete "July 1, 1990" and insert "January 1, 1991"

Page 127, Line 19:
Delete "July 1, 1990" and insert "January 1, 1991"

Page 127, Line 23:
Delete "July 1, 1990" and insert "January 1, 1991"

Page 155, Line 4:
Delete "July 1, 1990" and insert "January 1, 1991"

Page 155, Line 9:
Delete "July 1, 1990" and insert "January 1, 1991"

Page 155, Line 13:
Delete "July 1, 1990" and insert "January 1, 1991"

Goldenrod Page 220, Line 17:
Delete "July 1, 1990" and insert "January 1, 1991"

Goldenrod Page 220, Line 20:
Delete "July 1, 1990" and insert "January 1, 1991"

Page 221, Line 1:
Delete "July 1, 1990" and insert "January 1, 1991"

Page 244, Line 12:
Delete "July 1, 1990" and insert "January 1, 1991"

Page 255, Line 5:
After "restaurant licensee" insert "an airport lounge licensee,"

Donald R. LeBaron,
Chairman

On motion of Senator Carling, 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Hillyard	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Fordham	Holmgren	Storey	Swan

On motion of Senator Carling, the following is placed in the Senate Journal.

LEGISLATIVE INTENT STATEMENT REGARDING (S.B. No. 171, ALCOHOLIC BEVERAGE LAWS REVISIONS)

"The increase of 40 private club liquor licenses authorized by the amendment to Subsection 32A-5-101 (4), as renumbered and amended by Senate Bill 171, Alcoholic Beverage Laws Revisions, at the 1990 General Session of the 48th Legislature, is primarily intended to ameliorate any impact of the elimination of brown bagging in beer taverns. It is also the intent of the Legislature that, as between qualified applicants for a limited number of private club liquor licenses, these licenses would be allocated to existing beer taverns that have applied for them, with consideration being given to geographical distribution."

SECOND READING CALENDAR

S.B. No. 26, UNDERGROUND STORAGE TANK ACT AMENDMENTS, was read the second time.

Mr. President: January 25, 1990

The Senate Energy, Natural Resources and Agriculture Committee, to which was referred S.B. No. 26, UNDERGROUND STORAGE TANK ACT AMENDMENTS, by Senator Finlinson, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 25:
After line 25 insert:
"26-14e-407, AS ENACTED BY CHAPTER 268, LAWS OF UTAH 1989'

Page 1, Line 27:
After Line 27 insert:
"26-14E-604, AS ENACTED BY CHAPTER 268, LAWS OF UTAH 1989
26-14e-701, AS ENACTED BY CHAPTER 268, LAWS OF UTAH 1989"

Page 2, Lines 1-2:
Delete Lines 1-2

Page 3, Line 22:
After "paid" Insert "from the fund"

Page 4, Line 2:
After "parties;" delete "or"

Page 4, Line 3:
After "legal" insert "and claims adjusting" and after "with" insert "claims."

Page 4, Line 5:
After "parties" insert "; or (f) costs incurred by the state risk manager in determining the actuarial soundness of the fund"

Page 6, Line 15:
After line 15 insert the following:

"(4) The executive secretary may expend monies from the fund for:

(a) legal and claims adjusting costs incurred by the state in connection with claims, judgments, awards, or settlements for bodily injury or property damage to third parties;

(b) costs incurred by the state risk manager in determining the actuarial soundness of the fund; and

(c) other costs as provided in this chapter."

Page 11, Line 18:
After line 18 insert a new section as follows:

"Section 7. Section 26-14e-407, Utah Code Annotated 1953, as enacted by Chapter 268, Laws of Utah 1989, is amended to read:

26-14e-407 Restrictions on delivery of petroleum - Civil penalty.

(1) After July 1, [1990] 1991 no person may deliver petroleum to a petroleum storage tank if the owner or operator of the tank does not have a valid certificate of:

(a) registration; and
(b) compliance.

(2) Any person who delivers petroleum to a petroleum storage tank in violation of Subsection (1) is subject to a civil penalty of $500 for each occurrence.

(3) The executive secretary shall issue a notice of agency action assessing a civil penalty in the amount of $500 if any person delivers petroleum to a petroleum storage tank in violation of Subsection (1)."

Renumber remaining sections.

Page 12, Line 19:
After "first to" insert "legal, adjusting, and actuarial expenses incurred by the state".

Page 13, Line 21:
After "action" delete "only"

Page 13, Line 24:
After line 24 insert the following:

"(b) If a release presents the possibility of imminent and substantial danger to the public health or the environment, the owner or operator may take immediate abatement action and petition the executive secretary for reimbursement from the fund for the costs of the abatement action. If the owner or operator can demonstrate to the satisfaction of the executive secretary that the abatement action was reasonable and timely in light of circumstances, the executive secretary shall reimburse the petitioner for costs associated with immediate abatement action, subject to the limitations established in Section 26-14e-503."

Page 14, Line 1:
Delete "(b)" and insert "(c)"

Pace 14, Line 17:
After line 17 insert the following:

"(c) In reviewing the corrective action plan, the executive secretary shall consider the following:

(i) the threat to public health;

(ii) the threat to the environment; and

(iii) the cost-effectiveness of alternative corrective actions."

Page 15, Line 13:
After "(7)" insert "(a)"

Page 15, Lines 14–15:
After "fund" delete ": (a)" and insert "for corrective action"

Page 15, Lines 16–18:
After "plan" delete "; or (b) if the owner or operator began corrective action without first obtaining approval from the executive secretary"

Page 15, Line 18:
After line 18 insert the following:

"(b) An owner or operator who begins corrective action without first obtaining approval from the executive secretary may be reimbursed for the costs of the corrective action, subject to the limitations established in Section 26–14e–503, if:

(i) the owner or operator submits the corrective action plan to the executive secretary within seven days after beginning corrective action; and

(ii) the executive secretary approves the corrective action plan."

page 16, Lines 18–19:
Delete lines 18–19

Page 16, Line 19:
After Line 19 insert:

"Section 10. Section 26–14e–604, Utah Code Annotated 1953, as enacted by Chapter 268, Laws of Utah 1989, is amended to read:

26–14e–604. Claim or suit against owner or operator of tank – Prerequisites for payment from fund to owner, operator, or third parties – Limitations of liability for third party claims.

(1) In order to be eligible for payments from the fund, if the owner or operator receives actual or constructive notice of an occurrence likely to give rise to a claim, that a suit has been filed, or a claim has been made against him for bodily injury or property damage connected with a release of petroleum from a petroleum storage tank, the owner or operator shall:

(a) inform the state risk manager immediately of the occurrence, suit, or claim;

(b) allow the state risk manager and his legal counsel to participate with the owner or operator and his legal counsel in:

(i) the defense of any suit;

(ii) determination of legal strategy and any other decisions affecting the defense of any suit; and

(iii) any settlement negotiations; and

(c) conduct the defense of any suit or claim in good faith.

(2) The executive secretary may not authorize payment of fund monies for any judgement or award to third parties unless the state risk manager:

(a) indicates that he was not prevented from participating in the defense of the suit; and

(b) approves the settlement.

(3) In making payments to third parties from the fund pursuant to Section 26-14e-602, or in funding a corrective action plan pursuant to Section 26-14e-601, the executive secretary shall not pay an award or judgement or fund a corrective action plan to the extent that it imposes any liability or makes any payment for:

(a) obligations of the owner or operator under a workers' compensation, disability benefits, or unemployment compensation law or other similar law;

(b) bodily injury to an employee of the owner or operator arising from and in the course of his employment or to the spouse, child, parent, brother, sister, heirs, or personal representatives of that employee as a result of that bodily injury;

(c) bodily injury or property damage arising from the ownership, maintenance, use, or entrustment to others of any aircraft, motor vehicle, or watercraft;

(d) property damage to any property owned by, occupied by, rented to, loaned to, bailed to, or otherwise in the care, custody, or control of the owner or operator [~~that is not the direct result of a release from a covered petroleum storage tank~~] except to the extent necessary to complete a corrective action plan;

(e) bodily injury or property damage for which the owner or operator is obligated to pay damages only by reason of the assumption of liability in a contract or agreement, other than a contract or agreement entered into to meet the financial responsibility requirements of Subtitle I of the Resource Conservation and Recovery Act, 42 U.S.C., Section 6991c, et seq., or this chapter, or regulation promulgated thereto;

(f) bodily injury or property damage for which the owner or operator is liable to a third party solely on account of personal injury to the spouse of that third party;

(g) bodily injury or property damage which is not caused by an accidental release from a petroleum storage tank covered by the fund;

(h) bodily injury or property damage caused by an accidental release from a petroleum storage tank covered by the fund or the cost of a corrective action plan, where the total amount previously paid by the executive secretary to compensate third parties or for funding a corrective action plan in respect to that same accidental release from the covered tank equals $975,000; [~~and~~]

(i) bodily injury or property damage to third parties caused by an accidental release from a petroleum storage tank covered by the fund, where the total amount previously paid by the executive secretary to compensate third parties in respect to that same accidental release from the covered tank equals $300,000 [~~.~~]; or

(j) bodily injury or property damage caused by an accidental release from a petroleum storage tank covered by the fund or the cost of a corrective action plan where the total amount previously paid by the executive secretary to compensate third parties or for funding corrective action plans in respect to releases from tanks of any one owner or operator during any fiscal year equals $975,000 for an owner or operator of one to 99 petroleum storage tanks or $1,975,000 for an owner or operator of 100 or more petroleum storage tanks.

Section 11. Section 26-14c-701, Utah Code Annotated 1953, as enacted by Chapter 268, Laws of Utah 1989, is amended to read:

26-14c-701. Limitation of liability of state - Liability of owner or operator - Indemnification agreement involving owner or operator.

(1) This chapter is not intended to create an insurance program.

(2) The fund established in this chapter shall only provide funds to finance costs for owners or operators who meet the requirements of this chapter when releases from petroleum storage tanks occur.

(3) The assets of the fund, if any, are the sole source of monies to pay claims against the fund.

(4) The state of Utah is not liable for:

(a) any amounts payable from the fund for which the fund does not have sufficient assets;

(b) any expenses or debts of the fund; or

(c) any claim arising from the creation, management, rate-setting, or any other activity pertaining to the fund.

(5) The owner or operator is liable for any costs associated with any release from the tank.

(6) This chapter does not preclude the owner or operator from enforcing or recovering under any agreement or contract for indemnification associated with a release from the tank or from pursuing any other legal remedies that may be available against any party.

(7) If any payment is made under this chapter, the fund shall be subrogated to all the owner or operator's rights of recovery against any person or organization and the owner or operator shall execute and deliver instruments and papers and do whatever else is necessary to secure such rights. The owner or operator shall do nothing after a release is discovered to prejudice such rights. In the event of recovery by the fund, any amount recovered shall first be used to reimburse the owner or operator for costs he was required to pay pursuant to Section 26-14e-503."

Fred W. Finlinson,
Committee Chairman

Committee report read and adopted.

On motion of Senator Finlinson, the bill was amended as follows:

Page 1, Line 17:
After "FUND;" insert the following:

"LOWERING TANK FEES AND COVERAGE UNDER THE FUND FOR CERTAIN TANKS"

Page 8, Lines 4–6:
Delete lines 4 through 6 and insert the following:

"(a) from July 1, 1990 to June 30, 1993 an annual fee of:
(i) $250 for each tank:
(A) located at a facility engaged in petroleum production., refining, or marketing; or
(B) with an annual monthly throughput of more than 10,000 gallons; and
(ii) $125 for each tank:
(A) not located at a facility engaged in petroleum production, refining, or marketing; and
(B) with an annual monthly throughput of 10,000 gallons or less; and

(b) beginning July 1, 1993, an annual fee of:
(i) $150 for each tank:
(A) located at a facility engaged in petroleum production, refining, or marketing; or
(B) with an average monthly throughput of more than 10,000 gallons; and
(ii) $75 for each tank:
(A) not located at a facility engaged in petroleum production, refining, or marketing; and
(B) with an average monthly throughput of 10,000 gallons or less."

Page 12, Line 2:
Delete line 2 and insert the following:
"(ii)(A) all costs over $1,000,000, if the release was from a tank:
(I) located at a facility engaged in petroleum production, refining, or marketing; or
(II) with an average monthly throughput of more than 10,000 gallons; and
(B) all costs over $500,000, if the release was from a tank:
(I) not located at a facility engaged in petroleum production, refining, or marketing; and
(II) with an average monthly throughput of 10,000 gallons or less."

Page 12, Line 5:
After "exceed" delete "$975,000" and insert the following:
"(i) $975,000, if the release was from a tank;
(A) located at a facility engaged in petroleum production, refining, or marketing; or
(B) with an average monthly throughput of more than 10,000 gallons; and
(ii) $475,000, if the release was from a tank:
(A) not located at a facility engaged in petroleum production, refining, or marketing; and
(B) with an average monthly throughput of 10,000 gallons or less."

S.B. No. 26 remained as unfinished business.

COMMITTEE OF THE WHOLE

On motion of Senator Cary Peterson, the Senate resolved into a Committee of the Whole. The Honorable Orrin G. Hatch, U.S. Senator from Utah spoke before the Senate regarding constitutional conventions.

* * *

On motion of Senator Pace, S.B. No. 158 will be considered at 10:30 a.m. Wednesday, February 7, 1990.

* * *

On motion of Senator Cary Peterson, S.J.R. No. 11 was uncircled.

* * *

Senator Cary Peterson advised that Senate Bills only will be considered on Monday.

* * *

On motion of Senator Cary Peterson and at 12:25 p.m. the Senate adjourned until Monday, February 5, 1990.

TWENTY–NINTH DAY

MORNING SESSION

The Senate was called to order at 10:10 a.m., with President Arnold Christensen presiding.

Roll Call – All Senators present except Senator Black, excused.
Prayer – Pastor Ken Hornok, Midvalley Bible Church

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: February 5, 1990

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.

Lane Beattie
Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM HOUSE

Mr. President: February 2, 1990

I am directed to inform the Senate that the House of Representatives, on reconsideration, has this day concurred in the Senate amendments and passed SUB. H.B. No. 37, TRAFFIC RIGHT–OF–WAY AMENDMENTS, by Representative Brent H. Goodfellow, and 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 passed SENATE SUB. H.B. No. 39, REGULATION OF AUTOMATED DIALING TELEPHONE SOLICITATION, by Representative Ted D. Lewis, 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 H.B. No. 56, ADOPTION ACT AMENDMENTS, by Representative Hugh D. Rush, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Chief Clerk

SUB. H.B. No. 37, SENATE SUB. H.B. No. 39, and **H.B. No. 56** were signed by the President of the Senate in open session and returned to the House.

* * *

Mr. President: February 2, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 125,** APPLIED TECHNOLOGY CENTERS, by Representative Grant D. Protzman, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.B. No. 125 was read the first time and referred to Rules Committee.

* * *

Mr. President: February 2, 1990

I am directed to inform the Senate that the House of Representatives has this day passed., under suspension of the rules, **S.C.R. No. 7,** RESOLUTION COMMEMORATING CHESLEY PETERSON, by Representative Wilford R. Black, Jr., 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. 2,** DISCLOSURE BY EXEMPT ORGANIZATIONS, by Senator Lane Beattie 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 SUB. S.B. No. 4,** DUI PENALTY AMENDMENT, by Senator Winn L. Richards, and the same is transmitted herewith for the signature of the President

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 37,** MORTGAGE LENDING AND SERVICING ACT, by Senator Lane Beattie, 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. 141,** ALCOHOLIC BEVERAGE LAWS REVISIONS, by Senator Christensen, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Chief Clerk

S.C.R. No. 7, S.B. No. 2, SECOND SUB. S.B. No. 4, S.B. No. 37 and **S.B. No. 141** were signed by the President of the Senate in open session, referred to Rules Committee to be enrolled and transmitted to the Governor.

RULES COMMITTEE REPORT

Mr. President: February 5, 1990

The Senate Rules Committee to which was referred the following Senate Bills:

S.B. No. 108	PUBLIC CHOICE ON TRANSIT TAX AMENDMENTS (Business, Labor and Economic Development)
S.B. No. 191	UNIFORM COMMERCIAL CODE AMENDMENTS (Business, Labor and Economic Development)
S.B. No. 182	EDUCATIONAL TELECOMMUNICATION (Education)
S.B. No. 177	BUDGETARY PROCEDURES ACT AMENDMENTS (Health)
S.B. No. 125	INVESTIGATORY POWERS (Judiciary)
S.B. No. 176	UTAH HOMESTEAD POWERS (Judiciary)
S.B. No. 41	UNIFORM TAX ON PERSONAL PROPERTY (Revenue and Taxation)
S.B. No. 46	COLLECTION OF PERSONAL PROPERTY TAXES AND FEES (Revenue and Taxation)
S.B. No. 95	TRANSIENT ROOM TAX COLLECTIONS (Revenue and Taxation)
S.B. No. 111	SALES TAX - MANUFACTURING MACHINERY EXEMPTION (Revenue and Taxation)
S.B. No. 130	FAIR MARKET VALUE DETERMINATION (Revenue and Taxation)
S.B. No. 175	FUNDING FOR TOURISM, RECREATION (State and Local)
S.B. No. 185	MUDGUARD AND FENDER REQUIREMENT (Transportation and Public Safety)

reports the Bills to the Senate and asks that they be printed and assigned to the proper committee, and

Mr. President: February 5, 1990

The Senate Rules Committee to which was referred the following House Bills and Resolution:

H.B. No. 122	CORPORATE TRADEMARKS AND SERVICE MARKS (Business, Labor and Economic Development)
H.B. No. 158	SCHOOL DISTRICT ACCOUNTABILITY (Education)
H.B. No. 153	COMPENSATION FOR WILDLIFE DAMAGE (Energy, Natural Resources & Agriculture)
H.C.R. No. 9	RESOLUTION ON SHARON STEEL SITE (Energy, Natural Resources & Agriculture)
H.B. No. 163	ARRAIGNMENT JURISDICTION (Judiciary)

H.B. No. 130 FARMLAND ASSESSMENT ACT AMENDMENTS (Revenue and Taxation)
H.B. No. 152 REAUTHORIZATION OF SPECIAL DISTRICT TASK FORCE (State and Local)
H.B. No. 212 COUNTY SURVEYOR AMENDMENTS (State and Local)
H.B. No. 144 SCHOOL WARNING DEVICES (Transportation and Public Safety)
SUB.
H.B. No. 243 PEACE OFFICER QUALIFICATION OF COUNTY SHERIFFS (Transportation and Public Safety)
H.B. No. 273 STATE FIRE-PREVENTION AMENDMENTS (Transportation and Public Safety)

reports the Bills and Resolution to the Senate and asks that they be assigned to the proper committee.

C.E. Peterson,
Rules Committee Chairman

Committee reports read and adopted. President Christensen assigned the bills and resolution to the committees indicated.

* * *

Mr. President: February 5, 1990

The Senate Rules Committee to which was referred the following Senate Resolution:

S.J.R. No. 19 RESOLUTION HONORING FRANK C. CARMAN

reports the Resolution to the Senate and asks that it be printed and placed on the Consent Calendar, and

Mr. President: February 5, 1990

The Senate Rules Committee to which was referred the following House Resolution:

H.C.R. No. 11 RESOLUTION HONORING R. LAVAUN COX

reports the Resolution to the Senate and asks that it be placed on the Consent Calendar.

C.E. Peterson,
Rules Committee Chairman

Committee reports read and adopted. S.J.R. No. 19 and H.C.R. No. 11 were read the second time and placed on Consent Calendar.

* * *

Mr. President: February 5, 1990

The Senate Rules Committee to which was referred the following House Bills:

H.C.R. No. 8 ROCKY MOUNTAIN TOBACCO-FREE CHALLENGE RESOLUTION

H.J.R. No. 19 VOLUNTARY WATER CONSERVATION RESOLUTION

reports the Bills to the Senate and asks that they be placed on the Second Reading Calendar.

C.E. Peterson,
Rules Committee Chairman

Committee report read and adopted. H.C.R. No. 8 and H.J.R. No. 19 were placed on the Second Reading Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on S.B. Nos. 49, 70, 138, 121, 156, 170, 44, 154, 84, 155, and H.B. Nos. 100, 82, and 106, and the bills were placed on Second Reading Calendar.

PRESENTATION OF RESOLUTIONS

WINTER SPORTS AUTHORITY RESPONSIBILITY RESOLUTION

S.R. No. 3 *Richard B. Tempest*

A RESOLUTION OF THE SENATE URGING THAT PRIVATE AND NONSTATE FUNDS FOR FINANCING UTAH'S OLYMPIC EFFORTS BE IDENTIFIED AND UTILIZED; URGING THAT A LONG-RANGE PLAN BE DEVELOPED TO FINANCE OR SUBSIDIZE THE CONSTRUCTION OF OLYMPIC FACILITIES IF UTAH IS AWARDED THE BID, OR TO DEACTIVATE OR FIND ALTERNATIVE USES FOR THE FACILITIES IF UTAH DOES NOT OBTAIN THE BID; AND URGING THAT ANY NEW STATE FINANCIAL COMMITMENTS OR GUARANTEES SHOULD BE SUBJECT TO AN ADVISORY PUBLIC VOTE, was read the first time and referred to Rules Committee.

RESOLUTION COMMEMORATING JOHN AND GLENN WALLACE

S.C.R. No. 8 *Richard B. Tempest*

A CONCURRENT RESOLUTION OF THE LEGISLATURE AND THE GOVERNOR COMMEMORATING JOHN MCCHRYSTAL WALLACE,

FORMER UTAH SENATOR AND SALT LAKE MAYOR, AND PROMINENT BANKER AND PHILANTHROPIST; AND HIS WIFE, GLENN WALKER WALLACE, WELL KNOWN PATRON OF THE ARTS AND LOCAL CHARITIES, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

UNCLAIMED PROPERTY ACT AMENDMENTS

S.B. No. 223 *Craig A. Peterson*

AN ACT RELATING TO THE JUDICIAL CODE; ALLOWING THE ADMINISTRATOR OF UNCLAIMED PROPERTY TO TAKE CUSTODY OF PROPERTY PRESUMED ABANDONED UNDER CERTAIN CIRCUMSTANCES; AND PROVIDING AN EFFECTIVE DATE.

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

ENACTS; 78-44-4.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

BUSINESS CORPORATION ACT AMENDMENTS

S.B. No. 224 *Dixie L. Leavitt*

AN ACT RELATING TO CORPORATIONS; PROVIDING FOR THE DELEGATION OF THE RESPONSIBILITY TO SIGN CORPORATE ANNUAL REPORTS; AND MAKING TECHNICAL CHANGES.

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

AMENDS: 16-10-121, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1987, was read the first time and referred to Rules Committee.

ATTORNEYS' FEES FOR ENHANCED WORKERS' COMPENSATION BENEFITS

S.B. No. 225 *Alarik Myrin*

AN ACT RELATING TO WORKERS' COMPENSATION; PROVIDING FOR PAYMENT OF ATTORNEYS' FEES IN COMPENSATION AWARDS TO INJURED WORKERS; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 35-1-87, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

YOUTH CORRECTIONS PAROLE VIOLATION AMENDMENTS

S.B. No. 226 *K.S. Cornaby*

AN ACT RELATING TO THE SOCIAL SERVICES CODE; AMENDING PROVISIONS GOVERNING VIOLATION OF PAROLE CONDITIONS BY A YOUTH OFFENDER.

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

AMENDS: 62A-7-112, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988, was read the first time and referred to Rules Committee.

ADOPTION RESTRICTIONS

S.B. No. 227 *David H. Steele, K.S. Cornaby*

AN ACT RELATING TO ADOPTION; PROHIBITING PERSONS FOUND TO BE IN VIOLATION OF SPECIFIED CRIMINAL ACTIVITIES FROM ADOPTING CHILDREN.

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

AMENDS: 78-30-1, AS LAST AMENDED BY CHAPTER 219, LAWS OF UTAH 1967, was read the first time and referred to Rules Committee.

AMENDMENTS TO CONTROLLED SUBSTANCES PRECURSOR ACT

S.B. No. 228 *Craig A. Peterson*

AN ACT RELATING TO CRIMINAL LAW; AMENDING THE CONTROLLED SUBSTANCES PRECURSOR ACT TO ADD CERTAIN CHEMICALS; AND MAKING POSSESSION WITH INTENT TO FACILITATE MANUFACTURE AN OFFENSE.

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

AMENDS: 58-37c-2, AS ENACTED BY CHAPTER 186, LAWS OF UTAH 1989; 58-37c-4, AS ENACTED BY CHAPTER 186, LAWS OF UTAH 1989; 58-37c-5, AS ENACTED BY CHAPTER 186, LAWS OF UTAH 1989; 58-37c-8, AS ENACTED BY CHAPTER 186, LAWS OF UTAH 1989; 58-37c-10, AS ENACTED BY CHAPTER 186, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

INSURANCE COVERAGE EXPANSION

S.B. No. 229 *Eldon A. Money, Winn L. Richards, Paul T. Fordham, John Holmgren, LeRay McAllister, Fred W. Finlinson*

AN ACT RELATING TO INSURANCE; SPECIFYING THE EXTENT OF COVERAGE FOR MOTOR VEHICLE INSURANCE IN LIMITED CIRCUMSTANCES; AND PROVIDING AN EFFECTIVE DATE.

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

ENACTS; 31A-22-304.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

SOCIAL SERVICES DIVISIONS AMENDMENTS

S.B. No. 230 *John P. Holmgren*

AN ACT RELATING TO THE SOCIAL SERVICES CODE; PROVIDING REORGANIZATION AND CONSISTENCY IN DIVISION STRUCTURE AND REQUIREMENTS FOR THE DIVISIONS OF MENTAL HEALTH, SUBSTANCE ABUSE, AND AGING AND ADULT SERVICES; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 62A-1-111, AS LAST AMENDED BY CHAPTER 22, LAWS OF UTAH 1989; 62A-3-101, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-3-102, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-3-104, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-3-107, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-8-101, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-8-103, AS LAST AMENDED BY CHAPTER 242, LAWS OF UTAH 1988; 62A-8-104, AS LAST AMENDED BY CHAPTER 242, LAWS OF UTAH 1988; 62A-8-107, AS LAST AMENDED BY CHAPTER 242, LAWS OF UTAH 1988; 62A-8-110, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-8-111, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-101, AS LAST AMENDED BY CHAPTER 245, LAWS OF UTAH 1989; 62A-12-102, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-104, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-111, AS LAST AMENDED BY CHAPTER 242, LAWS OF UTAH 1988; 62A-12-112, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-115, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 63-38-2, AS LAST AMENDED BY CHAPTER 11, LAWS OF UTAH 1988 SECOND

SPECIAL SESSION; 63-55-262, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1990.

ENACTS: 17-5-89, UTAH CODE ANNOTATED 1953; 62A-3-104.1, UTAH CODE ANNOTATED 1953; 62A-3-104.2, UTAH CODE ANNOTATED 1953; 62A-8-110.5, UTAH, UTAH CODE ANNOTATED 1953; 62A-110.7, UTAH CODE ANNOTATED 1953; 62A-8-112, UTAH CODE ANNOTATED 1953; 62A-12-107.1, UTAH CODE ANNOTATED 1953; 62A-12-107.2, UTAH CODE ANNOTATED 1953.

RENUMBERS AND AMENDS: 62A-12-102.5, (RENUMBERED FROM 62A-12-113), AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988.

REPEALS: 62A-8-102, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 198; 62A-8-105, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-107, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-108, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988;62A-12-109, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-110, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-114, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-220, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988, was read the first time and referred to Rules Committee.

CONSENT CALENDAR

S.B. No. 105, SENTENCE GUIDELINES REGARDING AGGRAVATION AND MITIGATION, was read the third time and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Black	McMullin

S.B. No. 105 was transmitted to the House.

* * *

THIRD READING CALENDAR

On motion of Senator Cary Peterson, S.B. No. 129, EARLY GRADUATION INCENTIVE AMENDMENTS, was read the third time and circled.

* * *

SUB. S.B. No. 87, RESPIRATORY CARE PRACTICE AMENDMENTS, was read the third time. Senator Barton commented. The substitute bill passed on the following roll call:

Yeas, 24; Nays, 4; Absent, 1

Voting in the affirmative were: Senators

Barlow	Beattie	Carling	Cornaby
Farley	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, Cary	Peterson, Craig	Rees	Richards
Storey	Swan	Tempest	Pres. Christensen

Voting in the negative were: Senators

Barton	Bunnell	Peterson, C.E.	Steele

Absent or not voting was: Senator
Black

SUB. S.B. No. 87 was transmitted to the House.

* * *

H.B. No. 16, REAL ESTATE LICENSURE CONTINUING EDUCATION REQUIREMENTS, was read the third time.

On motion of Senator Cary Peterson, the following intent language is recorded in the Senate Journal;

> "The purpose of my amendment to the bill is to require continuing education for those who have shown a lack of competence in their dealings with the public, as determined by the Division of Real Estate in the Department of Commerce."

The bill passed on the following roll call:

Yeas, 23; Nays, 3; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Farley	Fordham	Hillyard
Holmgren	Leavitt	McMullin	Money
Myrin	Nielsen	Pace	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Pres. Christensen	

Voting in the negative were: Senators

McAllister	Peterson, C.E.	Tempest

Absent or not voting were: Senators

Black	Cornaby	Finlinson

H.B. No. 16, as amended, was transmitted to the House.

* * *

SUB. S.B. No. 132, GOVERNANCE OF PUBLIC EDUCATION, was read the third time. Senators Leavitt and Swan commented. The substitute bill passed on the following roll call;

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Carling	Farley
Finlinson	Fordham	Hillyard	Holmgren (exp.)
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Voting in the negative was: Senator

Bunnell

Absent or not voting were: Senators

Beattie	Black	Cornaby

SUB. S.B. No. 132 was transmitted to the House.

COMMITTEE OF THE WHOLE

On motion of Senator Money, the Senate resolved into Committee of the Whole. Appearing before the Senate was The Honorable James V. Hansen, U.S. Congressman from Utah. Senator C.E. Peterson commented.

* * *

On motion of Senator McAllister, S.B. No. 143, PARDONS AND PAROLE AMENDMENTS, will be considered at 10:30 a.m., February 8, 1990.

THIRD READING CALENDAR

THIRD SUB. S.B. No. 58, STANDARDIZED EMISSION INSPECTIONS, was read the third time.

On motion of Senator Rees, the bill was amended as follows:

Page 2, Line 1:
Delete "country" and insert "county"

Page 2, Line 16:
Delete "bodies" and insert "body"

Page 3, Line 7:
After "ordinances" insert "by July 1, 1991,"

Senator Hillyard moved the following amendments:

Page 2, Line 7 and 8:
Delete the following:
"(g) geographical areas that should be required to implement an inspection maintenance program"

Page 2, Line 6:
After "waivers" delete "; and"

Page 2, Line 5:
after "standards;" insert "and"

Senators Finlinson, Rees, Leavitt, and Farley commented. The motion passed on a voice vote and the bill was amended. Senator McAllister commented. The third substitute bill, as amended, passed on the following roll call:

Yeas, 20; Nays, 5; Absent, 4

Voting in the affirmative were: Senators

Barlow	Beattie	Carling	Cornaby
Farley	Finlinson	Fordham	Hillyard
Leavitt	McAllister	McMullin	Myrin
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Steele	Swan	Tempest	Pres. Christensen

Voting in the negative were: Senators

Barton	Money	Nielsen	Richards
Storey			

Absent or not voting were: Senators

Black	Bunnell	Holmgren	Pace

THIRD SUB. S.B. No. 58, as amended, was transmitted to the House.

* * *

On motion of Senator Cary Peterson, **S.B. No. 129**, EARLY GRADUATION INCENTIVE AMENDMENTS, was uncircled and passed on the following roll call;

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Carling
Cornaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Black	Bunnell	Rees

S.B. No. 129 was transmitted to the House.

STANDING COMMITTEE REPORTS

Mr. President: February 1, 1990

The Social Services Standing Committee, to which was referred **S.B. No. 84**, INSURANCE COVERAGE FOR ADOPTION-RELATED EXPENSES, by Senator John P. Holmgren, has carefully considered the bill and reports the bill tabled and recommends that it be returned to Rules Committee.

Boyd K. Storey
Committee Chairman

Committee report read and adopted. **S.B. No. 84** was returned to Rules Committee.

* * *

Mr. President: February 2, 1990

The Health Committee, to which was referred **S.B. No. 123**, PHYSICIAN ASSISTANT LICENSING ACT, 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 9, Line 17:
After "assistant" insert:
"and a physician assistant shall wear an identification badge showing his license classification as a practicing physician assistant"

Stephen J. Rees
Committee Chairman

Committee report read and adopted. **S.B. No. 123** was read the second time and placed on Consent Calendar.

* * *

Mr. President: February 2, 1990

The State and Local Affairs Committee, to which was referred **S.B. No. 104**, STATE GRASS DESIGNATED, by Senator Myrin, has carefully considered the bill, reports it out of committee with a favorable recommendation, and asks that it be placed on the Consent Calendar.

Craig A. Peterson
Committee Chairman

Committee report read and adopted. **S.B. No. 104** was read the second time and placed on Consent Calendar.

* * *

Mr. President: February 1, 1990

The Revenue and Taxation Standing Committee to which was referred **S.B. No. 61**, INTEREST PAYABLE ON PROPERTY TAX JUDGMENTS, by Senator Cary G. Peterson, has carefully considered the bill and reports it out of committee with a favorable recommendation and places it on the Consent Calendar with the following amendments:

Page 1, Lines 13–14:
After "RECEIVED" delete "IF THE TAXES ARE SEGREGATED AND INVESTED SEPARATELY"

Page 2, Line 10:
Delete "on its pooled funds"

Page 2, Lines 10–11:
Delete "or actual interest earned if the taxes are segregated and invested separately"

Lorin N. Pace
Committee Chairman

Committee report read and adopted. **S.B. No. 61** was read the second time and placed on Consent Calendar.

SECOND READING CALENDAR

S.B. No. 26, UNDERGROUND STORAGE TANK ACT AMENDMENTS, was before the Senate as unfinished business. Senators Finlinson, Craig Peterson, Pace, and Leavitt commented. The bill passed on the following roll call:

Yeas, 23; Nays, 4; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Farley	Finlinson (conflict)	Fordham	Hillyard
Holmgren	Leavitt	McAllister	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Craig (conflict)		Rees	Richards
Steele	Storey	Swan	Tempest

Voting in the negative were: Senators

Carling	Cornaby	McMullin	Pres. Christensen

Absent or not voting were: Senators

Black	Peterson, Cary

* * *

On motion of Senator Leavitt, **S.B. No. 73** was circled.

* * *

S.J.R. No. 11, EDUCATION ARTICLE REVISION RESOLUTION, was before the Senate. Senators Holmgren, Swan, Bunnell, and Hillyard commented. The resolution failed on the following roll call:

Yeas, 11; Nays, 16; Absent, 2

Voting in the affirmative were: Senators

Barton	Beattie	Holmgren	McAllister
Money	Myrin	Peterson, C.E.	Peterson, Cary
Storey	Tempest	Pres. Christensen	

Voting in the negative were: Senators

Barlow	Bunnell	Carling	Cornaby
Farley	Fordham	Hillyard	Leavitt
McMullin	Nielsen	Pace	Peterson, Craig
Rees	Richards	Steele	Swan

Absent or not voting were: Senators

Black	Finlinson

S.J.R. No. 11 was filed.

* * *

H.B. No. 132, POSTSECONDARY PROPRIETARY SCHOOL AMENDMENTS, was read the second time, and explained by Senator Leavitt.

Mr. President: January 25, 1990

The Education Standing Committee to which was referred **H.B. No. 132**, POSTSECONDARY PROPRIETARY SCHOOL AMENDMENTS, by

Representative Grant D. Protzman, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Dixie L. Leavitt
Committee Chairman

Committee report read and adopted. Senators Leavitt, Hillyard, and Barlow commented. The bill passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Farley	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Peterson, C.E.
Peterson, Cary	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Voting in the negative was: Senator
Cornaby

Absent or not voting were: Senators

Black	Finlinson	Pace	Peterson, Craig

* * *

S.B. No. 91, PROSECUTION COUNCIL, was read the second time.

Mr. President: January 25, 1990

The Judiciary Committee, to which was referred S.B. No. 91, PROSECUTION COUNCIL, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 4, Lines 9 and 10:
Delete Lines 9 and 10

Page 4, Line 11:
Delete "(b)" and insert "(a)"

Page 4, Line 12:
Delete "(c)" and insert "(b)"

Page 4, Line 14:
Delete "(d)" and insert "(c)"

Page 4, Line 19:
Delete "(e) one" and insert "(d) two"
Delete "prosecutor" and insert "prosecutors"
Delete "Municipal Attorneys"

Page 4, Line 20:
Delete "Association" and insert "League of Cities and Towns"
After ";" delete "his" and insert "a city prosecutor's"

Page 4, Line 23:
Delete "(f)" and insert "(e)'

Lyle W. Hillyard
Committee Chairman

Committee report read and adopted. Senators Cornaby, McAllister, Leavitt, and Cary Peterson commented. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, Cary	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Black	Holmgren	Peterson, C.E.	Peterson, Craig

* * *

On motion of Senator Cary Peterson, S.B. No. 73 was uncircled.

* * *

On motion of Senator Cary Peterson and at 12:00 noon, the Senate adjourned until 10:00 a.m., Tuesday, February 6, 1990.

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.
Prayer – Senator William T. Barton.

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: February 6, 1990

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.

Lane Beattie,
Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 5, 1990

I am directed to inform the Senate that the House of Representatives has this day passed on consent **S.B. No. 30**, REAUTHORIZATION OF INFORMATION PRACTICES TASK FORCE, by Senator David H. Steele, 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, Chief Clerk

S.B. No. 30 was signed by the President of the Senate in open session, referred to Rules Committee to be enrolled and transmitted to the Governor.

* * *

Mr. President: February 5, 1990

I am directed to inform the Senate that the House of Representatives has this day passed on consent **H.C.R. No. 10**, UTAH TAR SANDS DEVELOPMENT, by Representative Daniel H. Tuttle, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 179**, ELDERLY RESIDENTIAL ZONING, by Representative Byron L. Harward, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed on consent **SUB. H.B. No. 189**, STATE FOREST NURSERY, by Representative Tom 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 on consent **SUB H.B. No. 259**, TAX TECHNICAL AMENDMENTS, by Representative John L. Valentine, and the 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. 261**, POSSESSION OF DANGEROUS WEAPON, by Representative Arlo D. James, and the 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 **H.B. No. 287**, CIGARETTE LICENSING FEES, by Representative John L. Valentine, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.C.R. No. 10, H.B. No. 179, SUB. H.B. No. 189, SUB. H.B. No. 259, H.B. No. 261 and **H.B. No. 287**, were read the first time and referred to Rules Committee.

STANDING COMMITTEE REPORT

Mr. President: February 5, 1990

The Judiciary Committee, to which was referred **S.B. No. 77**, CONTINGENT ATTORNEY FEES, by Senator Dixie L. Leavitt, et al, has carefully considered the bill and recommends that it be returned to Rules Committee.

Lyle W. Hillyard,
Committee Chairman

Committee report read and adopted. **S.B. No. 77** returned to Rules Committee.

PRESENTATION OF RESOLUTIONS

STATE SPENDING LIMITATION

S.J.R. No. 25 *William T. Barton, Richard B. Tempest, LeRay McAllister, Alarik Myrin, Glade Nielsen*

A JOINT RESOLUTION OF THE LEGISLATURE PROPOSING TO AMEND THE UTAH CONSTITUTION; ESTABLISHING A STATE APPROPRIATIONS LIMITATION AND PROVIDING AN EFFECTIVE DATE.

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

ENACTS: ARTICLE XIII, SECTION 15, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

TREATMENT AND COMMITMENT OF MENTALLY RETARDED OFFENDERS

S.B. No. 231 *John P. Holmgren*

AN ACT RELATING TO THE CRIMINAL CODE; PROVIDING FOR DISTINCTIONS IN THE COMMITMENT AND TREATMENT OF MENTALLY RETARDED DEFENDANTS IN THE CRIMINAL JUSTICE SYSTEM.

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

AMENDS: 76-2-305, AS LAST AMENDED BY CHAPTER 120, LAWS OF UTAH 1986; 77-14-5, AS LAST AMENDED BY CHAPTER 246, LAWS OF UTAH 1989; 77-15-6, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980.

ENACTS: 77-16a-1, UTAH CODE ANNOTATED 1953; 77-16a-2, UTAH CODE ANNOTATED 1953; 77-16a-3, UTAH CODE ANNOTATED 1953; 77-16a-4, UTAH CODE ANNOTATED 1953; 77-16a-5, UTAH CODE ANNOTATED 1953; 77-16a-6, UTAH CODE ANNOTATED 1953; 77-16a-7, UTAH CODE ANNOTATED 1953; 77-16a-8, UTAH CODE ANNOTATED 1953.

REPEALS: 77-35-21.5, AS LAST AMENDED BY CHAPTERS 187, 197, AND 246, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

LEGAL PENALTIES FOR PROSTITUTION BY HIV POSITIVE PERSONS

S.B. No. 232 *Karl G. Swan*

AN ACT RELATING TO PROSTITUTION; REQUIRING PERSONS CONVICTED OF PROSTITUTION TO BE TESTED FOR THE HUMAN IMMUNODEFICIENCY VIRUS; AND PROVIDING FOR ADDITIONAL PENALTIES FOR SUBSEQUENT CONVICTIONS OF PROSTITUTION.

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

AMENDS: 76-10-1302, AS ENACTED BY CHAPTER 196, LAWS OF UTAH 1973, was read the first time and referred to Rules Committee.

ACTIONS OR PROCEEDINGS ON UNCLAIMED PROPERTY

S.B. No. 233 *Craig A. Peterson*

AN ACT RELATING TO JUDICIAL CODE; PROVIDING THAT THE ADMINISTRATOR OF UNCLAIMED PROPERTY MAY BRING AN ACTION AGAINST THE FEDERAL GOVERNMENT, THE STATE, OR A POLITICAL SUBDIVISION FOR ABANDONED PROPERTY AT ANY TIME; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 78-44-30, AS ENACTED BY CHAPTER 164, LAWS OF UTAH 1983, was read the first time and referred to Rules Committee.

CIVIL PENALTY FOR VIOLATION OF ORDINANCE

S.B. No. 234 *Richard J. Carling*

AN ACT RELATING TO CITIES AND TOWNS; PROVIDING CIVIL PENALTIES FOR FAILURE TO COMPLY WITH TRAFFIC CONTROL DEVICES OR SPEED RESTRICTIONS IN MUNICIPALITIES.

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

AMENDS: 10-3-703, AS LAST AMENDED BY CHAPTER 178, LAWS OF UTAH 1986, was read the first time and referred to Rules Committee.

UTAH HEALTH DATA COMMITTEE

S.B. No. 235 *C.E. Peterson*

AN ACT RELATING TO HEALTH CARE COST CONTAINMENT; CREATING THE UTAH HEALTH DATA COMMITTEE; AND EMPOWERING

THE COMMITTEE TO COLLECT AND DISSEMINATE DATA ON HEALTH CARE COSTS, QUALITY, AND ACCESSIBILITY.

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

AMENDS: 26-1-7, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 63-55-226, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1990.

ENACTS: 26-33a-101, UTAH CODE ANNOTATED 1953; 26-33a-102, UTAH CODE ANNOTATED 1953; 26-33a-103, UTAH CODE ANNOTATED 1953; 26-33a-104, UTAH CODE ANNOTATED 1953; 26-33a-105, UTAH CODE ANNOTATED 1953; 26-33a-106, UTAH CODE ANNOTATED 1953; 26-33a-107, UTAH CODE ANNOTATED 1953; 26-33a-108, UTAH CODE ANNOTATED 1953; 26-33a-109, UTAH CODE ANNOTATED 1953; 26-33a-110, UTAH CODE ANNOTATED 1953; 26-33a-111, UTAH CODE ANNOTATED 1953; 26-33a-112, UTAH CODE ANNOTATED 1953; 26-33a-113, UTAH CODE ANNOTATED 1953; 26-33a-114, UTAH CODE ANNOTATED 1953; 63-55-226, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

INTERLOCAL COOPERATION ACT AMENDMENTS

S.B. No. 236 *Lyle W. Hillyard*

AN ACT RELATING TO INTERLOCAL COOPERATION; AUTHORIZING CERTAIN UTAH ELECTRIC POWER AGENCIES TO ALLOW PUBLIC AGENCIES IN CONTIGUOUS STATES TO PARTICIPATE AND VOTE AS MEMBERS OF THE UTAH PUBLIC AGENCY; AND MAKING TECHNICAL CORRECTIONS.

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

AMENDS: 11-13-5.5, AS LAST AMENDED BY CHAPTER 5, LAWS OF UTAH 1989, SECOND SPECIAL SESSION, was read the first time and referred to Rules Committee.

HIGHER EDUCATION INSTITUTIONAL COUNCIL AMENDMENTS

S.B. No. 237 *Haven J. Barlow, Arnold Christensen*

AN ACT RELATING TO HIGHER EDUCATION; PROVIDING THAT INSTITUTIONAL COUNCILS APPROVE THE APPOINTMENTS AND REMOVALS OF PRESIDENTS AT THEIR RESPECTIVE INSTITUTIONS.

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

AMENDS: 53B-1-101, AS LAST AMENDED BY CHAPTER 2, LAWS OF UTAH 1988; 53B-2-102, AS ENACTED BY CHAPTER 167, LAWS OF UTAH 1987; 53B-3-103, AS ENACTED BY CHAPTER 167, LAWS OF UTAH 1987, was read the first time and referred to Rules Committee.

MOTOR VEHICLE ACT AMENDMENTS

S.B. No. 238 *C.E. Peterson*

AN ACT RELATING TO MOTOR VEHICLES; AUTHORIZING USE OF PROOFS OF INSPECTION FROM CERTAIN TRANSFER OR MOTOR VEHICLE DEALERS; ALTERING GROSS VEHICLE WEIGHT LIMIT FOR COMMERCIAL VEHICLES TO DISPLAY CERTIFICATE OF INSPECTION; ALLOWING REGISTRATION IN CERTAIN INSTANCES WITHOUT ISSUING TITLE; REQUIRING SURRENDER OF SPECIAL LICENSE PLATE UNDER CERTAIN CIRCUMSTANCES; SPECIFYING TITLING REQUIREMENTS OF FLEETS AND REQUIRING COMMERCIAL PLATES; AMENDING ODOMETER DISCLOSURE STATEMENT REQUIREMENTS; AND MAKING TECHNICAL CHANGES.

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

AMENDS: 41-1-20.5, AS LAST AMENDED BY CHAPTER 274, LAWS OF UTAH 1989; 41-1-23, UTAH CODE ANNOTATED 1953; 41-1-28, AS LAST AMENDED BY CHAPTER 274, LAWS OF UTAH 1989; 41-1-32, AS LAST AMENDED BY CHAPTER 87, LAWS OF UTAH 1971; 41-1-35, UTAH CODE ANNOTATED 1953; 41-1-36.5, AS LAST AMENDED BY CHAPTER 244, LAWS OF UTAH 1988; 41-1-44.4, AS ENACTED BY CHAPTER 145, LAWS OF UTAH 1985; 41-1-44.5, AS ENACTED BY CHAPTER 145, LAWS OF UTAH 1985; 41-1-64, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1963; 41-1-74, UTAH CODE ANNOTATED 1953; 41-1-88, AS LAST AMENDED BY CHAPTERS 6 AND 161, LAWS OF UTAH 1987; 41-1-90, AS ENACTED BY CHAPTER 174, LAWS OF UTAH 1977; 41-1-150, AS LAST AMENDED BY CHAPTER 245, LAWS OF UTAH 1988; 41-1-169, AS LAST AMENDED BY CHAPTER 274, LAWS OF UTAH 1989; 41-1-173, AS LAST AMENDED BY CHAPTER 274, LAWS OF UTAH 1989; 41-1-178, AS LAST AMENDED BY CHAPTER 245, LAWS OF UTAH 1988; 41-6-158, AS LAST AMENDED BY CHAPTER 68, LAWS OF UTAH 1986, was read the first time and referred to Rules Committee.

WATER AND SEWER SERVICE DELINQUENCIES

S.B. No. 239 *Stephen J. Rees*

AN ACT RELATING TO COUNTIES; MAKING THE CUSTOMER PERSONALLY LIABLE FOR DELINQUENCIES ON WATER AND SEWER DISTRICT OBLIGATIONS; AND FORBIDDING THE OBLIGATION TO BE A LIEN ON THE CUSTOMER'S PROPERTY.

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

AMENDS: 17-6-3.6, AS LAST AMENDED BY CHAPTER 1, LAWS OF UTAH 1982, SECOND SPECIAL SESSION, was read the first time and referred to Rules Committee.

PENSION INCOME TAXATION AMENDMENTS

S.B. No. 240 *Glade Nielsen, Boyd K. Storey*

AN ACT RELATING TO PENSIONS; INCREASING THE PERSONAL RETIREMENT EXEMPTION FOR THE ELDERLY, PROVIDING OFFSETS AGAINST THE EXEMPTION; AND PROVIDING RETROSPECTIVE OPERATION.

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

AMENDS: 59-10-114, AS LAST AMENDED BY CHAPTERS 2, 4, AND 7, LAWS OF UTAH 1989, SECOND SPECIAL SESSION, was read the first time and referred to Rules Committee.

ACCESS TO SALES TAX RECORDS

S.B. No. 241 *K.S. Cornaby*

AN ACT RELATING TO REVENUE AND TAXATION; GRANTING POLITICAL SUBDIVISION ACCESS TO TAX COMMISSION SALES AND USE TAX RECORDS; ESTABLISHING CONFIDENTIALITY REQUIREMENTS; AND PROVIDING PENALTIES.

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

ENACTS: 59-12-209, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B. No. 127, H.B. Nos. 114, 154, and 168,** and the bills were placed on the Second Reading Calendar.

CONSENT CALENDAR

S.C.R. No. 6, RESOLUTION HONORING BRIGHTON HIGH SCHOOL, was read the third time, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator
Finlinson

S.C.R. No. 6 was transmitted to the House.

* * *

H.C.R. No. 19, UNITED MINE WORKERS OF AMERICA RESOLUTION, was read the third time, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Finlinson	Peterson, Craig

H.C.R. No. 19 was signed by the President of the Senate in open session and returned to the House.

* * *

H.B. No. 120, MINIMUM RETIREMENT ALLOWANCE FOR PUBLIC EMPLOYEES, was read the third time, explained by Senator Cornaby, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting was: Senator
Rees

H.B. No. 120 was signed by the President of the Senate in open session and returned to the House.

* * *

H.B. No. 115, RETIREMENT ALLOWANCE INCREASE AMENDMENTS, was read the third time, explained by Senator Cornaby, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Fordham	Rees

H.B. No. 115 was signed by the President of the Senate in open session and returned to the House.

THIRD READING CALENDAR

On motion of Senator Finlinson, S.B. No. 26, UNDERGROUND STORAGE TANK AMENDMENTS, was read the third time, and circled.

* * *

H.B. No. 132, POSTSECONDARY PROPRIETARY SCHOOL AMENDMENTS was read the third third, explained by Senator Leavitt, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Carling
Cornaby	Farley	Finlinson	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barton	Bunnell	Fordham	Rees

H.B. No. 132 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Finlinson S.B. No. 26, UNDERGROUND STORAGE TANK AMENDMENTS, was uncircled and before the Senate. Senator Black commented. The bill passed on the following roll call:

Yeas, 23; Nays, 4; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Farley	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary

Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Voting in the negative were: Senators

Carling	Cornaby	McMullin	Money

Absent or not voting were: Senators

Bunnell	Peterson, Craig

S.B. No. 26, as amended, was transmitted to the House.

* * *

S.B. No. 91, PROSECUTION COUNCIL, was read the third time, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Black	Peterson, Craig

S.B. No. 91, as amended, was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator Beattie, S.B. No. 73, was circled.

* * *

S.B. No. 103, JUDICIAL AMENDMENTS, was read the second time.

Mr. President: January 25, 1990

The Judiciary Committee, to which was referred S.B. No. 103, JUDICIAL AMENDMENTS, by Senator K.S. Cornaby, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 1, Line 14:
After "JURISDICTION;" insert "AMENDING THE BASE SALARY CALCULATION FOR JUDICIAL SALARIES;"

Page 1, Line 19:
After Line 19 insert:
"67-8-2, AS LAST AMENDED BY CHAPTER 186, LAWS OF UTAH 1988"

Page 3, Line 20:
After line 20 insert:

"Section 3. Section 67-8-2, Utah Code Annotated 1953, as last amended by Chapter 186, Laws of Utah 1988, is amended to read:

67-8-2. Salaries established annually in general appropriations act - Bases of salaries.

(1) The salary of the governor, lieutenant governor, attorney general, state auditor, state treasurer, and salary limits for judges of courts of record shall be set annually by the Legislature in the General Appropriations Act.

(2) The salaries of judges of courts of record shall be based upon the following percentages of the salary of [~~an associate justice of the Supreme Court~~] a district court judge:

(a) Circuit Court [~~of Appeals~~] judges	95%;
(b) [~~district~~] juvenile court judges	[~~90%~~] 100%;
(c) [~~juvenile~~] Court of Appeals judges and	[~~90%~~] 105%
[~~(d) circuit court judges~~]	[~~85%~~]
(d) associate justices of the Supreme Court	110%.

(3) Judicial salaries shall be adjusted in accordance with this schedule by July 1, 1991."

and renumber remaining sections accordingly.

Lyle W. Hillyard,
Committee Chairman

Committee report read and adopted. Senators Cornaby, Leavitt, Pace, McAllister, and Hillyard commented.

On motion of Senator Cornaby, the bill was amended as follows:

Page 3, Line 10:
Delete "not fewer than three"

Page 3, Line 14:
After "commission." insert "The commission shall certify a list of three nominees to the governor, except in the case of a tie vote both nominees may be certified, but in any event not more than five nominees may be certified to the governor."

The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Carling
Cornaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barton	Bunnell	Rees	Richards

* * *

On motion of Senator C.E. Peterson, S.B. No. 161 was lifted from Revenue and Taxation Standing Committee, and referred to Business, Labor and Economic Development Standing Committee.

* * *

S.B. No. 144, PRESERVATION OF HERITAGE ACT, was read the second time.

Mr. President: January 26, 1990

The State and Local Affairs Committee, to which was referred S.B. No. 144, PRESERVATION OF HERITAGE ACT, by Senator Dixie Leavitt, has carefully

considered the bill and reports it out of committee with a favorable recommendation.

Craig A. 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

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Richards
Steele	Storey	Swan	Pres. Christensen

Absent or not voting were: Senators

Black	Farley	Peterson, Craig	Rees
Tempest			

* * *

S.J.R. No. 13, CONSOLIDATION OF RETIREMENT SYSTEMS STUDY, was read the second time.

Mr. President: January 26, 1990

The State and Local Affairs Committee, to which was referred S.J.R. NO. 13, CONSOLIDATION OF RETIREMENT SYSTEMS STUDY, by Senator Lane Beattie, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Craig A. 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

Barlow	Beattie	Bunnell	Carling
Cornaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McMullin

Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Barton	Black	McAllister	Peterson, Craig
Rees			

* * *

S.B. No. 16, INSURANCE COVERAGE OF INFERTILITY, was read the second time.

Mr. President: January 29, 1990

The Health Standing Committee to which was referred S.B. No. 16, INSURANCE COVERAGE OF INFERTILITY, by Senator Richard J. Carling has carefully considered the bill and reports it out of committee with a favorable recommendation.

Stephen J. Rees,
Committee Chairman

Committee report read and adopted. Senators Carling, Swan, Barton, Hillyard, C.E. Peterson, Leavitt, Pace, Black, Money, and Richards commented. The bill failed on the following roll call:

Yeas, 9; Nays, 18; Absent, 2

Voting in the affirmative were: Senators

Beattie	Carling	Holmgren	McMullin
Pace	Peterson, Cary	Steele	Tempest
Pres. Christensen			

Voting in the negative were: Senators

Barlow	Barton	Black	Bunnell
Comaby	Farley	Fordham	Hillyard
Leavitt	McAllister	Money	Myrin
Nielsen	Peterson, C.E.	Peterson, Craig	Richards
Storey	Swan		

Absent or not voting were: Senators

Finlinson	Rees

S.B. No. 16 was filed.

* * *

S.B. No. 107, UNIFORM ANATOMICAL GIFT ACT, was read the second time.

Mr. President: January 29, 1990

The Health Standing Committee to which was referred S.B. no. 107, UNIFORM ANATOMICAL GIFT ACT, by Senator William T. Barton has carefully considered the bill and reports it out of committee with a favorable recommendation.

Stephen J. Rees,
Committee Chairman

Committee report read and adopted. Senators Barton, Swan, Leavitt, Black, Richards and McAllister commented. Joseph L. Hatch, M.D., A Professional Corp., appeared before the Senate in Committee of the Whole. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Cornaby	Farley	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Carling	Finlinson

* * *

On motion of Senator Black H.B. No. 154, TREE PLANTING FUND will be considered at 10:15 a.m. Monday February 12, 1990.

STANDING COMMITTEE REPORT

Mr. President: February 5, 1990

The Senate Energy, Natural Resources and Agriculture Committee, to which was referred **S.B. No. 147**, UNLAWFUL USE OF FIREARMS, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee favorably and asks that it be placed on the Consent Calendar with the following amendments:

Page 1, Line 24:
After "[Every]" delete "A" and insert "Unless otherwise authorized by law, a"

Page 2, Line 6:
After "from" insert "inside"

Fred W. Finlinson,
Committee Chairman

Committee report read and adopted. **S.B. No. 147** was read the second time, and placed on the Consent Calendar.

* * *

Mr. President: February 5, 1990

The Senate Energy, Natural Resources and Agriculture Committee, to which was referred **S.B. No. 186**, NOTICE PERIOD FOR WATER DISTRICT REPORT by Senator Cary G. Peterson, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Fred W. Finlinson,
Committee Chairman

Committee report read and adopted. **S.B. No. 186** was read the second time, and placed on the Consent Calendar.

* * *

Mr. President: February 5, 1990

The Judiciary Committee, to which was referred S.B. No. 124, VENUE FOR CONSUMER TRANSACTIONS, 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 26:
After "located" insert "or where the defendant resides".

Lyle W. Hillyard,
Committee Chairman

Committee report read and adopted. S.B. No. 124 was read the second time, and placed on the Consent Calendar.

* * *

Mr. President: February 5, 1990

The Judiciary Committee, to which was referred S.B. No. 151, PRISONER DEFINED, by Senator Haven J. Barlow, has carefully considered the bill and reports it out of committee with a favorable recommendation and asked that it be placed on the Consent Calendar.

Lyle W. Hillyard,
Committee Chairman

Committee report read and adopted. S.B. No. 151 was read the second time, and placed on the Consent Calendar.

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On motion of Senator Cary Peterson, the circle was removed from S.B. No. 73.

* * *

On motion of Senator Cary Peterson, and at 12:10, the Senate adjourned until 10:00 a.m. Wednesday, February 7, 1990.

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 – Susan Thorpe, Student Body President, Logan High School.

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: February 7, 1990

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.

Lane Beattie,
Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM HOUSE

Mr. President: February 6, 1990

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. 16**, REAL ESTATE LICENSURE CONTINUING EDUCATION REQUIREMENTS, by Representative Richard J. Bradford, et al, and requests the Senate to recede from its amendments.

Carole E. Peterson, Chief Clerk

On motion of Senator Beattie, the Senate refused to recede from its amendments. President Christensen appointed a Conference Committee comprised of Senator Beattie, Barlow, and Money.

H.B. No. 16 was transmitted to the House.

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Mr. President: February 6, 1990

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 23**, RESOLUTION HONORING PAUL MCCARTY AND HILL VIEW SCHOOL, by Representative Janet Rose, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **SUB. H.B. No. 24**, HANDICAPPED SERVICES ACT, by Representative Lloyd 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.B. No. 233**, ARCHAEOLOGICAL, PALEONTOLOGICAL, AND HISTORIC SITE VANDALISM PROTECTION ACT, by Representative Bob W. 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. 234**, HISTORIC AND CULTURAL SITES PROTECTION, by Representative Rob 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, **SUB. H.B. No. 240**, PROHIBITION OF UNSOLICITED FACSIMILE ADVERTISING, by Representative Ronald J. Ockey, and the 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. 284**, ADMINISTRATIVE RULES REAUTHORIZATION, by Representative Byron L. Harward, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.J.R. No. 23, SUB. H.B. No. 24 and H.B. Nos. 233, 234, SUB H.B. No. 240 and 284, were read the first time and referred to Rules Committee.

RULES COMMITTEE REPORT

Mr. President February 7, 1990

The Senate Rules Committee to which was referred the following Senate Bills and Resolution:

S.B. No. 216	CORPORATIONS AMENDMENTS (Business, Labor & Economic Development)
S.B. No. 190	USER FEES (Education)

S.B. No. 220	INCOME TAX CHECKOFF FOR HIGHER EDUCATION (Education)
S.B. No. 201	CUSTOMER SERVICE PRACTICES OF CABLE TV (Energy, Natural Resources & Agriculture)
S.B. No. 213	BOATING AMENDMENTS (Energy, Natural Resources & Agriculture)
S.B. No. 217	WATER PROJECTS APPROPRIATION (Energy, Natural Resources & Agriculture)
S.B. No. 167	COLLEGE STUDENT IMMUNIZATION (Health)
S.B. No. 193	DIESEL EMISSION INSPECTIONS (Health)
S.B. No. 181	CRIMINAL OFFENSE CHARGES (Judiciary)
S.B. No. 187	FORFEITURE HEARING JURISDICTION (Judiciary)
S.B. No. 199	SEVERANCE TAXES ON METALLIFEROUS MINERALS (Revenue & Taxation)
S.B. No. 204	SALES TAX NEXUS (Revenue & Taxation)
S.B. No. 209	SALARY AVERAGING FOR PAY INCREASES (Revenue & Taxation)
S.J.R. No. 22	ANTHONY COMMISSION RESOLUTION (Revenue & Taxation)
S.B. No. 7	FLAG DESECRATION OFFENSE (Social Services)
S.B. No. 180	DIVORCED PARENTS COMPLIANCE WITH RESIDENTIAL PROVISIONS FOR A CHILD (Social Services)
S.B. No. 219	MONEY LAUNDERING AND PRESCURSOR CHEMICAL VIOLATIONS AMENDMENTS (Social Services)
S.B. No. 228	AMENDMENTS TO CONTROLLED SUBSTANCES PRECURSOR ACT (Social Services)
S.B. No. 171	PUBLIC SAFETY SALARY PACKAGE (Transportation & Public Safety)
S.B. No. 194	GOVERNMENTAL IMMUNITY FOR DAMAGES OF POLICE PURSUED VEHICLE (Transportation & Public Safety)
S.B. No. 203	AFTERMARKET CRASH PARTS ACT (Transportation & Public Safety)_
S.B. No. 218	RURAL FIRE PROTECTION APPARATUS FUND (Transportation & Public Safety)

reports the Bills and Resolution to the Senate and asks that they be printed and assigned to the proper committee, and

Mr. President February 7, 1990

The Senate Rules Committee to which was referred the following House Bills:

H.B. No. 195 WORKERS' COMPENSATION ACT AMENDMENTS
(Business, Labor & Economic Development)
H.B. No. 85 SALES TAX – AIRCRAFT EXEMPTION
(Revenue & Taxation)
H.B. No. 229 BOARD OF STATE HISTORY AMENDMENTS
(Social Services)
reports the Bills to the Senate and asks that they be assigned to the proper committee.

C.E. Peterson,
Rules Committee Chairman

Committee reports read and adopted. President Christensen assigned the bills and resolutions to the committees indicated.

* * *

Mr. President: February 7, 1990

The Senate Rules Committee to which was referred the following House Bill:

H.B. No. 213 HEALTH FACILITY LICENSURE AND INSPECTION ACT
reports the Bill to the Senate and asks that it be placed on the Second Reading Calendar.

C.E. Peterson,
Rules Committee Chairman

Committee report read and adopted. **H.B. No. 213**, was placed on Second Reading Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B. Nos. 33, 95, 189, 133, 160, 175,** and **H.B. Nos. 148, 97,** and **173,** and the bills were placed on Second Reading Calendar.

PRESENTATION OF RESOLUTIONS

SPECIAL DISTRICT RESOLUTION

S.J.R. No. 26 *Glade Nielsen, Dix H. McMullin, Paul T. Fordham*

A JOINT RESOLUTION OF THE LEGISLATURE RECOMMENDING THAT SPECIAL DISTRICTS ADOPT PERSONNEL AND PURCHASING POLICIES, was read the first time and referred to Rules Committee.

BYU FOOTBALL RESOLUTION

S.J.R. No. 27 *C.E. Peterson*

A JOINT RESOLUTION OF THE LEGISLATURE HONORING THE PLAYERS, COACHES, AND STAFF OF THE 1989 BYU COUGAR FOOTBALL TEAM FOR THEIR EXCELLENT PERFORMANCE IN THE RECENTLY COMPLETED SEASON; AND EXPRESSING APPRECIATION FOR THE POSITIVE EXPOSURE THEIR SUCCESS HAS PROVIDED TO THE STATE OF UTAH, was read the first time and referred to Rules Committee.

RESOLUTION HONORING UTAH EMERGENCY MEDICAL ORGANIZATIONS

S.J.R. No. 28 *Dix H. McMullin*

A JOINT RESOLUTION OF THE LEGISLATURE RECOGNIZING THE UTAH EMERGENCY MEDICAL ORGANIZATION FOR ITS USE OF CARDIOPULMONARY RESUSCITATION TO SAVE LIVES, was read the first time and referred to Rules Committee.

WORLD SENIOR GAMES RESOLUTION

S.J.R. No. 29 *Arnold Christensen, K.S. Cornaby, Dixie Leavitt*

A JOINT RESOLUTION OF THE LEGISLATURE DECLARING OCTOBER 15–26, 1990, AS HUNTSMAN CHEMICAL'S WORLD GAMES DAYS IN HONOR OF UTAH'S SENIORS PARTICIPATING AND COMPETING IN THIS SPECIAL TWO–WEEK EVENT, was read the first time and referred to Rules Committee.

RESOLUTION COMMEMORATING MCGRUFF

S.J.R. No. 30 *Dix H. McMullin*

A JOINT RESOLUTION OF THE LEGISLATURE COMMENDING AND CELEBRATING THE TENTH BIRTHDAY ANNIVERSARY OF MCGRUFF, THE CRIME DOG, AND HIS MESSAGE, "TAKE A BITE OUT OF CRIME.", was read the first time and referred to Rules Committee.

RESOLUTION HONORING BAE B. GARDNER

S.J.R. No. 31 *Richard J. Carling, Fred W. Finlinson*

A JOINT RESOLUTION OF THE LEGISLATURE HONORING BAE B. GARDNER FOR HER 23 YEARS OF SERVICE TO THE STUDENTS OF THE

HINCKLEY INSTITUTE OF POLITICS, AND TO THE STATE OF UTAH, was read the first time and referred to Rules Committee.

INDIAN AFFAIRS RESOLUTION

S.J.R. No. 32 *Alarik Myrin, Omar B. Bunnell*

A JOINT RESOLUTION OF THE LEGISLATURE RECOMMENDING THAT CONGRESS STUDY THE EFFECT OF THE EXPANSION OF THE UINTAH AND OURAY RESERVATION ON ALL CITIZENS OF THE AREA; URGING CONGRESS TO ALLOW THE SECRETARY OF THE INTERIOR TO HIRE A PRIVATE CONTRACTOR TO ADMINISTER THE UINTAH IRRIGATION PROJECT; REQUESTING THAT CONGRESS CONTINUE TO PROTECT EXISTING RIGHTS AND USERS IN AREAS THAT MAY BE DESIGNATED WILDERNESS; AND URGING THE BOARD OF BIG GAME CONTROL TO CONSIDER CUTS IN NUMBERS OF ELK WHERE CUTS IN GRAZING PERMITS ARE NEEDED, was read the first time and referred to Rules Committee.

STRATEGIC PLANNING FOR EDUCATION RESOLUTION

S.C.R. No. 9 *Haven J. Barlow, Wilford R. Black, Lyle L. Hillyard, Dixie Leavitt, Stephen J. Rees, Lorin N. Pace, Arnold Christensen, Cary Peterson, David H. Steele, Richard J. Carling, Dix H. McMullin*

A CONCURRENT RESOLUTION OF THE LEGISLATURE AND THE GOVERNOR COMMITTING TO SHORT-TERM AND LONG-RANGE STRATEGIC PLANNING FOR PUBLIC AND HIGHER EDUCATION TO HELP RESOLVE CRITICAL CONCERNS; AND RECOMMENDING INVOLVEMENT OF ALL SEGMENTS OF THE EDUCATION COMMUNITY AND COMMUNITY AT LARGE IN THE PLANNING PROCESS, was read the first time and referred to Rules Committee.

INTRODUCTION OF BILLS

PSYCHIATRIC SECURITY REVIEW BOARD AMENDMENTS

S.B. No. 242 *John P. Holmgren*

AN ACT RELATING TO CRIMINAL PROCEDURE; PROVIDING CHANGES IN JURISDICTION AND OPERATION OF THE PSYCHIATRIC SECURITY REVIEW BOARD; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 62A-12-209, AS LAST AMENDED BY CHAPTER 245, LAWS OF UTAH 1989; 63-46b-1, AS LAST AMENDED BY CHAPTER 72, LAWS OF UTAH 1988; 77-38-2, AS ENACTED BY CHAPTER 246, LAWS OF UTAH 1989; 77-38-3, AS ENACTED BY CHAPTER 246, LAWS OF UTAH 1989; 77-38-6, AS ENACTED BY CHAPTER 246, LAWS OF UTAH 1989; 77-38-8, AS ENACTED BY CHAPTER 246, LAWS OF UTAH 1989.

ENACTS: 77-16a-1, UTAH CODE ANNOTATED 1953; 77-16a-2, UTAH CODE ANNOTATED 1953; 77-16a-3, UTAH CODE ANNOTATED 1953; 77-16a-4, UTAH CODE ANNOTATED 1953; 77-16a-5, UTAH CODE ANNOTATED 1953; 77-16a-6, UTAH CODE ANNOTATED 1953; 77-16a-7, UTAH CODE ANNOTATED 1953.

REPEALS: 77-35-21.5, AS LAST AMENDED BY CHAPTERS 187, 197, AND 246, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

INTERLOCAL COOPERATION AGREEMENTS ON PRISON SPACE

S.B. No. 243 *Lorin N. Pace*

AN ACT RELATING TO INTERLOCAL COOPERATION; ALLOWING THE STATE AND COUNTIES TO CONTRACT FOR PRISON SPACE FOR COUNTY USE.

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

AMENDS: 11-13-15, AS LAST AMENDED BY CHAPTER 47, LAWS OF UTAH 1977, was read the first time and referred to Rules Committee.

TASK FORCE ON CRIMINAL SENTENCING

S.B. No. 244 *Lorin N. Pace*

AN ACT RELATING TO CRIMINAL SENTENCING; PROVIDING FOR A TASK FORCE ON CRIMINAL SENTENCING PROCEDURE; PROVIDING FOR STAFF AND SUPPORT SERVICES; PROVIDING FOR A REPORT TO THE LEGISLATURE; PROVIDING AN APPROPRIATION OF $25,000; AND PROVIDING AN EFFECTIVE DATE.

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

LIMITATION ON CANCELLATION OF INSURANCE

S.B. No. 245 *Eldon A. Money*

AN ACT RELATING TO INSURANCE; PROHIBITING THE CANCELLATION OF LIFE AND DISABILITY INSURANCE POLICIES IN CERTAIN CIRCUMSTANCES.

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

AMENDS: 31A-21-303, AS LAST AMENDED BY CHAPTERS 91 AND 95, LAWS OF UTAH 1987, was read the first time and referred to Rules Committee.

MEAT AND POULTRY PRODUCTS INSPECTION AMENDMENTS

S.B. No. 246 *Eldon A. Money*

AN ACT RELATING TO AGRICULTURE; AND AMENDING PROVISIONS, INCLUDING PENALTIES, RELATING TO MEAT AND POULTRY INSPECTION TO CONFORM STATE LAW WITH FEDERAL LAW.

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

AMENDS: 4-32-7, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979; 4-32-8, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979; 4-32-11, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979; 4-32-12, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979; 4-32-14, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979, was read the first time and referred to Rules Committee.

MUNICIPAL BUILDING AUTHORITIES

S.B. No. 247 *Eldon A. Money*

AN ACT RELATING TO CITIES, COUNTIES, AND LOCAL TAXING UNITS; PROHIBITING THE ORGANIZATION OF A BUILDING AUTHORITY AFTER APRIL 23, 1990; AND PROVIDING FOR EVENTUAL DISSOLUTION OF EXISTING BUILDING AUTHORITIES.

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

ENACTS: 11-29-19, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

SECURITY PERSONNEL LICENSING AND EXEMPTION

S.B. No. 248 *C.E. Peterson*

AN ACT RELATING TO SECURITY PERSONNEL LICENSING; PROVIDING FOR AN EXEMPTION FOR CITY POLICE DEPARTMENTS.

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

AMENDS: 41-13a-8, AS ENACTED BY CHAPTER 26, LAWS OF UTAH 1985, was read the first time and referred to Rules Committee.

DEPARTMENT OF SOCIAL SERVICES REORGANIZATION

S.B. No. 249 *John P. Holmgren*

AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES; PROVIDING FOR REORGANIZATION OF ITS STRUCTURE; PROVIDING ADDITIONAL AUTHORITY FOR SPECIFIED OFFICES; AND CHANGING THE NAME OF THE DEPARTMENT OF SOCIAL SERVICES.

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

AMENDS: 10-9-2.5, AS LAST AMENDED BY CHAPTER 83, LAWS OF UTAH 1987; 10-9-2.6, AS ENACTED BY CHAPTER 134, LAWS OF UTAH 1988; 11-33-3, AS ENACTED BY CHAPTER 223, LAWS OF UTAH 1987; 17-5-58, AS LAST AMENDED BY CHAPTER 26, LAWS OF UTAH 1975; 17-27-11.7, AS LAST AMENDED BY CHAPTER 83, LAWS OF UTAH 1987; 17-27-11.8, AS ENACTED BY CHAPTER 134, LAWS OF UTAH 1988; 26-1-3, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-1-4, AS LAST AMENDED BY CHAPTER 178, LAWS OF UTAH 1987; 26-18-3, AS LAST AMENDED BY CHAPTER 165, LAWS OF UTAH 1989; 26-25-1, AS LAST AMENDED BY CHAPTER 142, LAWS OF UTAH 1989; 26-25-2, AS LAST AMENDED BY CHAPTER 130, LAWS OF UTAH 1988; 26-25a-101, AS ENACTED BY CHAPTER 25, LAWS OF UTAH 1989; 26-25a-104, AS ENACTED BY CHAPTER 25, LAWS OF UTAH 1989; 30-3-5.2, AS ENACTED BY CHAPTER 90, LAWS OF UTAH 1988; 30-6-1, AS LAST AMENDED BY CHAPTER 32, LAWS OF UTAH 1989; 41-6-44, AS LAST AMENDED BY CHAPTER 17, LAWS OF UTAH 1988; 53A-1-403, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 53A-15-305, AS REPEALED AND REENACTED BY CHAPTER 74, LAWS OF UTAH 1988; 53A-26-102, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 54-8b-10, AS LAST AMENDED BY CHAPTER 159, LAWS OF UTAH 1989; 55-17-9, AS LAST AMENDED BY CHAPTER 134, LAWS OF UTAH 1989; 55-17-11, AS LAST AMENDED BY CHAPTER 134, LAWS OF UTAH 1989; 55-22-1, AS LAST AMENDED BY CHAPTER 123, LAWS OF UTAH 1988; 59-7-109, AS RENUMBERED AND AMENDED BY CHAPTER 2, LAWS OF UTAH 1987; 59-10-108, AS RENUMBERED AND AMENDED BY CHAPTER 2, LAWS OF UTAH 1987; 59-10-529, AS RENUMBERED AND AMENDED BY CHAPTERS 2 AND 77, LAWS OF UTAH 1987; 59-10-545, AS RENUMBERED

AND AMENDED BY CHAPTERS 2 AND 77, LAWS OF UTAH 1987; 62A-1-102, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-1-104, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-1-105, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-1-116, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-3-301, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-3-302, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-3-311.1, AS ENACTED BY CHAPTER 270, LAWS OF UTAH 1989; 62A-4-106, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-4-309, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-9-104, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-9-105, AS LAST AMENDED BY CHAPTER 126, LAWS OF UTAH 1989; 62A-9-106, AS LAST AMENDED BY CHAPTER 242, LAWS OF UTAH 1988; 62A-11-107, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 63-1-38.9, AS ENACTED BY CHAPTER 259, LAWS OF UTAH 1985; 63-55-262, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1990; 63-56-6, AS ENACTED BY CHAPTER 75, LAWS OF UTAH 1980; 63-75-2, AS ENACTED BY CHAPTER 146, LAWS OF UTAH 1989; 63-75-4, AS ENACTED BY CHAPTER 146, LAWS OF UTAH 1989; 63-75-5, AS ENACTED BY CHAPTER 146, LAWS OF UTAH 1989; 64-13-2, AS ENACTED BY CHAPTER 198, LAWS OF UTAH 1985; 73-18-12.2, AS LAST AMENDED BY CHAPTER 8, LAWS OF UTAH 1987, FIRST SPECIAL SESSION; 76-10-106, AS LAST AMENDED BY CHAPTER 194, LAWS OF UTAH 1989; 77-7-19, AS LAST AMENDED BY CHAPTER 157, LAWS OF UTAH 1989; 77-31-2, AS LAST AMENDED BY CHAPTER 66, LAWS OF UTAH 1981; 77-31-12, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-38-1, AS ENACTED BY CHAPTER 246, LAWS OF UTAH 1989; 78-3a-40, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1989; 78-3a-42, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1989; 78-3a-49, AS LAST AMENDED BY CHAPTER 62, LAWS OF UTAH 1989; 78-27-50, AS ENACTED BY CHAPTER 143, LAWS OF UTAH 1977; 78-45-7.13, AS ENACTED BY CHAPTER 214, LAWS OF UTAH 1989; 78-45-9, AS LAST AMENDED BY CHAPTER 62, LAWS OF UTAH 1989; 78-45a-5, AS LAST AMENDED BY CHAPTER 96, LAWS OF UTAH 1975, was read the first time and referred to Rules Committee.

ELECTION CODE FOR MUNICIPALITIES

S.B. No. 250 *Dixie L. Leavitt*

AN ACT RELATING TO ELECTION; PROVIDING THAT PRIMARY AND MUNICIPAL ELECTION BALLOTS SHALL SPECIFY THE NUMBER

OF CANDIDATES FOR WHICH TO VOTE; AND MAKING TECHNICAL CORRECTIONS.

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

AMENDS: 20-3-19, AS LAST AMENDED BY CHAPTER 157, LAWS OF UTAH 1989; 20-5-12, AS ENACTED BY CHAPTER 101, LAWS OF UTAH 1981, was read the first time and referred to Rules Committee.

PENALTY FOR FAILURE TO FILE TAX RETURN

S.B. No. 251 *Dixie L. Leavitt*

AN ACT RELATING TO REVENUE AND TAXATION; MAKING CERTAIN PENALTIES FOR FAILURE TO FILE A TAX DUE RETURN DISCRETIONARY; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 59-1-401, AS LAST AMENDED BY CHAPTER 22, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

APPROPRIATION AND FUNDING AMENDMENTS

S.B. No. 252 *Cary G. Peterson, Lyle L. Hillyard, Wilford R. Black, Arnold Christensen, Dix H. McMullin, Eldon A. Money*

AN ACT RELATING TO APPROPRIATIONS; AMENDING THE FORMULA USED IN DETERMINING THE STATE APPROPRIATIONS LIMITATION; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 59-17a-102, AS ENACTED BY CHAPTER 222, LAWS OF UTAH 1989; 59-17a-103, AS ENACTED BY CHAPTER 222, LAWS OF UTAH 1989; 59-17a-104, AS ENACTED BY CHAPTER 222, LAWS OF UTAH 1989; 59-17a-105, AS ENACTED BY CHAPTER 222, LAWS OF UTAH 1989; 59-17a-107, AS ENACTED BY CHAPTER 222, LAWS OF UTAH 1989; 59-17a-108, AS ENACTED BY CHAPTER 222, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

TAX EVASION WHISTLEBLOWERS

S.B. No. 253 *Winn L. Richards*

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING AWARDS FOR PERSONS WHO REPORT TAX EVADERS UNDER CERTAIN CIRCUMSTANCES; AND PROVIDE RETROSPECTIVE OPERATION.

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

REPEALS AND REENACTS: 59-10-107, AS RENUMBERED AND AMENDED BY CHAPTER 2, LAWS OF UTAH 1987, was read the first time and referred to Rules Committee.

EXPANSION OF CERTIFIED DRIVER LICENSE EXAMINERS

S.B. No. 254 *Dix H. McMullin*

AN ACT RELATING TO AUTOMOBILE DRIVER LICENSES; PROVIDING FOR THE CERTIFYING OF TEACHERS OF DRIVER EDUCATION CLASSES IN THE PUBLIC SCHOOLS AS DRIVER LICENSE EXAMINERS; AND PROVIDING THAT STUDENTS MAY RECEIVE A CLASS D LICENSE BY SUCCESSFULLY PASSING TESTS ADMINISTERED BY THE EXAMINERS AND SATISFYING OTHER REQUIREMENTS.

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

ENACTS: 53A-13-207, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

WASTE MANAGEMENT AMENDMENTS

S.B. No. 255 *Stephen J. Rees, Craig Peterson, Arnold Christensen, Cary Peterson, Dix H. McMullin, Lyle L. Hillyard, Alarik Myrin, Haven J. Barlow, Wilford R. Black, Omar B. Bunnell, Paul T. Fordham, Winn L. Richards, C.E Peterson*

AN ACT RELATING TO HEALTH; REQUIRING COUNTIES TO ESTABLISH SOLID WASTE MANAGEMENT PLANS; PROVIDING DEFINITIONS OF RADIATION AND RADIOACTIVE; REQUIRING DEPARTMENT OF HEALTH, LEGISLATIVE, GUBERNATORIAL, AND COUNTY APPROVAL BEFORE SITING RADIOACTIVE TREATMENT OR DISPOSAL FACILITIES; PROVIDING A RADIOACTIVE WASTE MANAGEMENT FEE; REQUIRING DEVELOPMENT OF A STATE RADIOACTIVE WASTE PLAN; REQUIRING DEVELOPMENT OF A STATE RADIOACTIVE WASTE PLAN; REQUIRING SITING CRITERIA AND SUBMISSION OF PLANS FOR CONSTRUCTING NONHAZARDOUS SOLID WASTE FACILITIES; REQUIRING DEVELOPMENT OF A STATEWIDE SOLID WASTE MANAGEMENT PLAN; PROVIDING FOR A SOLID WASTE MANAGEMENT FEE; EXPANDING SITING REQUIREMENTS; REQUIRING PROPOSED NONHAZARDOUS SOLID AND HAZARDOUS WASTE FACILITIES TO PROVIDE EVIDENCE OF NEED AND

EVALUATION OF ENVIRONMENTAL IMPACTS BEFORE APPROVAL; APPROPRIATING FUNDS; AND MAKING TECHNICAL CORRECTIONS.

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

AMENDS: 26-14-1, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-14-2, AS LAST AMENDED BY CHAPTERS 151 AND 163, LAWS OF UTAH 1988; 26-14-5, AS LAST AMENDED BY CHAPTER 2, LAWS OF UTAH 1988, FOURTH SPECIAL SESSION; 26-14-8, AS LAST AMENDED BY CHAPTERS 148 AND 154, LAWS OF UTAH 1989; 26-14-23, AS LAST AMENDED BY CHAPTER 154, LAWS OF UTAH 1989.

ENACTS: 17-15-23, UTAH CODE ANNOTATED 1953; 26-1-26.5, UTAH CODE ANNOTATED 1953; 26-1-27.2, UTAH CODE ANNOTATED 1953; 26-1-27.3, UTAH CODE ANNOTATED 1953; 26-1-27.4, UTAH CODE ANNOTATED 1953; 26-14-1.5, UTAH CODE ANNOTATED 1953; 26-14-21.5, UTAH CODE ANNOTATED 1953.

REPEALS: 26-14-8.5, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988, FOURTH SPECIAL SESSION, was read the first time and referred to Rules Committee.

SUPPLEMENTAL APPROPRIATIONS ACT

S.B. No. 256 *Lyle W. Hillyard*

AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 1989 AND ENDING JUNE 30, 1990 FOR THE USE AND SUPPORT OF CERTAIN STATE DEPARTMENTS AND AGENCIES OF STATE GOVERNMENT AND FOR OTHER PURPOSES AS IN THIS ACT PROVIDED; AND PROVIDING AN EFFECTIVE DATE, was read the first time and referred to Rules Committee.

AMENDMENTS TO LANDLORD AND TENANT LAW

S.B. No. 257 *Lorin N. Pace*

AN ACT RELATING TO REAL PROPERTY; DEFINING DUTIES FOR OWNERS AND RENTERS; AND PROVIDING FOR REMEDIES, was read the first time and referred to Rules Committee.

BONDING FOR CAPITAL FACILITIES

S.B. No. 258 *Lyle W. Hillyard*

AN ACT RELATING TO BONDING; AUTHORIZING THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR THE CONSTRUCTION

AND PLANNING OF CAPITAL FACILITIES; PROVIDING TECHNICAL REQUIREMENTS FOR THEIR ISSUANCE, USE OF PROCEEDS, PAYMENT, SINKING FUNDS, AND OTHER MATTERS; AND PROVIDING AN EFFECTIVE DATE.

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

ENACTS: 63-77-1, UTAH CODE ANNOTATED 1953; 63-77-2, UTAH CODE ANNOTATED 1953; 63-77-3, UTAH CODE ANNOTATED 1953; 63-77-4, UTAH CODE ANNOTATED 1953; 63-77-5, UTAH CODE ANNOTATED 1953; 63-77-6, UTAH CODE ANNOTATED 1953; 63-77-7, UTAH CODE ANNOTATED 1953; 63-77-8, UTAH CODE ANNOTATED 1953; 63-77-9, UTAH CODE ANNOTATED 1953; 63-77-10, UTAH CODE ANNOTATED 1953; 63-77-11, UTAH CODE ANNOTATED 1953; 63-77-12, UTAH CODE ANNOTATED 1953; 63-77-13, UTAH CODE ANNOTATED 1953; 63-77-14, UTAH CODE ANNOTATED 1953; 63-77-15, UTAH CODE ANNOTATED 1953; 63-77-16, UTAH CODE ANNOTATED 1953; 63-77-17, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

FINANCING FOR THE HEBER CREEPER

S.B. No. 259 *Alarik Myrin*

AN ACT RELATING TO APPROPRIATIONS; PROVIDING AN APPROPRIATION OF $1,600,000 FOR FISCAL YEAR 1990-91 FROM THE GENERAL FUND TO THE DEPARTMENT OF TRANSPORTATION TO PURCHASE THE HEBER CREEPER; AND PROVIDING AN EFFECTIVE DATE.

THIS ACT EFFECTS NEW MATERIAL., was read the first time and referred to Rules Committee.

FUNDING FOR STATE GOVERNMENT

S.B. No. 260 *Wilford R. Black Jr.*

AN ACT RELATING TO STATE AFFAIRS; PROVIDING FOR FUNDING FOR STATE GOVERNMENT, was read the first time and referred to Rules Committee.

STATE AFFAIRS AMENDMENTS

S.B. No. 261 *Wilford R. Black Jr.*

AN ACT RELATING TO STATE AFFAIRS; PROVIDING AMENDMENTS TO STATE GOVERNMENT, was read the first time and referred to Rules Committee.

INCOME SURTAX FOR PUBLIC EDUCATION

S.B. No. 262 *Dixie L. Leavitt, Haven J. Barlow, Frances Farley, David H. Steele, Winn L. Richards, Lorin N. Pace, Craig A. Peterson, Boyd K. Storey, C.E. Peterson*

AN ACT RELATING TO PUBLIC EDUCATION; PROVIDING FOR A VOTER-APPROVED STATEWIDE SURTAX ON INCOME; AND PROVIDING THAT SCHOOL DISTRICTS USE THE REVENUES FOR CLASS SIZE REDUCTION OR OTHER SCHOOL PURPOSES.

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

ENACTS: 53A-16-201, UTAH CODE ANNOTATED 1953; 53A-16-202, UTAH CODE ANNOTATED 1953; 53A-16-203, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

STATE AFFAIRS AMENDMENTS

S.B. No. 263 *Cary G. Peterson*

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; PROVIDING AMENDMENTS, was read the first time and referred to Rules Committee.

STATE BONDING FOR CAPITAL FACILITIES

S.B. No. 264 *Dix H. McMullin*

AN ACT RELATING TO BONDING; AUTHORIZING THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR THE CONSTRUCTION OF THE WEST VALLEY HIGHWAY; PROVIDING TECHNICAL REQUIREMENTS FOR THEIR ISSUANCE, USE OF PROCEEDS, PAYMENT, SINKING FUNDS, AND OTHER MATTERS; AND PROVIDING AN EFFECTIVE DATE.

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

ENACTS: 63-78-1, UTAH CODE ANNOTATED 1953; 63-78-2, UTAH CODE ANNOTATED 1953; 63-78-3, UTAH CODE ANNOTATED 1953;

63-78-4, UTAH CODE ANNOTATED 1953; 63-78-5, UTAH CODE ANNOTATED 1953; 63-78-6, UTAH CODE ANNOTATED 1953; 63-78-7, UTAH CODE ANNOTATED 1953; 67-78-8, UTAH CODE ANNOTATED 1953; 63-78-9, UTAH CODE ANNOTATED 1953; 63-78-10, UTAH CODE ANNOTATED 1953; 63-78-11, UTAH CODE ANNOTATED 1953; 63-78-12, UTAH CODE ANNOTATED 195363-78-13, UTAH CODE ANNOTATED 1953; 63-78-14, UTAH CODE ANNOTATED 1953; 63-78-15, UTAH CODE ANNOTATED 1953; 63-78-16, UTAH CODE ANNOTATED 1953; 63-78-17, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

GENERAL GOVERNMENT AMENDMENTS

S.B. No. 265 *Dix H. McMullin*

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; PROVIDING ADDITIONAL FUNDING FOR EMERGENCY MEDICAL TRAINING FROM THE VICTIMS REPARATION FUND; AND DIRECTING APPLICATION OF THE ADDITIONAL FUNDS.

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

AMENDS: 26-8-2.5, AS LAST AMENDED BY CHAPTER 46, LAWS OF UTAH 1989; 63-63a-3, AS ENACTED BY CHAPTER 46, LAWS OF UTAH 1989, was read the first time and referred to Rules Committee.

INSURANCE CLAIMS PRACTICES AMENDMENTS

S.B. No. 266 *John P. Holmgren*

AN ACT RELATING TO INSURANCE; PROVIDING FOR A DEFINITION OF TIMELY PAYMENT; AND PROVIDING FOR ENFORCEMENT OF TIMELY PAYMENT AND TIMELY REIMBURSEMENT OF OVERPAYMENT

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

AMENDS: 31A-26-301, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985, was read the first time and referred to Rules Committee.

DEPARTMENT OF ENVIRONMENTAL QUALITY

S.B. No. 267 *John P. Holmgren*

AN ACT RELATING TO STATE AFFAIRS; DIRECTING THE GOVERNOR TO PLAN THE ORGANIZATION OF A DEPARTMENT OF

ENVIRONMENTAL QUALITY AND MAKE RECOMMENDATIONS TO THE LEGISLATURE.

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

APPROPRIATIONS ACT - SUPPLEMENTAL

S.B. No. 268 *Lyle W. Hillyard*

ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 1990 AND ENDING JUNE 30, 1991 FOR THE USE AND SUPPORT OF CERTAIN STATE DEPARTMENTS AND AGENCIES OF STATE GOVERNMENT AND FOR OTHER PURPOSES AS IN THIS ACT PROVIDED; AND PROVIDING AN EFFECTIVE DATE., was read the first time and referred to Rules Committee.

MERGER OF THE DIVISION OF MENTAL HEALTH AND THE DIVISION OF SUBSTANCE ABUSE

S.B. No. 269 *John P. Holmgren*

AN ACT RELATING TO SOCIAL SERVICES; CREATING A DIVISION AND BOARD OF MENTAL HEALTH AND SUBSTANCE ABUSE; ESTABLISHING THE DUTIES OF COUNTY GOVERNING BODIES WITH REGARD TO MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES; RENUMBERING CERTAIN CODE SECTIONS; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 51-2-1, AS LAST AMENDED BY CHAPTER 235, LAWS OF UTAH 1989; 53A-13-102, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1988; 58-25A-10, AS ENACTED BY CHAPTER 42, LAWS OF UTAH 1989; 58-37-8, AS LAST AMENDED BY CHAPTERS 50, 56, 178, 187, AND 201, LAWS OF UTAH 1989; 62A-1-105, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-1-107, AS LAST AMENDED BY CHAPTER 242, LAWS OF UTAH 1988; 62A-1-111, AS LAST AMENDED BY CHAPTER 22, LAWS OF UTAH 1989; 63-55-262, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1990; 63-75-5, AS ENACTED BY CHAPTER 146, LAWS OF UTAH 1989; 64-13-7.5, AS ENACTED BY CHAPTER 245, LAWS OF UTAH 1989; 77-38-2, AS ENACTED BY CHAPTER 246, LAWS OF UTAH 1989; 77-38-6, AS ENACTED BY CHAPTER 246, LAWS OF UTAH 1989.

ENACTS: 17-5-89, UTAH CODE ANNOTATED 1953; 62A-13-101, UTAH CODE ANNOTATED 1953; 62A-13-102, UTAH CODE ANNOTATED

1953; 62A-13-103, UTAH CODE ANNOTATED 1953; 62A-13-104, UTAH CODE ANNOTATED 1953; 62A-13-105, UTAH CODE ANNOTATED 1953; 62A-13-106, UTAH CODE ANNOTATED 1953; 62A-13-107, UTAH CODE ANNOTATED 1953; 62A-13-108, UTAH CODE ANNOTATED 1953; 62A-13-109, UTAH CODE ANNOTATED 1953; 62A-13-110, UTAH CODE ANNOTATED 1953; 62A-13-111, UTAH CODE ANNOTATED 1953; 62A-13-112, UTAH CODE ANNOTATED 1953; 77-16a-5, UTAH CODE ANNOTATED 1953.

RENUMBERS AND AMENDS: 62A-13-113, (RENUMBERED FROM 62A-12-116, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 62A-13-201, (RENUMBERED FROM 62A-12-201, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 62A-13-202, (RENUMBERED FROM 62A-12-202, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1989); 62A-13-203, (RENUMBERED FROM 62A-12-203, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 62A-13-204, (RENUMBERED FROM 62A-12-204, AS LAST AMENDED BY CHAPTER 245, LAWS OF UTAH 1989); 62A-13-205, (RENUMBERED FROM 62A-12-204.5, AS ENACTED BY CHAPTER 245, LAWS OF UTAH 1989); 62A-13-206, (RENUMBERED FROM 62A-12-205, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 62A-13-207, (RENUMBERED FROM 62A-12-206, AS LAST AMENDED BY CHAPTER 242, LAWS OF UTAH 1988); 62A-13-208, (RENUMBERED FROM 62A-12-207, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 62A-13-209, (RENUMBERED FROM 62A-12-208, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 62A-13-210, (RENUMBERED FROM 62A-12-209, AS LAST AMENDED BY CHAPTER 245, LAWS OF UTAH 1989); 62A-13-211, (RENUMBERED FROM 62A-12-210, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1989); 62A-13-212, (RENUMBERED FROM 62A-12-212, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1989); 62A-13-213, (RENUMBERED FROM 62A-12-214, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 62A-13-214, (RENUMBERED FROM 62A-12-215, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1989); 62A-13-215, (RENUMBERED FROM 62A-12-216, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 62A-13-216, (RENUMBERED FROM 62A-12-217, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 62A-13-217, (RENUMBERED FROM 62A-12-219, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 62A-13-218, (RENUMBERED FROM 62A-12-222, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1989); 62A-13-219, (RENUMBERED FROM 62A-12-223, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 62A-13-220, (RENUMBERED FROM 62A-12-224, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1989); 62A-13-221, (RENUMBERED FROM

62A-12-225, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1989); 62A-13-222, (RENUMBERED FROM 62A-12-226, AS LAST AMENDED BY CHAPTER 1, LAWS OF UTAH 1989); 62A-13-223, (RENUMBERED FROM 62A-12-227, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 62A-13-224, (RENUMBERED FROM 62A-12-228, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1989); 62A-13-225, (RENUMBERED FROM 62A-12-229, AS LAST AMENDED BY CHAPTERS 1 AND 161, LAWS OF UTAH 1989); 62A-13-226, (RENUMBERED FROM 62A-12-230, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1989); 62A-13-227, (RENUMBERED FROM 62A-12-231, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1989); 62A-13-228, (RENUMBERED FROM 62A-12-232, AS LAST AMENDED BY CHAPTERS 1 AND 161, LAWS OF UTAH 1989); 62A-13-229, (RENUMBERED FROM 62A-12-233, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1989); 62A-13-230, (RENUMBERED FROM 62A-12-234, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1989); 62A-13-231, (RENUMBERED FROM 62A-12-235, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1989); 62A-13-232, (RENUMBERED FROM 62A-12-236, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1989); 62A-13-233, (RENUMBERED FROM 62A-12-237, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1989); 62A-13-234, (RENUMBERED FROM 62A-12-238, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1989); 62A-13-235, (RENUMBERED FROM 62A-12-240, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1989); 62A-13-236, (RENUMBERED FROM 62A-12-241, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1989); 62A-13-237, (RENUMBERED FROM 62A-12-242, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1989); 62A-13-238, (RENUMBERED FROM 62A-12-243, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 62A-13-239, (RENUMBERED FROM 62A-12-244, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1989); 62A-13-240, (RENUMBERED FROM 62A-12-245, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1989); 62A-13-241, (RENUMBERED FROM 62A-12-246, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 62A-13-242, (RENUMBERED FROM 62A-12-247, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1989); 62A-13-243, (RENUMBERED FROM 62A-12-248, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1989); 62A-13-244, (RENUMBERED FROM 62A-12-249, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 62A-13-245, (RENUMBERED FROM 62A-12-250, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 62A-13-246, (RENUMBERED FROM 62A-12-252, AS ENACTED BY CHAPTER 1, LAWS

OF UTAH 1988); 62A-13-301, (RENUMBERED FROM 62A-12-301, AS ENACTED BY CHAPTER 73, LAWS OF UTAH 1989); 62A-13-302, (RENUMBERED FROM 62A-12-302, AS ENACTED BY CHAPTER 73, LAWS OF UTAH 1989); 62A-13-401, (RENUMBERED FROM 62A-8-201, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 62A-13-402, (RENUMBERED FROM 62A-8-202, AS LAST AMENDED BY CHAPTER 242, LAWS OF UTAH 1988); 62A-13-403, (RENUMBERED FROM 62A-8-203, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 62A-13-404, (RENUMBERED FROM 62A-8-204, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 62A-13-501, (RENUMBERED FROM 62A-8-301, AS LAST AMENDED BY CHAPTER 76, LAWS OF UTAH 1988); 62A-13-502, (RENUMBERED FROM 62A-8-302, AS LAST AMENDED BY CHAPTER 76, LAWS OF UTAH 1988); 62A-13-503, (RENUMBERED FROM 62A-8-303, AS LAST AMENDED BY CHAPTER 76, LAWS OF UTAH 1988); 62A-13-504, (RENUMBERED FROM 62A-8-304, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988); 62A-13-601, (RENUMBERED FROM 62A-8-402, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1988); 62A-13-602, (RENUMBERED FROM 62A-8-403, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1988); 62A-13-701, (RENUMBERED FROM 62A-8-501, AS ENACTED BY CHAPTER 194, LAWS OF UTAH 1988).

REPEALS: 62A-8-101, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-8-102, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-8-103, AS LAST AMENDED BY CHAPTER 242, LAWS OF UTAH 1988; 62A-8-104, AS LAST AMENDED BY CHAPTER 242, LAWS OF UTAH 1988; 62A-8-105, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-8-106, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-8-107, AS LAST AMENDED BY CHAPTER 242, LAWS OF UTAH 1988; 62A-8-108, AS LAST AMENDED BY CHAPTER 242, LAWS OF UTAH 1988; 62A-8-109, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-8-110, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-8-111, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-8-401, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1988; 62A-12-101, AS LAST AMENDED BY CHAPTER 245, LAWS OF UTAH 1989; 62A-12-102, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-103, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-104, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-105, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-106, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-107, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-108, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-109, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988;

62A-12-110, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-111, AS LAST AMENDED BY CHAPTER 242, LAWS OF UTAH 1988; 62A-12-112, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-113, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-114, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-115, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-117, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-220, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988.

LIMITING BIRTH CONTROL ABORTIONS

S.B. No. 270 *LeRay McAllister*

AN ACT RELATING TO ABORTION; LIMITING THE CIRCUMSTANCES UNDER WHICH AN ABORTION MAY BE PERFORMED; AND PROVIDING PENALTIES AND CIVIL ACTIONS.

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

AMENDS: 76-7-301, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 76-7-308, AS ENACTED BY CHAPTER 33, LAWS OF UTAH 1974; 76-7-314, AS ENACTED BY CHAPTER 33, LAWS OF UTAH 1974; 76-7-315, AS ENACTED BY CHAPTER 33, LAWS OF UTAH 1974; 76-7-316, AS ENACTED BY CHAPTER 33, LAWS OF UTAH 1974.

ENACTS: 76-7-301.1, UTAH CODE ANNOTATED 1953; 76-7-301.2, UTAH CODE ANNOTATED 1953; 76-7-314.1, UTAH CODE ANNOTATED 1953; 76-7-314.2, UTAH CODE ANNOTATED 1953; 76-7-317.1, UTAH CODE ANNOTATED 1953; 76-7-317.2, UTAH CODE ANNOTATED, was read the first time and referred to Rules Committee.

MOTOR VEHICLE INSPECTIONS

S.B. No. 271 *C.E. Peterson*

AN ACT RELATING TO MOTOR VEHICLES; PROHIBITING DEALERS FROM ISSUING TEMPORARY PERMITS UNLESS A MOTOR VEHICLE HAS RECEIVED THE APPROPRIATE INSPECTIONS

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

ENACTS: 41-3-28.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

DISCLOSURE OF VACANT LAND TRANSFER INFORMATION

S.B. No. 272 *Lane Beattie*

AN ACT RELATING TO PROPERTY; CREATING THE VACANT LAND TRANSFER INFORMATION ACT; ESTABLISHING REQUIREMENTS UNDER THE ACT; AND PROVIDING AN EFFECTIVE DATE.

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

ENACTS: 59-2-1501, UTAH CODE ANNOTATED 1953; 59-2-1502, UTAH CODE ANNOTATED 1953; 29-2-1503, UTAH CODE ANNOTATED 1953; 59-2-1504, UTAH CODE ANNOTATED 1953; 59-2-1505, UTAH CODE ANNOTATED 1953; 59-2-1506, UTAH CODE ANNOTATED 1953; 59-2-1507, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

JUDICIAL REVIEW OF ADMINISTRATIVE RULES

S.B. No. 273 *LeRay McAllister*

AN ACT RELATING TO ADMINISTRATIVE RULES; PROVIDING FOR THE JUDICIAL REVIEW OF ADMINISTRATIVE RULES; AND MAKING TECHNICAL AMENDMENTS.

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

AMENDS: 63-46a-2, AS LAST AMENDED BY CHAPTER 72, LAWS OF UTAH 1988; 78-2a-3, AS LAST AMENDED BY CHAPTERS 73, 210, AND 248, LAWS OF UTAH 1988.

ENACTS: 63-46a-12.1, UTAH CODE ANNOTATED 1953.

REPEALS: 63-46a-13, AS ENACTED BY CHAPTER 158, LAWS OF UTAH 1985, was read the first time and referred to Rules Committee.

RIGHTS OF PRISON MOTHERS

S.B. No. 274 *Lorin N. Pace*

AN ACT RELATING TO CHILDREN; ALLOWING PREGNANT MOTHERS ACCESS TO THEIR BABIES; PROHIBITING THE REMOVAL OF CHILDREN FROM PARENTS IN CERTAIN CIRCUMSTANCES; AND MAKING TECHNICAL CHANGES.

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

AMENDS: 78-3a-2, AS LAST AMENDED BY CHAPTERS 178 AND 206, LAWS OF UTAH 1989.

ENACTS: 64-13-37, UTAH CODE ANNOTATED 1953; 78-3a-29.1, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

OPEN ENROLLMENT OPTION IN PUBLIC EDUCATION

S.B. No. 275 *William T. Barton*

AN ACT RELATING TO PUBLIC EDUCATION; REQUIRING THE STATE BOARD OF EDUCATION TO ESTABLISH AN OPTIONS PROGRAM TO ENABLE STUDENTS RESIDING IN THE STATE TO ATTEND PUBLIC SCHOOLS IN DISTRICTS OTHER THAN THE ONES IN WHICH THEY RESIDE; AND PROVIDING AN EFFECTIVE DATE.

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

ENACTS: 53A-3-601, UTAH CODE ANNOTATED 1953; 53A-3-602, UTAH CODE ANNOTATED 1953; 53A-3-603, UTAH CODE ANNOTATED 1953; 53A-3-604, UTAH CODE ANNOTATED 1953; 53A-3-605, UTAH CODE ANNOTATED 1953; 53A-3-606, UTAH CODE ANNOTATED 1953; 53A-3-607, UTAH CODE ANNOTATED 1953; 53A-3-608, UTAH CODE ANNOTATED 1953; 53A-3-609, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

AWARDS FOR EXCELLENCE IN PUBLIC EDUCATION

S.B. No. 276 *Lyle W. Hillyard*

AN ACT RELATING TO PUBLIC EDUCATION; PROVIDING THAT STATE TAX REVENUES WOULD BE USED FOR RECOGNITION AWARDS TO SCHOOLS OF EXCELLENCE; ESTABLISHING A SPECIAL AWARDS FUND; AND PROVIDING AN EFFECTIVE DATE, was read the first time and referred to Rules Committee.

TEACHER SALARY INCREASE

S.B. No. 277 *Haven J. Barlow, Craig Peterson, Omar B. Bunnell, Dix H. McMullin, Cary Peterson, Richard J. Carling, Lorin N. Pace*

AN ACT RELATING TO PUBLIC EDUCATION; PROVIDING FOR A $1,000 INCREASE ON THE SALARY SCHEDULE FOR EACH CLASSROOM TEACHER AND INSTRUCTIONAL SUPPORT EMPLOYEE THROUGH AN INCREASE IN THE VALUE OF THE WEIGHTED PUPIL UNIT; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 53A-17-103, AS LAST AMENDED BY CHAPTER 279, LAWS OF UTAH 1989.

ENACTS: 53A-17-103.5, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

ANTI-DRUG LICENSE PLATES

S.B. No. 278 *Arnold Christensen*

AN ACT RELATING TO MOTOR VEHICLES; PROVIDING FOR AN ANTI-DRUG LICENSE PLATE AT EXTRA COST; AND USING THIS FUNDING TO FIGHT ILLEGAL DRUG ACTIVITY AT THE STATE AND LOCAL LEVEL, was read the first time and referred to Rules Committee.

CONSENT CALENDAR

H.B. No. 79, REMOVAL OF UNENFORCEABLE COVENANTS, was read the third time, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Steele	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Pace	Richards	Storey

H.B. No. 79 was signed by the President of the Senate in open session and returned to the House.

* * *

H.B. No. 81, IMPERSONATING A PEACE OFFICE, was read third time, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Comaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Pace	Storey

H.B. No. 81 was signed by the President of the Senate in open session and returned to the House.

* * *

S.B. No. 63, TRANSPORTATION FUND MONIES, was read the third time and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Comaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Pace	Storey

S.B. No. 63 was transmitted to the House.

THIRD READING CALENDAR

S.B. No. 103, JUDICIAL AMENDMENTS, was read the third time, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Richards	Steele	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Hillyard	Nielsen	Rees	Storey

S.B. No. 105, as amended, was transmitted to the House.

* * *

S.B. No. 144, PRESERVATION OF HERITAGE 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	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Finlinson
Fordham	Holmgren	Leavitt	McAllister
McMullin	Money	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Richards	Steele
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Farley	Hillyard	Myrin	Nielsen
Rees	Storey		

S.B. No. 144, was transmitted to the House.

* * *

S.J.R. No. 13, CONSOLIDATION OF RETIREMENT SYSTEMS STUDY, 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	Beattie	Black	Bunnell
Carling	Cornaby	Finlinson	Fordham
Holmgren	McAllister	Money	Myrin
Pace	Peterson, Cary	Peterson, Craig	Richards
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Barton	Farley	Hillyard	Leavitt
McMullin	Nielsen	Peterson, C.E.	Rees
Storey			

S.J.R. No. 13 was transmitted to the House.

* * *

On motion of Senator Barton, S.B. No. 107, UNIFORM ANATOMICAL GIFT ACT, was read the third time, and circled.

SECOND READING CALENDAR

On motion of Senator Beattie, S.B. No. 73 was circled.

* * *

S.B. No. 158, BONDING FOR PUBLIC SCHOOL IMPROVEMENTS, was read the second time and before the Senate at 10:30 a.m.

Mr. President: January 31, 1990

The Education Standing Committee to which was referred S.B. No. 158, BONDING FOR PUBLIC SCHOOL IMPROVEMENTS, by Senator Lorin N. Pace, has carefully considered the bill and reports it out of committee with a favorable recommendation with the following amendments:

Page 2, Line 22:
After "school" insert the following:

", including hardware, software, networking software, and inservice training for teachers.

(3) The board shall allocate monies to each school district on the basis of the number of weighted pupil units generated by the elementary schools in the district compared to the total number of elementary weighted pupil units throughout the state.

(4) A school district may use its allocation to establish or expand computer teaching programs in the secondary schools if each elementary school computer center in the district is providing at least one hour per school day of instruction on a computer to each elementary student in the school."

Page 2, Line 23:
Delete "(3) and insert "(5)"

Dixie L. Leavitt,
Committee Chairman

Committee report read and adopted. Ken Sorber, WICAT Systems; Jolene M. Morris, Teacher; Jim Campbell, President, Utah Education Association; Lowell Baum, Executive Director UEA; Daryl J. McCarty, Utah Rural Schools Association; and Ken Zenger, AFT Utah Project, American Federation of Teachers, spoke in Committee of the Whole.

Senator Swan commented. The bill passed on the following roll call:

Yeas, 20; Nays, 4; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Holmgren	McMullin	Pace
Peterson, C.E.	Peterson, Craig	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Voting in the negative were: Senators

McAllister	Myrin	Nielsen	Peterson, Cary

Absent or not voting were: Senators

Cornaby	Hillyard	Leavitt	Money
Rees			

Senator Cary Peterson explained his vote. On motion of Senator Cary Peterson, the bill was placed on the Third Reading Table.

* * *

On motion of Senator Tempest, under suspension of the rules, S.B. No. 82, AMENDMENTS TO EMPLOYMENT SECURITY ACT, was read the second and third times.

Mr. President: January 29, 1990

The Business, Labor, and Economic Development Standing Committee, to which was referred S.B. No. 82, AMENDMENTS TO EMPLOYMENT SECURITY ACT, by Senator Richard B. Tempest, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lane Beattie,
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

Barlow	Barton	Black	Bunnell
Carling	Farley	Finlinson	Fordham
Holmgren	Leavitt	McMullin	Money
Myrin	Nielsen	Peterson, C.E.	Peterson, Cary
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Beattie	Cornaby	Hillyard	McAllister
Pace	Peterson, Craig	Rees	

S.B. No. 82, was transmitted to the House.

* * *

S.B. No. 54, GREAT SALT LAKE DEVELOPMENT AUTHORITY ACT AMENDMENTS, was read the second time.

Mr. President: January 30, 1990

The Senate Energy, Natural Resources and Agriculture Committee, to which was referred S.B. No. 54, GREAT SALT LAKE DEVELOPMENT AUTHORITY ACT AMENDMENTS, by Senator Frances Farley, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 4:
After "to" insert "the description of the project including dikes and auxiliary structures."

Page 2, Line 6:
After "project" insert "and estimates of total cost and cost–effectiveness of the project."

Page 2, Line 10:
After "levels" insert ", and the annual fluctuations"

Page 2, Line 18:
After "Recreation," insert "the United States Corps of Engineers, the United States Fish and Wildlife Service,"

Fred W. Finlinson,
Committee Chairman

Committee report read and adopted. On motion of Senator Farley, the bill was circled.

* * *

S.B. No. 75, PROBATION CRITERIA, was read the second time.

Mr. President: January 30, 1990

The Judiciary Committee, to which was referred S.B. No. 75, PROBATION CRITERIA, by Senator John P. Holmgren, 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 SUB. S.B. No. 75 replaced the original bill.

Lyle W. Hillyard,
Committee Chairman

Committee report read and adopted. The following substitute bill replaced the original bill.

PROBATION CRITERIA
(1–24–90 5:51 P.M.)

SUB. S.B. No. 75 *John P. Holmgren*

AN ACT RELATING TO PROBATION; PROVIDING THAT A PERSON MAY BE VOLUNTARILY ADMITTED TO THE STATE HOSPITAL AS A CONDITION OF PROBATION OR STAY OF SENTENCE.

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

AMENDS: 62A-12-228, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1989; 77-18-1, AS LAST AMENDED BY CHAPTER 226, LAWS OF UTAH 1989.

The substitute bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Cornaby	Hillyard	Peterson, Craig	Rees
Richards			

* * *

S.B. No. 90, SOLICITATION OF CRIMINAL ACT, was read the second time.

Mr. President: January 30, 1990

The Judiciary Committee, to which was referred S.B. No. 90, SOLICITATION OF CRIMINAL ACT, 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, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen

Peterson, C.E.	Peterson, Cary	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Comaby	Hillyard	Pace	Peterson, Craig
Rees	Richards		

* * *

S.B. No. 99, COMMUNICATIONS FRAUD AMENDMENTS, was read the second time.

Mr. President: January 30, 1990

The Judiciary Committee, to which was referred S.B. No. 99, COMMUNICATIONS FRAUD AMENDMENTS, by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 3, Line 10:
Delete bracket before "(7)" and reinsert "(7)
Insert bracket ([) before "~~It~~"

Page 3, Line 11:
After "~~that~~" insert a bracket (]) and the new language "A person may not be convicted under this section unless". Reinsert "the pretenses, representations, promises, or material omissions made"

Page 3, Line 12:
Reinsert "or omitted" and place brackets around "~~by the defendant~~"

Reinsert "were" and place brackets around "not"

Reinsert "made or omitted" and after these words insert the new language "intentionally,"

Reinstate "knowingly or with a"

Page 3, Line 13:
Reinstate entire line.

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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Richards
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Cornaby	Hillyard	Peterson, Craig	Rees
Storey			

* * *

S.B. No. 100, INTERJURISDICTIONAL TRANSFER OF PRISONERS, was read the second time.

Mr. President: January 30, 1990

The Judiciary Committee, to which was referred **S.B. No. 100,** INTERJURISDICTIONAL TRANSFER OF PRISONERS, by Senator Lorin N. Pace, 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 Barton, under suspension of the rules **S.B. No. 107,** UNIFORM ANATOMICAL GIFT ACT, was uncircled and before the Senate.

On motion of Senator Barton, the bill was amended as follows:

Page 5, Lines 1–2:
After "(8)" delete the remainder of the lines 1 through 2 and insert:

"An anatomical gift that is not revoked by the donor before death is irrevocable and does not require the consent or concurrence of any person after the donor's death."

On motion Senator Black, the bill was amended as follows:

Page 8, Line 4:
After line 4 insert:

"(3) Notwithstanding Subsection (1), a medical examiner may not release or permit the removal of a part from a body that is identifiable by reasonable means without express authorization by a person listed in Section 26-28-4."

The bill passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Richards
Steele	Storey	Tempest	Pres. Christensen

Voting in the negative was: Senator
Swan (explained)

Absent or not voting were: Senators

Comaby	Hillyard	Peterson, Craig	Rees

S.B. No. 107, as amended, was transmitted to the House.

* * *

S.B. No. 100, INTERJURISDICTIONAL TRANSFER OF PRISONERS, was before the Senate, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Barton	Beattie	Black	Bunnell

Carling	Cornaby	Farley	Finlinson
Fordham	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Richards	Steele	Storey
Swan	Pres. Christensen		

Absent or not voting were: Senators

Barlow	Hillyard	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Tempest	

* * *

S.B. No. 20, REAL ESTATE APPRAISER REGISTRATION AND CERTIFICATION ACT, was read the second time.

Mr. President: January 31, 1990

The Business, Labor, and Economic Development Standing Committee, to which was referred **S.B. No. 20**, REAL ESTATE APPRAISER REGISTRATION AND CERTIFICATION ACT, by Senator Haven J. Barlow, et al, 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 **SUB. S.B. No. 20** replace the original bill.

SUB. S.B. No. 20 to be amended as follows:

Page 17, Line 3:
Delete "shall" and insert "may"

Page 17, Line 10:
Delete"shall" and insert "may"

Page 17, Line 17:
Delete"shall" and insert "may"

Page 17, Line 20:
Delete"shall" and insert "may"

Lane Beattie
Committee Chairman

Committee report read and adopted. The following substitute bill replaced the original bill, and it was amended.

REAL ESTATE APPRAISER REGISTRATION AND CERTIFICATION ACT

(1-31-90 7:45 a.m.)

SUB. S.B. No. 20 *Haven J. Barlow, Richard J. Carling, Stephen J. Rees*

AN ACT RELATING TO REAL ESTATE; ESTABLISHING PROCEDURES FOR DETERMINING FAIR MARKET VALUE; ENACTING REAL ESTATE APPRAISER REGISTRATION AND CERTIFICATION ACT; PROVIDING FOR ADMINISTRATION OF THE ACT; DEFINING UNLAWFUL ACTS; CREATING A BOARD; PROVIDING REGISTRATION AND CERTIFICATION STANDARDS AND PROCEDURES FOR RENEWAL, REISSUANCE, AND REINSTATEMENT OF REGISTRATION AND CERTIFICATION TO MEET THE MINIMUM REQUIREMENTS OF THE FINANCIAL INSTITUTIONS REFORM, RECOVERY, AND ENFORCEMENT ACT OF 1989; ENUMERATING GROUNDS AND PROCEDURES FOR DISCIPLINARY ACTIONS; MAKING TECHNICAL CORRECTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 59-2-102, AS LAST AMENDED BY CHAPTER 204, LAWS OF UTAH 1989; 59-2-701, AS LAST AMENDED BY CHAPTER 53, LAWS OF UTAH 1989; 59-2-702, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988; 59-2-703, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988.

ENACTS: 61-2b-1, UTAH CODE ANNOTATED 1953; 61-2b-2, UTAH CODE ANNOTATED 1953; 61-2b-3, UTAH CODE ANNOTATED 1953; 61-2b-4, UTAH CODE ANNOTATED 1953; 61-2b-5, UTAH CODE ANNOTATED 1953; 61-2b-6, UTAH CODE ANNOTATED 1953; 61-2b-7, UTAH CODE ANNOTATED 1953; 61-2b-8, UTAH CODE ANNOTATED 1953; 61-2b-9, UTAH CODE ANNOTATED 1953; 61-2b-10, UTAH CODE ANNOTATED 1953; 61-2b-11, UTAH CODE ANNOTATED 1953; 61-2b-12, UTAH CODE ANNOTATED 1953; 61-2b-13, UTAH CODE ANNOTATED 1953; 61-2b-14, UTAH CODE ANNOTATED 1953; 61-2b-15, UTAH CODE ANNOTATED 1953; 61-2b-16, UTAH CODE ANNOTATED 1953; 61-2b-17, UTAH CODE ANNOTATED 1953; 61-2b-18, UTAH CODE ANNOTATED 1953; 61-2b-19, UTAH CODE ANNOTATED 1953; 61-2b-20, UTAH CODE ANNOTATED 1953; 61-2b-21, UTAH CODE ANNOTATED 1953; 61-2b-22, UTAH CODE ANNOTATED 1953; 61-2b-23, UTAH CODE ANNOTATED 1953; 61-2b-24, UTAH CODE ANNOTATED 1953; 61-2b-25, UTAH CODE ANNOTATED 1953; 61-2b-26, UTAH CODE ANNOTATED 1953; 61-2b-27,

UTAH CODE ANNOTATED 1953; 61-2b-28, UTAH CODE ANNOTATED 1953; 61-2b-29, UTAH CODE ANNOTATED 1953; 61-2b-30, UTAH CODE ANNOTATED 1953; 61-2b-31, UTAH CODE ANNOTATED 1953; 61-2b-32, UTAH CODE ANNOTATED 1953; 61-2b-33, UTAH CODE ANNOTATED 1953; 61-2b-34, UTAH CODE ANNOTATED 1953; 61-2b-35, UTAH CODE ANNOTATED 1953; 61-2b-36, UTAH CODE ANNOTATED 1953; 61-2b-37, UTAH CODE ANNOTATED 1953; 61-2b-38, UTAH CODE ANNOTATED 1953; 61-2b-39, UTAH CODE ANNOTATED 1953; 61-2b-40, UTAH CODE ANNOTATED 1953.

Senators Barlow, Beattie, and Pace commented. The substitute bill passed on the following roll call;

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Comaby	Farley
Finlinson	Fordham	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Peterson, C.E.	Peterson, Craig	Steele
Swan	Pres. Christensen		

Absent or not voting were: Senators

Hillyard	Pace	Peterson, Cary	Rees
Richards	Storey	Tempest	

* * *

S.B. No. 79, PROCUREMENT AMENDMENTS FOR STATE CONSTRUCTION PROJECTS, was read the second time.

Mr. President: January 31, 1990

The Business, Labor, and Economic Development Standing Committee, to which was referred S.B. No. 79, PROCUREMENT AMENDMENTS FOR STATE CONSTRUCTION PROJECTS, by Senator Richard B. Tempest, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lane Beattie
Committee Chairman

Committee report read and adopted. On motion of Senator Tempest the bill was circled.

* * *

S.B. No. 150, UNIFORM COMMERCIAL CODE – LEASES, was read the second time.

Mr. President: January 31, 1990

The Business, Labor, and Economic Development Standing Committee, to which was referred S.B. No. 150, UNIFORM COMMERCIAL CODE – LEASES, by Senator Finlinson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lane Beattie
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	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Leavitt	McAllister
McMullin	Nielsen	Pace	Peterson, C.E.
Peterson, Craig	Richards	Steele	Swan
Pres. Christensen			

Absent or not voting were: Senators

Black	Holmgren	Money	Myrin
Peterson, Cary	Rees	Storey	Tempest

RULES COMMITTEE REPORT

Mr. President: February 7, 1990

The Senate Rules Committee to which was referred the following House Bills:

H.B. No. 233 ARCHAEOLOGICAL, PALEONTOLOGICAL, AND HISTORIC SITE VANDALISM PROTECTION ACT (Social Services)

H.B. No. 234 HISTORIC AND CULTURAL SITES PROTECTION
(Social Services)
reports the Bills to the Senate and asks that they be assigned to the proper committee.

C.E. Peterson,
Rules Committee Chairman

Committee report read and adopted. President Christensen assigned the bills to the committees indicated.

PRESENTATION OF RESOLUTIONS

LIMITATION OF CONGRESSIONAL TERMS AMENDMENT RESOLUTION

S.J.R. No. 24 *C.E. Peterson*

A JOINT RESOLUTION OF THE LEGISLATURE PETITIONING THE CONGRESS OF THE UNITED STATES TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES, FOR SUBMISSION TO THE STATES, TO LIMIT THE NUMBER OF TERMS A PERSON MAY SERVE IN THE UNITED STATES HOUSE OF REPRESENTATIVES TO NO GREATER THAN SIX AND TO LIMIT THE NUMBER OF TERMS A PERSON MAY SERVE IN THE UNITED STATES SENATE TO NO GREATER THAN TWO, was read the first time and referred to Rules Committee.

ATTORNEY GENERAL COLLECTIONS

S.B. No. 279 *Lyle W. Hillyard*

AN ACT RELATING TO ATTORNEY GENERAL'S OFFICE; PROVIDING A MECHANISM FOR THE ATTORNEY GENERAL'S OFFICE TO RETAIN A PERCENTAGE OF COLLECTIONS AS DEDICATED CREDITS; PROVIDING APPROPRIATIONS TO THE ATTORNEY GENERAL'S OFFICE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING A REPEALER.

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

ENACTS: 67-5-14, UTAH CODE ANNOTATED 1953, was read the first time and referred to Rules Committee.

STANDING COMMITTEE REPORT

Mr. President: February 6, 1990

The State and Local Affairs Committee, to which was referred **H.B. No. 152**, REAUTHORIZATION OF SPECIAL DISTRICTS REVIEW COMMITTEE, by

Representative Glen E. Brown, has carefully considered the bill, reports it out of Committee with a favorable recommendation, and asks that it be placed on the Consent Calendar, and

The State and Local Affairs Committee, to which was referred **H.B. No. 174**, FIRE FIGHTERS SYSTEM SOCIAL SECURITY OFFSET, by Representative Rob Bishop, has carefully considered the bill, reports it out of Committee with a favorable recommendation, and asks that it be placed on the Consent Calendar.

Craig A. Peterson
Committee Chairman

Committee reports read and adopted. **H.B. No. 152** and **H.B. No. 174** were read the second time and placed on Consent Calendar.

* * *

On motion of Senator Farley, **S.B. No. 54, S.B. No. 73,** and **S.B. No. 79,** were uncircled.

* * *

On motion of Senator Finlinson and at 12:00 noon, the Senate adjourned until 10:00 a.m., Thursday, February 8, 1990.

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 – Reverend Caryl A. Marsh, Rector, St. Paul's Episcopal Church

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: ,February 8, 1990

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.

Lane Beattie,
Committee Member

Committee report read and adopted.

COMMUNICATION FROM THE GOVERNOR

Speaker Karras and President Christensen: February 7, 1990

This is to inform you that on February 7, 1990, I have signed **H.B. No. 23**, LIABILITY PROTECTION FOR VOLUNTEERS, and have forwarded it to the Lieutenant Governor for filing.

Norman H. Bangerter
Governor

Communication filed.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 6, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.C.R. No. 15**, ARBOR DAY RESOLUTION, by Representative Ted D. Lewis, and the 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**, SNOWBIRD WOMEN TRANS-ANTARCTIC EXPEDITION RESOLUTION, by Representative Janet Rose, 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 SUB. H.B. No. 3**, FAIR COMPETITION IN PUBLIC BIDDING, by Representative Kurt Oscarson, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **SUB. H.B. No. 127**, LICENSING FINANCIAL PLANNERS, by Representative Jay Fawson, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.C.R. No. 15, H.C.R. No. 23, SECOND SUB. H.B. No. 3, and SUB. H.B. No. 127 were read the first time and referred to Rules Committee.

* * *

Mr. President: February 7, 1990

I am directed to inform the Senate that the Speaker of the House has this day appointed a Conference Committee consisting of Representatives Bradford, Allen and Tuttle to act with a like Committee from the Senate to consider or amend **H.B. No. 16**, REAL ESTATE LICENSURE CONTINUING EDUCATION REQUIREMENTS, by Representative Bradford, et al.

Carole E. Peterson, Chief Clerk

Communication filed.

* * *

Mr. President: February 7, 1990

I am directed to inform the Senate that the House of Representatives has this day passed **S.J.R. No. 3**, LEGISLATIVE AUDITOR GENERAL RESOLUTION, by Senator Wilford R. Black, Jr., which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.J.R. No. 4**, LEGISLATIVE FISCAL ANALYST RESOLUTION, by Senator Arnold Christensen, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed S.J.R. No. 9, EMERGENCY POWERS AMENDMENT, by Senator Lyle W. 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. 12, UTAH OUTDOOR ADVERTISING LIMITATIONS, by Senator Wilford R. Black, Jr., which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 14, ADOPTION RECODIFICATION ACT, by Senator David H. Steele, 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, HIGHER EDUCATION INSTITUTIONAL NAME CHANGE, by Senator Haven J. 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. 119, SUSC NAME CHANGE, by Senator Dixie L. Leavitt, 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, Chief Clerk

S.J.R. No. 3, S.J.R. No. 4, S.J.R. No. 9, S.B. Nos. 12, 14, 101 and 119 were signed by the President of the Senate in open session, referred to Rules Committee to be enrolled and transmitted to the Governor and Lieutenant Governor.

SECRETARY OF SENATE REPORT

Committee reports have been received on S.B. Nos. 69, 134, and H.B. No. 158, and the bills were placed on Second Reading Calendar.

STANDING COMMITTEE REPORT

Mr. President: February 7, 1990

The Business, Labor, and Economic Development Standing Committee, to which was referred S.B. No. 165, CREDIT SERVICES ACT AMENDMENTS, by 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, Line 25:
After "bond" delete "or a letter of credit;"

Lane Beattie,
Committee Chairman

Committee report read and adopted. S.B. No. 165 was read the second time and placed on Consent Calendar.

* * *

Mr. President: February 7, 1990

The Business, Labor, and Economic Development Standing Committee, to which was referred H.B. No. 122, CORPORATE TRADEMARKS AND SERVICE MARKS, by Representative Ted D. Lewis, 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.

Lane Beattie,
Committee Chairman

Committee report read and adopted. H.B. No. 122 was read the second time and placed on Consent Calendar.

* * *

Mr. President: February 7, 1990

The Education Standing Committee to which was referred S.B. No. 182, EDUCATIONAL TELECOMMUNICATIONS, by Senator Richard B. Tempest, has carefully considered the bill and reports it out of committee favorably and asks that it be placed on the Consent Calendar with the following amendments:

Page 2, Line 7:
After "state" insert "educational"

Page 4, Line 6:
After "systems" delete "a" and insert "an educational"

Page 4, Line 12:
After "signal" delete "reception" and insert "distribution"

Page 5, Line 4:
Insert the following between lines 4 and 5:

"(9) coordinate with the State Office of Education to provide the public schools of Utah with the following services:

a. broadcast during school hours of education and administrative programs approved and scheduled by the State Board of Education;

b. studio production and technical assistance for the creation of educational programs;

c. duplication of program masters for broadcast purposes;

d. nonstudio production services for the compilation of various production elements into completed programs;

e. program previewing; and,

f. shared responsibility with the Utah State Office of Education for ITV awareness and utilization."

Page 5, Line 5:
Delete "(9)' and insert "(10)"

Page 5, Line 7:
Delete "(10)" and insert "(11)"

Dixie L. Leavitt
Committee Chairman

Committee report read and adopted. S.B. No. 182 was read the second time and placed on Consent Calendar.

* * *

Mr. President: February 7, 1990

The Senate Health Standing Committee, to which was referred S.B. No. 177, BUDGETARY PROCEDURES ACT AMENDMENTS, by Senator Lyle W. Hillyard, has carefully considered the bill and reports it out of committee favorably with the following amendment and asks that it be placed on the Consent Calendar:

Page 3, Line 8:
After "state' insert "for budgetary purposes"

Stephen J. Rees
Committee Chairman

Committee report read and adopted. S.B. No. 177 was read the second time and placed on Consent Calendar.

* * *

Mr. President: February 7, 1990

The Business, Labor, and Economic Development Standing Committee, to which was referred S.B. No. 117, NEGATIVE CREDIT REPORT, by Senator Glade Nielsen, has carefully considered the bill and recommends that it be returned to Rules Committee.

Lane Beattie,
Committee Chairman

Committee report read and adopted. S.B. No. 117 was returned to Rules Committee.

* * *

Senators Steele, Leavitt, and Black asked that S.B. No. 123, PHYSICIAN ASSISTANT LICENSING ACT, be removed from Consent Calendar, and placed on Second Reading Calendar.

CONSENT CALENDAR

H.C.R. No. 11, RESOLUTION HONORING R. LAVAUN COX, was read the third time, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Farley	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Myrin	Nielsen	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Pres. Christensen		

Absent or not voting were: Senators

Barton	Cornaby	Finlinson	Money
Pace	Swan	Tempest	

H.C.R. No. 11 was signed by the President of the Senate in open session and returned to the House.

* * *

S.J.R. No. 19, RESOLUTION HONORING FRANK C. CARMAN, was read the third time, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Farley	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Tempest	Pres. Christensen

Absent or not voting were: Senators

Barton	Cornaby	Finlinson	Pace
Swan			

S.J.R. No. 19 was transmitted to the House.

* * *

S.B. No. 61, INTEREST PAYABLE ON PROPERTY TAX JUDGMENTS, was read the third time, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Cornaby	Finlinson	Pace	Swan

S.B. No. 61, as amended, was transmitted to the House.

* * *

S.B. No. 104, STATE GRASS DESIGNATED, was read the third time, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Cornaby	Finlinson	Pace	Swan

S.B. No. 104 was transmitted to the House.

THIRD READING CALENDAR

SUB. S.B. No. 75, PROBATION CRITERIA, was read the third time and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Cornaby	Fordham	Pace	Peterson, Craig

SUB. S.B. No. 75 was transmitted to the House.

* * *

S.B. No. 90, SOLICITATION OF CRIMINAL ACT, was read the third time, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Peterson, C.E.	Peterson, Cary	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Cornaby	Pace	Peterson, Craig

S.B. No. 90 was transmitted to the House.

COMMUNICATION FROM HOUSE

Mr. President: February 7, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, S.B. No. 6, EMPLOYMENT DISCRIMINATION PROCEEDINGS, by Senator K.S. Cornaby, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Cornaby, the Senate voted to concur in the House amendment.

The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Finlinson

Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Peterson, C.E.	Peterson, Cary	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Black	Pace	Peterson, Craig

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

THIRD READING CALENDAR

S.B. No. 99, COMMUNICATIONS FRAUD AMENDMENT, was read the third time, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Comaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator
Pace

S.B. No. 99, as amended, was transmitted to House.

* * *

S.B. No. 100, INTERJURISDICTIONAL TRANSFER OF PRISONERS, was read the third time, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black

Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Pres. Christensen	

Absent or not voting were: Senators

Pace	Tempest

S.B. No. 100 was transmitted to the House.

* * *

On motion of Senator Barlow, **SUB. S.B. No. 20,** REAL ESTATE APPRAISER REGISTRATION AND CERTIFICATION ACT, was read the third time and circled.

* * *

S.B. No. 150, UNIFORM COMMERCIAL CODE LEASES, 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	Beattie	Black	Bunnell
Carling	Cornaby	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Myrin	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Barton	Farley	Money	Pace
Storey	Swan		

S.B. No. 150 was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator Beattie, S.B. No. 73, was circled.

* * *

S.B. No. 143, PARDONS AND PAROLES AMENDMENTS, was read the second time.

Mr. President: February 2, 1990

The Judiciary Committee, to which was referred S.B. No. 143, PARDONS AND PAROLES 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 adopted. Senator Cary Peterson was presiding. On motion of Senator Hillyard, the bill was amended as follows:

Page 7, Line 19:
After "session." insert "Any action taken under this subsection other than by a majority of the board shall be affirmed by a majority of the board.

(d)"

H.L. "Pete" Haun, Chairman, Board of Pardons, 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	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Myrin	Nielsen	Peterson, Cary
Peterson, Craig	Richards	Steele	Storey
Swan	Tempest		

Absent or not voting were: Senators

Barton	Finlinson	Money	Pace
Peterson, C.E.	Rees	Pres. Christensen	

* * *

On motion of Senator Barlow, under suspension of the rules, SUB. S.B. No. 20, REAL ESTATE APPRAISER REGISTRATION AND CERTIFICATION ACT, was uncircled and amended as follows:

Green Page 17, Lines 3 and 17:
Delete "may" and reinsert "shall"

The substitute bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Myrin	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest

Absent or not voting were: Senators

Barton	Cornaby	Money	Pace
Pres. Christensen			

SUB S.B. No. 20, as amended, was transmitted to the House.

* * *

On motion of Senator Beattie S.B. No. 73, GOOD SAMARITAN PROTECTION FOR SKI PATROL, was uncircled and before the Senate.

On motion of Senator Beattie, the bill was amended as follows:

Page 3, Line 14:
After "System" insert "(NSPS)"

Page 3, Lines 17–18:
Delete "approved by the Department of Health" and insert "in Winter Emergency Care offered by the NSPS combined with CPR for medical technicians offered by the American Red Cross or American Heart Association, or an equivalent course of instruction"

Page 3, Lines 18–19:
Delete "while acting as a member of a ski patrol"

The bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Carling
Cornaby	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Myrin	Nielsen	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Richards	Steele	Storey
Swan	Tempest		

Absent or not voting were: Senators

Barton	Bunnell	Farley	Money
Pace	Rees	Pres. Christensen	

* * *

On motion of Senator Finlinson, **S.B. No. 54**, was circled.

* * *

S.B. No. 79, PROCUREMENT AMENDMENTS FOR STATE CONSTRUCTION PROJECTS, was before the Senate. Senators Tempest, Black, C.E. Peterson, and Bunnell commented. The bill failed on the following roll call:

Yeas, 11; Nays, 16; Absent, 2

Voting in the affirmative were: Senators

Barlow	Beattie	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Myrin
Steele	Tempest	Pres. Christensen	

Voting in the negative were: Senators

Barton	Black	Bunnell	Carling
Cornaby	Farley	Fordham	Money
Nielsen	Pace	Peterson, C.E.	Peterson, Craig
Rees	Richards	Storey	Swan

Absent or not voting were: Senators

Finlinson	Peterson, Cary

S.B. No. 79 was filed.

* * *

S.B. No. 92, DEATH PENALTY REPEAL, was read for the second time.

Mr. President: January 25, 1990

The Judiciary Committee, to which was referred S.B. No. 92, DEATH PENALTY REPEAL, by Senator Frances Farley, 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 SUB. S.B. No. 92 replace the original bill.

Lyle W. Hillyard,
Committee Chairman

Committee report read and adopted. The following substitute bill replaced the original bill.

CAPITAL OFFENSES PENALTY AMENDMENT
(1-30-90 9:38 a.m.)

SUB. S.B. No. 92 *Frances Farley*

AN ACT RELATING TO CRIMINAL LAW; PROVIDING FOR THE PENALTY OF LIFE IMPRISONMENT WITHOUT PAROLE FOR CAPITAL OFFENSES; AND PROVIDING RELATED SENTENCING PROCEDURES.

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

AMENDS: 76-3-201, AS LAST AMENDED BY CHAPTER 107, LAWS OF UTAH 1987; 76-3-206, AS LAST AMENDED BY CHAPTER 84, LAWS OF UTAH 1977; 76-3-207, AS LAST AMENDED BY CHAPTER 19, LAWS OF UTAH 1982.

On motion of Senator Farley, the bill was amended as follows:

Page 5, Lines 17 through 25:
Delete these lines entirely.

Page 6, Lines 1 through 5:
Delete these lines entirely.

Page 6, Line 6:
Reinstate "(6)" and delete "(7)"

Delete "or (6)"

Senator Christensen, Black, and Swan commented. On motion of Senator Hillyard, the bill was amended as follows:

Page 1, Line 19:
After Line 19 insert:

"77-27-9, AS LAST AMENDED BY CHAPTER 172, LAWS OF UTAH 1988"

Page 10, Line 25:
After Line 25 insert:

"Section 4. Section 77-27-9, Utah Code Annotated 1953, as last amended by Chapter 172, Laws of Utah 1988, is amended to read:

77-27-9, Parole proceedings.

(1) The Board of Pardons may pardon or parole any offender or commute or terminate the sentence of any offender committed to a penal or correctional facility [~~which is~~] under the jurisdiction of the Department of Corrections for a felony or class A misdemeanor except [~~as otherwise provided in~~] under Subsection (2). The release of an offender shall be at the initiative of the board, which shall consider each case as the offender becomes eligible. However, a prisoner may submit his own application, subject to the rules of the board.

(2) (a) A person sentenced to prison for a felony of the first degree involving child kidnapping, a violation of Section 76-5-301.1; rape of a child, a violation of Section 76-5-402.1; object rape of a child, a violation of Section 76-5-402.3; sodomy upon a child, a violation of Section 76-5-403.1; aggravated sexual abuse of child, a violation of Subsection 76-5-404.1 (3); or aggravated sexual assault, a violation of Section 76-5-405, or for a prior offense as described in Section 76-3-407, is not eligible for release on parole by the Board of Pardons until the offender has fully completed serving the minimum mandatory sentence imposed by the court. This subsection supersedes any other provision of law.

(b) The board may not parole any offender or commute or terminate the sentence of any offender before the offender has served the minimum term for the offense, where:

(i) the offender was convicted of forcible sexual abuse, forcible sodomy, rape, aggravated assault, kidnapping, aggravated kidnapping, or aggravated sexual assault as defined in Chapter 5, Title 76 [~~,~~]; and

(ii) the victim of the offense was under 18 years of age at the time the offense was committed.

(c) The board may not pardon or parole any offender or commute or terminate the sentence of any offender who is sentenced to life in prison without parole.

(d) The board may commute a sentence of death only to a sentence of life in prison without parole.

(3) The board may issue subpoenas to compel the attendance of witnesses and the production of evidence, to administer oaths, and to take testimony for the purpose of any investigation by the board or any of its members or by a designated hearing examiner in the performance of its duties. A person who willfully disobeys a properly served subpoena issued by the board is guilty of a class B misdemeanor.

(4) (a) The board may adopt rules consistent with law for its government, meetings and hearings, the conduct of proceedings before it, the parole and pardon of offenders, the commutation and termination of sentences, and the general conditions under which parole may be granted and revoked.

(b) The rules shall ensure an adequate opportunity for victims to participate at hearings held under this chapter, as provided in Section 77-27.9.5.

(c) The rules may allow the board to establish reasonable and equitable time limits on the presentations by all participants in hearings held under this chapter.

(5) The board does not provide counseling or therapy for victims as a part of their participation in any hearing under this chapter.

Section 5. Applicability.

(1) The amendments in this act apply only to those capital offenses for which the offender is sentenced on or after April 23, 1990.

(2) However, the amendments in this act regarding the authority of the Board of Pardons apply to all cases that come before the board on or after April 23, 1990."

Warren Peterson, Millard County Attorney; Michael D. Norman, Associate Professor, Weber State College; D. Gilbert Athay, Attorney at Law; spoke in

Committee of the Whole. Senator C.E. Peterson commented. The substitute bill passed on the following roll call:

Yeas, 23; Nays, 5; Absent, 1

Voting in the affirmative were: Senators

Barlow	Black	Bunnell	Carling
Cornaby	Farley	Fordham	Hillyard
Leavitt	McAllister	McMullin	Money
Myrin	Pace	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Voting in the negative were: Senators

Barton	Beattie	Holmgren	Nielsen
Peterson, C.E. (exp.)			

Absent or not voting was: Senator
Finlinson

* * *

Senator Barlow moved, under suspension of the rules, to lift **S.B. No. 277**, TEACHER SALARY INCREASE, from Rules Committee, and placed it on the top of Second Reading Calendar. The motion passed on a standing vote. Senators Barlow, McAllister, Hillyard, Black, Holmgren, Bunnell, Rees, Cary Peterson and Barton commented.

* * *

On motion of Senator Cary Peterson **S.B. No. 54** was uncircled.

* * *

On motion Cary Peterson and at 12:00 noon, the Senate adjourned until 10:00 a.m., Friday, February 9, 1990.

THIRTY-THIRD DAY

MORNING SESSION

The Senate was called to order at 10:05 a.m., with President Arnold Christensen presiding.

Roll Call – All Senators present.
Prayer – Charles E. Clarke, Pastor-Teacher, Church of Salt Lake

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: February 9, 1990

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.

Boyd K. Storey
Committee Chairman

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 8, 1990

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 34**, UNINSURED EMPLOYERS' FUND REVISIONS, by Senator Richard B. Tempest, 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. 47**, JUVENILE COURT FILING AMENDMENT, by Senator Haven J. Barlow, which has been signed by the Speaker in open session, and the same is transmitted herewith for signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 85**, STATE HOSPITAL TRUST FUND, by Senator John P. Holmgren, which has been signed by the Speaker in open session, and the same is transmitted herewith for signature of the President.

Carole E. Peterson, Chief Clerk

S.B. Nos. 34, 47 and 85 was signed by the President of the Senate in open session, referred to Rules Committee to be enrolled and transmitted to the Governor.

* * *

Mr. President: February 8, 1990

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 16**, EARTH DAY 1990 RESOLUTION, by Representative Beverly J. White, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 26**, RESOLUTION HONORING KATHY GARCIA, by Representative Janet Rose, and the 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. 27**, BEN HOGAN GOLF TOUR COMMEMORATION, by Representative Mike Dmitrich, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 59**, RETIREMENT SERVICE CREDIT INCREASE, by Representative Rob W. 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 on consent **H.B. No. 188**, DRIVING PRIVILEGES AMENDMENTS, by Representative Scott W. 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 **SUB. H.B. No. 149**, IMMEDIATE INCOME WITHHOLDING, by Representative Lloyd 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 on consent **H.B. No. 206**, UTAH COMMISSION FOR WOMEN AND FAMILIES, by Representative Beverly J. White, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 214**, SECOND DEGREE MURDER AMENDMENT, by Representative Joanne R. Milner, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 224**, CRIMINAL SENTENCING AMENDMENT, by Representative Daniel H. 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, under suspension of the rules, as amended, **H.B. No. 436**, SALARY INCREASES FOR TEACHERS, by Representative David M. Adams, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.C.R. No. 16, H.C.R. No. 26, H.C.R. No. 27, H.B. No. 59, H.B. No. 188, SUB. H.B. No. 149 and **H.B. Nos. 206, 214, 224** and **436**, were read the first time and referred to Rules Committee.

* * *

Mr. President: February 8, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, **SUB. S.B. No. 5**, RECYCLING OF WASTE TIRES, by Senator Richard B. Tempest, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Chief Clerk

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

Yeas, 23; Nays, 3; Absent, 3

Voting in the affirmative were: Senators

Barton	Beattie	Black	Bunnell
Farley	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Steele	Storey
Swan	Tempest	Pres. Christensen	

Voting in the negative were: Senators

Barlow	Cornaby	Money

Absent or not voting were: Senators

Carling	McMullin	Richards

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

* * *

Mr. President: February 8, 1990

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. 25**, WITHDRAWAL FROM WATER CONSERVANCY DISTRICTS, by Senator Fred W. Finlinson, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, 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

Barlow	Barton	Beattie	Black
Bunnell	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	Money	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Carling	McMullin	Myrin	Richards

S.B. No. 25 was transmitted to the House.

* * *

Mr. President: February 8, 1990

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. 35**, STANDARDIZED REPORTING OF INDUSTRIAL INJURIES AND OCCUPATIONAL DISEASES, by Senator Richard B. Tempest, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Tempest, 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

Barlow	Barton	Black	Carling
Cornaby	Fordham	Hillyard	Holmgren
Leavitt	McAllister	Money	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Beattie	Bunnell	Farley	Finlinson
McMullin	Myrin		

S.B. No. 35 was transmitted to the House.

* * *

Mr. President: February 8, 1990

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. 59, CONTRACTORS LICENSING AMENDMENTS, by Senator Glade Nielsen, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Nielsen, 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

Barlow	Barton	Beattie	Black
Carling	Cornaby	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Bunnell	Farley	Myrin

S.B. No. 59 was transmitted to the House.

* * *

Mr. President: February 8, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, S.B. No. 98, TITLE 53A REVISIONS - PUBLIC EDUCATION, by Senator Lyle W. Hillyard, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, 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, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Bunnell Rees

S.B. No. 98 was transmitted to the House.

STANDING COMMITTEE REPORT

Mr. President: February 8, 1990

The Judiciary Committee, to which was referred **H.B. No. 163,** ARRAIGNMENT JURISDICTION, by Representative Beverly J. White, 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.

Lyle W. Hillyard
Committee Chairman

Committee report read and adopted. H.B. No. 163 was read the second time and placed on Consent Calendar..

* * *

Mr. President: February 8, 1990

The Senate Transportation and Public Safety Standing Committee, to which was referred **H.B. No. 68**, INSURANCE BENEFITS FOR BENEFICIARIES OF PEACE OFFICERS, by Representative R. Mont Evans, 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 & Public Safety Standing Committee, to which was referred **H.B. No. 273**, STATE FIRE PREVENTION AMENDMENTS, by Representative Daniel H. Tuttle, 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.

Glade Nielsen
Committee Chairman

Committee reports read and adopted. **H.B. No. 68** and **H.B. No. 273** were read the second time and placed on Consent Calendar.

* * *

Mr. President: February 8, 1990

The Senate Transportation and Public Safety Standing Committee, to which was referred **SUB. H.B. No. 243**, PEACE OFFICER QUALIFICATION OF COUNTY SHERIFFS, by Representative Mike Dmitrich, 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.

Glade Nielsen
Committee Chairman

Committee report read and adopted. **SUB. H.B. No. 243** was read the second time and placed on Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B. Nos. 148, 188, 198, 201, 213, 217, 176, 171, 185, 194, 203, 218**, and **H.B. Nos. 140** and **167**, and the bills were placed on the Second Reading Calendar.

* * *

On motion of Senator Beattie, **S.B. No. 2**, DISCLOSURE BY EXEMPT ORGANIZATION, was before the Senate on reconsideration. When the bill was considered previously, the Senate amendments were not included on the House lilac amendment page that was before the Senate. The corrected lilac copy was now before the Senate.

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

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barton	Beattie	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	Money	Myrin
Nielsen	Peterson, C.E.	Peterson, Cary	Rees
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barlow	Black	Bunnell	Carling
McMullin	Pace	Peterson, Craig	Richards

S.B. No. 2, on reconsideration, was transmitted to the House.

THIRD READING CALENDAR

S.B. No. 143, PARDONS AND PAROLE AMENDMENTS, was read the third time, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Beattie	Bunnell	Carling
Cornaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
Money	Myrin	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barton	Black	McMullin	Pace

S.B. No. 143, as amended was transmitted to the House.

* * *

S.B. No. 73, GOOD SAMARITAN PROTECTION FOR SKI PATROL, was read the third time, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Beattie	Bunnell	Carling
Cornaby	Farley	Finlinson	Fordham
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Pres. Christensen

Absent or not voting were: Senators

Barton	Black	Hillyard	Pace
Tempest			

S.B. No. 73, as amended, was transmitted to the House.

* * *

SUB. S.B. No. 92, CAPITAL OFFENSES PENALTY AMENDMENT, was read the third time, explained by Senator Farley, and passed on the following roll call:

Yeas, 19; Nays, 9; Absent, 1

Voting in the affirmative were: Senators

Barlow	Black	Bunnell	Carling
Cornaby	Farley	Finlinson	Fordham
Hillyard	Leavitt	McMullin	Money
Myrin	Pace	Peterson, Cary	Peterson, Craig
Richards	Steele	Tempest	

Voting in the negative were: Senators

Beattie	Holmgren	McAllister	Nielsen
Peterson, C.E.	Rees	Storey	Swan
Pres. Christensen			

Absent or not voting was: Senator
Barton

SUB. S.B. No. 92, was transmitted to the House.

* * *

On motion of Senator Cary Peterson and at 10:45 a.m., the Senate recessed. The Senate reassembled at 11:35 a.m.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 9, 1990

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 30**, RESOLUTION HONORING CARR PRINTING COMPANY, by Representative Stanley M. Smedley, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.C.R. No. 30 was read the first time. On motion of Senator Beattie, under suspension of the rules, the resolution was read the second and third times. Vernon B. Carr spoke in Committee of the Whole. The resolution passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barton	Farley	Pace	Peterson, C.E.

H.C.R. No. 30 was signed by the President of the Senate in open session and returned to the House.

* * *

Mr. President: February 9, 1990

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 33**, RESOLUTION COMMENDING CALVIN F. BLACK, by

Representative David M. Adams, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.C.R. No. 33 was read the first time. On motion of Senator Bunnell, under suspension of the rules, the resolution was read the second and third times. Calvin F. Black spoke in Committee of the Whole. Senators Black, Cary Peterson, Storey and Fordham commented. The resolution passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Comaby	Farley
Finlinson	Fordham	Hillyard	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Pres. Christensen	

Absent or not voting were: Senators

Holmgren	Tempest

H.C.R. No. 33 was signed by the President of the Senate in open session and returned to the House.

SECOND READING CALENDAR

On motion of Senator Cary Peterson, under suspension of the rules, **H.B. No. 59** and **H.B. No. 436** were lifted from Rules Committee, placed at the top of the Second Reading Calendar, and before the Senate.

* * *

H.B. No. 59, RETIREMENT SERVICE CREDIT INCREASE, was read the second time, explained by Senator McMullin, and passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling (exp.)	Comaby	Farley

Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister (exp.)	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan (conflict)	Tempest
Pres. Christensen			

* * *

H.B. No. 436, SALARY INCREASES FOR TEACHERS, was read the second time and explained by Senator McMullin. The bill passed on the following roll call:

Yeas, 24; Nays, 5; Absent, 0

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Carling
Cornaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McMullin
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Tempest	Pres. Christensen

Voting in the negative were: Senators

Barton (exp.)	Bunnell (exp.)	McAllister (exp.)	Money
Swan (exp.)			

* * *

On motion of Senator Cary Peterson, under suspension of the rules, H.B. No. 162, FUNDING TEXTBOOKS FOR PUBLIC EDUCATION, was read the second time.

Mr. President: January 29, 1990

The Education Standing Committee to which was referred H.B. No. 162, FUNDING TEXTBOOKS FOR PUBLIC EDUCATION, by Representative Richard Bradford, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Dixie L. Leavitt,
Committee Chairman

Committee report read and adopted. Senators Hillyard, Holmgren, Money and Black commented. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Beattie	Black	Bunnell	Carling
Comaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Barlow	Barton	Pace

COMMITTEE OF THE WHOLE

On motion of Senator Myrin the Senate resolved into a Committee of the Whole. Appearing before the committee where the Vernal Dynamite's; Gene R. Hall with the Vernal Chamber of Commerce; and Cris Mikesell with Uintah Arts Council.

RULES COMMITTEE REPORT

Mr. President: February 9, 1990

The Senate Rules Committee to which was referred the following Senate Bills and Resolution:

S.B. No. 74	WORKERS' COMPENSATION FUND TASK FORCE (Business, Labor & Economic Development)
S.B. No. 224	BUSINESS CORPORATION ACT AMENDMENTS (Business, Labor & Economic Development)
S.B. No. 225	ATTORNEYS' FEES FOR ENHANCED WORKERS' COMPENSATION (Business, Labor & Economic Development)
S.B. No. 238	MOTOR VEHICLE ACT AMENDMENTS (Business, Labor & Economic development)
S.B. No. 236	INTERLOCAL COOPERATION ACT AMENDMENTS (Energy, Natural Resources & Agriculture)
S.B. No. 211	BONDING FOR WATER PROJECTS (Energy, Natural Resources & Agriculture)

S.B. No. 221	MEDICAID SHORTFALL FUNDING (Health)
S.B. No. 235	UTAH HEALTH DATA COMMITTEE (Health)
S.B. No. 215	SUBPOENA POWERS ACT AMENDMENT (Judiciary)
S.B. No. 223	UNCLAIMED PROPERTY ACT AMENDMENTS (Judiciary)
S.B. No. 226	YOUTH CORRECTIONS PAROLE VIOLATION AMENDMENTS (Judiciary)
S.B. No. 81	SALES TAX – EXEMPTION (Revenue & Taxation)
S.J.R. No. 20	FAIR MARKET VALUE DETERMINATION (Revenue & Taxation)
S.B. No. 214	INDIAN BURIAL APPROPRIATION (Social Services)
S.B. No. 227	ADOPTION RESTRICTIONS (Social Services)
S.B. No. 230	SOCIAL SERVICES DIVISIONS AMENDMENTS (Social Services)
S.J.R. No. 21	SPECIAL SERVICE DISTRICTS RESOLUTION (State & Local)
S.B. No. 64	JUDGES' RETIREMENT BENEFIT ENHANCEMENTS (State & Local)
S.B. No. 139	UTAH ADMINISTRATIVE RULEMAKING ACT REVISION (State & Local)
S.B. No. 200	SPECIAL IMPROVEMENT DISTRICT AMENDMENTS (State & Local)
S.B. No. 222	GOVERNANCE OF QUASI PUBLIC BODIES (State & Local)
S.B. No. 273	JUDICIAL REVIEW OF ADMINISTRATIVE RULES (State & Local)
S.B. No. 234	CIVIL PENALTY FOR VIOLATION OF ORDINANCE (Transportation & Public Safety)

reports the Bills and Resolution to the Senate and asks that they be printed and assigned to the proper committee, and

The Senate Rules Committee to which was referred the following House Bills:

H.B. No. 119	LICENSURE OF YOUTH SERVICES PROGRAMS (Social Services)
H.B. No. 176	RETIREMENT SYSTEM CREDIT TRANSFER (State & Local)
H.B. No. 201	QUALIFICATIONS OF ADMINISTRATIVE LAW JUDGES (State & Local)
SUB. H.B. No. 57	VEHICLE SIZE, WEIGHT, AND LOAD REVISIONS (Transportation & Public Safety)

H.B. No. 183 CONCEALED WEAPONS AMENDMENTS
(Transportation & Public Safety)
reports the bills to the Senate and asks that they be assigned to the proper committee.

C.E. Peterson,
Rules Committee Chairman

Committee reports read and adopted. President Christensen assigned the bills to the committees indicated.

* * *

Mr. President: February 9, 1990

The Senate Rules Committee to which was referred the following Senate Resolutions:

S.C.R. No. 8 RESOLUTION COMMEMORATING JOHN AND GLENN WALLACE
S.J.R. No. 31 RESOLUTION HONORING BAE B. GARDNER
reports the Resolutions to the Senate and asks that they be placed on the Consent Calendar.

C.E. Peterson,
Rules Committee Chairman

Committee reports read and adopted. S.C.R. No. 8 and S.J.R. No. 31 were read the second time, and placed on the Consent Calendar.

* * *

Mr. President: February 9, 1990

The Senate Rules Committee to which was referred the following Senate Bill:

S.B. No. 249 DEPARTMENT OF SOCIAL SERVICES REORGANIZATION
reports the bill to the Senate and asks that it be printed and placed on the Second Reading Calendar.

C.E. Peterson,
Rules Committee Chairman

Committee report read and adopted. S.B. No. 249 was placed on the Second Reading Calendar.

* * *

On motion of Senator Cary Peterson, and at 12:15 p.m., the Senate adjourned until 8:00 a.m., Monday, February 12, 1990.

THIRTY-SIXTH DAY

MORNING SESSION

The Senate was called to order at 8:00 a.m., with President Arnold Christensen presiding.

Roll Call – All Senators present, except Senators Cornaby and Bunnell, excused.

Prayer – Senator Paul T. Fordham.

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: February 12, 1990

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.

Paul T. Fordham,
Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM THE GOVERNOR

Speaker Karras & President Christensen: February 9, 1990

This is to inform you that on February 9, 1990, I signed **H.C.R. No. 33**, RESOLUTION COMMENDING CALVIN F. BLACK, and have forwarded it to the Lieutenant Governor for filing.

Norman H. Bangerter,
Governor

Communications filed.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 9, 1990

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 2**, DISCLOSURE BY EXEMPT ORGANIZATIONS, by Senator Lane Beattie, 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 **SUB. S.B. No. 5**, RECYCLING OF WASTE TIRES, by Senator Richard B. Tempest, 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. 6**, EMPLOYMENT DISCRIMINATION PROCEEDINGS, by Senator K.S. 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. 25**, WITHDRAWAL FROM WATER CONSERVANCY DISTRICTS, by Senator Fred W. Finlinson, which has been signed by the Speaker in open session, and the same is transmitted herewith 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. 35**, STANDARDIZED REPORTING OF INDUSTRIAL INJURIES AND OCCUPATIONAL DISEASE, by Senator Richard B. Tempest, which has been signed by the Speaker in open session, and the same is transmitted herewith 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. 59**, CONTRACTORS LICENSING AMENDMENTS, by Senator Glade Nielsen, 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. 98**, TITLE 53A REVISIONS - PUBLIC EDUCATION, by Senator Lyle W. 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, Chief Clerk

S.B. No. 2, SUB. S.B. No. 5 and **S.B. Nos. 6, 25, 35, 59** and **98** were signed by the President of the Senate in open session, referred to Rules Committee to be enrolled and transmitted to the Governor.

* * *

Mr. President: February 9, 1990

I am directed to inform the Senate that the House of Representatives has this day passed by **H.J.R. No. 7**, TELEVISED LEGISLATURE RESOLUTION, by Representative Frank R. Pignanelli, and the 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. 20**, EARTHQUAKE HAZARD IN PUBLIC SCHOOLS, by Representative Afton B. Bradshaw, 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. 226**, TELECOMMUNICATIONS ACCESS FOR HEARING IMPAIRED, by Representative Brent H. 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 **H.B. No. 235**, CREDIT REPORTING AMENDMENTS, by Representative Bob Anderton, and the 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, **SUB. H.B. No. 274**, CONSOLIDATION OF DATA PROCESSING AND TELECOMMUNICATIONS, by Representative Byron I. Harward, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 321**, ACHIEVEMENTS TESTS IN THE PUBLIC SCHOOLS, by Representative Richard J. Bradford, 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. 322**, UTAH HOUSING FINANCE AGENCY AMENDMENTS, by Representative Nolan E. Karras, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.J.R. No. 7, H.J.R. No. 20 and **H.B. No. 226, 235, SUB. H.B. No. 274, H.B. Nos. 321**, and **322**, were read the first time and referred to Rules Committee.

* * *

Mr. President: February 9, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, under reconsideration, **SUB. H.B. No. 91**, MINIMUM FINES FOR OVERWEIGHT VEHICLES, by Representative Stephen M. Bodily, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

SUB. H.B. No. 91 was referred to Rules Committee.

CONSENT CALENDAR

H.B. No. 174, FIRE FIGHTER SYSTEM SOCIAL SECURITY OFFSET, was read the third time, explained by Senator McMullin, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Farley	Fordham	Hillyard	Holmgren
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Craig
Rees	Richards	Steele	Storey
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Bunnell	Carling	Cornaby	Finlinson
Leavitt	Peterson, Cary	Swan	

H.B. No. 174 was signed by the President of the Senate in open session and returned to the House.

* * *

H.B. No. 152, REAUTHORIZATION OF SPECIAL DISTRICTS REVIEW COMMITTEE was read the third time, explained by Senator Barlow, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Farley	Fordham	Hillyard	Holmgren
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Craig
Rees	Richards	Steele	Storey
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Bunnell	Carling	Cornaby	Finlinson
Leavitt	Peterson, Cary	Swan	

H.B. No. 152 was signed by the President of the Senate in open session and returned to the House.

* * *

S.B. No. 151, PRISONER DEFINED, was read the third time, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Farley	Fordham	Hillyard	Holmgren
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Craig
Rees	Richards	Steele	Storey
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Bunnell	Carling	Cornaby	Finlinson
Leavitt	Peterson, Cary	Swan	

S.B. No. 151 was transmitted to the House.

* * *

S.B. No. 124, VENUE FOR CONSUMER TRANSACTIONS, was read the third time, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Farley	Fordham	Hillyard	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Craig	Rees
Richards	Steele	Storey	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Bunnell	Carling	Cornaby	Finlinson
Holmgren	Leavitt	Peterson, Cary	Swan

S.B. No. 124, was transmitted to the House.

* * *

S.B. No. 186, NOTICE PERIOD FOR WATER DISTRICT REPORT, was read the third time, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Farley	Fordham	Hillyard	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Craig	Rees
Richards	Steele	Storey	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Bunnell	Carling	Cornaby	Finlinson
Holmgren	Leavitt	Peterson, Cary	Swan

S.B. No. 186, was transmitted to the House.

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S.B. No. 147, UNLAWFUL USE OF FIREARMS, was read the third time and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Farley	Fordham	Hillyard	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Craig	Rees
Richards	Steele	Storey	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Bunnell	Carling	Cornaby	Finlinson
Holmgren	Leavitt	Peterson, Cary	Swan

S.B. No. 147, as amended, was transmitted to the House.

* * *

On motion of Senator Tempest S.B. No. 182, EDUCATIONAL TELECOMMUNICATIONS, was lifted from Consent Calendar, and read the third time.

On motion of Senator Tempest, the bill was amended as follows:

Page 2, After Line 18:
Insert the following between lines 18 and 19:

"(7) This section neither regulates nor restricts a privately owned company in the distribution or dissemination of educational programs."

Page 5, after Line 4:
Insert the following between lines 4 and 5:

"(9) This section neither regulates nor restricts a privately owned company in the distribution or dissemination of educational programs."

S.B. No. 182 was again placed on Consent Calendar.

THIRD READING CALENDAR

On motion of Senator McMullin, H.B. No. 59, RETIREMENT SERVICE CREDIT INCREASE, was read the third time, and circled.

* * *

On motion of Senator McMullin, H.B. No. 436, SALARY INCREASE FOR TEACHERS, was read the third time, and circled.

* * *

H.B. No. 162, FUNDING TEXTBOOKS FOR PUBLIC EDUCATION, was read the third time. Senators Hillyard, Rees and Barlow commented. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Farley	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Bunnell	Cornaby	Finlinson

H.B. No. 162 was signed by the President of the Senate in open session and returned to the House.

RULES COMMITTEE REPORT

Mr. President: February 12, 1990

The Senate Rules Committee to which was referred the following Senate Resolution:

H.J.R. No. 15 RENOVATION OF PIONEER TRAIL STATE PARK COMMENDATION RESOLUTION

reports the Resolution to the Senate and asks that it be placed on the Consent Calendar.

C.E. Peterson,
Rules Committee Chairman

Committee report read and adopted. **H.J.R. No. 15** was read the second time, and placed on the Consent Calendar.

* * *

On motion of Senator Cary Peterson, the Senate voted to consider Senate Bills on the calendar on this day.

SECOND READING CALENDAR

On motion of Senator Barlow, **S.B. No. 277**, TEACHER SALARY INCREASE, was read the second time, and circled.

* * *

On motion of Senator Farley S.B. No. 54 was circled.

* * *

S.B. No. 29, ELIGIBILITY FOR TAX RELIEF PROGRAMS, was read the second time.

Mr. President: January 30, 1990

The Revenue and Taxation Standing Committee, to which was referred S.B. No. 29, ELIGIBILITY FOR TAX RELIEF PROGRAMS, by Senator Haven J. Barlow, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lorin N. Pace,
Committee Chairman

Committee report read and adopted. Senators Barlow and Storey commented. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, Cary	Peterson, Craig	Rees
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Bunnell	Cornaby	Peterson, C.E.	Richards

* * *

On motion of Senator Nielsen, under suspension of the rules, S.C.R. No. 3, RESOLUTION URGING PROTECTION OF THE FLAG, was read the second and third times.

Mr. President: January 30, 1990

The Senate Social Services Standing Committee, to which was referred **S.C.R. No. 3**, RESOLUTION URGING PROTECTION OF THE FLAG, by Senator Glade Nielsen, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Boyd K. Storey,
Committee Chairman

Committee report read and adopted. The resolution passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Steele
Storey	Tempest	Pres. Christensen	

Voting in the negative was: Senator
Swan

Absent or not voting were: Senators

Bunnell	Cornaby	Farley	Pace
Richards			

S.C.R. No. 3, was transmitted to the House.

* * *

S.B. No. 102, UTAH LAKE AUTHORITY, was read the second time.

Mr. President: February 1, 1990

The Senate Energy, Natural Resources and Agriculture Committee, to which was referred **S.B. No. 102**, UTAH LAKE AUTHORITY, by Senator Craig A. peterson, 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 **SUB. S.B. No. 102**, UTAH LAKE TASK FORCE replace the original bill.

SUB. S.B. No. 102, UTAH LAKE TASK FORCE to be amended as follows:

Page 3, Lines 23–25:
Delete Lines 23–25

Fred W. Finlinson,
Committee Chairman

Committee report read and adopted. The following substitute bill replaced the original bill and it was amended.

UTAH LAKE TASK FORCE
(1–31–90 12:43 p.m.)

SUB. S.B. No. 102 *Craig A. Peterson*

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; ESTABLISHING A UTAH LAKE TASK FORCE; DEFINING ITS MEMBERSHIP AND RESPONSIBILITIES; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN EXPIRATION AND REPEAL DATE.

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

ENACTS: 73–26–1, UTAH CODE ANNOTATED 1953; 73–26–2, UTAH CODE ANNOTATED 1953; 73–26–3, UTAH CODE ANNOTATED 1953.

The substitute bill passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Carling	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Steele
Storey	Swan	Tempest	Pres. Christensen

Voting in the negative was: Senator
Black

Absent or not voting were: Senators

Beattie	Bunnell	Comaby	Richards

* * *

S.B. No. 88, SMALL CLAIMS COURT AMENDMENTS, was read the second time.

Mr. President: February 2, 1990

The Judiciary Committee, to which was referred **S.B. No. 88**, SMALL CLAIMS COURT AMENDMENTS, by Senator William T. Barton, has carefully considered the bill and reports it out favorably with the recommendation that the original bill be deleted in body and title and that **SUB. S.B. No. 88** replace the original bill.

Lyle W. Hillyard
Committee Chairman

Committee report read and adopted. The following substitute bill replaced the original bill:

SMALL CLAIMS COURT AMENDMENTS
(1–23–90 1:36 p.m.)

SUB. S.B. No. 88 *William T. Barton*

AN ACT RELATING TO THE JUDICIAL CODE; AMENDING THE AREA FOR SERVICE OF AN AFFIDAVIT.

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

AMENDS: 78–6–3, AS LAST AMENDED BY CHAPTER 187, LAWS OF UTAH 1986.

The substitute bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Black	Carling
Farley	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Beattie	Bunnell	Cornaby	Richards

* * *

S.B. No. 116, AMENDMENTS TO PUBLIC OFFICERS AND EMPLOYEES ETHICS ACT, was read the second time. Senator Bunnell is present.

Mr. President: February 2, 1990

The Judiciary Committee, to which was referred **S.B. No. 116**, AMENDMENTS TO PUBLIC OFFICERS AND EMPLOYEES ETHICS ACT, by Senator William T. Barton, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 3, Line 8:
Delete: "municipality,"

Page 3, Line 9 and 10:
After "state" delete the bracket "[" and reinsert "that is not an agency, but does not include municipalities

Page 3, Line 10:
Delete the bracket "]"

Page 4, Line 7:
After "insert" delete the bracket "[" and reinsert: ", unless"

Page 4, line 8:
Delete the bracket at the end of the line and reinsert the entire line

Page 4, Line 9:
Delete the bracket before "(2)" and reinsert the entire line

Page 4, Line 10:
Reinsert the entire line
After "a" delete "certified professional golf association member" and insert "golf course manager"

Page 4, Line 11 and 12:
Reinsert original language.

Lyle W. Hillyard,
Committee Chairman

Committee report read and adopted.

On motion of Senator McMullin, the bill was amended as follows:

Page 4, Line 10:
After "golf course manager" insert ", or a certified professional golf association member,".

The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Comaby	Richards

* * *

S.B. No. 120, MOTOR VEHICLE BUSINESS ACT AMENDMENTS, was read the second time.

Mr. President: February 1, 1990

The Senate Transportation & Public Safety Standing Committee, to which was referred S.B. No. 120, MOTOR VEHICLE BUSINESS ACT AMENDMENTS, by Senator C.E. peterson, has carefully considered the bill and reports it out of committee with a favorable recommendation with the following amendments:

Page 7, Line 9:
Reinstate "contractual rights which it may have with respect to them"

Page 7, Line 10:
Delete "contract"

Glade Nielsen,
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

Barlow	Barton	Bunnell	Carling
Farley	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Beattie	Black	Cornaby	McMullin

* * *

S.B. No. 164, SPECIAL FUEL TAX AMENDMENT, was read the second time.

Mr. President: February 1, 1990

The Senate Transportation & Public Safety Standing Committee, to which was referred S.B. No. 164, SPECIAL FUEL TAX AMENDMENT, by Senator Craig A. Peterson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Glade Nielsen,
Committee Chairman

Committee report read and adopted. On motion of Senator Craig Peterson, the bill was circled.

* * *

S.B. No. 70, PRODUCTS SELLERS' LIABILITY AMENDMENTS, was read the second time.

Mr. President: February 2, 1990

The Business, Labor, and Economic Development Standing Committee, to which was referred S.B. No. 70, PRODUCTS SELLERS' LIABILITY AMENDMENTS, by Senator LeRay McAllister, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 2:
Delete "loss" and insert "of a kind"

Page 3, Line 16:
After "harm" insert "caused by a product"

Committee report read and adopted. On motion of Senator McAllister, the bill was circled.

* * *

S.B. No. 123, PHYSICIAN ASSISTANT LICENSING ACT, was before the Senate. Senator Carling explained the bill. Senators Carling, C.E.Peterson, Richards, McMullin, Bunnell and Black commented.

On motion of Senator Richards, the bill was amended as follows:

Page 10, Line 2:
After "exceed" delete "14" and insert "7"

On motion of Senator McMullin, the bill was amended as follows:

Page 6, Line 7:
After Line 7 insert a new Subsection (7) to read:

"(7) Any physician assistant who is also a pharmacist licensed under Chapter 17 on January 1, 1990, may continue to fully practice as both a physician assistant and a pharmacist, except that as a pharmacist he may not fill any prescriptions that:

(a) he has written as a physician assistant:

(b) any of his supervising or substitute supervising physicians have written; or

(c) any other physician assistants in his practice have written."

On motion of Senator Carling, under suspension of the rules, the bill was read the third time, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt

McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator Cornaby

S.B. No. 123, as amended, was transmitted to the House.

* * *

S.B. No. 138, INSURANCE CODE AMENDMENTS, was read the second time.

Mr. President: February 2, 1990

The Business, Labor, and Economic Development Standing Committee, to which was referred **S.B. No. 138**, INSURANCE CODE AMENDMENTS, by Senator C.E. Peterson, 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 **SUB. S.B. No. 138** replace the original bill.

SUB. S.B. No. 138 to be amended as follows:

Page 20, Line 9:
After "(2) (a)" delete "or (2) (c)"

Page 20, Lines 18–23:
Delete 18–23

Lane Beattie,
Committee Chairman

Committee report read and adopted. The following substitute bill replaced the original bill and was amended.

INSURANCE CODE AMENDMENTS
(2–1–90 7:06 p.m.)

SUB. S.B. No. 138 *C.E. Peterson*

AN ACT RELATING TO INSURANCE; GRANTING CERTAIN POWERS TO RECIPROCAL INSURERS AND INTERINSURANCE EXCHANGES;

CLARIFYING APPEALS PROCEDURES; PROVIDING NOTICE OF TERMINATION OF COVERAGE; CLARIFYING DUTIES OF TITLE INSURANCE AGENTS AND MOTOR VEHICLE PERSONAL INJURY PROTECTION COVERAGE; INCREASING MINIMUM CAPITAL REQUIREMENTS TO HEALTH MAINTENANCE ORGANIZATIONS; AND MAKING TECHNICAL CORRECTIONS.

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

AMENDS: 31A-1-103, AS LAST AMENDED BY CHAPTERS 68 AND 182, LAWS OF UTAH 1989; 31A-8-103, AS ENACTED BY CHAPTER 204, LAWS OF UTAH 1986; 31A-8-212, AS LAST AMENDED BY CHAPTER 261, LAWS OF UTAH 1989; 31A-8-402, AS ENACTED BY CHAPTER 204, LAWS OF UTAH 1986; 31A-19-413, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 31A-19-414, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 31A-22-307, AS LAST AMENDED BY CHAPTER 261, LAWS OF UTAH 1989; 31A-22-308, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 31A-22-607, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985; 31A-22-703, AS LAST AMENDED BY CHAPTER 68, LAWS OF UTAH 1989; 31A-22-704, AS LAST AMENDED BY CHAPTER 95, LAWS OF UTAH 1987; 31A-23-211, AS LAST AMENDED BY CHAPTER 95, LAWS OF UTAH 1987; 31A-23-216, AS LAST AMENDED BY CHAPTER 261, LAWS OF UTAH 1989; 31A-26-213, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1985.

ENACTS: 31A-4-114, UTAH CODE ANNOTATED 1953; 31A-22-716, UTAH CODE ANNOTATED 1953.

Senators C.E. Peterson, Swan, Steele, Finlinson, and Hillyard commented.

On motion of Senator C.E. Peterson, the bill was amended as follows:

Page 15, Line 24:
Delete "(4)" and insert "(5)"

Page 17, Line 6:
Delete "(4)" and insert "(5)"

Page 17, Line 13:
Delete "(4)" and insert "(5)"

Page 20, Line 9:
Delete "Subsections" and insert "Subsection"

Harold C. Yancey, CPCU Insurance Commissioner, State of Utah Insurance Department, spoke in Committee of the Whole.

The substitute bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Black	Bunnell
Carling	Farley	Finlinson	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Beattie	Cornaby	Fordham	Peterson, Cary

* * *

S.B. No. 121, MASSAGE PRACTICE ACT, was read the second time.

Mr. President: February 2, 1990

The Senate Health Committee to which was referred S.B. No. 121, MASSAGE PRACTICE ACT, Senator Richard J. Carling, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 3, Line 19:
After "these" insert:
", and the use of rehabilitative procedures involving the muscles by noninstrusive means and without spinal manipulation"

Page 4, Line 23:
After "massage" insert "with a curriculum"

Page 8, Line 18:
After "ordinances" delete "enacting police powers"

Stephen J. Rees,
Committee Chairman

Committee report read and adopted. On motion of Senator Tempest, the bill was placed on Second Reading Table.

* * *

S.B. No. 156, LAND SALES, TIMESHARE, AND CAMP RESORT AMENDMENTS, was read the second time.

Mr. President: February 2, 1990

The Senate Health Committee to which was referred S.B. No. 156, LAND SALES, TIMESHARE AND CAMP RESORT AMENDMENTS, Senator Stephen J. Rees, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 12, Line 10:
Delete "$2" and insert "$3"

Page 13, Line 3:
Delete "$2" and insert "$3"

Page 15, Line 15:
Delete "$2" and insert "$3"

Page 16, Line 8:
Delete "$2" and insert "$3"

Stephen J. Rees,
Committee Chairman

Committee report read and adopted. Senator Cornaby is present. Senators Rees, McAllister, Finlinson, Black, and Richards commented. The bill passed on the following roll call:

Yeas, 22; Nays, 4; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Myrin	Pace (conflict)	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Swan
Tempest	Pres. Christensen		

Voting in the negative were: Senators

Black	Finlinson	Money	Peterson, C.E.

Absent or not voting were: Senators

Farley	Nielsen	Storey

STANDING COMMITTEE REPORT

Mr. President: February 9, 1990

The Revenue and Taxation Standing Committee, to which was referred S.J.R. No. 22, ANTHONY COMMISSION RESOLUTION, by President Arnold Christensen, has carefully considered the bill and reports it out of committee favorably with a recommendation that it be placed on the Consent Calendar.

Lorin N. Pace,
Committee Chairman

Committee report read and adopted. S.J.R. No. 22, read the second time and placed on Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on S.B. Nos. 7, 41, 46, 153, 180, 219, 228, and H.B. Nos. 212, 229, 233, and 234, and the bills were placed on Second Reading Calendar.

SECOND READING CALENDAR

On motion of Senator Black, under suspension of the rules H.B. No. 154, TREE PLANTING FUND, was read the second and third times.

Mr. President: February 5, 1990

The Senate Energy, Natural Resources and Agriculture Committee, to which was referred H.B. No. 154, TREE PLANTING FUND by Representative Ted D. Lewis, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 8:
After "program" insert "and place emphasis on post-planting care"

Fred W. Finlinson,
Committee Chairman

Committee report read and adopted. Barbara Lewis, Jackson Elementary School teacher and several students, 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

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson

Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Barton	Nielsen	Storey

H.B. No. 154, as amended, was transmitted to the House.

* * *

On motion of Senator Tempest **S.B. No. 121**, MASSAGE PRACTICE ACT, was lifted from Second Reading Table.

* * *

On motion of Senator McAllister **S.B. No. 70**, PRODUCT SELLERS' LIABILITY AMENDMENTS, was uncircled, and the bill was amended as follows:

Page 5, Line 12:
After "applicable" insert "Utah"

Page 5, Line 12:
After line 12 insert:

"(4) The statute of limitations for a products liability action against a product seller is tolled by the filing of a products liability action against a manufacturer if and until a court determines that the manufacturer is not subject to service of process under Utah law."

Page 5, Line 13:
Delete "(4)" and insert "(5)"

Senator McAllister, Hillyard, Black, Swan, Cornaby, and Pace commented. The bill passed on the following roll call:

Yeas, 18; Nays, 7; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell

Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Tempest	Pres. Christensen		

Voting in the negative were: Senators

Black	Carling	Cornaby	Fordham
Hillyard (conflict)	Steele	Swan	

Absent or not voting were: Senators

Farley	Finlinson	Nielsen	Storey

* * *

On motion of Senator Craig Peterson S.B. No. 164, SPECIAL FUEL TAX AMENDMENT, was uncircled, and before the Senate. Glade Sowards, Western Petroleum Marketers Association; Barry C. Conover, Deputy Executive Director, Utah State Tax Commission; Reed L. Reeve, Executive Vice President, Utah Motor Transport Association; and Murril Maughan, Metro Oil, spoke in Committee of the Whole.

Senator Hillyard moved the following amendment:

> Page 5, Line 13:
> After "overpaid" delete "in a timely manner" and insert "within 30 days of the date the refund request is received by the commission. If the commission fails to provide the refund within that period, an amount equal to 50% of the refund payable shall be added to the refund payment."

The motion failed on a voice vote.

Senators Craig Peterson, Swan, Hillyard, Bunnell, Black, Myrin and Leavitt commented. The bill passed on the following roll call:

Yeas, 21; Nays, 8; Absent, 0

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Cornaby	Farley	Finlinson	Fordham
Leavitt	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig

Rees	Steele	Storey	Swan
Pres. Christensen			

Voting in the negative were: Senators

Black	Carling	Hillyard	Holmgren
McAllister	McMullin	Richards	Tempest

* * *

S.B. No. 121, MASSAGE PRACTICE ACT was before the Senate, and passed on the following roll call:

Yeas, 26; Nays, 3; Absent, 0

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Myrin	Nielsen
Pace	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Voting in the negative were: Senators

Barton	Money	Peterson, C.E.

* * *

S.B. No. 170, CRIMINAL PENALTIES FOR HAZARDOUS WASTE VIOLATIONS, was read the second time.

Mr. President: February 2, 1990

The Senate Health Committee to which was referred S.B. No. 170, CRIMINAL PENALTIES FOR HAZARDOUS WASTE VIOLATIONS, by Senator Stephen J. rees, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 2, Line 13:
After "chapter" insert "or RCRA"

Page 3, Line 24:
Delete "this subsection" and insert "Subsection (3)(c) or (3)(d)"

Page 4, Line 13:
After "Subsection (b)" insert "and (c)"

Page 4, Line 18:
After line 18 insert:

"(c) Notwithstanding the provisions of Section 78-3-14.5 and 78-4-22, the department may reimburse itself and local governments from monies collected from criminal fines for qualifying extraordinary expenses incurred in prosecutions for violations of this chapter."

Page 4, Line 19
Bracket "(c)" and insert "(d)"

Page 4, Line 22:
After line 22 insert:

"(6) Prosecution for criminal violations of this chapter may be commenced by the attorney general or the county attorney in any county where venue is proper."

Stephen J. Rees,
Committee Chairman

Committee report read and adopted. Senators Rees, Beattie, Swan, Finlinson, and Richards commented. The bill passed on the following roll call:

Yeas, 26; Nays, 2; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Comaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
McAllister	McMullin	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Voting in the negative were: Senators

Leavitt	Money

Absent or not voting was: Senator
Pace

* * *

S.B. No. 44, SALES TAX EXEMPTION FOR POLLUTION CONTROL FACILITIES, was read the second time.

Mr. President: February 1, 1990

The Revenue and Taxation Standing Committee, to which was referred S.B. No. 44, SALES TAX EXEMPTION FOR POLLUTION CONTROL FACILITIES, by Senator Cary G. Peterson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lorin N. Pace,
Committee Chairman

Committee report read and adopted. Senators Cary Peterson, Black, C.E. Peterson, Holmgren, Hillyard, and Money commented. The bill passed on the following roll call:

Yeas, 20; Nays, 5; Absent, 4

Voting in the affirmative were: Senators

Barton	Beattie	Black	Carling
Finlinson	Fordham	Holmgren	McMullin
Money	Myrin	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Steele
Storey	Swan	Tempest	Pres. Christensen

Voting in the negative were: Senators

Barlow	Bunnell	Hillyard	Leavitt
McAllister			

Absent or not voting were: Senators

Cornaby	Farley	Pace	Richards

* * *

S.B. No. 154, REVENUE TYPES, was read the second time.

Mr. President: February 1, 1990

The Revenue and Taxation Standing Committee to which was referred S.B. No. 154, REVENUE TYPES, by Senator LeRay L. McAllister, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lorin N. Pace,
Committee Chairman

Committee report read and adopted. Senators McAllister, Barton, Beattie, and Swan commented. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Black	Finlinson

STANDING COMMITTEE REPORT

Mr. President: February 12, 1990

The Business, Labor, and Economic Development Standing Committee, to which was referred S.B. No. 216, CORPORATIONS AMENDMENTS, by Senator Dixie L. Leavitt, has carefully considered the bill and reports it out of committee favorably and asks that it be placed on the Consent Calendar with the following amendments:

Page 1, Line 23:
After "president," insert "chairman, or chief executive officer,"

Lane Beattie,
Committee Chairman

Committee report read and adopted. S.B. No. 216 was read the second time and placed on the Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on S.B. Nos. 108, 163, 191, 193, 221, 235 and H.B. Nos. 195, and the bills were placed on Second Reading Calendar.

* * *

On motion of Senator Cary Peterson, **H.B. No. 59, H.B. No. 436, S.B. No. 277** and **S.B. No. 54** were uncircled.

* * *

On motion of Senator Cary Peterson and at 12:00 noon, the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:05 p.m., with President Christensen presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 12, 1990

I am directed to inform the Senate that the House of Representatives has this day passed **S.C.R. No. 5**, RESOLUTION HONORING RALPH BLACKHAM, by Senator Cary G. Peterson, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 62**, APPLICATION FOR PROPERTY TAX EXEMPTIONS, by Senator Boyd K. Storey, which has been signed by the Speaker in open session, and the same is transmitted herewith for signature of the President.

Carole E. Peterson, Chief Clerk

S.C.R. No. 5 and **S.B. No. 62** was signed by the President of the Senate in open session, referred to Rules Committee to be enrolled and transmitted to the Governor.

* * *

Mr. President: February 12, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, **H.C.R. No. 21**, FEDERAL REGULATION OF STATE RETIREMENT PLANS, by Representative Rob W. Bishop, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.J.R. No. 18**, INCOME TAX DEDUCTION FOR HEALTH INSURANCE PREMIUMS, by Representative Haynes R. Fuller, and the 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, **H.J.R. No. 24**, RESOLUTION RECOGNIZING JACK A. OLSEN, by Representative Nolan E. 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 **H.B. No. 30**, REPEAL OF UTAH CONSERVATION AND RESEARCH FOUNDATION, by Representative Max W. Young, and the 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, **SUB. H.B. No. 73**, SHARED FOREIGN SALES CORPORATIONS, by Representative Ronald J. Ockey, and the 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**, PUBLIC EDUCATION OPTIONS, by Representative Richard J. Bradford, 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. 216**, ESCAPE OFFENSE AMENDMENTS by Representative Daniel R. 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, as amended, **SUB. H.B. No. 221**, LENGTHENING OF THE SCHOOL YEAR, by Representative Larry V. Lunt, 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, **H.B. No. 264**, DISCLOSURE OF BUDGET NOTICES, 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 on consent calendar, **H.B. No. 271**, AMATEUR HAM RADIO OPERATOR'S SPECIAL LICENSE PLATE, by Representative Scott W. 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, **SUB. H.B. No. 276**, MOTORCYCLE RIDER EDUCATION ACT, by Representative Dionne P. Halverson, 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. 297**, RULES OF CRIMINAL PROCEDURE CITATIONS, by Representative Byron L. Harward, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 312**, AUTHORITY TO ACCEPT BONDS FROM INDIAN TRIBES FOR WATER PROJECTS, by Representative David M. Adams, 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. 323**, PARTISAN SCHOOL ELECTIONS, by Representative Blaze D. Wharton, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.C.R. No. 21, H.J.R. No. 18, H.J.R. No. 24, H.B. No. 30, SUB. H.B.No. 73, H.B. No. 202, H.B. No. 216, SUB. H.B. No. 221, H.B. No. 264, H.B. No. 271, SUB. H.B. No. 276, H.B. Nos. 297, 312 and 323, were read the first time and referred to Rules Committee.

SECOND READING CALENDAR

On motion of Senator Cary Peterson **S.B. No. 277** and **S.B. No. 54** were circled.

* * *

S.B. No. 155, ADULT ABUSE DATA BASE, was read the second time.

Mr. President: February 1, 1990

The Senate Social Services Standing Committee, to which was referred **S.B. No. 155**, ADULT ABUSE DATA BASE, by Senator Winn L. Richards, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Boyd K. Storey,
Committee Chairman

Committee report read and adopted. Senators Richards and Finlinson commented.

On motion of Senator Steele, the bill was amended as follows:

Page 3, Line 3:
After "director" insert "and the person who is the subject of a report"

On motion of Senator Finlinson, the bill was amended as follows:

Page 2, Lines 16 through 25:
Restore all language

Page 3, Line 1
Restore "inconsistent with the part."

The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Bunnell	Cornaby	Pace

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 7, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Senate and House, S.J.R. No. 8, LEGISLATIVE CONSTITUTIONAL AMENDMENT, by Senator Lyle W. Hillyard, et al, and the same is transmitted herewith for the Senate's further consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Hillyard the Senate voted to refuse to concur in the House amendment, and to ask the House to recede from its amendments. S.J.R. No. 8 was returned to the House.

SECOND READING CALENDAR

S.B. No. 49, NONCONFORMING USES AMENDMENTS, was read the second time.

Mr. President: February 2, 1990

The State and Local Affairs Committee, to which was referred S.B. No. 49, NONCONFORMING USES AMENDMENTS, by Senator Barlow, has carefully considered the bill and recommends that the original bill be deleted in body and title and that SUB. S.B. No. 49 replace the original bill and be reported out favorably.

Craig A. Peterson,
Committee Chairman

Committee report read and adopted. The following substitute bill replaced the original bill.

NONCONFORMING USES AMENDMENTS
(1-31-90 2:07 p.m.)

AN ACT RELATING TO REAL PROPERTY; PROVIDING FOR METHODS TO TERMINATE NONCONFORMING USES; AND MAKING TECHNICAL CORRECTIONS.

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

AMENDS: 10-9-6, AS LAST AMENDED BY CHAPTER 124, LAWS OF UTAH 1987; 17-27-18, AS LAST AMENDED BY CHAPTER 44, LAWS OF UTAH 1981.

Senators Barlow, Swan, Pace, Rees, Black, and McMullin commented. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow (conflict)	Barton	Black	Carling
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin (conflict)	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards (conflict)
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Beattie	Bunnell	Comaby	Farley

THIRD READING CALENDAR

On motion of Senator McMullin, under suspension of the rules, **H.B. No. 59**, RETIREMENT BENEFIT AMENDMENTS, was before the Senate.

Senator McAllister moved the following amendments:

Page 1, Line 13:
After "SYSTEM" insert "PROVIDING BENEFIT LIMITATIONS;"

Page 3, Line 25:
After Line 25 insert a new subsection as follows:

"(c) In no event may the benefit exceed 60% of the member's final average salary, except for those members whose effective retirement date is on or before July, 1990."

Senators Leavitt, Steele, Black, Swan, Hillyard, and C.E. Peterson commented. The motion failed on the following roll call:

Yeas, 8; Nays, 20; Absent, 1

Voting in the affirmative were: Senators

Barton	Holmgren	Leavitt	McAllister
McMullin	Money	Peterson, C.E.	Peterson, Cary

Voting in the negative was: Senator
Cornaby

Absent or not voting were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Farley	Finlinson	Fordham
Hillyard	Myrin	Nielsen	Pace
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

On motion of Senator McMullin, the bill was circled.

* * *

On motion of Senator McMullin, under suspension of the rules **H.B. No. 436**, SALARY INCREASES FOR TEACHERS, was before the Senate.

On motion of Senator McMullin, the bill was amended as follows:

Page 4, Line 18:
After "district" insert ", who is under contract with the district"

Page 4, Line 24:
After "basis" insert:
", except that a qualified teacher who shares a teaching position with another qualified teacher or a kindergarten teacher who teaches half days shall receive a percentage of the $1,000 increase, based on the teacher's employment percentage of a full-time position"

On motion of Senator McMullin, the bill was circled.

SECOND READING CALENDAR

S.B. No. 127 AUDITS OF STATE LAND LEASES AND PERMITS, was read the second time.

Mr. President: February 5, 1990

The Senate Energy, Natural Resources and Agriculture Committee, to which was referred **S.B. No. 127**, AUDITS OF STATE LAND LEASES AND PERMITS, by Senator David H. Steele has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 24:
After "times" insert ",places,"

Page 1, Line 25:
After "(a)" delete "examine" and insert "require that the lessee, permittee, or contractor provide" and after "any" insert "pertinent" and after "other" delete "pertinent"

Page 1, Line 27:
After "inspect the" delete the rest of the line and insert "property acquired, used, or developed under the lease, permit, or contract after reasonable notice or as provided in the lease, permit, or contract"

Fred W. Finlinson,
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

Barlow	Barton	Bunnell	Carling
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Beattie	Black	Cornaby	Farley

* * *

S.B. No. 33, TAX PENALTY AMENDMENTS, was read the second time.

Mr. President: February 6, 1990

The Revenue and Taxation Standing committee to which was referred S.B. No. 33, TAX PENALTY AMENDMENTS, by Senator William T. Barton has carefully considered the bill and reports it out of committee with a favorable recommendation with the following amendments:

Page 4, Lines 13 through 25:
Delete entirely

Page 5, Lines 1 through 3:
Delete entirely

Lorin N. Pace,
Committee Chairman

Committee report read and adopted. On motion of Senator Barton, the bill was circled.

* * *

S.B. No. 95, TRANSIENT ROOM TAX COLLECTIONS, was read the second time.

Mr. President: February 6, 1990

The Revenue and Taxation Standing Committee to which was referred S.B. No. 95, TRANSIENT ROOM TAX COLLECTIONS, by Senator Lyle W. Hillyard, has carefully considered the bill and reports it out of committee with a favorable recommendation with the following amendment:

Lorin N. Pace,
Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Carling
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Voting in the negative was: Senator
Bunnell

Absent or not voting were: Senators

Black	Cornaby	Farley

* * *

S.B. No. 189, DEPARTMENT OF FINANCIAL INSTITUTIONS AMENDMENTS, was read the second time.

Mr. President: February 6, 1990

The Revenue and Taxation Standing Committee, to which was referred S.B. No. 189, DEPARTMENT OF FINANCIAL INSTITUTIONS AMENDMENTS, by Senator C.E. Peterson, has carefully considered the bill and reports it out of committee with a favorable recommendation with the following amendments:

Page 18, Line 22:
Bracket "All" and insert "For purposes of determining the interest rate allowed by the laws of this state under Section 85 of the National Bank Act and Sections 521 and 522 of the Depository Institutions

Deregulation and Monetary Control Act of 1980, all" and after "charges," bracket "as defined in Regulation Z of the Board of"

Page 18, Line 23:
Bracket "Governors of the Federal Reserve System,"

Page 18, Line 25:
Before "all delinquency" delete "and" and insert "all transaction fees," and delete "charges" and insert "fees,"

Page 19, Line 1:
Delete "authorized by Sections 70C-2-102 and 70C-2-103" and insert "all fees charged for exceeding a designated credit limit, all fees charged for each return of a dishonored check or negotiable order of withdrawal or draft, all fees charged for stopping payment, and all other charges permitted under Section 70C-2-101"

Page 19, Line 2:
After "Utah" insert "." and delete the remainder of line 2

Page 19, Lines 3-5:
Delete line 3-5 and insert "Notwithstanding the foregoing, a credit plan agreement that provides for any such fees shall disclose them separately from the interest rate in a manner consistent with Regulation Z of the Board of Governors of the Federal Reserve System."

Lorin N. Pace,
Committee Chairman

Committee report read and adopted.

On motion of Senator C.E. Peterson, the bill was amended as follows:

Page 17, Line 17:
After "regular [~~monthly~~]" insert "quarterly"

The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin

Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was Senator
Cornaby

* * *

On motion of Senator Cary Peterson **S.B. No. 33, H.B. No. 436,** and **H.B. No. 59,** were uncircled.

* * *

On motion of Senator Cary Peterson and at 3:30 p.m. the Senate adjourned until 8:00 a.m. Tuesday, February 13, 1990.

THIRTY-SEVENTH DAY

MORNING SESSION

The Senate was called to order at 8:00 a.m., with President Arnold Christensen presiding.

Roll Call – All Senators present, except Senator Finlinson, excused.

Prayer – Reverend Wes Parrish-Pixler, President of the Salt Lake Ministerial Association, Hilltop United Methodist Church of Sandy, Utah.

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: February 13, 1990

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.

Paul T. Fordham,
Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 12, 1990

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. 154**, TREE PLANTING FUND, by Representative Ted D. Lewis, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Chief Clerk

H.B. No. 154 was signed by the President of the Senate in open session and returned to the House.

* * *

Mr. President: February 12, 1990

I am directed to inform the Senate that the House of Representative has this day passed **H.C.R. No. 20**, NATIVE PLANT DAY RESOLUTION, Representative Joanne R. Milner, and the 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. 209**, NUMBER OF JUVENILE COURT JUDGES, by Representative H. Craig Moody, and the 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. 230**, COMMERCE SERVICE FUND, by representative Lee Allen, 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. 225**, SOLID WASTE MANAGEMENT SUPERVISION, by Representative Beverly J. White, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 265**, STATE ARTS ENDOWMENT, by Representative Kim R. 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, **H.B. No. 286**, FINALITY OF DIVORCE AMENDMENTS, by Representative Jerrold S. Jensen, and the 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. 295**, CONSUMER PROTECTION AMENDMENTS, by Representative Afton B. Bradshaw, and the 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. 319**, JUSTICE COURT REVISORS, by Representative Jerrold S. Jensen, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.C.R. No. 20 and **H.B. Nos. 209, 230, 225, 265, 286, 295,** and **319**, were read the first time and referred to Rules Committee.

RULES COMMITTEE REPORTS

Mr. President: February 12, 1990

The Senate Rules Committee to which was referred the following Senate Resolutions:

S.R. No. 3	WINTER SPORTS AUTHORITY RESPONSIBILITY RESOLUTION
S.J.R. No. 24	LIMITATION OF CONGRESSIONAL TERMS AMENDMENT RESOLUTION

reports the Resolutions to the Senate and asks that they be printed and placed on the Consent Calendar.

C.E. Peterson,
Rules Committee Chairman

Committee report read and adopted. **S.R. No. 3** and **S.J.R. No. 24** were read the second time and placed on Consent Calendar.

* * *

Mr. President: February 12, 1990

The Senate Rules Committee to which was referred the following House Bills and Resolutions:

H.C.R. No. 10	UTAH TAR SANDS DEVELOPMENT
H.C.R. No. 23	SNOWBIRD WOMEN TRANS–ANTARCTIC
H.C.R. No. 26	RESOLUTION HONORING KATHY GARCIA
H.J.R. No. 23	RESOLUTION HONORING PAUL MCCARTY
SUB.	
H.B. No. 259	TAX TECHNICAL AMENDMENTS
H.B. No. 287	CIGARETTE LICENSING FEES

reports the Bills and Resolutions to the Senate and asks that they be placed on the Consent Calendar.

C.E. Peterson,
Rules Committee Chairman

Committee report read and adopted. **H.C.R. Nos. 10, 23 and 26; H.J.R. No. 23** and **SUB. H.B. No 259** and **H.B. 287** were read the second time and placed on Consent Calendar.

* * *

Mr. President: February 12, 1990

The Senate Rules Committee to which was referred the following House Bills:

H.B. No. 3	FAIR COMPETITION IN PUBLIC BIDDING (Business, Labor & Economic Development)
SUB.	
H.B. No. 127	LICENSING FINANCIAL PLANNERS (Business, Labor & Economic Development)
H.B. No. 185	PROCEDURAL AMENDMENTS TO THE CORPORATIONS (Business, Labor & Economic Development)
H.B. No. 235	CREDIT REPORTING AMENDMENTS (Business, Labor & Economic Development)
H.B. No. 125	APPLIED TECHNOLOGY CENTERS (Education)
H.B. No. 244	JUVENILE TRAFFIC OFFENSES AMENDMENT (Education)
H.B. No. 239	PHARMACY PRACTICE ACT AMENDMENTS (Health)
H.B. No. 146	JUVENILE COURT PROTECTIVE ORDERS (Judiciary)
H.B. No. 147	AMENDMENTS TO CRIME VICTIMS REPARATIONS (Judiciary)
H.B. No. 175	RETIREMENT OPTION AMENDMENTS (Judiciary)
H.B. No. 199	CHILD GUARDIAN AD ITEM APPOINTMENT (Judiciary)
H.B. No. 263	OBTAINING CONTROLLED SUBSTANCES AMENDMENT (Judiciary)
H.B. No. 281	JUDICIAL CONDUCT COMMISSION AMENDMENTS (Judiciary)
SUB.	
H.B. No. 63	OIL AND GAS SEVERANCE TAX AMENDMENTS (Revenue & Taxation)
SUB.	
H.B. No. 149	IMMEDIATE INCOME WITHHOLDING (Social Services)
H.B. No. 160	TASK FORCE ON VOLUNTEERS FOR COMMUNITY SERVICE (Social Services)
H.B. No. 206	UTAH COMMISSION FOR WOMEN AND FAMILIES (Social Services)
H.B. No. 15	SMOKE DETECTOR ACT (Transportation & Public Safety)

reports the bills to the Senate and asks that they be assigned to the proper committee.

C.E. Peterson,
Rules Committee Chairman

* * *

Mr. President: February 12, 1990

The Senate Rules Committee to which was referred the following Senate Bills:

S.B. No. 122	HIGHWAY USERS' PROTECTION ACT (Business, Labor & Economic Development)
S.B. No. 229	INSURANCE COVERAGE EXPANSION (Business, Labor & Economic Development)
S.B. No. 245	LIMITATION ON CANCELLATION OF INSURANCE (Business, Labor & Economic Development)
S.B. No. 197	UTAH CONSERVATION CORPS (Energy, Natural Resources & Agriculture)
S.B. No. 246	MEAT AND POULTRY PRODUCTS INSPECTION AMENDMENTS (Energy, Natural Resources & Agriculture)
S.B. No. 168	STANDARDS FOR IMPOSITION OF THE DEATH PENALTY (Judiciary)
S.B. No. 183	REPEAL OF ORS BAIL COLLECTION (Social Services)
S.B. N. 207	UNIFORM CHILD CUSTORY JURISDICTION ACT AMENDMENTS (Social Services)
S.B. No. 242	PSYCHIATRIC SECURITY REVIEW BOARD AMENDMENTS (Social Services)

reports the bills to the Senate and asks that they be printed and assigned to the proper committee.

C.E. Peterson,
Rules Committee Chairman

Committee reports read and adopted. President Christensen assigned the bills to the committees indicated.

* * *

Mr. President: February 12, 1990

The Senate Rules Committee to which was referred the following Senate Resolutions:

S.J.R. No. 26 SPECIAL DISTRICT RESOLUTION
S.R. No. 2 SALES TAX EXEMPTIONS SUNSET
reports the Resolutions to the Senate and asks that they be printed and placed on the Second Reading Calendar.

C.E. Peterson,
Rules Committee Chairman

Committee report read and adopted. S.J.R. No. 26 and S.R. No. 2 were placed on Second Reading Calendar.

CONSENT CALENDAR

On motion of Senator Carling, S.B. No. 165, CREDIT SERVICES ACT AMENDMENTS, was read the third time and placed on Third Reading Calendar for amendment.

On motion of Senator Carling, the bill was amended as follows:

Page 1, Lines 13–14:
Delete "EITHER" and after "BOND" delete "OR LETTER OF CREDIT"

The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Comaby	Finlinson	Pace

S.B. No. 165, as amended, was transmitted to the House.

* * *

On motion of Senator McMullin **H.B. No. 122**, CORPORATE TRADEMARKS AND SERVICE MARKS, was removed from Consent Calendar, and placed on Second Reading Calendar.

* * *

S.B. No. 182, EDUCATIONAL TELECOMMUNICATIONS, was before the Senate, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Cornaby	Finlinson	Pace

S.B. No. 182, was transmitted to the House.

* * *

S.B. No. 177, BUDGETARY PROCEDURES ACT AMENDMENTS, was read the third time, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Comaby	Finlinson	Pace

S.B. No. 177, as amended, was transmitted to the House.

THIRD READING CALENDAR

On motion of Senator McMullin, H.B. No. 59 was circled.

* * *

H.B. No. 436, SALARY INCREASES FOR TEACHERS was before the Senate. Senators Barlow, Barton, Swan, Bunnell, and Rees commented. The bill passed on the following roll call:

Yeas, 20; Nays, 7; Absent, 2

Voting in the affirmative were: Senators

Barlow	Beattie (exp.)	Black	Carling
Comaby (exp.)	Fordham	Hillyard (exp.)	Holmgren
McMullin (exp.)	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Pres. Christensen

Voting in the negative were: Senators

Barton	Bunnell	Farley	McAllister (exp.)
Money	Swan	Tempest	

Absent or not voting were: Senators

Finlinson	Leavitt

H.B. No. 436, as amended, was returned to the House.

* * *

On motion of Senator Barlow S.B. No. 29, ELIGIBILITY FOR TAX RELIEF PROGRAM, was read the third time, and circled.

* * *

SUB. S.B. No. 102, UTAH LAKE TASK FORCE, was read the third time, and passed on the following roll call:

Yeas, 22; Nays, 4; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Hillyard
Holmgren	McAllister	McMullin	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Steele	Storey
Swan	Pres. Christensen		

Voting in the negative were: Senators

Black	Fordham	Richards	Tempest

Absent or not voting were: Senators

Finlinson	Leavitt	Money

SUB. S.B. No. 102, as amended, was transmitted to the House.

* * *

SUB. S.B. No. 88, SMALL CLAIMS COURT 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Fordham	Hillyard	Holmgren	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Finlinson	Leavitt

SUB. S.B. No. 88, was transmitted to the House.

* * *

S.B. No. 116, AMENDMENTS TO PUBLIC OFFICERS AND EMPLOYEES ETHICS ACT, was read the third time, and passed on the following roll call:

Yeas, 20; Nays, 3; Absent, 6

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Carling
Fordham	Hillyard	Holmgren	McAllister
McMullin	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Craig	Rees	Richards
Steele	Storey	Tempest	Pres. Christensen

Voting in the negative were: Senators

Black	Money	Swan

Absent or not voting were: Senators

Bunnell	Cornaby	Farley	Finlinson
Leavitt	Peterson, Cary		

S.B. No. 116, as amended, was transmitted to the House.

* * *

S.B. No. 120, MOTOR VEHICLE BUSINESS ACT AMENDMENTS, was read the third time, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Fordham	Hillyard	Holmgren
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Barton	Cornaby	Farley	Finlinson
Leavitt	Peterson, Cary		

S.B. No. 120, as amended, was transmitted to the House.

* * *

SUB. S.B. No. 138, INSURANCE CODE AMENDMENTS, was read the third time. Senator Steele was presiding. The Substitute bill passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Fordham	Hillyard	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Barton	Cornaby	Farley	Finlinson
Holmgren	Leavitt	Pace	Peterson, Cary
Peterson, Craig			

SUB. S.B. No. 138, as amended, was transmitted to the House.

* * *

S.B. No. 156, LAND SALES, TIMESHARES, AND CAMP RESORT AMENDMENTS, was read the third time, and passed on the following roll call:

Yeas, 20; Nays, 2; Absent, 7

Voting in the affirmative were: Senators

Barlow	Beattie	Bunnell	Carling
Fordham	Hillyard	McAllister	McMullin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Voting in the negative were: Senators

Black	Money

Absent or not voting were: Senators

Barton	Cornaby	Farley	Finlinson
Holmgren	Leavitt	Myrin	

S.B. No. 156, as amended, was transmitted to the House.

* * *

S.B. No. 70, PRODUCTS SELLERS' LIABILITY AMENDMENTS, was read the third time. Senators McAllister, Barlow, Black, and Cornaby commented. The bill passed on the following roll call:

Yeas, 15; Nays, 11; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Holmgren
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Rees	Tempest	Pres. Christensen	

Voting in the negative were: Senators

Black	Carling	Cornaby	Farley
Fordham	Hillyard (conflict)	Peterson, Craig	Richards
Steele	Storey	Swan	

Absent or not voting were: Senators

Bunnell	Finlinson	Leavitt

S.B. No. 70, as amended, was transmitted to the House.

* * *

S.B. No. 164, SPECIAL FUEL TAX AMENDMENT, was read the third time.

On motion of Senator Craig Peterson, the bill was amended as follows:

Page 1, Line 17:
After line 17 insert "59-13-304, AS ENACTED BY CHAPTER 6, LAWS OF UTAH 1987"

Page 2, Line 14:
After "vehicle" reinsert "unless the motor"

Page 2, Line 15:
Reinsert "vehicle has a current" and after "[or a]" reinsert "special fuel exemption"

Page 2, Line 16:
After "[permit]" insert "certificate" and reinsert "as provided in" and insert "Section" and after "[Sections 59-13-303 and]" reinsert "59-13-304"

Page 3, Line 8:
After line 8 insert the following:

"Section 2. Section 59-13-304, Utah Code Annotated 1953, as enacted by Chapter 6, Laws of Utah 1987, is enacted to read:

59-13-304. Exemptions from special fuel tax - Certificate required - Fees for certificates - Inspection of vehicles.

(1) As user of special fuel who owns a vehicle powered by [~~propane or any~~] a special fuel [~~which is not conveniently measurable on a gallonage basis~~] such as propane, electricity, natural gas, or hydrogen, but not including diesel [~~may qualify~~] qualifies for an exemption from the special fuel tax imposed by Section 59-13-301. Users determined by the commission to qualify for this exemption shall annually purchase from the commission [~~,~~] a special fuel tax exemption certificate for each qualifying vehicle owned. Special fuel tax exemption certificates are provided to encourage [experimentation with] the use of natural gas, propane, hydrogen, electricity, and other special fuel which reduce air pollution.

(2) The fee for a special fuel tax exemption certificate is $36 for vehicles under 33,000 pounds registered gross laden weight and $70 for vehicles 33,000 pounds or more registered gross laden weight. The commission may require each vehicle to be inspected for safe operation before issuing the exemption certificate. Each vehicle shall be equipped with an approved and properly installed carburetion system for fuels which are gaseous at standard atmospheric conditions.

Page 5, Line 15:
After "1990." insert "If there is a conflict between Section 59-13-301 as amended in this act and Section 59-13-301 as amended in any other act passed during the 1990 General Session, the provisions of this act supersede the conflicting provisions."

The bill passed on the following roll call:

Yeas, 18; Nays, 8; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Farley	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Steele	Storey
Swan	Pres. Christensen		

Voting in the negative were: Senators

Carling	Cornaby	Fordham	Hillyard
McAllister	McMullin	Richards	Tempest

Absent or not voting were: Senators

Finlinson	Holmgren	Leavitt

S.B. No. 164, as amended, was transmitted to the House. Senator Finlinson is present.

* * *

S.B. No. 121, MASSAGE 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

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest			

Absent or not voting were: Senators

Black	Holmgren	Leavitt	Pres. Christensen

S.B. No. 121, as amended, was transmitted to the House.

* * *

S.B. No. 170, CRIMINAL PENALTIES FOR HAZARDOUS WASTE VIOLATIONS, was read the third time, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	McAllister
McMullin	Money	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Holmgren	Leavitt	Myrin

S.B. No. 170, as amended, was transmitted to the House.

* * *

S.B. No. 44, SALES TAX EXEMPTION FOR POLLUTION CONTROL FACILITIES, was read the third time, and passed on the following roll call:

Yeas, 23; Nays, 5; Absent, 1

Voting in the affirmative were: Senators

Barton	Beattie	Bunnell	Carling
Cornaby	Farley	Finlinson	Fordham
Holmgren	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Steele	Storey
Swan	Tempest	Pres. Christensen	

Voting in the negative were: Senators

Barlow	Black	Hillyard	McAllister
Richards			

Absent or not voting was: Senator

Leavitt

S.B. No. 44, was transmitted to the House.

* * *

S.B. No. 154, REVENUE TYPES, was read the third time, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator
Leavitt

S.B. No. 154, was transmitted to the House.

* * *

S.B. No. 155, ADULT ABUSE DATA BASE, was read the third time, and passed on the roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
McAllister	McMullin	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Leavitt	Money	Peterson, Craig

S.B. No. 155, as amended, was transmitted to the House.

* * *

On motion of Senator Cornaby, S.B. No. 108, PUBLIC CHOICE ON TRANSIT TAX AMENDMENTS (LIGHT RAIL) will be considered tomorrow at 11:00 a.m.

PRESENTATION OF RESOLUTIONS

On motion of Senator McMullin, under suspension of the rules, the Senate voted to allow introduction of the following resolutions:

RESOLUTION HONORING UTAH EMERGENCY MEDICAL TRAINING PROGRAMS

S.C.R. No. 10 *Dix H. McMullin, Alarik Myrin, Stephen Rees, Arnold, Christensen, Omar B. Bunnell, C.E. Peterson*

A CONCURRENT RESOLUTION OF THE LEGISLATURE AND THE GOVERNOR RECOGNIZING THE UTAH EMERGENCY MEDICAL ORGANIZATION FOR ITS USE OF CARDIOPULMONARY RESUSCITATION TO SAVE LIVES, , was read the first time and referred to Rules Committee.

MCGRUFF TENTH ANNIVERSARY RESOLUTION

S.C.R. No. 11 *Dix H. McMullin, Wilford R. Black, Alarik Myrin*

A CONCURRENT RESOLUTION OF THE LEGISLATURE AND THE GOVERNOR COMMENDING AND CELEBRATING THE TENTH BIRTHDAY ANNIVERSARY OF MCGRUFF, THE CRIME DOG, AND HIS MESSAGE, "TAKE A BITE OUT OF CRIME", was read the first time and referred to Rules Committee.

RULES COMMITTEE REPORT

Mr. President: February 13, 1990

The Senate Rules Committee to which was referred the following Senate Resolutions:

S.C.R. No. 10 RESOLUTION HONORING UTAH ENERGY MEDICAL TRAINING PROGRAMS

S.C.R. No. 11 MCGRUFF TENTH ANNIVERSARY RESOLUTION reports the Resolutions to the Senate and asks that they be printed and placed on the Second Reading Calendar.

C.E. Peterson,
Rules Committee Chairman

Committee report read and adopted. S.C.R. No. 10 and S.C.R. No. 11 were placed on Second Reading Calendar.

* * *

SUB. S.B. No. 49, NONCONFORMING USES AMENDMENTS, was read the third time. On motion of Senator Beattie, the bill was amended as follows:

Green Page 1, Line 13:
After "USES;" insert "PROHIBITING POLITICAL SUBDIVISIONS FROM RESTRICTING POLITICAL SIGNS IN CERTAIN CIRCUMSTANCES;"

Green Page 1, Line 17:
After Line 17 insert:

"20-13-17, AS REPEALED AND REENACTED BY CHAPTER 57, LAWS OF UTAH 1987"

Green Page 6, Line 8:
After Line 8 inserts:

"Section 3. Section 20-13-17, Utah Code Annotated 1953, as repealed and reenacted by Chapter 57, Laws of Utah 1987, is amended to read:

20-13-17. Polling place - Prohibited activities in and around.

(1) On the day of any primary, general, municipal, bond, or special election, within a polling place or in any public area within 150 feet of the building where a polling place is located, no person may:

(a) do any electioneering:

(b) circulate cards or handbills of any kind;

(c) solicit signatures to any kind of petition; or

(d) engage in any practice that interferes with the freedom of voters to exercise their franchise or disrupts the administration of the polling place.

(2) (a) No person may obstruct the doors or entries to a building in which a polling place is located or prevent free access to and from any polling place.

(b) A sheriff, deputy sheriff, or municipal law enforcement officer shall prevent the obstruction of the entrance to a polling place, and may arrest any person creating an obstruction.

(3) No person may:

(a) remove any ballot from the polling place before the closing of the polls, except as provided in Section 20-7-24; or

(b) solicit any voter to show his ballot.

(4) No person other than an election judge may receive from any voter a voted ballot or deliver an unused ballot to a voter.

(5) Any person who violates any provision of this section is guilty of a class A misdemeanor.

(6) A political subdivision may not prohibit political signs that are located more than 150 feet away from a polling place, but may regulate their placement to protect public safety."

The substitute bill passed on the following roll call:

Yeas, 24; Nays, 2; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Farley	Finlinson	Fordham
Hillyard	Holmgren	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Steele	Swan	Tempest	Pres. Christensen

Voting in the negative were: Senators

Carling	Cornaby

Absent or not voting were: Senators

Leavitt	Richards	Storey

SUB. S.B. No. 49, as amended was transmitted to the House.

* * *

S.B. No. 127, AUDITS OF STATE LAND LEASES AND PERMITS, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Hillyard	Holmgren	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Fordham	Leavitt	McAllister

S.B. No. 127, as amended, was transmitted to the House.

* * *

S.B. No. 189, DEPARTMENT OF FINANCIAL INSTITUTIONS AMENDMENTS, was read the third time. On motion of Senator C.E. Peterson, the bill was amended as follows:

Goldenrod Page 17, Line 13:
Delete the brackets from line 13

Goldenrod Page 17, Line 14:
Delete the brackets from "regular meeting every" and after "[calendar-month.]" insert "three months."

Goldenrod Page 17, Line 19
Delete the brackets from "during the preceding" and after "[month]" insert "quarter"

Goldenrod Page 17, Line 20:
Delete the brackets from "or"

The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
McAllister	McMullin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Leavitt	Money	Myrin

S.B. No. 189, as amended, was transmitted to the House.

* * *

S.B. No. 95, TRANSIENT ROOM TAX COLLECTIONS, was read the third time, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Hillyard	Holmgren	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Cornaby	Leavitt

S.B. No. 95, was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator McMullin, **S.B. No. 277** and **S.B. No. 54** were circled.

* * *

S.B. No. 133, SEX OFFENDER TREATMENT, was read the second time.

Mr. President: February 6, 1990

The Senate Social Services Standing Committee, to which was referred **S.B. No. 133**, SEX OFFENDER TREATMENT, by Senator Karl G. Swan, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Boyd K. Storey,
Committee Chairman

Committee report read and adopted. Senator C.E. Peterson commented. Senator Craig Peterson is presiding. The bill passed on the following roll call:

Yeas, 15; Nays, 5; Absent, 9

Voting in the affirmative were: Senators

Barlow	Black	Bunnell	Carling
Fordham	Hillyard	McAllister	McMullin
Pace	Peterson, Cary	Peterson, Craig	Richards
Steele	Storey	Swan	

Voting in the negative were: Senators

Barton	Finlinson	Myrin	Nielsen
Rees			

Absent or not voting were: Senators

Beattie	Cornaby	Farley	Holmgren
Leavitt	Money	Peterson, C.E.	Tempest
Pres. Christensen			

* * *

S.B. No. 160, UAPA EXEMPTION OF STATE ACTIONS, was read the second time.

Mr. President: February 6, 1990

The Senate Social Services Standing Committee, to which was referred S.B. No. 160, UAPA EXEMPTION OF STATE ACTIONS, by Senator David H. Steele, 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 SUB. S.B. No. 160 replace the original bill.

Boyd K. Storey,
Committee Chairman

Committee report read and adopted. The following substitute bill replaced the original bill.

UAPA AMENDMENTS REGARDING CHILD PLACEMENT
(2-5-90 11:26 a.m.)

SUB. S.B. No. 160 *David H. Steele*

AN ACT RELATING TO THE UTAH ADMINISTRATIVE PROCEDURES ACT; PROVIDING THAT STATE AGENCY DECISIONS REGARDING PLACEMENT OF CHILDREN BE REVIEWED BY THE JUVENILE COURT.

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

AMENDS: 63-46b-15, AS LAST AMENDED BY CHAPTER 72, LAWS OF UTAH 1988.

On motion of Senator Pace, the bill was amended as follows:

Green Page 1, Line 24:
After "that" insert "the juvenile court shall have jurisdiction over"

Green Page 1, Line 25 and 26:
After "Custody" insert a period and delete the remaining language.

The substitute bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Farley	Finlinson	Hillyard
Holmgren	McAllister	McMullin	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Richards	Steele	Storey
Swan	Tempest		

Absent or not voting were: Senators

Barton	Cornaby	Fordham	Leavitt
Money	Rees	Pres. Christensen	

* * *

S.B. No. 175, FUNDING FOR TOURISM, RECREATION, AND CONVENTION FACILITIES, was read the second time.

Mr. President: February 6, 1990

The State and Local Affairs Committee, to which was referred S.B. No. 175, FUNDING FOR TOURISM, RECREATION, AND CONVENTION FACILITIES, by Senator McMullin, has carefully considered the bill and reports it out of Committee with the following amendments:

Page 5, Line 13:
After "zoo," insert "bicycle trails,"

Page 5, Line 25:
After line 25 insert the following new Subsection to read:

"(2) the Department of Alcoholic Beverage Control shall make rules to require restaurant liquor licensees, private club liquor licensees, and airport lounge liquor licensees to separately report the sales of all setups and mixes to the State Tax Commission for purposes of this part."

Renumber remaining Subsections Accordingly.

Page 2, Lines 18–19:
After "bonds" delete "under the provisions of Chapter 14, Title 11, the Utah Municipal Bond Act" and insert "or cause bonds to be issued, as permitted by law"

Craig A. Peterson,
Committee Chairman

Committee report read and adopted. On motion of Senator McMullin, the bill was circled.

* * *

S.B. No. 69, PRODUCTS LIABILITY DEFENSES, was read the second time, President Christensen is presiding.

Mr. President: February 7, 1990

The Business, Labor, and Economic Development Standing Committee, to which was referred S.B. No. 69, PRODUCTS LIABILITY DEFENSES, by Senator LeRay McAllister, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 4:
Delete "loss" and insert "of a kind"

Page 3, Line 18:
After "harm" delete the period and insert "caused by a product."

Page 4, Line 15:
Bracket line 15

Page 4, Line 16:
Bracket "damage allegedly caused by a defect in a product" remove the brackets from the remainder of line 16 and before ": (1)" insert "In a products liability action"

Page 4, Lines 17–25:
Remove the brackets from lines 17 through 25

Page 5, Line 1:
Remove the brackets from line 1 and delete "which"

Page 5, Line 2:
Before "is" delete the underlined language on line 2

Page 5, Lines 22–23:
After "for harm" insert "in a products liability action" and delete "under this chapter"

Page 7, Line 9:
Delete "under this chapter" and insert "in a products liability action"

Lane Beattie,
Committee Chairman

Committee report read and adopted. Senator Cornaby commented. On motion of Senator McAllister there was a Call of the Senate. The bill failed on the following roll call:

Yeas, 14; Nays, 11; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Holmgren	McAllister	McMullin	Money
Nielsen	Pace	Peterson, C.E.	Steele
Tempest	Pres. Christensen		

Voting in the negative were: Senators

Black (exp.)	Carling	Cornaby	Farley
Finlinson	Hillyard	Myrin	Peterson, Craig
Richards	Storey	Swan	

Absent or not voting were: Senators

Fordham	Leavitt	Peterson, Cary	Rees

* * *

S.B. No. 33, TAX PENALTY AMENDMENTS, was before the Senate. Senators Barton, Bunnell, McMullin, C.E. Peterson and Hillyard commented. The bill passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Hillyard	Holmgren	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Voting in the negative was: Senator
Peterson, Craig

Absent or not voting were: Senators

Beattie	Fordham	Leavitt	Peterson, Cary
Rees			

* * *

Senator Myrin asked that S.B. No. 69 be held for possible reconsideration.

* * *

S.B. No. 134, CHIROPRACTIC IMPROVEMENT AMENDMENTS, was read the second time.

Mr. President: February 7, 1990

The Senate Health Standing Committee, to which was referred **S.B. No. 134**, CHIROPRACTIC IMPROVEMENT AMENDMENTS, by Senator Dix H. McMullin, 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 **SECOND SUB. S.B. No. 134** replace the original bill.

Stephen J. Rees,
Committee Chairman

Committee report read and adopted. The following second substitute bill replaced the original bill. A first substitute was never before the Senate.

CHIROPRACTIC IMPROVEMENT AMENDMENTS
(2-6-90 4:06 p.m.)

SECOND SUBSTITUTE
S.B. No. 134 *Dix H. McMullin*

AN ACT RELATING TO OCCUPATIONS AND PROFESSIONS; ALLOWING ONLY LICENSED OSTEOPATHIC PHYSICIANS, NATUROPATHS, MEDICAL DOCTORS, INTERNS, SUPERVISED STUDENTS, AND CHIROPRACTORS TO DIAGNOSE OR TREAT THE SPINE.

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

AMENDS: 58-12-51.6, AS LAST AMENDED BY CHAPTER 187, LAWS OF UTAH 1985.

The second substitute bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barton	Black	Bunnell	Carling
Comaby	Farley	Finlinson	Hillyard
Holmgren	McAllister	McMullin	Money
Nielsen	Pace	Peterson, C.E.	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Barlow	Beattie	Fordham	Leavitt
Myrin	Peterson, Cary		

COMMITTEE OF THE WHOLE

On motion of Senator Holmgren, the Senate resolved into a Committee of the Whole. Appearing before the Senate were Dr. Peter Van Dyck, Director of Family Health Services, Department of Health, and Maria Smith, KUTV Station Manager, regarding Utah's "Baby Your Baby" program.

SECOND READING CALENDAR

On motion of Senator McMullin S.B. No. 175, FUNDING FOR TOURISM, RECREATION AND CONVENTION FACILITIES, was uncircled.

Truman F. Clawson, Past Chairman, Salt Lake Convention and Visitors Bureau; Richard E. Davis, President, Salt Lake Convention & Visitors Bureau; R. Thayne Robson, Salt Lake City Convention Visitors Bureau; Kenneth Y. Knight, President, Little America Hotels, Sinclair Oil Corporation; Olene Walker, Chairwoman Task Force on Expansion of Salt Palace; and Bart Baker, Salt Lake County Commissioner spoke in Committee of the Whole.

Senators McMullin, Black, Nielsen, Craig Peterson, Cary Peterson, Storey, Richards and Beattie commented.

On motion of Senator Black, the bill was amended as follows:

Page 5, Line 20:
After "(a)" insert "Not to exceed"

Page 5, Line 24:
After "(b)" insert "Not to exceed"

On motion of Senator McMullin, the bill was amended as follows:

Page 5, Line 23:
After "to" insert "a repair or"

The bill passed on the following roll call:

Yeas, 25; Nays, 2; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell

Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	McAllister
McMullin (exp.)	Myrin	Pace	Peterson, C.E.
Peterson, Cary (exp.)		Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Voting in the negative were: Senators

Black	Nielsen (exp.)

Absent or not voting were: Senators

Leavitt	Money

THIRD READING CALENDAR

On motion of Senator Cornaby, under suspension of the rules, **H.B. No. 59**, RETIREMENT SERVICE CREDIT INCREASE, was uncircled and before the Senate.

On motion of Senator Cornaby, the bill was amended as follows:

Page 1, Line 12:
Delete "ACTIVE"

Senator McAllister's motion to circle failed on a voice vote. Senators Cornaby, McAllister, Beattie, Black, Barton, Pace, C.E. Peterson, Storey, and Rees commented. Senator Pace's motion to circle failed on a 10 Yea 15 Nay standing vote. The bill passed on the following roll call:

Yeas, 25; Nays, 3; Absent, 1

Voting in the affirmative were: Senators

Barlow	Beattie (exp.)	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Steele (conflict)	Storey	Swan (conflict)	Tempest
Pres. Christensen			

Voting in the negative were: Senators

Barton	McAllister	Richards

Absent or not voting was: Senator Leavitt

H.B. No. 59, as amended, was returned to the House.

SECOND READING CALENDAR

On motion of Senator McMullin, under suspension of the rules **S.C.R. No. 10**, RESOLUTION HONORING UTAH EMERGENCY MEDICAL TRAINING PROGRAMS, was read second and third time.

On motion of Senator McMullin, the bill was amended as follows:

Page 2, Line 16:
After "Livingston," insert "David Heaps,"

Page 3, Line 7:
After "Livingston," insert "David Heap,"

Page 3, Line 17:
After "Olympus High School," insert "David Heaps of Hillcrest High School,"

The resolution passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Cornaby	Farley	Finlinson
Fordham	Holmgren	McAllister	McMullin
Money	Myrin	Nielsen	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Carling	Hillyard	Leavitt	Pace
Peterson, C.E.			

S.C.R. No. 10, as amended, was transmitted to the House.

* * *

S.B. No. 148, CURATION OF ARCHAELOGICAL AND PALENTOLOGICAL SPECIMENS, was read the second time.

Mr. President: February 8, 1990

The Energy, Natural Resources and Agriculture Standing Committee to which was referred S.B. No. 148, CURATION OF ARCHAELOGICAL AND PALENTOLOGICAL SPECIMENS, by Senator Stephen J. Rees, has carefully considered the bill and reports it out of committee with a favorable recommendation with the following amendment:

Page 3, Line 2:
After "available" insert "through loans"

Fred Finlinson,
Committee Chairman

Committee report read and adopted. On motion of Senator Rees, the bill was amended as follows:

Page 2, Line 6:
After "section" delete "." and insert "; (i)"

Page 2, Line 8:
After line 8 insert:

"(ii) "Repository" means a place of storage as defined by the museum and includes a crypt for reburial."

The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Comaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
McAllister	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Leavitt	McMullin	Pace

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B. Nos. 211, 215, 234** and **H.B. Nos. 57, 61, 144** and **153**, and the bills were placed on Second Reading Calendar.

STANDING COMMITTEE REPORT

Mr. President: February 12, 1990

The Transportation and Public Safety Committee, to which was referred **H.B. No. 183**, CONCEALED WEAPONS AMENDMENTS, by Representative Hull, has carefully considered the bill, reports it out of committee favorably, and asks that it be placed on the Consent Calendar.

Glade Nielsen,
Committee Chairman

Committee report read and adopted. **H.B. No. 183**, was read the second time and placed on Consent Calendar.

* * *

Mr. President: February 13, 1990

The Senate Energy, Natural Resources and Agriculture Committee, to which was referred **SUB. H.C.R. No. 9**, RESOLUTION ON SHARON STEEL SITE, by Representative Melvin R. Brown, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar.

Fred W. Finlinson,
Committee Chairman

Committee report read and adopted. **SUB. H.C.R. No. 9**, was read the second time, and placed on Consent Calendar.

* * *

Mr. President: February 12, 1990

The Judiciary Committee, to which was referred **S.B. No. 181**, CRIMINAL OFFENSE CHARGES, by Senator Winn L. Richards, 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 26:
Delete "(a) of the same or similar character;"

Page 1, Line 27:
Delete "(b)" and insert "(a)"

Page 1, Line 29:
Delete "(c)" and insert "(b)", and

The Judiciary Committee, to which was referred S.B. No. 187, FORFEITURE HEARING JURISDICTION, by Senator Winn L. Richards, 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 7, Line 24:
After "court" insert the following:
"if the value of the property is less than $10,000 or in the district court if the value of the property is $10,000 or more"

Page 9, Line 3:
Reinstate "the" and delete "circuit or

Page 9, Line 4:
Delete "district" and after "court" insert:
"having jurisdiction", and

The Judiciary Committee, to which was referred S.B. No. 223, UNCLAIMED PROPERTY ACT AMENDMENTS, by Senator Craig A. Peterson, has carefully considered the bill and reports it out of committee with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The Judiciary Committee, to which was referred S.B. No. 226, YOUTH CORRECTIONS PAROLE VIOLATION 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.

Lyle W. Hillyard,
Committee Chairman

Committee reports read and adopted. S.B. No. 181, S.B. No. 187, S.B. No. 223 and S.B. No. 226, were read the second time, and placed on Consent Calendar.

* * *

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 Christensen presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 13, 1990

I am directed to inform the Senate that the House of Representatives has this day refused to recede from its amendments to **S.J.R. No. 8**, LEGISLATIVE CONSTITUTIONAL AMENDMENT, by Senator Lyle W. Hillyard, et al, and has appointed a Conference Committee consisting of Representatives Haze Hunter, Bradshaw and Lewis, to act with a like Committee from the Senate on this bill.

Carole E. Peterson, Chief Clerk

President Christensen appointed a conference committee consisting of Senators Hillyard, Cary Peterson and Money.

* * *

Mr. President: February 13, 1990

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 13**, AIR NATIONAL GUARD RESOLUTION, by Representative Lewis, and the 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. 18**, 1990 UTAH SUMMER GAMES RESOLUTION, by Representative R. Haze 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.C.R. No. 22**, GENDER PAY EQUITY SURVEY RESOLUTION, by representative Kelly C. Atkinson, 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. 22**, HISTORIC SITE PRESERVATION RESOLUTION, by Representative Frank R. Pignanelli, 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. 177**,. ARMORY AND ARSENAL BUILDING LEASES, by

Representative Lunt, and the 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**, CONSUMER SALES PRACTICE ACT PENALTIES, by Representative Pignanelli, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 310**, TRANSPORTING ARRESTED JUVENILE, by Representative Beverly A. Evans, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.C.R. Nos. 13, 18 and 22; H.J.R. No. 22 and H.B. Nos. 177, 302 and 310, were read the first time and referred to Rules Committee.

SECOND READING CALENDAR

S.B. No. 188, SUBCONTRACTOR OIL AND GAS MECHANICS LIEN LAW, was read the second time.

Mr. President: February 8, 1990

The Energy, Natural Resources and Agriculture Standing Committee to which was referred **S.B. No. 188**, SUBCONTRACTOR OIL AND GAS MECHANICS LIEN LAW, by Senator Alarik Myrin, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Fred Finlinson,
Committee Chairman

Committee report read and adopted. On motion of Senator Myrin, the bill was amended as follows:

Page 5, Line 8:
After "to the owner" delete "or" and insert "and"

Page 5, Line 13:
After "owner;" delete "or" and insert "and"

Page 6, Line 4:
After "unit;" delete "or" and insert "and"

The bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Barton	Beattie	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Barlow	Black	Bunnell	Carling
Cornaby	Farley	Peterson, Craig	

* * *

S.B. No. 198, OPERATOR ASSISTED SERVICES REQUIREMENTS, was read the second time.

Mr. President: February 8, 1990

The Senate Energy, Natural Resources and Agriculture Committee, to which was referred **S.B. No. 198**, OPERATOR ASSISTED SERVICES REQUIREMENTS, by Senator K.S. Cornaby, has carefully considered the bill and reports it out favorably with the recommendation that it be deleted in body and title and that **SUB. S.B. No. 198** replace the original bill.

Fred Finlinson,
Committee Chairman

Committee report read and adopted. The following substitute bill replaced the original bill.

OPERATOR ASSISTED SERVICES REQUIREMENTS
(2-7-90 12:28 p.m.)

SUB. S.B. No. 198 *K.S.Cornaby*

AN ACT RELATING TO PUBLIC TELECOMMUNICATIONS UTILITY LAW; DIRECTING THE PUBLIC SERVICE COMMISSION TO MAKE RULES SPECIFYING REQUIREMENTS FOR THE PROVISION OF OPERATOR ASSISTED SERVICES; MAKING THE DIVISION OF PUBLIC UTILITIES

RESPONSIBLE FOR THE ENFORCEMENT OF THE RULES; AND SETTING PENALTIES FOR THE VIOLATION OF THE RULES.

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

AMENDS: 54-8b-2, AS LAST AMENDED BY CHAPTER 96, LAWS OF UTAH 1989

ENACTS: 54-8b-13, UTAH CODE ANNOTATED 1953.

The substitute bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barton	Beattie	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Barlow	Black	Bunnell	Carling
Comaby	Farley		

* * *

S.B. No. 201, CUSTOMER SERVICE PRACTICES OF CABLE TV, was read the second time.

Mr. President: February 8, 1990

The Energy, Natural Resources and Agriculture Standing Committee to which was referred S.B. No. 201, CUSTOMER SERVICE PRACTICES OF CABLE TV, by Senator Fred W. Finlinson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Fred Finlinson,
Committee Chairman

Committee report read and adopted. Brian T. (Ted) Stewart, Chairman of the Public Service Commission, spoke in Committee of the Whole. Senator Finlinson, Christensen, Beattie, C.E. Peterson, Black and Barton commented. The bill passed on the following roll call:

Yeas, 17; Nays, 10; Absent, 2

Voting in the affirmative were: Senators

Black	Carling	Cornaby	Farley
Finlinson	Hillyard	Holmgren	McAllister
McMullin	Nielsen	Pace	Peterson, C.E.
Peterson, Craig	Rees	Storey	Swan
Tempest			

Voting in the negative were: Senators

Barton	Beattie	Fordham (exp.)	Leavitt (exp.)
Money	Myrin	Peterson, Cary	Richards
Steele	Pres. Christensen (exp.)		

Absent or not voting were: Senators

Barlow	Bunnell

* * *

S.B. No. 213, BOATING AMENDMENTS, was read the second time.

Mr. President: February 8, 1990

The Energy, Natural Resources and Agriculture Standing Committee to which was referred **S.B. No. 213, BOATING AMENDMENTS**, by Senator Karl G. Swan, has carefully considered the bill and reports it out of committee with a favorable recommendation with the following amendments:

Page 6, Line 8:
After "through the" delete "Motor Vehicle Division of the State Tax Commission" and insert "division or its authorized agent"

Page 6, Line 10:
After "inspection" insert "pursuant to Section 41-1-9"

Page 10, Line 23:
After "kayak," delete "or"

Page 10, Line 24:
After "vessel," insert "or homemade motorboat,"

Fred Finlinson,
Committee Chairman

Committee report read and adopted. On motion of Senator Swan, the bill was amended as follows:

Page 17, Line 16:
After "identification" insert "number"

Ted Wooley, Department of Natural Resources, Division of Parks and Recreation spoke in Committee of the Whole. The bill passed on the following roll call:

Yeas, 17; Nays, 11; Absent, 1

Voting in the affirmative were: Senators

Barton	Beattie	Black	Bunnell
Farley	Finlinson	Fordham	Holmgren
McMullin	Money	Myrin	Peterson, C.E.
Rees	Richards	Storey	Swan
Pres. Christensen			

Voting in the negative were: Senators

Carling	Cornaby	Hillyard	Leavitt
McAllister	Nielsen	Pace	Peterson, Cary
Peterson, Craig	Steele	Tempest	

Absent or not voting was: Senator
Barlow

* * *

On motion of Senator Myrin S.B. No. 69, PRODUCTS LIABILITY DEFENSES, was before the Senate on reconsideration. The motion of Senator McAllister to reconsider passed on a 15 yea standing vote. On motion of Senator McAllister, there was a Call of the Senate. The bill passed on the following roll call:

Yeas, 16; Nays, 12; Absent, 1

Voting in the affirmative were: Senators

Barton	Beattie	Bunnell	Holmgren
Leavitt	McAllister	McMullin	Money
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Rees	Steele	Tempest	Pres. Christensen

Voting in the negative were: Senators

Black	Carling	Comaby	Farley
Finlinson	Fordham	Hillyard	Myrin
Peterson, Craig	Richards	Storey	Swan

Absent or not voting was: Senator
Barlow

SECRETARY OF SENATE REPORT

Committee reports have been received on S.B. No 220 and 197, and the bills were placed on Second Reading Calendar.

* * *

On motion of Senator McMullin, S.B. No. 29, S.B. No. 277 and S.B. No. 54 were uncircled.

* * *

On motion of Senator Cary Peterson and at 3:00 p.m., the Senate adjourned until 8:00 a.m. Wednesday, February 14, 1990.

THIRTY-EIGHTH 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 – Reverend Jon Ericson – Foursquare Church.

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: February 14, 1990

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.

Paul T. Fordham,
Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 13, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, SUB. H.B. No. 129, STUDENT DISCIPLINE IN THE PUBLIC SCHOOLS, by Representative Jay Fawson, 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. 159, LICENSING REQUIREMENTS OF INSURANCE AGENTS, by Representative Ted D. Lewis, and the 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, CONSUMER SALES PRACTICE ACT PENALTIES, by Representative Pignanelli, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed H.B. No. 308, TRANSPORTATION FUND USES, by Representative Harward, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, SECOND SUB. H.B. No. 318, PROTECTION OF OLYMPICS USE, by Representative Nancy S. Lyon, and the 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, USE OF CAMPAIGN CONTRIBUTOR LIST, by Representative Jensen, and the 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. 279, DEPARTMENT OF CORRECTIONS AMENDMENTS, by Representative Arlo D. James, and the 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, SUB. H.B. No. 330, PURCHASE OF RECYCLED PAPER, by Representative White, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

SUB. H.B. No. 129, H.B. Nos. 159, 302, 308, SEC. SUB. H.B. No. 318, H.B. No. 241 and 279 and SUB. H.B. No. 330, were read the first time and referred to Rules Committee.

CONSENT CALENDAR

H.B. No. 163, ARRAIGNMENT JURISDICTION, was read the third time, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Farley	Fordham	Hillyard	Holmgren
McAllister	McMullin	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Black	Carling	Cornaby	Finlinson
Leavitt	Money	Storey	

H.B. No. 163 was signed by the President of the Senate in open session and transmitted to the House.

* * *

H.B. No. 68, INSURANCE BENEFITS FOR BENEFICIARIES OF PEACE OFFICERS, 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	Barton	Beattie	Bunnell
Farley	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Black	Carling	Cornaby	Finlinson
Money	Storey		

H.B. No. 68 was signed by the President of the Senate in open session and returned to the House.

* * *

H.B. No. 273, STATE FIRE PREVENTION 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

Barlow	Barton	Beattie	Bunnell
Farley	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Black	Carling	Cornaby	Finlinson
Storey			

H.B. No. 273 was signed by the President of the Senate in open session and returned to the House.

* * *

SUB. H.B. No. 243, PEACE OFFICER QUALIFICATION OF COUNTY SHERIFFS, was read the third time, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Farley	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Black	Carling	Cornaby	Finlinson
Storey			

SUB. H.B. No. 243 was signed by the President of the Senate in open session and returned to the House.

* * *

S.C.R. No. 8, RESOLUTION COMMEMORATING JOHN AND GLENN WALLACE, was read the third time. Walker Wallace 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

Barlow	Barton	Beattie	Bunnell
Farley	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Black	Carling	Cornaby	Finlinson
Storey			

S.C.R. No. 8, was transmitted to the House.

* * *

On motion of Senator Carling, S.J.R. No. 31 was circled.

* * *

On motion of Senator Leavitt, under suspension of the rules, S.B. No. 216, CORPORATIONS AMENDMENT, was before the Senate.

On motion of Senator Leavitt, the bill was amended as follows:

Page 2, Line 5:
After "president" insert ", chairman, or chief executive officer,"

The bill was returned to Consent Calendar.

THIRD READING CALENDAR

On motion of Senator Barlow, S.B. No. 29, was circled.

* * *

S.B. No. 133, SEX OFFENDER TREATMENT, was read the third time. On motion of Senator C.E. Peterson, the bill was amended as follows:

Page 2, Lines 10 and 11:
Delete entirely

The bill passed on the following roll call:

Yeas, 19; Nays, 5; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Fordham	Hillyard	Holmgren
McAllister	McMullin	Money	Pace

Peterson, C.E.	Peterson, Cary	Peterson, Craig	Richards
Steele	Swan	Tempest	

Voting in the negative were: Senators

Carling	Leavitt	Nielsen	Rees
Pres. Christensen			

Absent or not voting were: Senators

Cornaby	Farley	Finlinson	Myrin
Storey			

S.B. No. 133, as amended, was transmitted to the House.

* * *

SUB. S.B. No. 160, UAPA EXEMPTION OF STATE ACTION REGARDING CHILD PAYMENT, 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	Barton	Beattie	Black
Carling	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Rees	Richards	Steele
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Bunnell	Cornaby	Farley	Finlinson
Peterson, Craig	Storey		

SUB. S.B. No. 160, as amended, was transmitted to the House.

* * *

S.B. No. 33, TAX PENALTY AMENDMENT, was read the third time. On motion of Senator Barton, the bill was amended as follows:

Goldenrod Page 5, Line 5 through 9:
Delete entirely and insert "This act shall take effect June 30, 1991."

The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Finlinson	Money	Storey

S.B. No. 33, as amended, was transmitted to the House.

* * *

SECOND SUB. S.B. No. 134, CHIROPRACTIC IMPROVEMENT 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Finlinson	Pace	Storey

SECOND SUB. S.B. No. 134, was transmitted to the House.

* * *

S.B. No. 175, FUNDING FOR TOURISM, RECREATION, AND CONVENTION FACILITIES, was read the third time. Senators McMullin, Black, Cary Peterson, Bunnell and Leavitt commented. The bill passed on the following roll call:

Yeas, 22; Nays, 5; Absent, 2

Voting in the affirmative were: Senators

Barlow	Beattie	Bunnell	Carling
Cornaby	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Myrin
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Swan
Tempest	Pres. Christensen		

Voting in the negative were: Senators

Barton	Black	Farley	Money
Nielsen			

Absent or not voting were: Senators

Finlinson	Storey

S.B. No. 175, as amended, was transmitted to the House.

* * *

On motion of Senator McMullin, under suspension of the rules, H.C.R. No. 23, SNOWBIRD WOMEN TRANS ANTARCTIC EXPEDITION RESOLUTION, was read the third time, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Black	Bunnell
Carling	Cornaby	Farley	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Swan
Pres. Christensen			

Absent or not voting were: Senators

Beattie	Finlinson	Storey	Tempest

H.C.R. No. 23 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Hillyard, there was a Call of the Senate. Senator Lyle Hillyard, Appropriations Chairman, explained state revenue projections and gave appropriations committee direction for the remainder of the week. Senator Hillyard will be excused from the Senate floor action as necessary to meet his Appropriation Chairman responsibilities.

* * *

S.B. No. 148, CURATION OF ARCHAELOGICAL AND PALEONTOLOGICAL SPECIMENS, was read the third time, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Bunnell	Storey

S.B. No. 148, as amended, was transmitted to the House.

* * *

S.B. No. 188, SUBCONTRACTOR OIL AND GAS MECHANICS LIEN LAW, was read the third time, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator
Storey

S.B. No. 188, as amended, was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator Hillyard, under suspension of the rules, S.B. No. 176, UTAH HOMESTEAD RIGHTS, was read the second time.

Mr. President: February 8, 1990

The Judiciary Committee, to which was referred S.B. No. 176, UTAH HOMESTEAD RIGHTS, 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. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Barton	Storey

THIRD READING CALENDAR

SUB. S.B. No. 198, OPERATOR ASSISTED SERVICES REQUIREMENTS, was read the third time. On motion of Senator Cornaby, the bill was amended as follows:

Page 2, Line 19:
After "for a fee" insert "to a caller"

Page 3, Line 13:
After "telephone" delete "and" and insert "or"

The substitute bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Leavitt	McAllister	McMullin
Money	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Steele
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Barton	Hillyard (excused)	Holmgren	Myrin
Richards	Storey		

SUB. S.B. No. 198, as amended, was transmitted to the House.

* * *

S.B. No. 201, CUSTOMER SERVICE PRACTICES OF CABLE TV, was read the third time. Senators Finlinson, Beattie, Christensen, Barlow, Bunnell and Black commented. On motion of Senator Finlinson, there was a Call of the Senate. The bill passed on the following roll call:

Yeas, 16; Nays, 10; Absent, 3

Voting in the affirmative were: Senators

Black	Carling	Cornaby	Farley
Finlinson	Holmgren	McAllister	McMullin

Money	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Swan

Voting in the negative were: Senators

Barlow	Barton	Beattie	Bunnell
Fordham	Myrin	Richards	Steele
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Hillyard (excused)	Leavitt	Storey

S.B. No. 201, was transmitted to the House.

* * *

S.B. No. 213, BOATING AMENDMENTS, was read the third time. On motion of Senator Cornaby, the bill was amended as follows:

Page 8, Line 7 and Line 18:
Delete "second" and insert "third"

Goldenrod Page 17, Line 12:
Delete "second" and insert "third"

The bill passed on the following roll call:

Yeas, 21; Nays, 2; Absent, 6

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Cornaby	Farley	Finlinson	Fordham
Holmgren	McAllister	McMullin	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Richards	Steele	Swan
Pres. Christensen			

Voting in the negative were: Senators

Bunnell	Carling

Absent or not voting were: Senators

Hillyard (excused)	Leavitt	Money	Rees
Storey	Tempest		

S.B. No. 213, as amended, was transmitted to the House.

* * *

On motion of Senator McAllister S.B. No. 69, PRODUCTS LIABILITY DEFENSE was read the third time and circled.

SECOND READING CALENDAR

On motion of Senator McMullin, S.B. No. 277 was circled.

* * *

On motion of Senator Farley, S.B. No. 54 was circled.

* * *

S.B. No. 217, WATER PROJECTS APPROPRIATION, was read the second time.

Mr. President: February 8, 1990

The Energy, Natural Resources and Agriculture Standing Committee to which was referred S.B. No. 217, WATER PROJECTS APPROPRIATION, by Senator Dixie L. Leavitt, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Fred Finlinson,
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	Beattie	Black	Bunnell
Carling	Farley	Fordham	Leavitt
McAllister	McMullin	Money	Myrin
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Richards	Steele	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barton	Cornaby	Finlinson	Hillyard (excused)
Holmgren	Nielsen	Rees	Storey

On motion of Senator Leavitt, the bill was placed on Third Reading Table.

* * *

S.B. No. 171, PUBLIC SAFETY SALARY PACKAGE, was read the second time.

Mr. President: February 8, 1990

The Senate Transportation & Public Safety Standing Committee, to which was referred S.B. No. 171, PUBLIC SAFETY SALARY PACKAGE, by Senator Wilford R. Black, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Glade Nielsen,
Committee Chairman

Committee report read and adopted. Senator Beattie is presiding. The bill passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Barton	Beattie	Black	Bunnell
Carling	Farley	Fordham	Leavitt
McAllister	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Richards
Steele	Swan	Tempest	

Absent or not voting were: Senators

Barlow	Cornaby	Finlinson	Hillyard (excused)
Holmgren	McMullin	Money	Rees
Storey	Pres. Christensen		

On motion of Senator Black, the bill was placed on Third Reading Table.

* * *

S.B. No. 185, MUDGUARD AND FENDER REQUIREMENT, was read the second time.

Mr. President: February 8, 1990

The Senate Transportation & Public Safety Standing Committee, to which was referred S.B. No. 185, MUDGUARD AND FENDER REQUIREMENT, by

Senator David H. Steele, has carefully considered the bill and reports it out of committee favorably and with the following amendment:

Page 1, Line 23:
After "trailer" delete the comma and after "semitrailer" insert "with an unladen weight of 750 pounds or more"

Glade Nielsen,
Committee Chairman

Committee report read and adopted. Senator C.E. Peterson commented. The bill passed on the following roll call:

Yeas, 17; Nays, 1; Absent, 11

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Farley	Fordham	McAllister
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Richards	Steele
Swan			

Voting in the negative was: Senator
Tempest

Absent or not voting were: Senators

Bunnell	Cornaby	Finlinson	Hillyard (excused)
Holmgren	Leavitt	McMullin	Money
Rees	Storey	Pres. Christensen	

* * *

S.B. No. 194, GOVERNMENTAL IMMUNITY FOR DAMAGES OF POLICE PURSUED VEHICLE, was read the second time.

Mr. President: February 8, 1990

The Senate Transportation & Public Safety Standing Committee, to which was referred S.B. No. 194, GOVERNMENTAL IMMUNITY FOR DAMAGES OF POLICE PURSUED VEHICLE, 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 4:
After "(2)" insert "(a)"

Page 2, Line 9:
After Line 9 insert "(b) Enactment of this subsection does not state nor imply that this immunity was ever previously waived or this liability specifically or implicitly recognized."

Glade Nielsen,
Committee Chairman

Committee report read and adopted. Senator Tempest commented. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 12

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Carling
Farley	Fordham	McAllister	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Richards	Steele	Swan
Tempest			

Absent or not voting were: Senators

Black	Bunnell	Comaby	Finlinson
Hillyard (excused)	Holmgren	Leavitt	McMullin
Money	Rees	Storey	Pres. Christensen

* * *

S.B. No. 203, AFTERMARKET CRASH PARTS ACT, was read the second time.

Mr. President: February 8, 1990

The Senate Transportation & Public Safety Standing Committee, to which was referred S.B. No. 203, AFTERMARKET CRASH PARTS ACT, by Senator C.E. Peterson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Glade Nielsen,
Committee Chairman

Committee report read and adopted. Senators Fordham, Nielsen, Richards, and Cary Peterson commented. The bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Carling
Cornaby	Farley	Fordham	Hillyard
McAllister	McMullin	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Barton	Bunnell	Finlinson	Holmgren
Leavitt	Money	Storey	

COMMITTEE OF THE WHOLE

On motion of Senator Cary Peterson, the Senate resolved into a Committee of the Whole. Appearing before the Senate were the session employees, who sang a valentine song and presented each Senator with a flower and gift.

SECOND READING CALENDAR

S.B. No. 218, RURAL FIRE PROTECTION APPARATUS FUND, was read the second time.

Mr. President: February 8, 1990

The Senate Transportation & Public Safety Standing Committee, to which was referred **S.B. No. 218**, RURAL FIRE PROTECTION APPARATUS FUND, by Senator Karl G. Swan, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 25:
After Line 25 insert "(3) Loans shall be accounted for by the Division of Finance."

Page 3, Line 1:
Delete "(3)" and insert "(4)"

Page 3, Line 5:
Delete "(4)" and insert "(5)"

Page 3, Line 11:
Delete "(5)" and insert "(6)"

Glade Nielsen,
Committee Chairman

Committee report read and adopted. Senators Black and Cary Peterson commented. The bill passed on the following roll call:

Yeas, 15; Nays, 5; Absent, 9

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Comaby	Farley
Fordham	Hillyard	Pace	Peterson, Craig
Richards	Swan	Tempest	

Voting in the negative were: Senators

McAllister	Nielsen	Peterson, C.E.	Peterson, Cary
Rees			

Absent or not voting were: Senators

Finlinson	Holmgren	Leavitt	McMullin
Money	Myrin	Steele	Storey
Pres. Christensen			

On motion of Senator Cary Peterson, the bill was placed on Third Reading Table.

* * *

On motion of Senator Cary Peterson, S.B. No. 249, DEPARTMENT OF SOCIAL SERVICES REORGANIZATION, was read the second time, and circled.

* * *

S.B. No. 41, UNIFORM TAX ON PERSONAL PROPERTY, was read the second time.

Mr. President: February 9, 1990

The Revenue and Taxation Standing committee to which was referred S.B. No. 41, UNIFORM TAX ON PERSONAL PROPERTY, by Senator Dix H. McMullin, has carefully considered the bill and reports it out of committee with a favorable recommendation with the following amendments:

Page 1, Line 13:
After "STATE;" insert "PROVIDING EXEMPTIONS;"

Page 1, Line 28:
After "state" insert ", unless otherwise exempted under Article XIII, Sec. 2, Utah Constitution, is subject to Section 59-2-204, or is classified as an antique vehicle under Chapter 21, Title 49"

Page 1, Line 28:
Delete "1.8%" insert "1.6%"

Page 2, Line 20:
After Line 20 insert a new subsection as follows:

"(5) The veteran, blind, and indigent tax relief, deferral, and abatement programs under Section 59-2-1104 through 59-2-1109 apply to personal property subject to this section."

Lorin N. Pace,
Committee Chairman

Committee report read and adopted. On motion of Senator Cary Peterson, the bill was circled.

* * *

S.B. No. 46, COLLECTION OF PERSONAL PROPERTY TAXES AND FEES, was read the second time.

Mr. President: February 9, 1990

The Revenue and Taxation Standing Committee to which was referred S.B. No. 46, COLLECTION OF PERSONAL PROPERTY TAXES AND FEES, by Senator Dix H. McMullin, has carefully considered the bill and reports it out of committee with a favorable recommendation with the following amendments:

Page 1, Lines 26-27:
After "property," delete "The county shall have first option of collecting the tax and fee."

Page 2, Line 2:
After "fee" insert ", but if the county elects not to contract, the tax shall be collected by the commission at the existing regional centers as currently established"

Lorin N. Pace,
Committee Chairman

Committee report read and adopted. On motion of Senator Cary Peterson, the bill was circled.

* * *

S.B. No. 7, FLAG DESECRATION OFFENSE, was read the second time.

Mr. President: February 9, 1990

The Senate Social Services Standing Committee, to which was referred S.B. No. 7, FLAG DESECRATION OFFENSE, by Senator William T. Barton, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Boyd K. Storey,
Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 15; Nays, 0; Absent, 14

Voting in the affirmative were: Senators

Barton	Beattie	Black	Bunnell
Carling	Cornaby	McAllister	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Tempest	

Absent or not voting were: Senators

Barlow	Farley	Finlinson	Fordham
Hillyard (excused)	Holmgren	Leavitt	McMullin
Money	Myrin	Steele	Storey
Swan	Pres. Christensen		

* * *

S.B. No. 180, DIVORCED PARENTS COMPLIANCE WITH RESIDENTIAL PROVISIONS FOR A CHILD, was read the second time.

Mr. President: February 9, 1990

The Senate Social Services Standing Committee, to which was referred S.B. No. 180, DIVORCED PARENTS COMPLIANCE WITH RESIDENTIAL PROVISIONS FOR A CHILD, by Senator Dix H. McMullin, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Boyd K. Storey,
Committee Chairman

Committee report read and adopted. On motion of Senator Cary Peterson, the bill was circled.

* * *

S.B. No. 219, MONEY LAUNDERING AND PRECURSOR CHEMICAL VIOLATIONS AMENDMENTS, was read the second time.

Mr. President: February 9, 1990

The Senate Social Services Standing committee, to which was referred S.B. No. 219, MONEY LAUNDERING AND PRECURSOR CHEMICAL VIOLATIONS AMENDMENTS, by Senator Craig A. Peterson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Boyd K. Storey,
Committee Chairman

Committee report read and adopted. On motion of Senator Craig Peterson, the bill was circled.

* * *

The Senate recessed at 10:25 a.m., and reassembled at 10:40 a.m., with President Christensen presiding.

* * *

Senators Carling, Beattie and Barlow objected to S.R. No. 3 being on Consent Calendar, and it was placed on Third Reading Calendar.

* * *

On motion of Senator Craig Peterson, S.B. No. 219, MONEY LAUNDERING AND PRECURSOR CHEMICAL VIOLATIONS AMENDMENTS, was uncircled, and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barton	Beattie	Cornaby	Farley
Finlinson	Fordham	Holmgren	McMullin

Money	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Barlow	Black	Bunnell	Carling
Hillyard (excused)	Leavitt	McAllister	Myrin
Steele			

* * *

S.B. No. 228, AMENDMENTS TO CONTROLLED SUBSTANCES PRECURSOR ACT, was read the second time.

Mr. President: February 9, 1990

The Senate Social Services Standing committee, to which was referred **S.B. No. 228**, AMENDMENTS TO CONTROLLED SUBSTANCES PRECURSOR ACT, by Senator Craig A. Peterson, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 1, Line 12:
Delete "AND"

Page 1, Line 13:
After "OFFENSE" insert "; MAKING TECHNICAL CORRECTIONS; AND PROVIDING AN EFFECTIVE DATE"

Page 5, Line 17:
After "or" insert "with intent"

Page 5, Line 22:
After "or" insert "with intent"

Page 7, Line 2:
After "or" insert "with intent"

Page 7, Line 7:
After "or" insert "with intent"

Page 7, Line 24:
Delete the brackets and reinstate "procedure"
Delete "forfeiture"

Page 8, Line 1:
Delete the brackets and reinstate "of section 58-37-13"
Delete "in Chapter 37, Title 58, the Utah"

Page 8, Line 2:
Delete "Controlled Substances Act"

Page 8, Line 13:
Delete the brackets and reinstate "of section 58-37-13"
Delete "in Chapter 37, Title 58, the Utah"

Page 8, Line 14:
Delete "Controlled Substances Act"

Page ;8, Line 14:
After Line 14 insert:
"Section 6. This act takes effect on July 1, 1990."

Boyd K. Storey,
Committee Chairman

Committee report read and adopted. Senator Barton commented. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Cornaby	Farley	Finlinson
Fordham	Holmgren	McAllister	McMullin
Money	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Storey	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Carling	Hillyard (excused)	Leavitt	Myrin
Steele	Swan		

* * *

On motion of Senator McMullin, **S.B. No. 46**, COLLECTION OF PERSONAL PROPERTY TAXES AND FEES, was uncircled, and before the Senate.

On motion of Senator McMullin, the bill was amended as follows:

Page 2, Lines 9 through 13:
Delete entirely, and insert "This act shall take effect July 1, 1990."

The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Hillyard	Holmgren	McAllister	McMullin
Money	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Pres. Christensen

Absent or not voting were: Senators

Beattie	Fordham	Leavitt	Myrin
Tempest			

* * *

On motion of Senator Holmgren, S.B. No. 249, DEPARTMENT OF SOCIAL SERVICES REORGANIZATION, was uncircled and the bill was amended as follows:

Page 58, Line 2:
Delete "Human" and insert "Social"

Page 58, Line 9:
Delete "Human" and insert "Social"

Page 58, Line 17:
Delete "Human" and insert "Social"

Page 74, Line 7:
Delete "Human" and insert "Social"

Page 78, Line 17:
Before "Services within" delete "Human" and insert "Social"

The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barton	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Pres. Christensen		

Absent or not voting were: Senators

Barlow	Leavitt	Tempest

* * *

On motion of Senator McMullin **S.B. No. 180,** DIVORCED PARENTS COMPLIANCE WITH RESIDENTIAL PROVISIONS FOR A CHILD, was uncircled. Senators Steele and Bunnell commented. The bill passed on the following roll call:

Yeas, 21; Nays, 3; Absent, 5

Voting in the affirmative were: Senators

Barton	Beattie	Carling	Cornaby
Finlinson	Fordham	Hillyard	Holmgren
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Swan
Pres. Christensen			

Voting in the negative were: Senators

Bunnell	Steele	Storey

Absent or not voting were: Senators

Barlow	Black	Farley	Leavitt
Tempest			

* * *

S.B. No. 108, PUBLIC CHOICE ON TRANSIT TAX AMENEMENTS (LIGHT RAIL), was read the second time.

Mr. President: February 12, 1990

The Business, Labor and Economic Development Committee, to which was referred S.B. No. 108, PUBLIC CHOICE ON TRANSIT TAX AMENDMENTS (LIGHT RAIL), by Senator K.S. Cornaby, et al, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 2, Line 2:
After "general" delete "or special"

Lane Beattie,
Committee Chairman

Committee report read and adopted. Senators Cornaby, Beattie, McMullin, Barton, Black and Tempest commented. Senator Barton moved the following amendment:

Page 2, Line 15:
After line 15 insert a new Subsection (4) to read:

"(4) If any public moneys are used or proposed to be used to influence voters to support or otherwise fund any campaign for approval of the additional tax authorized under this section in any election, 50% of the amount of any such public moneys shall be allocated for the purposes of those who oppose the additional tax authorized under this section."

Senator Cornaby's substitute motion passed, and the bill was amended as follows:

Page 2, after line 15 insert a new Subsection (4) to read:
"(4) No public funds shall be spent to promote the required election."

The bill passed on the following roll call:

Yeas, 16; Nays, 11; Absent, 2

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Finlinson	Fordham
McAllister	Myrin	Peterson, C.E.	Rees
Steele	Storey	Swan	Tempest

Voting in the negative were: Senators

Barton	Farley	Hillyard	Holmgren

McMullin	Money	Nielsen	Pace
Peterson, Cary	Peterson, Craig	Pres. Christensen	

Absent or not voting were: Senators

Leavitt	Richards

* * *

S.B. No. 153, AMENDMENTS TO STATE PERSONNEL LONGEVITY PROGRAM, was read the second time.

Mr. President: February 12, 1990

The State and Local Affairs Committee, to which was referred **S.B. No. 153,** AMENDMENTS TO STATE PERSONNEL LONGEVITY PROGRAM, by Senator McAllister, 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 **SUB. S.B. No. 153** replace the original bill.

SUB. S.B. No. 153 to be amended as follows:

Page 1, Line 12:
After "PERSONNEL," delete the rest of the line

Page 1, Line 13:
Delete "SENIOR CAREER SERVICE EMPLOYEES"

Page 1, Line 14:
After "MECHANISM" delete "MAKING TECHNICAL CORRECTIONS;"

Page 1, Lines 17-18:
Delete lines 17-18

Page 2, Lines 3-19:
Delete lines 3-19

Page 2, Line 22:
After the first "1991" insert "." and delete the rest of the line.

Pages 1 and 2
Renumber remaining sections accordingly

Craig A. Peterson,
Committee Chairman

Committee report read and adopted. The following substitute bill replaced the original bill, and it was amended.

AMENDMENTS TO STATE PERSONNEL LONGEVITY PROGRAM

(2-1-90 2:48 p.m.)

SUB. S.B. No. 153 *LeRay McAllister*

AN ACT RELATING TO PERSONNEL, CLARIFYING MERIT IN CREASES FOR CERTAIN SENIOR CAREER SERVICE EMPLOYEES; ESTABLISHING A STUDY AND REPORTING MECHANISM; MAKING TECHNICAL CORRECTIONS; PROVIDING A REPEALER; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 67-19-15.6, AS LAST AMENDED BY CHAPTER 122, LAWS OF UTAH 1988.

ENACTS: 67-19-15.5, UTAH CODE ANNOTATED 1953.

Senator McAllister moved to remove the amendments made in committee to the substitute bill. Senators Finlinson, Black and Leavitt commented. The motion passed on a voice vote, and the amendments were deleted from the substitute bill.

The substitute bill, unamended, passed, on the following roll call:

Yeas, 15; Nays, 9; Absent, 5

Voting in the affirmative were: Senators

Barton	Beattie	Bunnell	Hillyard
Holmgren	Leavitt	McAllister	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Craig
Rees	Storey	Tempest	

Voting in the negative were: Senators

Barlow	Black	Carling	Cornaby
Farley	Finlinson	Fordham	Money
Richards			

Absent or not voting were: Senators

McMullin	Peterson, Cary	Steele	Swan
Pres. Christensen			

STANDING COMMITTEE REPORT

Mr. President: February 14, 1990

We the undersigned members of the Senate Business, Labor, and Economic Development Standing committee recommend that the following bills that were assigned to our committee be placed on the Second Reading Calendar for consideration by the Senate:

SEC. SUB.	
H.B. No. 3	FAIR COMPETITION IN PUBLIC BIDDING
H.B. No. 185	PROCEDURAL AMENDMENTS TO THE NONPROFIT BUSINESS CORPORATIONS ACT
S.B. No. 224	BUSINESS CORPORATIONS ACT AMENDMENTS
H.B. No. 235	CREDIT REPORTING AMENDMENTS
S.B. No. 74	WORKERS' COMPENSATION FUND TASK FORCE
S.B. No. 161	UNIFORM FOREIGN MONEY CLAIMS ACT
S.B. No. 238	MOTOR VEHICLE ACT AMENDMENTS

Senator Beattie,
Chairman and
Senators Carling, Cornaby, McAllister, Myrin, Tempest, Black and Bunnell
Committee Members

Committee report read and adopted. The bills were placed on Second Reading Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B. No. 81, 130, 199, 204, 209; S.J.R. No. 20; SUB. H.B. No. 63,** and **H.B. No. 85,** and the bills and resolution were placed on Second Reading Calendar.

* * *

On motion of Senator Money, **H.B. No. 57,** VEHICLE SIZE, WEIGHT, AND LOAD REVISIONS, will be considered at 11:00 a.m., Friday, February 16, 1990.

* * *

On motion of Senator Barlow **S.C.R. No. 9,** STRATEGIC PLANNING FOR EDUCATION RESOLUTION, was lifted from Rules Committee, and placed at the top of Second Reading Calendar.

* * *

On motion of Senator Cary Peterson, S.B. Nos. 277, 54, 41, 29 and 69 were uncircled.

* * *

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 Christensen presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 14, 1990

I am directed to inform the Senate that the House of Representatives has this day rejected, as amended by the House, S.J.R. No. 7, LABOR ARTICLE REVISION, by Senator Lyle W. Hillyard, et al, and the same is returned herewith.

Carole E. Peterson, Chief Clerk

S.J.R. No. 7 was filed.

* * *

Mr. President: February 14, 1990

I am directed to inform the Senate that the House of Representatives has this day passed SUB. H.C.R. No. 32, RESOLUTION OPPOSING THE WASATCH VARIATION PIPELINE, by Representative Nancy S. Lyon, 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, SUB. H.B. No. 139, VEHICLE CHILD RESTRAINT DEVICES, by Representative Lloyd 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. 266, TAX REVIEW COMMISSION, 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. 329, PROPERTY TAX INTANGIBLES STUDY DATE, 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 **H.B. No. 456**, COMPETENCY EVALUATIONS AMENDMENTS, by Representative Lloyd Frandsen, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

SUB. H.C.R. No. 32, SUB. H.B. No. 139, H.B. No. 266, H.B. No. 329 and H.B. No. 456, were read the first time and referred to Rules Committee.

* * *

On motion of Senator Cary Peterson, and at 2:05 p.m. the Senate adjourned until 8:00 a.m. Thursday, February 15, 1990.

THIRTY-NINTH 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 – Reverend Greg Sahlstrom, Hope Lutheran Church.

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: February 15, 1990

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the journal for the thirty-eight day and find it correct with minor amendments noted on the final copy.

Paul T. Fordham,
Committee Member

Committee report read and adopted.

COMMUNICATION FROM THE GOVERNOR

Mr. President and Speaker Karras: February 14, 1990

This is to inform you that on February 14, 1990, I signed into law the following bills and have forwarded these to the Lieutenant Governor for filing:

S.B. No. 11	FOURTH AMENDMENT ENFORCEMENT ACT REPEAL
S.C.R. No. 4	RESOLUTION HONORING UTAH'S MOTHER AND YOUNG MOTHER OF THE YEAR
S.B. No. 101	HIGHER EDUCATION INSTITUTIONAL NAME CHANGE
S.B. No. 119	SUSC NAME CHANGE
H.B. No. 35	STATUTE OF LIMITATION AMENDMENT
H.B. No. 55	ITEMIZATION OF FEES FOR ADOPTION
H.B. No. 58	RULES OF CRIMINAL PROCEDURE REVISION
H.B. No. 65	REVISIONS TO LABOR CODE
H.B. No. 75	SCOPE OF AUTHORITY FOR DIVISION OF CORPORATIONS AND COMMERCIAL CODE
H.B. No. 87	BREWERY LICENSEE AMENDMENTS
H.B. No. 121	INTERNATIONAL FUEL TAX AGREEMENT IMPLEMENTATION

H.C.R. No. 23 SNOWBIRD WOMEN TRANS-ANTARCTIC EXPEDITION RESOLUTION
H.C.R. No. 14 RESOLUTION RECOGNIZING WEBER STATE COLLEGE
H.B. No. 14 FREE DISTRIBUTION OF TOBACCO PRODUCTS

Norman H. Bangerter,
Governor

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 14, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **S.B. No. 157**, LIEN AGAINST RETIREMENT BENEFITS, by Senator Lyle W. Hillyard, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, 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, 29; Nays, 0; Absent, 0

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

S.B. No. 157 was transmitted to the House.

* * *

Mr. President: February 14, 1990

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 26**, ECONOMIC DIVERSIFICATION STUDY, by Representative Kim R. 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, **H.J.R. No. 36**, DRUG AND ALCOHOL ABUSE

RESOLUTION, by Representative Bill Wright, and the 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**, METALLIFEROUS SEVERANCE TAX AMENDMENTS, by Representative Conrad Maxfield, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.C.R. No. 31**, 1990 CENSUS RESOLUTION, by Representative Nolan E. 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 **H.J.R. No. 33**, RESOLUTION URGING NATIONAL RECOGNITION, by Representative Ronald J. Ockey, and the 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, **SUB. H.B. No. 268**, CERTIFIED PUBLIC ACCOUNTING LICENSING ACT, by Representative Nancy S. Lyon, and the 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. 335**, CHILD ABUSE AMENDMENTS, by Representative Bush, 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. 351**, STATE EMPLOYEES DRUG-FREE WORKPLACE, by Representative Evan L. 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 **H.B. No. 382**, ALTERNATIVE CERTIFICATION, by Representative Wilson, and the 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. 462**, UTAH SPORTS AUTHORITY ACT AMENDMENTS, by Representative Nolan E. Karras,, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.J.R. No. 26, H.J.R. No. 36, H.B. No. 250, H.C.R. No. 31, H.J.R. No. 33, SUB. H.B. No. 268 and **H.B. Nos. 335, 351, 382** and **462**, were read the first time and referred to Rules Committee.

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Mr. President: February 14, 1990

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 22, REVISION TO STATE HIGHWAYS, by Senator Alarik Myrin, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 94, POST-EMPLOYMENT BENEFITS LIABILITIES, by Senator LeRay McAllister, 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. 115, PUBLIC TELECOMMUNICATIONS AMENDMENTS, by Senator Fred W. Finlinson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Chief Clerk

S.B. Nos. 22, 94 and 115 were signed by the President of the Senate in open session, referred to Rules Committee to be enrolled and transmitted to the Governor.

STANDING COMMITTEE REPORT

Mr. President: February 14, 1990

The State And Local Affairs Committee, to which was referred SUB. H.B. No. 201, QUALIFICATION OF ADMINISTRATIVE LAW JUDGES, by Representative Atkinson, has carefully considered the bill, reports it out of committee favorably, and asks that it be placed on the Consent Calendar, and

The State and Local Affairs Committee, to which was referred S.J.R. No. 21, SPECIAL SERVICE DISTRICT RESOLUTION, by Senator Cornaby, has carefully considered the bill, reports it out of committee favorably, and asks that it be placed on the Consent Calendar.

Craig Peterson,
Committee Chairman

Committee reports read and adopted. SUB. H.B. No. 201 and S.J.R. No. 21, were read the second time and placed on Consent Calendar.

* * *

Mr. President: February 14, 1990

The Revenue and Taxation Standing Committee to which was referred **H.B. No. 130, FARMLAND ASSESSMENT ACT AMENDMENTS**, by Representative R. Mont Evans, has carefully considered the bill and reports it out of committee favorably with a recommendation that it be placed on the Consent Calendar.

Lorin N. Pace,
Committee Chairman

Committee report read and adopted. **H.B. No. 130** was read the second time and placed on Consent Calendar.

RULES COMMITTEE REPORT

Mr. President: February 15, 1990

The Senate Rules Committee to which was referred the following House Bills and Resolutions:

H.C.R. No. 13	AIR NATIONAL GUARD RESOLUTION
H.C.R. No. 18	1990 UTAH SUMMER GAMES RESOLUTION
H.C.R. No. 21	FEDERAL REGULATION OF STATE RETIREMENT PLANS
H.C.R. No. 27	BEN HOGAN GOLF TOUR COMMEMORATION
H.J.R. No. 24	RESOLUTION RECOGNIZING JACK A. OLSON

reports the Bills and Resolutions to the Senate and asks that they be considered read the second time, and placed on the Consent Calendar.

C.E. Peterson,
Rules Committee Chairman

Committee reports read and adopted. **H.C.R. Nos. 13, 18, 21, 27 and 24** were read the second time and placed on the Consent Calendar.

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Mr. President: February 15, 1990

The Senate Rules Committee to which was referred the following Senate Bills:

S.B. No. 208	UTAH CONTROLLER GENERAL ACT (Energy, Natural Resources & Agriculture)
S.B. No. 243	INTERLOCAL COOPERATION AGREEMENTS ON PRISON SPACE (Judiciary)
S.B. No. 244	TASK FORCE ON CRIMINAL SENTENCING (Judiciary)

S.B. No. 212 PUBLIC SAFETY ELIGIBILITY AMENDMENTS
(State & Local)
S.B. No. 179 COMMUNITY CONTROL CORRECTIONS PROGRAM
(Transportation & Public Safety)
reports the Bills to the Senate and asks that they be printed and assigned to the proper committee.

C.E. Peterson,
Rules Committee Chairman

Committee reports read and adopted. President Christensen assigned the bills to the committees indicated.

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Mr. President: February 15, 1990

The Senate Rules Committee to which was referred the following House Bills:

H.B. No. 224 CRIMINAL SENTENCING AMENDMENT
(Judiciary)
H.B. No. 276 MOTORCYCLE RIDER EDUCATION ACT
(Transportation & Public Safety)
reports the Bills to the Senate and asks that they be assigned to the proper committee.

C.E. Peterson,
Rules Committee Chairman

Committee reports read and adopted. President Christensen assigned the bills to the committee indicated.

* * *

Mr. President: February 15, 1990

The Senate Rules Committee to which was referred the following Senate Bills:

S.B. No. 145 GROSS RECEIPTS TAX AMENDMENTS
S.B. No. 241 ACCESS TO SALES TAX RECORDS
S.B. No. 250 ELECTION CODE FOR MUNICIPALITIES
S.B. No. 251 PENALTY FOR FAILURE TO FILE TAX RETURN
S.B. No. 271 MOTOR VEHICLE INSPECTIONS
reports the Bills to the Senate and asks that they be printed and placed on Second Reading Calendar.

C.E. Peterson,
Rules Committee Chairman

Committee reports read and adopted. The bills were placed on the Second Reading Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B. Nos. 64, 139, 200, 214, 227, 230, 242** and **H.B. Nos. 176,** and **SUB H.B. No. 149,** and the bills were placed on Second Reading Calendar.

CONSENT CALENDAR

H.J.R. No. 15, RENOVATION OF PIONEER TRAIL STATE PARK COMMENDATION RESOLUTION, 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	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Fordham
Holmgren	Leavitt	McAllister	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Richards	Steele
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Barton	Finlinson	Hillyard	McMullin
Rees	Storey		

H.J.R. No. 15 was signed by the President of the Senate in open session and returned to the House.

* * *

S.J.R. No. 22, ANTHONY COMMISSION 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

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Fordham

Hillyard	Holmgren	Leavitt	McAllister
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Richards
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Barton	Finlinson	McMullin	Rees
Storey			

S.J.R. No. 22 was transmitted to the House.

* * *

S.B. No. 216, CORPORATIONS AMENDMENTS, was read the third, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator
McMullin

S.B. No. 216, as amended, was transmitted to the House.

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On motion of Senator Cary Peterson, S.J.R. No. 31 was circled.

* * *

On motion of Senator Cornaby, under suspension of the rules S.J.R. No. 21, SPECIAL SERVICE DISTRICTS RESOLUTION, was read the third time, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Comaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator
McMullin

S.J.R. No. 21 was transmitted to the House.

THIRD READING CALENDAR

S.B. No. 29, ELIGIBILITY FOR TAX RELIEF PROGRAM, was before the Senate, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator
Comaby

S.B. No. 29, was transmitted to the House.

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S.B. No. 69, PRODUCTS LIABILITY DEFENSE, was before the Senate, and passed on the following roll call:

Yeas, 16; Nays, 11; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Fordham
Holmgren	McAllister	McMullin	Money
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Rees	Steele	Storey	Pres. Christensen

Voting in the negative were: Senators

Black	Bunnell	Carling	Cornaby
Farley	Finlinson	Hillyard	Myrin
Peterson, Craig	Richards	Swan	

Absent or not voting were: Senators

Leavitt	Tempest

S.B. No. 69, as amended, was transmitted to the House.

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S.B. No. 176, UTAH HOMESTEAD RIGHTS, was read the third time, Senator Black commented. The bill passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

S.B. No. 176 was transmitted to the House.

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S.B. No. 185, MUDGUARD AND FENDER REQUIREMENT, was read the third time, and passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Pres. Christensen		

Voting in the negative was: Senator
Tempest

Absent or not voting were: Senators

Beattie	Hillyard

S.B. No. 185, as amended, was transmitted to the House.

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S.B. No. 194, GOVERNMENTAL IMMUNITY FOR DAMAGE OF POLICE PURSUED VEHICLE, was read the third time, and passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

S.B. No. 194, as amended, was transmitted to the House.

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S.B. No. 203, AFTERMARKET CRASH PARTS ACT, was read the third time. On motion of Senator C.E. Peterson, the bill was amended as follows:

Page 3, Line 3:
After "(1)" delete "An" and insert "Unless the insured is given notice in writing an"

The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator
Barton

S.B. No. 203, as amended, was transmitted to the House.

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S.B. No. 7, FLAG DESECRATION OFFENSE, was read the third time, and passed on the following roll call:

Yeas, 25; Nays, 2; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Pres. Christensen			

Voting in the negative were: Senators

Farley (exp.)	Swan

Absent or not voting were: Senators
Peterson, C.E. Tempest

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

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 15, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, as amended, **H.B. No. 162**, FUNDING TEXTBOOKS FOR PUBLIC EDUCATION, by Representative Bradford, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Cary Peterson, under suspension of the rules, the Senate voted to reconsider the bill. The bill passed, on reconsideration, on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Comaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Pres. Christensen	

Absent or not voting were: Senators
Peterson, C.E. Tempest

H.B. No. 162 was signed by the President of the Senate in open session and returned to the House.

THIRD READING CALENDAR

S.B. No. 219, MONEY LAUNDERING AND PRECURSOR CHEMICAL VIOLATIONS, was read the third time, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black

Carling	Cornaby	Farley	Finlinson
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Bunnell	Fordham	Pace

S.B. No. 219, was transmitted to the House.

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S.B. No. 228, AMENDMENTS TO CONTROLLED SUBSTANCES PRECURSOR 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

Barlow	Barton	Beattie	Black
Carling	Cornaby	Farley	Finlinson
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Bunnell	Fordham

S.B. No. 228, as amended, was transmitted to the House.

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S.B. No. 46, COLLECTION OF PERSONAL PROPERTY TAX AND FEES, was read the third time, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Cornaby	Farley	Finlinson
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Bunnell	Fordham

S.B. No. 46, as amended, was transmitted to the House.

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S.B. No. 249, DEPARTMENT OF SOCIAL SERVICES REORGANIZATION, was read the third time, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Finlinson
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Farley	Fordham	Peterson, Craig

S.B. No. 249, as amended, was transmitted to the House.

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On motion of Senator McMullin S.B. No. 180, DIVORCED PARENTS COMPLIANCE WITH RESIDENTIAL PROVISIONS FOR A CHILD, was read the third time, and placed on Third Reading Table.

* * *

S.B. No. 108, PUBLIC CHOICE ON TRANSIT TAX AMENDMENTS (LIGHT RAIL) was read the third time, and passed on the following roll call:

Yeas, 18; Nays, 10; Absent, 1

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Holmgren	Leavitt	Myrin
Rees	Richards	Steele	Storey
Swan	Tempest		

Voting in the negative were: Senators

Barton	Hillyard	McAllister	McMullin
Money	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Pres. Christensen		

Absent or not voting was: Senator
Peterson, Craig

S.B. No. 108, as amended, was transmitted to the House.

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SUB. S.B. No. 153, AMENDMENTS TO STATE PERSONNEL LONGEVITY PROGRAM, was read the third time, and failed on the following roll call:

Yeas, 14; Nays, 14; Absent, 1

Voting in the affirmative were: Senators

Barton	Beattie	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Myrin
Nielsen	Peterson, C.E.	Peterson, Cary	Steele
Storey	Pres. Christensen		

Voting in the negative were: Senators

Barlow	Black	Bunnell	Carling
Cornaby	Farley	Finlinson	Fordham

Pace	Peterson, Craig	Rees	Richards
Swan	Tempest		

Absent or not voting was: Senator Money

SUB. S.B. No. 153 was filed.

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On motion of Senator Cary Peterson, and at 9:15 a.m., the Senate recessed. The Senate reassembled at 11:05 a.m.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 15, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, on consent, **SUB. H.B. No. 248**, PUBLIC SAFETY REGARDING TEMPORARY AMUSEMENT DEVICE, by Representative Tim Moran, and the 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 **H.B. No. 231**, APPORTIONMENT BY COUNTY COMMISSIONERS, by Representative Tom Christensen, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed on consent **H.B. No. 355**, UTAH COORDINATE SYSTEM RECORDING AMENDMENTS, by Representative John L. Valentine, and the same is transmitted herewith for Senate consideration.

I am directed to inform the Senate that the House of Representatives has this day passed on consent, **H.B. No. 367**, PRIVATIZATION POLICY BOARD AMENDMENTS, by Representative M. Brown, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

SUB. H.B. No. 248, H.B. Nos. 231, 355, and 367 were read the first time and referred to the Rules Committee.

SECRETARY OF SENATE REPORT

A committee report has been received on H.B. No. 125, and the bill was placed on Second Reading Calendar.

SECOND READING CALENDAR

On motion of Senator Barlow, under suspension of the rules, S.C.R. No. 9, STRATEGIC PLANNING FOR EDUCATION RESOLUTION, was read the second and third times. On motion of Senator Barlow, the bill was amended as follows:

Page 4, Line 1:
After "Legislature" delete "and the Governor identify" and insert "establish"

Page 4, Line 2:
After "force" delete "including" and insert "consisting of an equal number of legislators from the Senate and the House of Representatives and"

The resolution passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Carling
Cornaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Black	Bunnell	Pace	Swan

S.C.R. No. 9, as amended, was transmitted to the House.

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On motion of Senator McMullin, S.B. No. 277 was placed on Second Reading Table.

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S.B. No. 54, GREAT SALT LAKE DEVELOPMENT AUTHORITY ACT AMENDMENTS, was before the Senate. On motion of Senator Beattie, the bill was amended as follows:

Page 3, lines 22–24
Delete lines 22–24

Page 4, Lines 1–4:
Delete lines 1–4

Page 4, Line 6:
After "chapter" reinsert "other than those necessary to fund and complete the study"

Page 4, Line 7:
Reinsert "required by this section"

Page 4, Line 7:
After "has" delete "adopted a resolution" and insert "passed, and the Governor has approved a bill"

(i) accepting and approving the report; and
(ii) authorizing the authority to exercise all powers granted by this chapter."

Page 4, Line 8:
Delete line 8

Page 4, Line 9:
After "has" delete "adopted a resolution" and insert "passed, and the Governor has approved, a bill"

The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Comaby	Farley	Fordham	Hillyard
Holmgren	McAllister	McMullin	Money
Myrin	Nielsen	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Steele	Storey (exp.)
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Black	Carling	Finlinson	Leavitt
Pace	Richards		

RULES COMMITTEE REPORT

Mr. President: February 15, 1990

The Senate Rules Committee to which was referred the following Senate Bill:

S.B. No. 252 APPROPRIATION AND FUNDING AMENDMENTS

reports the Bill to the Senate and asks that it be printed and placed on the Second Reading Calendar.

C.E. Peterson,
Rules Committee Chairman

Committee report read and adopted. **S.B. No. 252** was placed on Second Reading Calendar.

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S.B. No. 41, UNIFORM TAX ON PERSONAL PROPERTY, was before the Senate. Senators McMullin, Hillyard, Comaby, and Swan commented. The bill passed on the following roll call:

Yeas, 18; Nays, 4; Absent, 7

Voting in the affirmative were: Senators

Barlow	Barton	Bunnell	Farley
Fordham	Hillyard	McAllister	McMullin
Myrin	Nielsen	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Steele	Storey
Swan	Tempest		

Voting in the negative were: Senators

Comaby	Holmgren	Money	Pres. Christensen

Absent or not voting were: Senators

Beattie	Black	Carling	Finlinson
Leavitt	Pace	Richards	

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S.B. No. 163, UNIFORM COMMERCIAL CODE - CHECK AMENDMENTS, was read the second time.

Mr. President: February 12, 1990

The Business, Labor, and Economic Development Standing Committee, to which was referred S.B. No. 163, UNIFORM COMMERCIAL CODE - CHECK AMENDMENTS, by Senator Carling, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lane Beattie
Committee Chairman

Committee report read and adopted. On motion of Senator Cary Peterson, the bill was circled.

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S.B. No. 191, UNIFORM COMMERCIAL CODE AMENDMENTS, was read the second time.

Mr. President: February 12, 1990

The Business, Labor, and Economic Development Standing Committee, to which was referred S.B. No. 191, UNIFORM COMMERCIAL CODE AMENDMENTS, by Senator Fred W. Finlinson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lane Beattie,
Committee Chairman

Committee report read and adopted. On motion Senator Cary Peterson, the bill was circled.

* * *

S.B. No. 193, DIESEL EMISSION INSPECTIONS, was read the second time.

Mr. President: February 9, 199o

The Health Committee, to which was referred S.B. No. 193, DIESEL EMISSION INSPECTIONS, by Senator Stephen J. Rees, 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 SUB. S.B. No. 193 replace the original bill.

Stephen J. Rees
Committee Chairman

Committee report read and adopted. The following substitute bill replaced the original bill:

DIESEL EMISSION INSPECTIONS
(2–7–90 9:01 a.m.)

SUB. S.B. No. 193 *Stephen J. Rees*

AN ACT RELATING TO MOTOR VEHICLES; ESTABLISHING A DIESEL INSPECTION AND MAINTENANCE PROGRAM; REQUIRING COUNTIES TO IMPLEMENT THE PROGRAM.

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

AMENDS: 26–13–6, AS LAST AMENDED BY CHAPTER 188, LAWS OF UTAH 1988.

ENACTS: 41–6–163.7, UTAH CODE ANNOTATED 1953.

On motion of Senator Rees, the bill was amended as follows:

Page 5, Line 18
After "emission" insert "opacity"

Page 6, Line 1:
After "emission" insert "opacity"

Page 6, Line 3:
After "implement" insert "and enforce"

Page 6, Lines 5–7:
Delete lines 5–7
Renumber remaining subsection accordingly

Senators Rees, McAllister, Storey, Farley, Myrin, and Craig Peterson commented. The substitute bill passed on the following roll call:

Yeas, 15; Nays, 9; Absent, 5

Voting in the affirmative were: Senators

Barlow	Beattie	Bunnell	Farley
Hillyard	McAllister	McMullin	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Craig
Rees	Swan	Pres. Christensen	

Voting in the negative were: Senators

Barton	Carling	Comaby	Finlinson

Holmgren	Money	Peterson, Cary	Steele
Storey			

Absent or not voting were: Senators

Black	Fordham	Leavitt	Richards
Tempest			

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 15, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, as amended, SECOND SUB. S.B. No. 4, DUI PENALTY AMENDMENT, by Senator Richards, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Richards, 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

Barton	Beattie	Black (exp.)	Carling
Comaby	Finlinson	Fordham	Hillyard
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Pres. Christensen

Absent or not voting were: Senators

Barlow	Bunnell	Farley	Holmgren
Tempest			

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

SECOND READING CALENDAR

On motion of Senator Carling S.B. No. 163, UNIFORM COMMERCIAL CODE – CHECK AMENDMENTS, was uncircled, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Cornaby	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Swan	Pres. Christensen

Absent or not voting were: Senators

Bunnell	Farley	McMullin	Storey
Tempest			

* * *

On motion of Senator Finlinson, under suspension of the rules, S.B. No. 191, UNIFORM CODE AMENDMENTS, was uncircled, and S.B. No. 161, UNIFORM FOREIGN MONEY CLAIMS ACT, was placed beneath it on the Calendar. Senators Rees, McAllister, Storey, Farley, Myrin, Bunnell, and Craig Peterson commented. Scott Clark, Attorney with Ray, Quinney & Nebeker spoke in Committee of the Whole. Senator Barton is presiding. S.B. No. 191 passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	

Absent or not voting were: Senators

McMullin	Pres. Christensen

*

S.B. No. 161, UNIFORM FOREIGN MONEY CLAIMS ACT, was read the second time, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Comaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	

Absent or not voting were: Senators

McMullin Pres. Christensen

* * *

S.B. No. 221, MEDICAID SHORTFALL FUNDING, was read the second time.

Mr. President: February 9, 1990

The Health Standing Committee to which was referred S.B. No. 221, MEDICAID SHORTFALL FUNDING, by Senator LeRay L. McAllister, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Stephen J. Rees,
Committee Chairman

Committee report read and adopted. S.B. No. 221 remains as unfinished business.

* * *

On motion of Senator Carling, the Senate voted to allow the Higher Education Appropriation committee to meet at 2:00 p.m. while the Senate is in Session.

* * *

On motion of Senator Finlinson and at 12:00 noon, the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:10 p.m. with President Christensen presiding.

STANDING COMMITTEE REPORT

Mr. President: February 15, 1990

The Senate Social Services Standing Committee, to which was referred **H.B. No. 206**, UTAH COMMISSION FOR WOMEN AND FAMILIES, by Representative Beverly J. White, has carefully considered the bill and reports it out with a favorable recommendation and asks that it be placed on the Consent Calendar, and

The Senate Social Services Standing Committee, to which was referred **H.B. No. 119**, LICENSURE OF YOUTH SERVICES PROGRAMS, by representative Kurt E. Oscarson, 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.

Boyd K. Storey,
Committee Chairman

Committee reports read and adopted. **H.B. No. 206** and **H.B. No. 119** were read the second time and placed on Consent Calendar.

SECRETARY OF SENATE REPORT

Committee reports have been received on **S.B. No. 183** and **S.B. No. 207** and **H.B. No. 160**, and the bills were placed on Second Reading Calendar.

COMMITTEE OF THE WHOLE

On motion of Senator Black, the Senate resolved into a Committee of the Whole.

R. LaVaun Cox, Vice President of Public Affairs for Questar Corporation and former member of the Utah Senate and his family were present in the Senate. Sophia C. Buckmiller read **H.C.R. No. 11.**

RESOLUTION HONORING R. LAVAUN COX

H.C.R. No. 11 *Mike Dmitrich*

A CONCURRENT RESOLUTION OF THE LEGISLATURE AND THE GOVERNOR HONORING R. LAVAUN COX, VICE PRESIDENT OF PUBLIC AFFAIRS FOR QUESTAR CORPORATION AND FORMER MEMBER OF THE

UTAH SENATE, FOR HIS PUBLIC SERVICE AND PRIVATE ENTERPRISE, WHICH HAVE STRENGTHENED HIS COMMUNITY AND STATE.

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

WHEREAS R. LaVaun Cox will retire from Questar Corporation March 31, 1990, after 45 years of combining public and private sector work to better his community and state;

WHEREAS Mr. Cox began his public service as a sergeant in World War II and served with 399th Infantry Regiment, the 138th Combat Engineers, and the Air Force Training Command;

WHEREAS Mr. Cox was a member of the Utah State Senate from 1959–63 and served as Senate Majority Leader in the 34th Utah Legislature;

WHEREAS Mr. Cox's public service continued with his appointment to the Utah State Road Commission in 1968, to which he later served as chairman;

WHEREAS after the Utah State Road Commission was dissolved, Mr. Cox was then named chairman of the newly-formed Transportation Commission in 1975, serving as its chairman until February 1985;

WHEREAS in addition to retaining membership with the five-member Transportation Commission until June 30, 1989, Mr. Cox also continues to serve with the Utah Council for Economic Education, the University of Utah College of Mines, and is Chairman of the Salt Lake District Advisory Council for the Bureau of Land Management:

WHEREAS Mr. Cox's lifelong affiliation with Snow College began with his enrollment in 1943, continued when he returned as a student in 1960, and abides even today with his ardent enthusiasm and support for the school;

WHEREAS Mr. Cox's private sector efforts include serving as Editor and Publisher of the Manti Messenger; Associate Editor of the Ephraim Enterprise for 14 years; and past President of the Utah Press Association;

WHEREAS Mr. Cox served as Executive Director of the Utah Petroleum Council and Rocky Mountain Oil Gas Association for Utah and Idaho from 1961 and 1973;

WHEREAS in October of 1973 Mr. Cox assumed the duties of Executive Assistant at Mountain Fuel Supply Company, where he has held a variety of positions, including his current assignment as Vice President of Public Affairs for Questar Corporation, the parent company of Mountain Fuel Supply;

WHEREAS in addition to his current work with Questar Corporation, Mr. Cox is also a member of the Rocky Mountain Oil and Gas Association, the Utah Petroleum Association, and the Utah Taxpayers' Association; and

WHEREAS Mr. Cox's life is a classic example of dedication to public service and honorable private enterprise, which have enriched his community and state:

NOW, THEREFORE, BE IT RESOLVED that the Legislature and the Governor of the state of Utah honor R. LaVaun Cox for his many years devoted to public service and private enterprise in the state of Utah, and for the wealth of contributions he has made to the strength of his community and state during his long and distinguished career.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to R. LaVaun Cox.

Senator Black, Christensen, Farley, Tempest, Fordham, Barton, and Barlow commented.

SECOND READING CALENDAR

S.B. No. 221, MEDICAID SHORTFALL FUNDING, was before the Senate as unfinished business, and passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Farley	Fordham	Hillyard
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Rees	Steele	Storey	Swan (exp.)
Pres. Christensen			

Voting in the negative was: Senator
Tempest

Absent or not voting were: Senators

Carling	Cornaby	Finlinson	Holmgren
Leavitt	Peterson, Craig	Richards	

* * *

On motion of Senator McAllister, under suspension of the rules, SUB. S.B. No. 72, BICYCLE PATHS AND TRAILS DEVELOPMENT, was lifted from Third Reading Table, and the following SECOND SUB. S.B. No. 72 replaced the substitute bill.

BICYCLE PATHS AND RECREATIONAL TRAILS DEVELOPMENT
(2-8-90 11:35 a.m.)

SECOND SUB. S.B. No. 72 *LeRay McAllister*

AN ACT RELATING TO PARKS AND RECREATION; DIRECTING THE DIVISION OF PARKS AND RECREATION TO MAKE PLANS FOR RECREATIONAL TRAILS; IMPOSING A FEE ON THE PURCHASE OF BICYCLES; CREATING A BICYCLE TRAIL ACCOUNT AND PROVIDING THAT FEES ON BICYCLE PURCHASES BE DEPOSITED IN THE ACCOUNT; SPECIFYING USES FOR MONIES IN THE ACCOUNT; APPROPRIATING $750,000 TO THE DIVISION OF PARKS AND RECREATION FOR ACQUISITION, DEVELOPMENT, OR CONSTRUCTION OF STATE-OWNED AND ADMINISTERED BICYCLE TRAILS; AND PROVIDING AN EFFECTIVE DATE.

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

ENACTS: 63-11-66, UTAH CODE ANNOTATED 1953; 63-11-67, UTAH CODE ANNOTATED 1953; 63-11-68, UTAH CODE ANNOTATED 1953; 63-11-69, UTAH CODE ANNOTATED 1953; 63-11-70, UTAH CODE ANNOTATED 1953.

On motion of Senator McAllister, **SECOND SUB. S.B. No. 72**, was placed on Third Reading Table.

RULES COMMITTEE REPORT

Mr. President: February 15, 1990

The Senate Rules Committee requests that the following bills be returned to the Rules Committee:

S.B. No. 220, S.B. No. 197, SECOND SUB. H.B. No. 3, H.B. No. 185, S.B. No. 224, H.B. No. 235, S.B. No. 74, S.B. No. 238 and S.B. No. 161.

Carole E. Peterson, Chief Clerk

Committee report read and adopted. The bills were returned to Rules Committee.

* * *

Mr. President: February 15, 1990

The Senate Rules Committee refers the following bills to the Senate and asks that they be placed on the Second Reading Calendar:

S.B. No. 220, S.B. No. 197, SECOND SUB. H.B. No. 3, H.B. No. 185, S.B. No. 224, H.B. No. 235, S.B. No. 74 and S.B. No. 238.

C.E. Peterson,
Rules Committee Chairman

Committee report read and adopted. The bills were returned to their previous positions on Second Reading Calendar.

* * *

Mr. President: February 15, 1990

The Senate Rules Committee to which was referred **Senate Bill No. 161**, moves that under suspension of the rules, it be considered read for the second time and placed on the Third Reading Calendar.

C.E. Peterson,
Rules Committee Chairman

Committee report read and adopted. **S.B. No. 161** was again read for the second time, and placed on Third Reading Calendar.

SECOND READING CALENDAR

S.B. No. 235, UTAH HEALTH DATA COMMITTEE, was read the second time.

Mr. President: February 9, 1990

The Health Standing Committee to which was referred **S.B. No. 235, UTAH HEALTH DATA COMMITTEE,** by Senator C.E. Peterson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Stephen J. Rees,
Committee Chairman

Committee report read and adopted. On motion of Senator C.E. Peterson, the bill was amended as follows:

Page 1, Line 17:
Delete entirely.

Page 13, Line 16:
Delete "individual or" and after "organization" insert "that has an institutional review board"

The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Farley	Fordham	Hillyard
Holmgren	Leavitt	McAllister	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Carling	Cornaby	Finlinson	McMullin

* * *

On motion of Senator Nielsen, under suspension of the rules, S.J.R. No. 26, SPECIAL DISTRICT 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

Barlow	Barton	Beattie	Black
Bunnell	Farley	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Carling	Cornaby	Finlinson

S.J.R. No. 26 was transmitted to the House.

* * *

On motion of Senator McAllister, under suspension of the rules, S.R. No. 2, SALES TAX EXEMPTIONS SUNSET, was read the second and third times.

On motion of Senator McAllister, under suspension of the rules, the Senate voted to change the Senate Resolution to the following.

SALES TAX EXEMPTIONS SUNSET

S.J.R. No. 33 *LeRay McAllister*

A JOINT RESOLUTION OF THE LEGISLATURE REQUESTING THAT ALL SALES AND USE TAX EXEMPTIONS BE STUDIED BY THE REVENUE AND TAX INTERIM COMMITTEE OF THE LEGISLATURE.

S.J.R. No. 33 passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Farley	Finlinson	Fordham
Hillyard	Leavitt	McAllister	McMullin
Money	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Voting in the negative was: Senator
Myrin

Absent or not voting were: Senators

Carling	Cornaby	Holmgren

S.J.R. No. 33 was transmitted to the House.

* * *

Senator Craig Peterson asked that he be recorded voting Yea on S.B. No. 221, MEDICAID SHORTFALL FUNDING. The final vote was:

Yeas, 22; Nays, 1; Absent, 6

* * *

On motion of Senator C.E. Peterson, under suspension of the rules, SUB. H.C.R. No. 32, was lifted from Rules Committee and placed on Second Reading Calendar.

* * *

On motion of Senator Cary Peterson, under suspension of the rules, S.B. No. 252, APPROPRIATION AND FUNDING AMENDMENTS, was read the second and third times and passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Voting in the negative was: Senator
Barton

Absent or not voting were: Senators

Cornaby	McAllister

S.B. No. 252, was transmitted to the House.

* * *

On motion of Senator Beattie, under suspension of the rules, SUB. H.C.R. No. 32, RESOLUTION OPPOSING THE WASATCH VARIATION PIPELINE, was read the second and third times. Senators Beattie, Swan, Barton, Nielsen, Black, Craig Peterson and Farley commented. The substitute resolution failed on the following roll call:

Yeas, 14; Nays, 5; Absent, 10

Voting in the affirmative were: Senators

Barlow	Beattie	Bunnell	Finlinson
Fordham	Leavitt	McMullin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Rees
Richards	Pres. Christensen		

Voting in the negative were: Senators

Black	Farley	Money	Peterson, Craig
Swan			

Absent or not voting were: Senators

Barton	Carling	Cornaby	Hillyard
Holmgren	McAllister	Myrin	Steele
Storey	Tempest		

* * *

On motion of Senator Cary Peterson S.C.R. No. 11, MCGRUFF TENTH ANNIVERSARY RESOLUTION, will be considered at 11:00 a.m., Monday, February 19, 1990.

* * *

On motion of Senator Cary Peterson and at 3:00 p.m., the Senate adjourned until 8:00 a.m., Friday, February 16, 1990.

FORTIETH 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 – Reverend Kent Ikeda, Japanese Church of Christ.

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: February 16, 1990

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.

Paul T. Fordham,
Committee Member

Committee report read and adopted.

COMMUNICATION FROM THE GOVERNOR

Speaker Karras & President Christensen: February 15, 1990

This is to inform you that on February 15, 1990, I signed into law **H.B. No. 162,** FUNDING TEXTBOOKS FOR PUBLIC EDUCATION, and have forwarded it to the Lieutenant Governor for filing.

Norman H. Bangerter,
Governor

Communications filed.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 15, 1990

I am directed to inform the Senate that the House of Representatives has this day passed on consent **H.B. No. 22,** OCCUPATIONAL INFORMATION COORDINATION ACT, by Representative Joseph L. Hull, and the 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,** TEACHING EXPERIENCE EMPLOYMENT

FACTOR, by Representative Joseph L. Hull, 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. 196**, LEGAL COUNSEL FOR THE INDUSTRIAL COMMISSION AND EMPLOYERS REINSURANCE FUND, by Representative Ostler, and the 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. 236**, INCOME TAX – SCHOOLS CHECKOFF, by Representative Pat Nix, 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 **SUB. H.B. No. 288**, JOINT CUSTODY AMENDMENTS, by Representative Ronald J. Ockey, 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 SUB. H.B. No. 289**, REDEVELOPMENT REVIEW COMMITTEE, by Representative G. Brown, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 301**, UTAH COLUMBUS QUINCENTENARY COMMISSION, by Representative Frank R. Pignanelli, 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 SUB. H.B. No. 309**, COUNTY ATTORNEY AMENDMENTS, by Representative James F. 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, as amended per attached Committee Report, **H.B. No. 328**, by Representative E. Olsen, et al, and the same is transmitted herewith for Senate consideration, and

Mr. Speaker: February 14, 1990

Your Committee on State and Local Affairs, to which was referred **H.B. No. 328**, RULEMAKING POWERS OF EXECUTIVE DIRECTORS, by Representative Olsen, has carefully considered said bill and reports the same out favorably with the following amendments:

Page 15, Lines 24–25:
Delete lines 24 and 25

Page 16, Lines 1–24:
Delete lines 1 through 24

Page 51, Line 21:
After line 21 insert:
"63–49–5, As enacted by Chapter 204, Laws of Utah 1975:

Page 531, Lines 13–15:
Delete lines 13 through 25

Page 532–555:
Delete pages 532 through 555

Page 556, Lines 1–14:
Delete lines 1 through 14

Page 2039, Line 16:
After line 16 insert a new section of the bill to read:

"Section 1225. Section 63–49–5, Utah Code Annotated 1953 as enacted by Chapter 204, Laws of Utah 1975, is amended to read:

63–49–5. Director of transportation – Appointment – Qualifications – Term – Responsibility – Power to bring suits – Rulemaking powers – Salary. (1) The governor, from recommendations of the transportation commission, and with the advice and consent of the senate, shall appoint a director of transportation who shall be the chief executive officer of the department of transportation. This director shall be a qualified executive with technical and administrative experience and training as shall fit him for the position. The director shall hold his office until his successor is appointed and may be removed by the governor with approval of the commission. In addition to such other functions, powers, duties, rights, and responsibilities prescribed in this act, the director shall have the responsibility for general administrative supervision of the transportation systems of the state and of the various operations of the department, and shall have the responsibility for the implementation of priorities and policies established by the department. He shall have full power to bring suit in courts of competent jurisdiction in the name of the department, as he may deem reasonable and necessary for the proper attainment of the goals set forth

in this act. The director shall receive a salary, to be fixed by the legislature, according to the classification established by law, together with his actual traveling expenses while away from his office on official business.

(2) Unless otherwise expressly provided by statute, the director has exclusive authority to make rules for the department and all of its subdivisions. For the purposes of this section only, rulemaking boards, bureaus, committees, councils, or other similar agencies are not subdivisions of the department, unless provided for otherwise in statute. A rule made pursuant to the delegation of authority under Subsection (5) must be approved by the director before the rule becomes effective.

(3) All rules made by the director must be in accordance with Chapter 46a, Title 63, the Utah Administrative Rulemaking Act.

(4) A rule made by a board, bureau, committee, council, or other similar agency associated with the department must be approved by the director before the rule becomes effective.

(5) All appropriate personnel within the department may, at the request of the director, advise, prepare, or recommend rules to the director.

(6) If the director is unable, the acting director of the department may exercise all the authority of the director granted pursuant to this section."

Afton Bradshaw, Chairman, and

I am directed to inform the Senate that the House of Representatives has this day passed **SUB. H.B. No. 334**, ESCROW ACCOUNT PROVISIONS, by Representative Byron L. Harward, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 348**, RECOGNITION OF ACKNOWLEDGEMENT ACT AMENDMENTS, by Representative Lewis and the 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. 358**, LIMITED IMMUNITY FOR CERTAIN HMO ACTIVITIES, by Representative Rob W. Bishop, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.B. Nos. 22, 193, 196, 236, SUB. H.B. No. 288, SECOND SUB. H.B. No. 289, H.B. No. 310, SECOND SUB. H.B. No. 309, H.B. No. 328, SUB. H.B. No. 334, H.B. No. 348 and H.B. No. 358, were read the first time and referred to Rules Committee.

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Mr. President: February 15, 1990

I am directed to inform the Senate that the Speaker has signed in open session, **SECOND SUB. S.B. No. 4**, DUI PENALTY AMENDMENT, by Senator Winn L. Richards, 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. 157**, LIEN AGAINST RETIREMENT BENEFITS, by Senator Lyle W. Hillyard, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Chief Clerk

SECOND SUB. S.B. No. 4 and S.B. No. 157 were signed by the President of the Senate in open session, referred to Rules Committee to be enrolled and transmitted to the Governor.

PRESENTATION OF RESOLUTIONS

On motion of Senator Cary Peterson, under suspension of the rules, the Senate voted to allow introduction of the following resolutions:

RESOLUTION URGING LAND TRADE IN TRAPPERS LOOP AREA

S.C.R. No. 12 *Arnold Christensen, Glade Nielsen, Winn L. Richards, David H. Steele*

A CONCURRENT RESOLUTION OF THE LEGISLATURE AND THE GOVERNOR SUPPORTING SNOWBASIN SKI RESORT'S PROPOSED LAND TRADE WITH THE UNITED STATES FOREST SERVICE, was read the first time.

On motion of Senator Cary Peterson, under suspension of the rules, the resolution was placed on the Second Reading Calendar.

RESOLUTION HONORING RICHARD MEHORNAY AND JAMES FLYNN

S.R. No. 5 *Arnold Christensen, Wilford R. Black, Jr.*

A RESOLUTION OF THE SENATE HONORING AND THANKING RICHARD MEHORNAY OF MERRELL DOW AND JAMES FLYNN OF UPJOHN FOR THEIR TREMENDOUS SUPPORT TOWARD GOOD GOVERNMENT, was read the first time.

On motion of Senator Cary Peterson, under suspension of the rules, the resolution was placed on the Second Reading Calendar.

CONSENT CALENDAR

On motion of Senator Carling, S.J.R. No. 31 was circled.

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S.J.R. No. 24, LIMITATION OF CONGRESSIONAL TERMS AMENDMENT RESOLUTION, was read the third time, and passed on the following roll call:

Yeas, 16; Nays, 6; Absent, 7

Voting in the affirmative were: Senators

Barton	Beattie	Bunnell	Farley
Hillyard	Holmgren	Leavitt	Money
Myrin	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Richards	Steele (exp.)	Tempest (exp.)

Voting in the negative were: Senators

Black (exp.)	Carling	Fordham	Nielsen
Swan (exp.)	Pres. Christensen		

Absent or not voting were: Senators

Barlow	Cornaby	Finlinson	McAllister
McMullin	Rees	Storey	

S.J.R. No. 24, was transmitted to the House.

* * *

On motion of Senator Cary Peterson, H.C.R. No. 10, UTAH FOR SANDS DEVELOPMENT, was read the third time and circled.

* * *

H.C.R. No. 26, RESOLUTIONS HONORING KATHY GARCIA, was read the third time, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barton	Beattie	Black	Bunnell
Carling	Farley	Fordham	Hillyard
Holmgren	Leavitt	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Barlow	Cornaby	Finlinson	McAllister
McMullin	Storey		

H.C.R. No. 26 was signed by the President of the Senate in open session and returned to the House.

* * *

H.J.R. No. 23, RESOLUTION HONORING PAUL MCCARTY AND HILL VIEW SCHOOL, was read the third time and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barton	Beattie	Black	Bunnell
Carling	Farley	Fordham	Hillyard
Holmgren	Leavitt	McAllister	Money
Myrin	Nielsen	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Barlow	Cornaby	Finlinson	McMullin
Pace	Storey		

H.J.R. No. 23 was signed by the President of the Senate in open session and returned to the House.

* * *

SUB. H.B. No. 259, TAX TECHNICAL 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

Barton	Beattie	Black	Bunnell
Carling	Farley	Fordham	Hillyard
Holmgren	Leavitt	McAllister	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Barlow	Cornaby	Finlinson	McMullin
Storey			

SUB. H.B. No. 259 was signed by the President of the Senate in open session and returned to the House.

* * *

H.B. No. 287, CIGARETTE LICENSING FEES, was read the third time and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barton	Beattie	Black	Bunnell
Carling	Farley	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barlow	Cornaby	Finlinson	Storey

H.B. No. 287 was signed by the President of the Senate in open session and returned to the House.

* * *

H.C.R. No. 10, UTAH FOR SAND DEVELOPMENT, was uncircled, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barton	Beattie	Black	Bunnell
Carling	Farley	Fordham	Hillyard
Holmgren	Leavitt	McAllister	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Barlow	Cornaby	Finlinson	McMullin
Storey			

H.C.R. No. 10 was signed by the President of the Senate in open session and returned to the House.

* * *

SUB. H.C.R. No. 9, RESOLUTION ON SHARON STEEL SITE, was read the third time, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barton	Beattie	Black	Carling
Farley	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Barlow	Bunnell	Cornaby	Finlinson
Storey			

SUB. H.C.R. No. 9 was signed by the President of the Senate in open session and returned to the House. Senator Holmgren is presiding.

* * *

S.B. No. 181, CRIMINAL OFFENSE CHARGES, was read the third time, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Beattie	Black	Carling	Farley
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Swan	Tempest		

Absent or not voting were: Senators

Barlow	Barton	Bunnell	Cornaby
Finlinson	Storey	Pres. Christensen	

S.B. No. 181, as amended, was transmitted to the House.

* * *

S.B. No. 187, FORFEITURE HEARING JURISDICTION, was read the third time, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barton	Beattie	Black	Carling
Farley	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Barlow	Bunnell	Comaby	Pace
Storey			

S.B. No. 187, as amended, was transmitted to the House.

* * *

S.B. No. 223, UNCLAIMED PROPERTY ACT AMENDMENTS, was read the third time, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barton	Beattie	Black	Carling
Farley	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barlow	Bunnell	Comaby	Storey

S.B. No. 223 was transmitted to the House.

* * *

S.B. No. 226, YOUTH CORRECTIONS PAROLE VIOLATIONS AMENDMENTS, was read the third time, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barton	Beattie	Black	Bunnell
Carling	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Rees
Richards	Steele	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barlow	Cornaby	Peterson, Craig	Storey

S.B. No. 226 was transmitted to the House.

* * *

H.B. No. 183, CONCEALED WEAPONS 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

Barton	Beattie	Black	Bunnell
Carling	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Swan	Pres. Christensen

Absent or not voting were: Senators

Barlow	Cornaby	Pace	Storey
Tempest			

H.B. No. 183 was signed by the President of the Senate later on this day and returned to the House.

THIRD READING CALENDAR

S.B. No. 54, GREAT SALT LAKE DEVELOPMENT AUTHORITY ACT AMENDMENT, was read the third time, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barton	Beattie	Carling	Cornaby
Farley	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Nielsen	Pace	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Swan	Tempest		

Absent or not voting were: Senators

Barlow	Black	Bunnell	Cornaby
Myrin	Peterson, C.E.	Storey	Pres. Christensen

S.B. No. 54, as amended, was transmitted to the House.

* * *

On motion of Senator Craig Peterson, the Senate voted to reconsider its action on SUB. H.C.R. No. 32, RESOLUTION OPPOSING THE WASATCH VARIATION PIPELINE, and the resolution was circled.

* * *

S.B. No. 41, UNIFORM TAX ON PERSONAL PROPERTY, was read the third time, and failed on the following roll call:

Yeas, 13; Nays, 11; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Bunnell	Finlinson
Fordham	Hillyard	McAllister	McMullin
Pace	Rees	Richards	Steele
Swan			

Voting in the negative were: Senators

Beattie	Carling	Farley	Holmgren
Leavitt	Money	Myrin	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Tempest	

Absent or not voting were: Senators

Black	Cornaby	Nielsen	Storey
Pres. Christensen			

* * *

SUB. S.B. No. 193, DIESEL EMISSIONS INSPECTION, was read the third time, and passed on the following roll call:

Yeas, 16; Nays, 8; Absent, 5

Voting in the affirmative were: Senators

Barlow	Beattie	Bunnell	Carling
Farley	Finlinson	Fordham	Hillyard
Leavitt	McAllister	Pace	Peterson, C.E.
Peterson, Craig	Rees	Steele	Swan

Voting in the negative were: Senators

Barton	Holmgren	McMullin	Money
Myrin	Nielsen	Richards	Tempest

Absent or not voting were: Senators

Black	Cornaby	Peterson, Cary	Storey
Pres. Christensen			

SUB. S.B. No. 193, as amended, was transmitted to the House.

* * *

S.B. No. 163, UNIFORM COMMERCIAL CODE - CHECK 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

Barlow	Beattie	Bunnell	Carling
Farley	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Craig	Rees	Richards
Steele	Swan		

Absent or not voting were: Senators

Barton	Black	Cornaby	Peterson, Cary
Storey	Tempest	Pres. Christensen	

S.B. No. 163 was transmitted to the House.

* * *

S.B. No. 191, UNIFORM COMMERCIAL CODE AMENDMENTS, was read the third time, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Swan
Tempest			

Absent or not voting were: Senators

Black	Cornaby	Storey	Pres. Christensen

S.B. No. 191, was transmitted to the House.

* * *

S.B. No. 161, UNIFORM FOREIGN MONEY CLAIMS 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	Barton	Beattie	Bunnell
Carling	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Richards	Steele
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Black	Cornaby	Farley	Peterson, Craig
Rees	Storey		

S.B. No. 161, was transmitted to the House. President Christensen is presiding.

* * *

S.B. No. 235, UTAH HEALTH DATA COMMITTEE, was read the third time. On motion of Senator Carling, the bill was amended as follows:

Page 3, Line 3:
After line 3 insert:

"(2) "Control number" means a number assigned by the committee to an individual's health data as an identifier so that the health data can be disclosed or used in research and statistical analysis without readily identifying the individual."

Renumber remaining subsections accordingly

Page 9, Line 15:
After "plan" insert "while protecting individual privacy through the use of a control number as the health data identifier"

Page 9, Line 24:
After "health data" insert "identified by control number only"

Page 13, Line 23:
After "department." insert "Any health data disclosed shall be identified by control number only."

On motion of Senator Hillyard the bill was placed on the Third Reading Table.

* * *

On motion of Senator Cary Peterson and at 9:05 a.m. the Senate recessed for Republican Party Caucus. The Senate reassembled at 10:30 a.m.

* * *

On motion of Senator Carling, under suspension of the rules S.J.R. No. 31, RESOLUTION HONORING BAE B. GARDNER, was uncircled on Consent Calendar, and read the third time. Senators Finlinson and Farley commented. On motion of Senator Carling the bill was amended.

Senator Fred W. Finlinson is to be listed as a co–sponsor.

The resolution passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black

Bunnell	Carling	Comaby	Farley
Finlinson	Fordham	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Hillyard	Storey

S.J.R. No. 31, as amended, was transmitted to the House.

THIRD READING CALENDAR

S.R. No. 5, RESOLUTION HONORING RICHARD MEHONRAY AND JAMES FLYNN was read the second time.

On motion of Senator Black, the resolution will be considered at 2:00 p.m., Monday, February 19, 1990.

* * *

On motion of Senator Cary Peterson, under suspension of the rules, S.C.R. No. 12, RESOLUTION URGING LAND TRADE IN TRAPPERS LOOP AREA, 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

Barlow	Barton	Beattie	Black
Carling	Comaby	Farley	Fordham
Holmgren	Leavitt	McMullin	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Pres. Christensen			

Absent or not voting were: Senators

Bunnell	Finlinson	Hillyard	McAllister
Money	Storey	Swan	Tempest

S.C.R. No. 12 was transmitted to the House.

* * *

On motion of Senator McMullin, the Senate voted to consider all Senate Bills on Second Reading Calendar, under suspension of the rules, to be read the second and third times, unless otherwise moved.

* * *

On motion of Senator McMullin S.B. No. 211, BONDING FOR WATER PROJECTS, was read the second time.

Mr. President: February 13, 1990

The Senate Energy, Natural Resources and Agriculture Committee, to which was referred S.B. No. 211, BONDING FOR WATER PROJECTS, by Senator Fred W. Finlinson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Fred W. Finlinson,
Committee Chairman

Committee report read and adopted. On motion of Senator McMullin, the bill was circled.

* * *

On motion of Senator McMullin, under suspension of the rules, S.B. No. 215, SUBPOENA POWERS ACT AMENDMENT, was read the second and third times.

Mr. President: February 12, 1990

The Judiciary Committee, to which was referred S.B. No. 215, SUBPOENA POWERS ACT AMENDMENT by Senator Richard J. Carling, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 4, Line 12:
Delete "authorize the prosecuting agency to"

Page 4, Line 13:
Delete "instruct" and insert "order"

Page 4, Line 16:
After "others" insert: "Any order to not disclose made under this subsection shall be served with the subpoena."

Committee report read and adopted. On motion of Senator McMullin, the bill was circled.

* * *

S.B. No. 234, CIVIL PENALTY FOR VIOLATION OF ORDINANCE, was read the second time.

Mr. President: February 12, 1990

The Transportation and Public Safety Committee, to which was referred S.B. No. 234, CIVIL PENALTY FOR VIOLATION OF ORDINANCE, by Senator Carling, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 1, Line 13:
After "MUNICIPALITIES" insert:

"; AND ALLOWING MEMBERS OF THE STATE HIGHWAY PATROL THE POWER TO SERVE CIVIL PROCESS THROUGHOUT THE COUNTIES OF THE STATE"

Page 1, Line 16:
After line 16 insert:

"27-10-5, UTAH CODE ANNOTATED 1953"

Page 2, Line 15:
After line 15 insert a new section of the bill to read:

"Section 2. Section 27-10-5. Utah Code Annotated 1953 is amended to read:

27-10-5. Vested with powers of peace officers.

The commissioner of public safety and each member of the state highway patrol is vested with the powers of peace officers throughout the several counties of the state [~~with the exception of the power to serve civil process~~]. They may serve civil and criminal process and arrest and prosecute violators of any law of this state and shall have the same right as other peace officers to require aid in executing their duties. The powers and duties hereby conferred upon the commissioner of public safety and members of the highway patrol shall be supplementary to and in no way a limitation on the powers and duties of other peace officers in the state."

Page 2, Line 13:
After "penalties" delete "and fines"

Glade Nielsen,
Committee Chairman

Committee report read and adopted. On motion of Senator McMullin, the bill was circled.

* * *

On motion of Senator McMullin, under suspension of the rules, **S.B. No. 220,** INCOME TAX CHECKOFF FOR HIGHER EDUCATION, was read the second and third times.

Mr. President: February 10, 1990

The Education Committee to which was referred **S.B. No. 220,** INCOME TAX CHECKOFF FOR HIGHER EDUCATION, by Senator Dixie Leavitt, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Dixie Leavitt,
Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 17; Nays, 6; Absent, 6

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Cornaby
Farley	Fordham	Leavitt	McMullin
Money	Myrin	Pace	Peterson, C.E.
Peterson, Craig	Rees	Richards	Steele
Pres. Christensen			

Voting in the negative were: Senators

Barton	Bunnell	Holmgren	Nielsen
Swan	Tempest		

Absent or not voting were: Senators

Carling	Finlinson	Hillyard	McAllister
Peterson, Cary	Storey		

S.B. No. 220, was transmitted to the House.

* * *

On motion of Senator Myrin S.J.R. No. 32 was lifted from Rules Committee and placed on Second Reading Calendar.

* * *

On motion of Senator McMullin, under suspension of the rules, S.B. No. 197, UTAH CONSERVATION CORPS, was read the second and third times.

Mr. President: February 13, 1990

The following, being a quorum of members of the Energy, Natural Resources and Agriculture Committee, make and approve a motion to pass S.B. No. 197, UTAH CONSERVATION CORPS, by Senator Lorin Pace, out of committee with a favorable recommendation.

Fred Finlinson,
Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Comaby	Farley
Fordham	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Finlinson	Hillyard	Storey

S.B. No. 197 was transmitted to the House.

* * *

On motion of Senator Carling, S.B. No. 215, SUBPOENA POWERS ACT AMENDMENTS, was uncircled and the following substitute bill was adopted.

SUBPOENA POWERS ACT AMENDMENT
(2–14–90 5:53 p.m.)

SUB. S.B. No. 215 *Richard J. Carling*

AN ACT RELATING TO CRIMINAL PROCEDURE; AMENDING PROVISIONS REGARDING SECRECY IN USE OF INVESTIGATIVE AND ADMINISTRATIVE SUBPOENAS.

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

AMENDS: 77–22–2, AS LAST AMENDED BY CHAPTER 123, LAWS OF UTAH 1989; 77–22a–1, AS ENACTED BY CHAPTER 9, LAWS OF UTAH 1989; 77–22a–3, AS ENACTED BY CHAPTER 9, LAWS OF UTAH 1989.

The unamended substitute bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Fordham
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Barton	Finlinson	Hillyard	Pace
Storey			

SUB. S.B. No. 215, was transmitted to the House.

COMMITTEE OF THE WHOLE

The Honorable Howard Nielsen, U.S. Congressman from Utah, appeared before the Senate. Senators C.E. Peterson and Cary Peterson commented.

SECOND READING CALENDAR

S.B. No. 234, CIVIL PENALTY FOR VIOLATION OF ORDINANCE, was uncircled, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7

Voting in the affirmative were: Senators

Barton	Beattie	Black	Bunnell
Carling	Farley	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Nielsen	Pace	Peterson, Cary
Peterson, Craig	Rees	Steele	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Barlow	Cornaby	Finlinson	Myrin
Peterson, C.E.	Richards	Storey	

On motion of Senator Carling, the bill was placed on the Third Reading Table.

* * *

On motion of Senator Beattie SUB. H.C.R. No. 32, RESOLUTION OPPOSING THE WASATCH VARIATION PIPELINE, was uncircled, reconsidered, and passed on the following roll call:

Yeas, 22; Nays, 3; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Fordham	Hillyard	Holmgren
Leavitt	McAllister	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Swan
Tempest	Pres. Christensen		

Voting in the negative were: Senators

Black	Farley (exp.)	Money

Absent or not voting were: Senators

Cornaby	Finlinson	McMullin	Storey

SUB. H.C.R. No. 32 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator McMullin, under suspension of the rules, **H.B. No. 57**, VEHICLE SIZE, WEIGHT, AND LOAD REVISIONS, was before the Senate at 11:00 a.m., and read the second and third times. Senators Money, Carling, Craig Peterson, Black, Nielsen, and Cary Peterson commented.

Mr. President: February 12, 1990

The Transportation and Public Safety Committee, to which was referred **H.B. No. 57**, VEHICLE SIZE, WEIGHT, AND LOAD REVISIONS, by Representative Fox, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Lilac Page 9, Line 10b:
Delete "OR AN AGRICULTURAL PRODUCT."

Lilac Page 9, Line 10c:
After "SECTION 4-1-8," insert "or a motor vehicle carrying raw grain if the grain is being transported by the farmer from his farm to market prior to bagging, weighing, or processing."

Page 19, Line 3:
After line 3 insert

"(b) Except as provided under Subsection (9) an overweight permit may not be issued under this section to allow the transportation of a load that is reasonably divisible."

Renumber remaining subsections accordingly

Lilac Page 22, Line 18:
Delete the colon

Lilac Page 22, Line 19:
Delete line 19

Lilac Page 22, Line 20:
Delete "(ii)"

Glade Nielsen,
Committee Chairman

Committee report read and adopted. Senator Carling moved the following amendments:

Lilac Page 9, Line 10b:
After "VEHICLE" delete the remainder of line 10b

Lilac Page 9, Line 10c:
Delete "DEFINED IN SECTION 4-1-8." and delete the language inserted on line 10c by the committee report dated February 12, 1990.

Lilac Page 9, Line 10f:
After "HIGHWAYS" insert "AND THE MOTOR VEHICLE IS CARRYING:

(a) livestock as defined in Section 4-1-8;

(b) raw grain if the grain is being transported by the farmer from his farm to market prior to any bagging, weighting, or processing; or

(c) a sealed ocean transport container"

The motion to amend failed on a voice vote.

The bill passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Swan	Pres. Christensen	

Voting in the negative was: Senator
Tempest

Absent or not voting were: Senators

Beattie	Hillyard	Holmgren	Pace
Storey			

H.B. No. 57, as amended, was returned to the House.

* * *

On motion of Senator McAllister, under suspension of the rules, **S.B. No. 273** was lifted from State and Local Affairs Standing Committee, and placed at the bottom of Second Reading Calendar.

* * *

On motion of Senator Tempest S.R. No. 3, WINTER SPORTS AUTHORITY RESPONSIBILITY RESOLUTION, was read the third time and circled.

* * *

On motion of Senator McMullin, under suspension of the rules, S.B. No. 224, BUSINESS CORPORATION ACT AMENDMENTS, 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

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Craig	Richards
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Black	Hillyard	Peterson, Cary	Rees
Storey			

S.B. No. 224 was transmitted to the House.

RULES COMMITTEE REPORT

Mr. President: February 16, 1990

The Senate Rules Committee to which was referred the following House Bill:

H.B. No. 62 INSURANCE COMPANIES DISCLOSURE

report the Bill to the Senate and asks that it be printed and placed on the Second Reading Calendar.

C.E. Peterson,
Rules Committee Chairman

Committee report read and adopted. H.B. No. 62, was placed on Second Reading Calendar.

SECOND READING CALENDAR

On motion of Senator McMullin, under suspension of the rules, S.B. No. 74, WORKERS' COMPENSATION FUND TASK FORCE, was read the second and

third times. Senators Leavitt, C.E. Peterson, Hillyard, Steele, Cornaby, Beattie, and commented. Senator Black moved on Page 1, Line 28 to delete "four" and insert "three". Senator Steele's substitute motion to delete Lines 22 through 29 and replace it with Business, Labor and Agriculture Appropriation Committee members, failed on a voice vote. Senator Black's main motion failed on a voice vote.

The bill passed on the following roll call:

Yeas, 17; Nays, 9; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Holmgren	Leavitt	McMullin	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Steele (exp.)	Storey	Tempest
Pres. Christensen			

Voting in the negative were: Senators

Black	Carling	Cornaby	Farley
Finlinson	Fordham	Money	Richards
Swan			

Absent or not voting were: Senators

Hillyard	McAllister	Rees

S.B. No. 74 was transmitted to the House. Senator Finlinson is presiding.

* * *

On motion of Senator McMullin, under suspension of the rules, H.B. No. 158, SCHOOL DISTRICT ACCOUNTABILITY, was read the second time.

Mr. President: February 7, 1990

The Education Standing Committee to which was referred H.B. No. 158, SCHOOL DISTRICT ACCOUNTABILITY, by Representative Richard J. Bradford, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Dixie L. Leavitt,
Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Steele	Storey
Swan	Tempest		

Absent or not voting were: Senators

Cornaby	Richards	Pres. Christensen

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 16, 1990

I am directed to request the Senate to return to the House of Representatives **H.B. No. 462**, UTAH SPORTS AUTHORITY ACT AMENDMENTS, by Representative Nolan E. Karras, for clarification.

Carole E. Peterson, Chief Clerk

On motion of Senator McMullin, **H.B. No. 462**, was returned to the House.

PRESENTATION OF RESOLUTIONS

On motion of Senator Barlow, under suspension of the rules, the Senate voted to allow introduction of the following resolution:

RECOGNIZING THE 50TH ANNIVERSARY OF THE UTAH SYMPHONY
(2–15–90 4:27 p.m.)

S.C.R. No. 13 *Haven J. Barlow, K.S. Cornaby*

A CONCURRENT RESOLUTION OF THE LEGISLATURE AND THE GOVERNOR RECOGNIZING THE 50TH ANNIVERSARY OF THE UTAH SYMPHONY, AND THE ENORMOUS CONTRIBUTION THE SYMPHONY HAS MADE TO THE ARTS IN UTAH, was read the first time, Senator Rees commented.

On motion of Senator Barlow, under suspension of the rules, the resolution 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Holmgren	Leavitt	McAllister
Money	Myrin	Nielsen	Peterson, C.E.
Rees	Richards	Steele	Storey
Swan	Tempest		

Absent or not voting were: Senators

Cornaby	Hillyard	McMullin	Pace
Peterson, Cary	Peterson, Craig	Pres. Christensen	

S.C.R. No. 13 was transmitted to the House.

* * *

On motion of Senator McMullin, under suspension of the rules, S.B. No. 238, MOTOR VEHICLE ACT AMENDMENTS, was read the second and third time. On motion of C.E. Peterson, the bill was amended as follows:

Page 9, Line 12:
After "year" insert "which plates shall be replaced without charge"

Page 10, Line 18:
After "year" insert "which plates shall be replaced without charge"

The bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barton	Beattie	Black	Bunnell
Carling	Finlinson	Fordham	Holmgren
Leavitt	McAllister	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Rees
Richards	Steele	Storey	Swan
Tempest			

Absent or not voting were: Senators

Barlow	Cornaby	Farley	Hillyard
McMullin	Peterson, Cary	Peterson, Craig	Pres. Christensen

S.B. No. 238, as amended, was transmitted to the House.

* * *

On motion of Senator McMullin, and at 12:10 noon the Senate recessed.

AFTERNOON SESSION

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

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 16, 1990

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 28**, DEPARTMENT OF ENVIRONMENTAL QUALITY, by Representative Lloyd 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.J.R. No. 30**, TAX RECODIFICATION COMMISSION PROPERTY TAX POLICY, by Representative Knowlton, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 31**, TAX RECODIFICATION COMMISSION INCOME TAX POLICY, by Representative Knowlton, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 32**, TAX RECODIFICATION COMMISSION SALES AND USE TAX POLICY, by Representative Knowlton, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 118**, PROPERTY TAX PAYMENT AMENDMENTS, by Representative Gene Davis, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, **SUB. H.B. No. 150**, REVIEW AND MODIFICATION OF CHILD SUPPORT GUIDELINES, by Representative Lloyd 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 SUB. H.B. No. 161, ASBESTOS ABATEMENT IN THE PUBLIC SCHOOLS, by Representative Richard J. 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. 170, SCHOOL DISTRICT PERFORMANCE REPORTS, by Representative Richard J. Bradford, 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. 285, REVISION OF STATUTORY AUTHORIZATION FOR ADMINISTRATIVE RULES, by Representative Byron L. Harward, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed as amended upon reconsideration, H.B. No. 332, CONTRABAND IN CORRECTIONAL FACILITIES, by Representative White, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, H.B. No. 354, ADMINISTRATIVE TEACHING IN THE PUBLIC SCHOOLS, by Representative Grant D. Protzman, and the 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. 379, STATE TREASURER AMENDMENTS, by Representative Ellertson, and the 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. 396, UNAUTHORIZED RELEASE OF ANIMALS, 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, as amended, SUB. H.B. No. 401, AMENDMENTS TO STATE GOVERNMENT, by Representative Nolan E. 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 H.B. No. 402, TRANSFER OF TITLE ON LOCAL ROADS, by Representative Holmes, and the 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. 414, LIMITED GUARDIANSHIPS FOR STATE TRAINING SCHOOL RESIDENTS, by Representative Hugh D. Rush, and the 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. 440, EXPANSION OF BLOCK GRANT FUNDING PILOT PROGRAM, by Representative Harward, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed H.B. No. 450, RETIREMENT CONTRIBUTION RATES, by Representative Bishop, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.J.R. Nos. 28, 30, 31, 32, H.B. No. 118, SUB. H.B. No. 150, SUB. H.B. No. 161, H.B. Nos. 170, 285, 332, 354, 379, 396, SUB. H.B. No. 401, H.B. Nos. 402, 414, 440, and 450 were read the first time and referred to Rules Committee.

* * *

Mr. President: February 16, 1990

I am directed to inform the Senate that the House of Representatives has this day passed on consent S.J.R. No. 15, EARLY GRADUATION CREDIT RESOLUTION, by Senator David H. Steele, 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. 31, RESOLUTION HONORING BAE B. GARDNER, by Senator Richard J. 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 S.J.R. No. 16, PROMOTING MATH AND SCIENCE IN THE PUBLIC SCHOOLS RESOLUTION, by Senator David H. Steele, 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. 9, STRATEGIC PLANNING FOR EDUCATION

RESOLUTION, by Senator Haven J. Barlow, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of President.

Carole E. Peterson, Chief Clerk

S.J.R. No. 15, S.J.R. No. 31, S.J.R. No. 16 and S.C.R. No. 9 was signed by the President of the Senate in open session, referred to Rules Committee to be enrolled and transmitted to the Governor and Lt. Governor.

* * *

Mr. President: February 16, 1990

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. 59**, RETIREMENT SERVICE CREDIT INCREASE, by Representative Rob W. Bishop, 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. 436**, SALARY INCREASES FOR TEACHERS, by Representative David M. Adams, and the same is transmtted herewith for the signature of the President.

Carole E. Peterson, Chief Clerk

H.B. No. 59 and H.B. No. 436 were signed by the President of the Senate in open session and returned to the House.

SECOND READING CALENDAR

On motion of Senator McMullin, under suspension of the rules, **S.B. No. 81**, REGULATION EXEMPTION FOR MANUFACTURED HOMES, was read the second and third times.

Mr. President: February 14, 1990

The Revenue and Taxation Standing Committee to which was referred **S.B. No. 81**, REGULATION EXEMPTION FOR MANUFACTURED HOMES, by Senator Craig A. Peterson, has carefully considered the bill and reports it out of committee favorably with a recommendation that the original bill be deleted in body and title and that **SUB. S.B. No. 81** replace the original bill.

SUB. S.B. No. 81 to be amended as follows:

Page 1, Line 22:
After Line 22 insert:

"58-56-9, AS ENACTED BY CHAPTER 269, LAWS OF UTAH 1989"

Page 2, Line 25:
After line 25 insert:

"REPEALS:

41-20-4.5, AS LAST AMENDED BY CHAPTER 225, LAWS OF UTAH 1989

41-20-6, AS LAST ENACTED BY CHAPTER 203, LAWS OF UTAH 1969

41-20-7, AS LAST AMENDED BY CHAPTER 106, LAWS OF UTAH 1971"

Page 17, Lines 17-24:
Bracket lines 17-24 and renumber remaining subsection accordingly

Page 24, Line 7:
After Line 7 insert:

"Section 29. Section 58-56-9, Utah Code Annotated 1953, as enacted by Chapter 269, Laws of Utah 1989, is amended to read:

58-56-9. Qualifications of inspectors - Contract for inspection services.

(1) Effective July 1, 1993, all inspectors employed by a local regulator, state regulator, or compliance agency to enforce provisions of the codes adopted pursuant to this chapter shall:

(a) meet minimum qualifications as established by the division in collaboration with the commission [~~or~~] and be certified by a nationally recognized organization which promulgates codes adopted under this chapter, or pass an examination developed by the division in collaboration with the commission;

(b) be currently licensed by the division as meeting those minimum qualifications; and

(c) be subject to revocation or suspension of their license or may be placed on probation if found guilty of unlawful or unprofessional conduct.

(2) A local regulator, state regulator, or compliance agency may contract for the services of a [~~registered~~] licensed inspector not regularly employed by the regulator or agency.

(3) (a) The division is responsible for providing inspectors with the necessary training, education, and testing in order to meet the minimum qualifications set forth in Subsection (1).

(b) Each compliance agency shall charge a 1% surcharge on all building permits issued and shall deposit 80% of the amount collected into the General Fund as a dedicated credit to be utilized by the division to fulfill the requirements of Subsection (a)."

and renumber sections accordingly.

Page 29, Line 21:
After line 21 insert the following new Section:

"Section 37. Repealer.

Section 41-20-4.5, Fees, as last amended by Chapter 225, Laws of Utah 1989;

Section 41-20-6, Violation a misdemeanor, as enacted by Chapter 203, Laws of Utah 1969; and

Section 41-20-7, Tax clearance required to move mobile home, as last amended by Chapter 106, Laws of Utah 1971, are repealed."

Lorin N. Pace,
Committee Chairman

Committee report read and adopted. The following substitute bill was adopted and amended.

REGULATION EXEMPTION FOR MANUFACTURED HOMES

(1-30-90 8:43 a.m.)

SUBSTITUTE S.B. No. 81 *Craig A. Peterson, David H. Steele*

AN ACT RELATING TO MANUFACTURED HOMES; PROVIDING FOR TITLES TO MANUFACTURED HOMES; ESTABLISHING CONSTRUCTION STANDARDS FOR MANUFACTURED HOMES; PROVIDING FOR CONSTRUCTION INSPECTION; AND MAKING TECHNICAL CORRECTIONS.

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

AMENDS: 13-20-2, AS ENACTED BY CHAPTER 168, LAWS OF UTAH 1985; 41-20-1, AS LAST AMENDED BY CHAPTER 192, LAWS OF UTAH 1988; 41-20-2, AS LAST AMENDED BY CHAPTER 225, LAWS OF UTAH 1989; 41-20-3, AS LAST AMENDED BY CHAPTER 225, LAWS OF UTAH 1989; 58-56-3, AS ENACTED BY CHAPTER 269, LAWS OF UTAH 1989.

ENACTS: 41-1-201, UTAH CODE ANNOTATED 1953, 41-1-202, UTAH CODE ANNOTATED 1953; 41-1-203, UTAH CODE ANNOTATED 1953; 41-1-204, UTAH CODE ANNOTATED 1953; 41-1-205, UTAH CODE ANNOTATED 1953; 41-1-206, UTAH CODE ANNOTATED 1953; 41-1-207, UTAH CODE ANNOTATED 1953; 41-1-208, UTAH CODE ANNOTATED 1953; 41-1-209, UTAH CODE ANNOTATED 1953; 41-1-210, UTAH CODE ANNOTATED 1953; 41-1-211, UTAH CODE ANNOTATED 1953; 41-1-212, UTAH CODE ANNOTATED 1953; 41-1-213, UTAH CODE ANNOTATED 1953; 41-1-214, UTAH CODE ANNOTATED 1953; 41-1-215, UTAH CODE ANNOTATED 1953; 41-1-216, UTAH CODE ANNOTATED 1953; 41-1-217, UTAH CODE ANNOTATED 1953; 41-1-218, UTAH CODE ANNOTATED 1953.

REPEALS AND REENACTS: 41-20-4, AS LAST AMENDED BY CHAPTER 225, LAWS OF UTAH 1989; 41-20-5, AS ENACTED BY CHAPTER 203, LAWS OF UTAH 1969.

Senators Craig Peterson, Hillyard, Swan, Leavitt, and Fordham commented. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Pres. Christensen		

Absent or not voting were: Senators

Black	McAllister	Tempest

SUB. S.B. No. 81, was transmitted to the House.

* * *

On motion of Senator McMullin, under suspension of the rules, S.B. No. 130, FAIR MARKET VALUE DETERMINATION was read the second and third times.

Mr. President: February 14, 1990

The Revenue and Taxation Committee to which was referred S.B. No. 130, FAIR MARKET VALUE DETERMINATION, by Senator Lane Beattie, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lorin N. Pace,
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

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Finlinson
Hillyard	Holmgren	Leavitt	McMullin
Money	Myrin	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Steele
Storey	Swan	Pres. Christensen	

Voting in the negative were: Senators

Pace	Richards

Absent or not voting were: Senators

Black	Fordham	McAllister	Tempest

S.B. No. 130, was transmitted to the House.

* * *

On motion of Senator Finlinson, S.B. No. 211, BONDING FOR WATER PROJECTS, was uncircled. Senator McAllister commented. The bill passed on the following roll call:

Yeas, 26; Nays, 3; Absent, 0

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black

Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McMullin	Money	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig (conflict)	
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Voting in the negative were: Senators

McAllister	Myrin	Nielsen

PRESENTATION OF RESOLUTION

On motion of Senator Holmgren, under suspension of the rules, the Senate voted to allow introduction of the following resolution.

RESOLUTION RECOGNIZING THE COREY BRONSON FAMILY

S.C.R. No. 14 *John P. Holmgren*

A CONCURRENT RESOLUTION OF THE LEGISLATURE AND THE GOVERNOR RECOGNIZING COREY AND YVONNE BRONSON AND THEIR 9-MONTH-OLD SON, KELTON, OF PLYMOUTH, UTAH, FOR PARTICIPATING IN THE THIRD LIVE-DONOR LIVER TRANSPLANT IN THE UNITED STATES, was read the first time.

On motion of Senator Holmgren, under suspension of the rules, the bill 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Swan	Pres. Christensen	

Absent or not voting were: Senators

Storey	Tempest

S.C.R. No. 14 was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator Hillyard, under suspension of the rules, S.B. No. 199, SEVERANCE TAXES ON METALLIFEROUS MINERALS, was read the second and third times.

Mr. President: February 14, 1990

The Revenue and Taxation Standing Committee, to which was referred S.B. No. 199, SEVERANCE TAXES ON METALLIFEROUS MINERALS, by Senator Lyle W. Hillyard, has carefully considered the bill and reports it out of committee with a favorable recommendation with the following amendments:

Page 1, Line 12:
After "TAX" delete "ON COPPER" and insert "PROVIDING FOR THE DISPOSITION OF CERTAIN PROCEEDS OF THE TAX FOR CERTAIN EDUCATION PROGRAMS"

Page 1, Line 17:
After line 17 insert the following:
"ENACTS: 53A-16-112, UTAH CODE ANNOTATED 1953"

Page 1, Line 18:
After line 18 insert the following:
"Section 1. Section 53-a-16-112, Utah Code Annotated 1953, is enacted to read:

"Section 53a-16-112

(1) There is established a restricted account within the Uniform School Fund known as the Excellence in Education Account.

(2) The state treasurer shall deposit all interest on the revenues generated under Subsection 59-5-202(1)(b) into the account.

(3) The governor shall use the monies in the account to establish and fund an awards for excellence program in the public schools as follows:

(a) a cash award of $10,000 for each public school selected as a school of excellence, not to exceed ten schools per year in the first year of the program, unless there are sufficient revenues to provide additional $10,000 awards:

(b) establishment of criteria for receipt of awards by an awards volunteer task force, appointed by the governor and including representatives from education, parent organizations, and the business community; and

(c) consideration of schools for awards on the basis not only of excellence but also on improvement over past performance.

(4) The task force may establish criteria for the manner in which the recipients shall spend the cash awards or allow the schools to use the money as they desire for any education related purpose."

Page 1, Line 25:
After "to" delete "2.4%" and insert "2.6%"

Page 1, Line 26:
After line 26 insert a new subsection as follows:

"(b) One-third of the tax collected on copper and one quarter of the tax collected on beryllium under Subsection (1)(a) shall be deposited in the State School Fund, the interest of which shall be used as provided under Section 53A-16-112."

Page 1, Line 27:
Delete all the underlined language of Page 1, line 27 through Page 2, Line 12

Page 5, Line 1:
After "metals" reinsert "except" and after "[copper and]" reinsert "beryllium"

Page 5, Lines 8-10
Reinsert lines 8 through 10 and then make the following amendment on line 9:

After "is" delete "15%" and insert "20%"

Page 5, Line 13:
After "is" delete 75%" and insert "80%"

and renumber accordingly.

Committee report read and adopted. Senators Hillyard, Cary Peterson, Bunnell, and Swan commented. The bill passed on the following roll call:

Yeas, 24; Nays, 4; Absent, 1

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Farley	Fordham	Hillyard
Holmgren	McAllister	McMullin	Money
Myrin	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Voting in the negative were: Senators

Barton (exp.)	Finlinson	Leavitt	Nielsen

Absent or not voting was: Senator
Cornaby

EDUCATION BILLS

On motion of Senator McMullin, under suspension of the rules, **SUB. H.B. No. 161, H.B. No. 170, H.B. No. 202, H.B. No. 321,** and **S.B. No. 255** were lifted from Rules Committee to the top of Second Reading Calendar, and before the Senate.

On motion of Senator McMullin, under suspension of the rules, **SUB. H.B. No. 161,** ASBESTOS ABATEMENT IN THE PUBLIC SCHOOLS, was read the second time and passed on the following roll call:

Yeas, 27; Nays, 1; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Peterson, C.E.	Peterson, Cary	
Peterson, Craig (conflict)		Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Voting in the negative was: Senator
Nielsen

Absent or not voting was: Senator
Pace

* * *

On motion of Senator C.E. Peterson, the following bills and resolutions in Standing Committees are returned to Rules Committee:

S.B. Nos. 110, 125, 168; H.B. Nos. 281, 146, 147, 199, 263, 175; S.B. Nos. 243, 244; S.B. Nos. 50, 106, 122, 212; H.B. No. 224; S.B. Nos. 190, 96; S.J.R. No. 10; S.B. Nos. 111, 112, 208, 236, 184; S.J.R. No. 1; S.B. Nos. 68; SUB. H.B. No. 127; S.B. Nos. 225, 229, 245; H.B. No. 15; S.J.R. No. 18; S.B. No. 128; SUB. H.B. No. 276; S.B. Nos. 179, 173; SUB. S.B. No. 167, H.B. No. 239, and S.B. Nos. 222, 246, 244.

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On motion of Senator McMullin, under suspension of the rules, **H.B. No. 170**, SCHOOL DISTRICT PERFORMANCE REPORTS, was read the second time, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator
Bunnell

* * *

On motion of Senator McMullin, under suspension of the rules, **H.B. No. 202**, PUBLIC EDUCATION OPTIONS, was read the second time. The bill passed on the following roll call:

Yeas, 18; Nays, 11; Absent, 0

Voting in the affirmative were: Senators

Barlow	Barton	Carling	Cornaby

Finlinson	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Pres. Christensen		

Voting in the negative were: Senators

Beattie (expl.)	Black	Bunnell	Farley
Fordham	Money	Richards	Steele
Storey	Swan	Tempest	

* * *

On motion of Senator McMullin, under suspension of the rules, **H.B. No. 321**, ACHIEVEMENT TESTS IN THE PUBLIC SCHOOLS, was read the second time. Senator Cary Peterson commented. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Rees	Richards	Steele
Storey	Swan	Pres. Christensen	

Absent or not voting were: Senators

Peterson, Craig	Tempest

* * *

On motion of Senator Rees, under suspension of the rules, **S.B. No. 255**, WASTE MANAGEMENT AMENDMENTS, was read the second time. On motion of Senator Rees, the bill was amended as follows:

Page 6, Line 10:
Delete "$108,500" and insert "$118,000"

Page 6, Lines 10–11:
Delete "This fee will terminate on July 1, 1991."

Page 12, Line 13:
Delete "26-14-6(1)(a)" and insert "26-14-6(1)(b)"

Page 14, Line 4:
Delete "The" and insert "Subject to the limitations contained in Subsection 26-14-6(1)(b), the"

Page 14, Line 24:
Delete "total statewide"

Page 14, Line 25:
Delete "350,000 tons per year" and insert

"the capacity specified in the operation plan as of January 1, 1990, or the capacity specified in the operation plan application as of January 1, 1990, if no operation plan approval has been issued as of January 1, 1990"

Page 15, Line 15:
After line 15 insert

"(2) Capacity under Subsection (1)(b) shall be calculated based on the throughput tonnage specified for the trial burn in the operation plan or the operation plan application if no operation plan approval has been issued as of January 1, 1990, and on annual operations of 7,000 hours."

Renumber remaining subsections accordingly.

Page 22, Line 24:
Bracket "and"

Page 22, Line 25:
After "(c)" insert ", and (10)"

Page 24, Line 2:
Delete "$201,500" and insert "$192,000"

Page 24, Lines 16-17:
Delete lines 16-17

Renumber remaining subsections accordingly

Page 24, Line 19:
After "pay" insert "to the department"

Page 24, Line 20:
Delete "this section to the department" and insert "Subsection (1)(a) on or before July 15 and fees imposed under Subsections (1)(b) and (c)"

Page 25, Line 17:
Delete "total statewide"

Page 25, Line 18:
Delete "350,000 tons per year" and insert

"the capacity specified in the operation plan as of January 1, 1990, or the capacity specified in the operation plan application as of January 1, 1990, if no operation plan approval has been issued as of January 1, 1990"

Page 25, Line 24:
After line 24 insert

"(2) Capacity under Subsection (1)(b) shall be calculated based on the throughput tonnage specified for the trial burn in the operation plan or the operation plan application if no operation plan approval has been issued as of January 1, 1990, and on annual operations of 7,000 hours."

Renumber remaining subsections accordingly.

Page 31, Line 8:
After "Health" insert "to carry out the purposes of this act"

The bill passed on the following roll call:

Yeas, 25; Nays, 2; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Finlinson(conflict)
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Rees
Steele	Storey	Swan	Tempest
Pres. Christensen			

Voting in the negative were: Senators

Money	Richards

Absent or not voting were: Senators

Black	Peterson, Craig

* * *

On motion of Senator Hillyard, under suspension of the rules, S.B. No. 145, GROSS RECEIPTS TAX AMENDMENTS, 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

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Richards
Steele	Storey	Swan	Tempest

Absent or not voting were: Senators

Black	Finlinson	Peterson, Craig	Rees
Pres. Christensen			

S.B. No. 145 was transmitted to the House. Senator Nielsen is presiding.

* * *

On motion of Senator McAllister, the Senate voted to ask the House to return S.J.R. No. 33 to the Senate for reconsideration.

* * *

On motion of Senator C.E. Peterson, under suspension of the rules, S.B. No. 265 and S.B. No. 246 were lifted from Rules Committee and placed at the bottom of Second Reading Calendar.

* * *

On motion of Senator Carling, the Senate voted to allow him to change his vote to nay on S.B. No. 199.

The final vote is: Aye, 23; Nay, 5; Absent, 1.

S.B. No. 199, as amended, was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator Cornaby, under suspension of the rules, S.B. No. 204, SALES TAX NEXUS, was read the second and third times.

Mr. President: February 14, 1990

The Revenue and Taxation Standing Committee to which was referred S.B. No. 204, SALES TAX NEXUS, by Senator Dixie Leavitt, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lorin N. Pace,
Committee Chairman

Committee report read and adopted. The bill failed on the following roll call:

Yeas, 12; Nays, 6; Absent, 11

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Finlinson	Holmgren	Peterson, C.E.	Peterson, Craig
Richards	Steele	Storey	Swan

Voting in the negative were: Senators

Carling	Cornaby	Leavitt	Myrin
Nielsen	Tempest		

Absent or not voting were: Senators

Black	Farley	Fordham	Hillyard
McAllister	McMullin	Money	Pace
Peterson, Cary	Rees	Pres. Christensen	

Senator Leavitt asked that the bill be held for possible reconsideration.

* * *

On motion of Senator C.E. Peterson, under suspension of the rules, S.B. No. 209, SALARY AVERAGING FOR PAY INCREASES, was read the second and third times.

Mr. President: February 14, 1990

The Revenue and Taxation Standing Committee to which was referred S.B. No. 209, SALARY AVERAGING FOR PAY INCREASES, by Senator C.E. Peterson, has carefully considered the bill and reports it out of committee favorably with the following amendment:

Page 3, Line 2:
Delete "29" insert "40"

Lorin N. Pace,
Committee Chairman

Committee report read and adopted. On motion of Senator C.E. Peterson, the enacting clause was stricken, and the bill was filed.

* * *

On motion of Senator Cornaby, under suspension of the rules, S.J.R. No. 20, FAIR MARKET VALUE DETERMINATION, was read the second and third times.

Mr. President: February 14, 1990

The Revenue and Taxation Standing Committee to which was referred S.J.R. No. 20, FAIR MARKET VALUE DETERMINATION, by Senator Lane Beattie, has carefully considered the resolution and reports it out of committee with a favorable recommendation.

Lorin N. Pace,
Committee Chairman

Committee report read and adopted. On motion of Senator Beattie, the bill resolution was circled.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 15, 1990

I am directed to request the Senate to return to the House of Representatives, Substitute H.B. No. 221, LENGTHENING OF THE SCHOOL YEAR, by Representative Lunt for further consideration.

Carole E. Peterson, Chief Clerk

SUB. H.B. No. 221 was returned to the House for further consideration.

SECOND READING CALENDAR

On motion of Senator Cornaby, under suspension of the rules S.B. No. 241, ACCESS TO SALES TAX RECORDS, was read the second time, and circled.

* * *

On motion of Senator Cornaby, under suspension of the rules S.B. No. 250, ELECTION CODE FOR MUNICIPALITIES, was read the second and third times, and circled.

* * *

On motion of Senator Cornaby, under suspension of the rules, S.B. No. 251, PENALTY FOR FAILURE TO FILE TAX RETURN, was read the second time, and circled.

* * *

On motion of Senator C.E. Peterson, under suspension of the rules, S.B. No. 271, MOTOR VEHICLE INSPECTIONS was read the second and third times, and the following substitute bill replaced the original bill.

MOTOR VEHICLE INSPECTION
(2–13–90 12:48 p.m.)

SUB. S.B. No. 271 *C.E. Peterson*

AN ACT RELATING TO MOTOR VEHICLES; PROHIBITING DEALERS FROM ISSUING TEMPORARY PERMITS UNLESS A MOTOR VEHICLE HAS RECEIVED THE APPROPRIATE INSPECTIONS.

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

ENACTS: 41–3–28.5, UTAH CODE ANNOTATED 1953.

The substitute bill passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 11

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Cornaby	Finlinson	Holmgren	Leavitt
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Craig	Richards	Steele	Storey
Swan	Tempest		

Absent or not voting were: Senators

Black	Carling	Farley	Fordham

Hillyard	McAllister	McMullin	Money
Peterson, Cary	Rees	Pres. Christensen	

SUB. S.B. No. 271, was transmitted to the House.

* * *

On motion of Senator Swan, under suspension of the rules, S.B. No. 214, INDIAN BURIAL APPROPRIATION, was read the second time.

Mr. President: February 14, 1990

The Senate Social Services Standing Committee, to which was referred S.B. No. 214, INDIAN BURIAL APPROPRIATION, by Senator Karl G. Swan, has carefully considered the bill and reports it out of committee with a favorable recommendation with the following amendments:

Page 1, Line 11:
After "Appropriating" delete "$50,000" and insert "$55,000"

Page 1, Line 20:
After "to the" delete "Governor's Office" and insert "Department of Natural Resources"

Page 1, Line 27:
Delete "The Division of Indian Affairs shall" and insert "There is appropriated $5,000 for fiscal 1989–90 from the General Fund to the Division of State History to"

Page 1, line 29:
After "state" insert "and establish a state–wide policy to deal with the reburial of Native American remains"

Page 2, Line 2:
Delete "Section" and insert "Sections" and after "1" insert "and 2"

Boyd K. Storey,
Committee Chairman

Committee report read and adopted. On motion of Senator Swan, the bill was amended as follows:

Page 1, Lines 11–12:
Delete "TO THE GOVERNOR'S OFFICE"

Page 1, Line 14:
After "MARSHES" insert "AND FOR THE STUDY OF THE REBURIAL OF NATIVE AMERICAN BURIALS THROUGHOUT THE STATE"

Page 1, Line 29:
After line 29 insert the following:

"Members of the advisory committee shall receive per diem and travel expenses as provided by the Division of Finance for their service on the committee."

The bill passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 12

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Cornaby	Finlinson	Holmgren	Leavitt
Myrin	Nielsen	Pace	Peterson, C.E.
Richards	Steele	Storey	Swan
Tempest			

Absent or not voting were: Senators

Black	Carling	Farley	Fordham
Hillyard	McAllister	McMullin	Money
Peterson, Cary	Peterson, Craig	Rees	Pres. Christensen

* * *

On motion of Senator Cornaby, under suspension of the rules, S.B. No. 227, ADOPTION RESTRICTIONS, was read the second time.

Mr. President: February 14, 1990

The Senate Social Services Standing Committee, to which was referred S.B. No. 227, ADOPTION RESTRICITIONS, by Senator David H. Steele, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Boyd K. Storey,
Committee Chairman

Committee report read and adopted. On motion of Senator Steele, the bill was circled.

* * *

On motion of Senator Comaby, under suspension of the rules, S.B. No. 230, SOCIAL SERVICES DIVISIONS AMENDMENTS, was read the second and third time.

Mr. President: February 14, 1990

The Senate Social Services Standing Committee, to which was referred S.B. No. 230, SOCIAL SERVICES DIVISIONS AMENDMENTS, by Senator John P. Holmgren, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 11, Line 9:
Delete "by"

Page 11, Line 10:
Delete "competitive bid,"

Page 11, Line 12:
Delete "competitive"

Page 12, Line 18:
After "division" insert "and for programs funded with state and federal money under Sections 62a-3-104.1 and 62A-3-104.2"

Page 17, Line 25:
Delete "local substance abuse authorities with regard to"

Page 18, Line 1:
Delete "Section" and insert "Sections" and after "62A-8-110" insert "and 62A-8-110.5"

Page 22, Line 25:
Bracket "by competitive bids,"

Page 23, Line 3:
Delete "competitive"

Page 25, Line 22:
After "and" insert ", with regard to its programs,"

Page 29, Line 4:
Delete "local mental health"

Page 29, Line 5:
Delete "authorities with regard to"

Page 29, Line 6:
Delete "Section" and insert "Sections" and after "62A-12-107.1" insert "and 62A-12-111"

Page 33, Line 16:
Delete "by competitive bids,"

Page 33, Line 18:
Delete "competitive"

Page 39, Line 2:
Delete "include" and insert "consider"

Page 39, Line 11:
Delete "also include" and insert "consider"

Page 41, Line 15:
After "1990." insert "If this bill and 1990 General Session S.B. No. 269 both pass, Section 62A-8-107.1, 62A-8-107.2, 62A-8-110.5, 62A-8-110.7, and 62A-8-112 shall not take effect."

Boyd K. Storey,
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

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Finlinson	Holmgren
Leavitt	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Craig	Richards	Steele
Storey	Swan	Tempest	

Absent or not voting were: Senators

Black	Farley	Fordham	Hillyard
McAllister	McMullin	Money	Peterson, Cary
Rees	Pres. Christensen		

S.B. No. 230, as amended, was transmitted to the House.

* * *

On motion of Senator Cornaby, under suspension of the rules, S.B. No. 242, PSYCHIATRIC SECURITY REVIEW BOARD AND MENTALLY RETARDED OFFENDERS AMENDMENTS, was read the second and third times.

Mr. President: February 14, 1990

The Senate Social Services Standing Committee, to which was referred S.B. No. 242, PSYCHIATRIC SECURITY REVIEW BOARD AND MENTALLY RETARDED OFFENDERS AMENDMENTS, by Senators John P. Holmgren, 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 SUB. S.B. No. 242 replaced the original bill.

Boyd K. Storey,
Committee Chairman

Committee report read and adopted. The following substitute bill replaced the original bill.

PSYCHIATRIC SECURITY REVIEW BOARD AND MENTALLY RETARDED OFFENDERS AMENDMENTS
(2-9-90 10:07 a.m.)

SUB. S.B. No. 242 *John P. Holmgren*

AN ACT RELATING TO CRIMINAL PROCEDURE; PROVIDING CHANGES IN JURISDICTION AND OPERATION OF THE PSYCHIATRIC SECURITY REVIEW BOARD; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 62A-12-209, AS LAST AMENDED BY CHAPTER 245, LAWS OF UTAH 1989; 63-46b-1, AS LAST AMENDED BY CHAPTER 72, LAWS OF UTAH 1988; 76-2-305, AS LAST AMENDED BY CHAPTER 120, LAWS OF UTAH 1986; 77-14-5, AS LAST AMENDED BY CHAPTER 246, LAWS OF UTAH 1989; 77-15-6, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1980; 77-38-2, AS ENACTED BY CHAPTER 246, LAWS OF UTAH 1989; 77-38-3, AS ENACTED BY CHAPTER 246, LAWS OF UTAH 1989; 77-38-6, AS ENACTED BY CHAPTER 246, LAWS OF UTAH 1989; 77-38-3, AS ENACTED BY CHAPTER 246, LAWS OF UTAH 1989.

ENACTS: 77-16a-1, UTAH CODE ANNOTATED 1953; 77-16a-2, UTAH CODE ANNOTATED 1953; 77-16a-3, UTAH CODE ANNOTATED 1953; 77-16a-4, UTAH CODE ANNOTATED 1953; 77-16a-5, UTAH CODE ANNOTATED 1953; 77-16a-6, UTAH CODE ANNOTATED 1953; 77-16a-7,

UTAH CODE ANNOTATED 1953; 77-16a-8, UTAH CODE ANNOTATED 1953.

REPEALS: 77-35-21.5, AS LAST AMENDED BY CHAPTERS 187, 197, AND 246, LAWS OF UTAH 1989.

The substitute bill passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Finlinson	Holmgren
Leavitt	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Craig	Richards	Steele
Storey	Swan	Tempest	

Absent or not voting were: Senators

Black	Farley	Fordham	Hillyard
McAllister	McMullin	Money	Peterson, Cary
Rees	Pres. Christensen		

SUB. S.B. No. 242, was transmitted to the House.

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On motion of Senator Cornaby, under suspension of the rule, **S.B. No. 64,** JUDGES' RETIREMENT BENEFIT ENHANCEMENTS, was read the second and third times.

Mr. President: February 14, 1990

The State and Local Affairs Committee, to which was referred **S.B. No. 64,** JUDGES' RETIREMENT BENEFIT ENHANCEMENTS, by Senator Cornaby, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 4, Line 3:
After "fee of" delete "$7.50" and insert "$5.00"

Page 14, Line 1:
After "of which" delete "$7.50" and insert "$5.00"

Craig A. Peterson,
Committee Chairman

Committee report read and adopted. Senator C.E. Peterson moved on Page 2, Line 23 to restore "three" and delete "two". The motion failed on the following roll call:

Yeas, 9; Nays, 10; Absent, 10

Voting in the affirmative were: Senators

Barton	Beattie	Leavitt	Myrin
Nielsen	Peterson, C.E.	Peterson, Craig	Steele
Storey			

Voting in the negative were: Senators

Barlow	Bunnell	Carling	Cornaby
Finlinson	Holmgren	Pace	Richards
Swan	Tempest		

Absent or not voting were: Senators

Black	Farley	Fordham	Hillyard
McAllister	McMullin	Money	Peterson, Cary
Rees	Pres. Christensen		

The bill passed on the following roll call:

Yeas, 19; Nays, 1; Absent, 9

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell (conflict)
Carling	Cornaby	Finlinson	Fordham
Holmgren	Leavitt	Myrin	Nielsen
Pace	Peterson, Craig	Richards	Steele
Storey	Swan	Tempest	

Voting in the negative was: Senator
Peterson, C.E.

Absent or not voting were: Senators

Black	Farley	Hillyard	McAllister
McMullin	Money	Peterson, Cary	Rees
Pres. Christensen			

S.B. No. 64, as amended, was transmitted to the House.

* * *

On motion of Senator Cornaby, under suspension of the rules, S.B. No. 139, UTAH ADMINISTRATIVE RULEMAKING ACT REVISION, was read the second time.

Mr. President: February 14, 1990

The State and Local Affairs Committee, to which was referred S.B. No. 139, UTAH ADMINISTRATIVE RULEMAKING ACT REVISION, by Senator McAllister, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 3, Line 1:
After "statement" insert "on persons outside an agency"

Page 3, Line 16:
After "responsibilities" delete "expressly"

Page 5, Line 2:
After "responsibilities" delete "expressly"

Page 7, Line 11:
After "amending" reinsert the word "or" and after "repealing" delete ", or altering the application of"

Page 9, Lines 2–3:
After "effective" delete "on any date specified by the agency that is no fewer than 30 nor more than 90 days after the publication date" and insert "only when the agency complies with Subsection (b)"

Page 9, Line 3:
After line 3 insert "If an agency does not comply with Subsection (b), the proposed rule is void. However a proposed rule that becomes void under this subsection may be refiled by the agency as a new proposed rule under Subsection (2)."

Page 9, Line 4:
After "(b)" delete "The" and insert "For a proposed rule to become effective an"

Page 9, Line 5:
After "division" insert "within 90 days from the publication date of the proposed rule"

Page 9, Line 5:
After line 5 insert "The effective date of a rule shall be at least 30 but less than 91 days after the publication date of rule."

Craig A. Peterson,
Committee Chairman

Committee report read and adopted. On motion of Senator Cornaby, the bill was circled.

* * *

On motion of Senator Finlinson, under suspension of the rules, **S.B. No. 200**, SPECIAL IMPROVEMENT DISTRICT AMENDMENTS, was read the second and third times.

Mr. President: February 14, 1990

The State and Local Affairs Committee, to which was referred **S.B. No. 200**, SPECIAL IMPROVEMENT DISTRICT AMENDMENTS, by Senator 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 **SUB. S.B. No. 200** replace the original bill.

SUB. S.B. No. 200 to be amended as follows:

Page 9, Line 18:
After "issue" insert "and record"

Page 42, Line 25:
After "issue" insert "and record"

Craig A. Peterson,
Committee Chairman

Committee report read and adopted. The following substitute bill replaced the original bill and it was amended.

SPECIAL IMPROVEMENT DISTRICT AMENDMENTS
(2-9-90 11:32 a.m.)

SUB. S.B. No. 200 *Fred W. Finlinson*

AN ACT RELATING TO SPECIAL IMPROVEMENT DISTRICT; PROVIDING VARIOUS CHANGES IN THE MANNER AND PROCEDURES FOR ADDING PROPERTIES TO SPECIAL IMPROVEMENT DISTRICTS,

SECURING ASSESSMENT BONDS, RECORDING ASSESSMENT LIENS, AND FIXING MATURITIES FOR INTERIM WARRANTS FOR MUNICIPALITIES AND COUNTIES; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 10-16-5, AS LAST AMENDED BY CHAPTERS 3 AND 226, LAWS OF UTAH 1988; 10-16-7, AS LAST AMENDED BY CHAPTERS 3 AND 226, LAWS OF UTAH 1988; 10-16-10, AS LAST AMENDED BY CHAPTER 1, LAWS OF UTAH 1988, FOURTH SPECIAL SESSION; 10-16-16, AS LAST AMENDED BY CHAPTERS 3 AND 226, LAWS OF UTAH 1988; 10-16-18, AS LAST AMENDED BY CHAPTER 226, LAWS OF UTAH 1988; 10-16-22, AS ENACTED BY CHAPTER 39, LAWS OF UTAH 1981; 10-16-27.1, AS LAST AMENDED BY CHAPTER 1, LAWS OF UTAH 1988, FOURTH SPECIAL SESSION; 10-16-29, AS LAST AMENDED BY CHAPTER 1, LAWS OF UTAH 1988, FOURTH SPECIAL SESSION; 10-16-30.1, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988, FOURTH SPECIAL SESSION; 10-16-31, AS LAST AMENDED BY CHAPTERS 3 AND 226, LAWS OF UTAH 1988; 10-16-31.5, AS ENACTED BY CHAPTER 226, LAWS OF UTAH 1988; 10-16-33, AS LAST AMENDED BY CHAPTER 226, LAWS OF UTAH 1988; 10-16-35, AS ENACTED BY CHAPTER 27, LAWS OF UTAH 1969; 10-16-36, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988; 17-7-5, AS LAST AMENDED BY CHAPTERS 3 AND 226, LAWS OF UTAH 1988; 17-7-7, AS LAST AMENDED BY CHAPTERS 3 AND 226, LAWS OF UTAH 1988; 17-7-10, AS LAST AMENDED BY CHAPTER 85, LAWS OF UTAH 1981; 17-7-1, AS LAST AMENDED BY CHAPTER 226, LAWS OF UTAH 1988; 17-7-22, AS LAST AMENDED BY CHAPTER 85, LAWS OF UTAH 1981; 17-7-26.1, AS ENACTED BY CHAPTER 142, LAWS OF UTAH 1987; 17-7-29, AS LAST AMENDED BY CHAPTER 85, LAWS OF UTAH 1981; 17-7-31, AS LAST AMENDED BY CHAPTERS 3 AND 226, LAWS OF UTAH 1988; 17-7-31.5, AS ENACTED BY CHAPTER 226, LAWS OF UTAH 1988; 17-7-33, AS LAST AMENDED BY CHAPTER 226, LAWS OF UTAH 1988; 17-7-35, AS LAST AMENDED BY CHAPTER 85, LAWS OF UTAH 1981; 17-7-36, AS LAST AMENDED BY CHAPTER 3, LAWS OF UTAH 1988.

ENACTS: 10-16-37.1, UTAH CODE ANNOTATED 1953; 17-7-37.1, UTAH CODE ANNOTATED 1953.

The substitute bill, as amended, passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 12

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Finlinson	Holmgren	Leavitt	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Craig
Richards	Steele	Storey	Swan
Tempest			

Absent or not voting were: Senators

Black	Carling	Cornaby	Farley
Fordham	Hillyard	McAllister	McMullin
Money	Peterson, Cary	Rees	Pres. Christensen

SUB. S.B. No. 200, as amended, was transmitted to the House.

* * *

On motion of Senator Leavitt S.B. No. 250, ELECTION CODE FOR MUNICIPALITIES, was uncircled, and passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 12

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Cornaby	Finlinson	Holmgren	Leavitt
Myrin	Nielsen	Pace	Peterson, C.E.
Richards	Steele	Storey	Swan
Tempest			

Absent or not voting were: Senators

Black	Carling	Farley	Fordham
Hillyard	McAllister	McMullin	Money
Peterson, Cary	Peterson, Craig	Rees	Pres. Christensen

S.B. No. 250 was transmitted to the House.

* * *

On motion of Senator Cornaby, under suspension o the rules, S.B. No. 183, REPEAL OF ORS BAIL COLLECTION, was read the second and third times.

Mr. President: February 15, 1990

The Senate Social Services Standing Committee, to which was referred S.B. No. 183, REPEAL OF ORS BAIL COLLECTION, by Senator John P. Holmgren, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Boyd K. Storey,
Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 12

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Comaby	Finlinson	Holmgren	Leavitt
Myrin	Nielsen	Pace	Peterson, C.E.
Richards	Steele	Storey	Swan
Tempest			

Absent or not voting were: Senators

Black	Carling	Farley	Fordham
Hillyard	McAllister	McMullin	Money
Peterson, Cary	Peterson, Craig	Rees	Pres. Christensen

S.B. No. 183 was transmitted to the House.

* * *

On motion of Senator Comaby, under suspension of rules, S.B. No. 207, UNIFORM CHILD CUSTODY JURISDICTION ACT AMENDMENTS, was read the second and third times.

Mr. President: February 15, 1990

The Senate Social Services Standing Committee, to which was referred S.B. No. 207, UNIFORM CHILD CUSTODY JURISDICTION ACT AMENDMENTS, by Senator John P. Holmgren, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Boyd K. Storey,
Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 12

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Cornaby	Finlinson	Holmgren	Leavitt
Myrin	Nielsen	Pace	Peterson, C.E.
Richards	Steele	Storey	Swan
Tempest			

Absent or not voting were: Senators

Black	Carling	Farley	Fordham
Hillyard	McAllister	McMullin	Money
Peterson, Cary	Peterson, Craig	Rees	Pres. Christensen

S.B. No. 207 was transmitted to the House.

* * *

On motion of Senator Cornaby, under suspension of the rules, S.B. No. 273, JUDICIAL REVIEW OF ADMINISTRATIVE RULES, was read the second time and circled.

* * *

On motion of Senator Cornaby, under suspension of the rules, S.B. No. 265, GENERAL GOVERNMENT AMENDMENTS, was read the second and third times and circled.

* * *

On motion of Senator C.E. Peterson, under suspension of the rules, S.B. No. 246, MEAT AND POULTRY PRODUCTS INSPECTION AMENDMENTS, was read the second and third times, and passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 13

Voting in the affirmative were: Senators

Barlow	Beattie	Bunnell	Cornaby
Finlinson	Holmgren	Leavitt	Myrin
Nielsen	Pace	Peterson, C.E.	Richards
Steele	Storey	Swan	Tempest

Absent or not voting were: Senators

Barton	Black	Carling	Farley
Fordham	Hillyard	McAllister	McMullin
Money	Peterson, Cary	Peterson, Craig	Rees
Pres. Christensen			

S.B. No. 246, was transmitted to the House.

* * *

On motion of Senator Finlinson S.B. No. 251, PENALTY FOR FAILURE TO FILE TAX RETURN, was uncircled, and passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 12

Voting in the affirmative were: Senators

Beattie	Bunnell	Cornaby	Finlinson
Holmgren	Leavitt	McMullin	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Craig
Richards (exp.)	Steele	Storey	Swan
Tempest			

Absent or not voting were: Senators

Barlow	Barton	Black	Carling
Farley	Fordham	Hillyard	McAllister
Money	Peterson, Cary	Rees	Pres. Christensen

* * *

On motion of Senator Myrin, under suspension of the rules, S.J.R. No. 32, INDIAN AFFAIRS RESOLUTION, was read the second and third times, and passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 12

Voting in the affirmative were: Senators

Beattie	Bunnell	Cornaby	Finlinson
Holmgren	Leavitt	McMullin	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Craig
Richards	Steele	Storey	Swan
Tempest			

Absent or not voting were: Senators

Barlow	Barton	Black	Carling
Farley	Fordham	Hillyard	McAllister
Money	Peterson, Cary	Rees	Pres. Christensen

S.J.R. No. 32 was transmitted to the House.

* * *

On motion of Senator McMullin, S.B. No. 265, GENERAL GOVERNMENT AMENDMENTS, was uncircled. The bill passed on the following roll call:

Yeas, 15; Nays, 1; Absent, 13

Voting in the affirmative were: Senators

Beattie	Bunnell	Cornaby	Finlinson
Holmgren	Leavitt	McMullin (conflict)	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Craig
Steele	Storey	Swan	

Voting in the negative was: Senator
Richards

Absent or not voting were: Senators

Barlow	Barton	Black	Carling
Farley	Fordham	Hillyard	McAllister
Money	Peterson, Cary	Rees	Tempest
Pres. Christensen			

S.B. No. 265 was transmitted to the House.

* * *

On motion of Senator C.E. Peterson, the circles were removed from S.R. No. 3, S.J.R. No. 20, S.B. No. 241, S.B. No. 227, S.B. No. 139, and S.B. No. 273.

* * *

On motion of Senator C.E. Peterson, the following House Bills on Second Reading Calendar were returned to Rules Committee:

H.B. Nos. 1, 4, 21, 77, 109, SUB. H.B. No. 18, H.B. Nos. 47, 10, H.J.R. No. 9, H.B. Nos. 105, 43, 98, 94, H.J.R. No. 2, H.B. No. 137, H.C.R. No. 18, H.J.R. No. 19, H.B. Nos. 100, 82, 106, 168, 114, 213, 148, 97, 173, 140, 167, 229, 233, 234, 212, 195, 122, 61, 153, 144, SECOND SUB. H.B. No. 3, H.B. Nos. 185, 235, SUB. H.B. No. 63, H.B. No. 85, SUB. H.B. No. 149, H.B. Nos. 176, 125, 160, and 62.

RULES COMMITTEE REPORT

Mr. President: February 16, 1990

The Senate Rules Committee moves that all House Bills and Resolutions on the Second Reading Calendar be returned to Rules Committee and the following House Bills and Resolutions be placed on Second Reading Calendar:

SECOND SUB	
H.B. No. 1	POLITICAL CONTRIBUTION DISCLOSURE
H.B. No. 4	RISK MANAGEMENT FUND AMENDMENTS
H.B. No. 109 SUB.	AMENDMENTS TO CONTROLLED SUBSTANCES ACT
H.B. No. 18	NUCLEAR FACILITY SITING
H.B. No. 10	SUBCONTRACTOR LISTING ON ADMINISTRATIVE SERVICES
H.J.R. No. 9	STRATEGIC PLANNING COMMITTEE RESOLUTION
H.B. No. 105	PROPERTY TAX AMENDMENTS
H.B. No. 85	SALES TAX - AIRCRAFT EXEMPTION
H.B. No. 98	HUMAN RESOURCE MANAGEMENT AND STATE AFFAIRS IN GENERAL
H.B. No. 94	RETIREMENT SYSTEM COMPLIANCE
H.C.R. No. 2	MULTIPLE USES OF PUBLIC LANDS RESOLUTION
H.C.R. No. 8	ROCKY MOUNTAIN TOBACCO-FREE CHALLENGE RESOLUTION
H.J.R. No. 19	VOLUNTARY WATER CONSERVATION RESOLUTION
H.B. No. 3	FAIR COMPETITION IN PUBLIC BIDDING
H.B. No. 146	JUVENILE COURT PROTECTIVE ORDERS
H.B. No. 209	NUMBER OF JUVENILE COURT JUDGES
H.B. No. 199	CHILD GUARDIAN AD ITEM APPOINTMENT
H.B. No. 244	JUVENILE TRAFFIC OFFENSES AMENDMENT
H.B. No. 281	JUDICIAL CONDUCT COMMISSION AMENDMENTS
H.B. No. 319	JUSTICE COURT REVISORS
H.B. No. 100	TELEPHONE FRAUD
H.B. No. 195	WORKERS' COMPENSATION ACT AMENDMENTS
H.B. No. 82	LOCAL SALES AND USE TAX - POPULATION FIGURES

H.B. No. 312	AUTHORITY TO ACCEPT BONDS FROM INDIAN TRIBES FOR WATER PROJECTS
H.B. No. 106	CHILD SUPPORT GUIDELINES AMENDMENTS
H.B. No. 168	CORPORATION AND BUSINESS NAME STANDARDS
H.B. No. 114	INMATE INCOME AND EXPENSES
H.B. No. 213	HEALTH FACILITY LICENSURE AND INSPECTION ACT
H.B. No. 148	REQUIREMENT TO FURNISH SOCIAL SECURITY NUMBERS
H.B. No. 97	RETIREMENT OPERATION STATUS
H.B. No. 173	RETIREMENT OFFICE AMENDMENTS
H.B. No. 140	AGRICULTURE AMENDMENTS
H.C.R. No. 22	GENDER PAY EQUITY SURVEY RESOLUTION
H.B. No. 175	RETIREMENT OPTION AMENDMENTS
H.B. No. 232	FEE FOR COLLECTION OF CHILD SUPPORT REPEALED
H.B. No. 322 SUB.	UTAH HOUSING FINANCE AGENCY AMENDMENTS
H.B. No. 63	OIL AND GAS SEVERANCE TAX AMENDMENTS
H.B. No. 351	STATE EMPLOYEES DRUG-FREE WORKPLACE
H.B. No. 284	ADMINISTRATIVE RULES REAUTHORIZATION
H.B. No. 266	TAX REVIEW COMMISSION

reports the Bills to the Senate and asks that they be printed and placed on Second Reading Calendar.

C.E. Peterson,
Rules Committee Chairman

Committee report read and adopted. The bills were placed on Second Reading Calendar.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 16, 1990

I am directed to inform the Senate that the House of Representatives has this day passed on consent **H.C.R. No. 28**, UTAH HOUSING FINANCE AGENCY RESOLUTION, by Representative Kim R. Burningham, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.C.R. No. 28 was read the first time and referred to Rules Committee.

* * *

On motion of Senator C.E. Peterson and at 5:00 p.m., the Senate adjourned until 8:00 a.m., Monday, February, 19, 1990.

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 – Reverend Bruce Barton, Resurrection Metropolitan Community Church.

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: February 19, 1990

The Committee on Revision of the Daily Senate Journal respectfully report that we have read the journal for the fortieth day and find it correct with minor amendments noted on the final copy.

Boyd K. Storey,
Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 16, 1990

As per request of the Senate, S.J.R. No. 33, SALES TAX EXEMPTIONS SUNSET, by Senator McAllister, is herewith returned to the Senate for further consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator McAllister, under suspension of the rules, the resolution was read the first, second, and third times, and passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 11

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Finlinson	Fordham	Holmgren	McAllister
Money	Myrin	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Steele	Storey
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Black	Carling	Cornaby	Farley
Hillyard (excused)	Leavitt	McMullin	Pace
Rees	Richards	Swan	

S.J.R. No. 33 was returned to the House.

* * *

Mr. President: February 16, 1990

I am directed to inform the Senate that the House of Representatives has this day passed on consent **H.B. No. 311**, COUNTY RECORDING OF FEDERAL LIENS, by Representative David M. Jones, and the 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. 344**, PROBATE CODE AMENDMENTS, by Representative Ted D. Lewis, and the 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. 349**, HEALTH INSURANCE FOR DEPENDENT CHILDREN, by Representative Atkinson, and the 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. 352**, LIABILITY FOR MEDICAL EXPENSES FOR CHILDREN, by Representative Atkinson, and the 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. 383**, STATE LAND LAW AMENDMENTS, by Representative Tom Christensen, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed **H.B. No. 387**, COURT FUNDS AND INTEREST, by Representative R. Lee 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, **H.B. No. 388**, PRIVATE PROBATION PROVIDER LICENSING ACT, by Representative R. Lee Ellertson, and the 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. 390**, SUPREME COURT RULEMAKING, by Representative Harward, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 391**, COURT COMMISSIONER AMENDMENTS, by Representative John L. Valentine, and the 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. 411**, SOCIAL SERVICES LICENSING AMENDMENT, by Representative Dan Q. Price, and the 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. 476**, COURT FEES, by Representative Ellertson, and the 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. 17**, TRANSPORTATION FUND AMENDMENTS RESOLUTION, by Representative G. 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. 35**, HIGHWAY 89 RESOLUTION, by Representative Knowlton, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 378**, EDUCATION STABILIZATION FUND, by Representative Melvin R. 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, **SUB. H.B. No. 337**, SPECIAL DISTRICTS TELEPHONE LISTING, by Representative David S. Ostler, and the 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. 377**, CONSUMER SALES PRACTICES ACT

DEFINITIONS, by Representative Nancy S. Lyon, and the 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. 384, HUNTER EDUCATION AMENDMENTS, by Representative Tom 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. 417, GREAT SALT LAKE DEVELOPMENT AUTHORITY AMENDMENT, by Representative Stanley M. Smedley, and the 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. 457, OPTIONAL FORMS OF COUNTY GOVERNMENT, by Representative Stephen M. Bodily, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.B. Nos. 311, 344, 349, 352, 383, 387, 388, 390, 391, 411, 476, H.J.R. No. 17, H.J.R. No. 35, H.B. No. 378, SUB. H.B. No. 337, H.B. Nos. 377, 384, 417, 457, were read the first time and referred to Rules Committee.

* * *

On motion of Senator Fordham, the following article printed in the Salt Lake Tribune, Sunday, February 18, 1990, is placed in the Senate Journal.

"Utah Senate Leader On National Panel
Tribune Washington Bureau

WASHINGTON – Utah State Senate President Arnold Christensen has been installed as a member of the executive committee of the National Conference of State Legislatures.

Senator Christensen, who represents Utah's 10th district, will serve on the panel through November

The 54–member executive committee holds quarterly meetings to guide the conference and its activities. The panel is composed of 36 legislators and 18 staff members.

The conference represents legislators from the 50 states and from U.S. commonwealths and territories. The group says its objectives are to promote the effectiveness f and improve communication between state legislatures, and to ensure a strong voice for state legislators in the federal system."

THIRD READING CALENDAR

H.B. No. 158, SCHOOL DISTRICT ACCOUNTABILITY, was read the third time and explained by Senator Steele. Senators Hillyard, Steele, McMullin, Black and Swan commented.

On motion of Senator Steele, the bill was amended as follows:

Lilac Page 3, Line 5:
After "tests" insert "in grades 5, 8, and 11"

Lilac Page 3, Line 21:
Delete "August 1" and insert "November 1"

On motion of Senator Steele, the bill was circled.

* * *

On motion of Senator Finlinson, **S.B. No. 211**, BONDING FOR WATER PROJECTS, was read the third time, and placed on Third Reading Table.

* * *

SUB. H.B. No. 161, ASBESTOS ABATEMENT IN THE PUBLIC SCHOOLS, was read the third time, and passed on the following roll call:

Yeas, 18; Nays, 2; Absent, 9

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Farley	Finlinson	Fordham
Holmgren	McAllister	Myrin	Peterson, C.E.
Peterson, Craig	Richards	Steele	Storey
Tempest	Pres. Christensen		

Voting in the negative were: Senators

Barton	Nielsen

Absent or not voting were: Senators

Cornaby	Hillyard (excused)	Leavitt	McMullin
Money	Pace	Peterson, Cary	Rees
Swan			

SUB. H.B. No. 161 was signed by the President of the Senate in open session and returned to the House.

* * *

Senators Carling, C.E. Peterson, and Fordham objected to **H.B. No. 119** being on Consent Calendar, and it was placed on Third Reading Calendar and circled.

* * *

H.B. No. 170, SCHOOL DISTRICT PERFORMANCE REPORTS, was read the third time. Senators Barlow, Steele, Swan, Barton, and Bunnell commented. The bill passed on the following roll call:

Yeas, 19; Nays, 6; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Carling
Cornaby	Finlinson	Fordham	Holmgren
Leavitt	McAllister	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Craig	Steele
Storey	Tempest	Pres. Christensen	

Voting in the negative were: Senators

Black	Bunnell (exp.)	Farley	Money
Richards	Swan		

Absent or not voting were: Senators

Hillyard (excused)	McMullin	Peterson, Cary	Rees

H.B. No. 170 was signed by the President of the Senate in open session and returned to the House.

* * *

H.B. No. 202, PUBLIC EDUCATION OPTIONS, was read the third time, and explained by Senator Finlinson. Senators Swan, Christensen, Barlow, Barton, Black, Steele, and Pace commented. Senator McAllister is presiding. Senators Cary Peterson, Farley, Barton, Black, McMullin, and Barlow commented. The bill passed on the following roll call:

Yeas, 23; Nays, 4; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Carling
Cornaby	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Tempest	

Voting in the negative were: Senators

Black	Farley	Money	Swan

Absent or not voting was: Senator

Bunnell	Pres. Christensen

H.B. No. 202 was signed by the President of the Senate later on this day and returned to the House.

* * *

H.B. No. 321, ACHIEVEMENT TESTS IN THE PUBLIC SCHOOLS, was read the third time, explained by Senator McMullin. Senator Steele commented. The bill passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Tempest	Pres. Christensen		

Voting in the negative was: Senator

Swan

Absent or not voting were: Senators

Cornaby	Money

H.B. No. 321 was signed by the President of the Senate later on this day and returned to the House.

* * *

On motion of Senator Hillyard, H.B. No. 158, SCHOOL DISTRICT ACCOUNTABILITY, was uncircled.

On motion of Senator Steele moved the following amendment:

Page 3, Line 5:
Delete "school and"

Senator McMullin, Hillyard, Black, and Swan commented. The motion failed on a voice vote. The bill passed on the following roll call:

Yeas, 25; Nays, 3; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Tempest
Pres. Christensen			

Voting in the negative were: Senators

Bunnell	Farley	Swan (expl.)

Absent or not voting was: Senator
Cornaby

H.B. No. 158, as amended, was returned to the House.

* * *

S.B. No. 255, WASTE MANAGEMENT AMENDMENTS, was read the third time. Senators Black, Finlinson, Nielsen, Holmgren, Swan, Richards, Cary Peterson, Pace and Storey commented.

On motion of Senator Rees, the bill was amended as follows:

Goldenrod Page 6, Line 10:
After "$118,000" insert "or a quarterly installment of $29,500"

Goldenrod Page 6, Line 12:
Delete "all fees" and insert "the annual fee"

Goldenrod Page 6, Line 14:
After "year" insert "or the quarterly installment beginning July 15, 1990"

Goldenrod Page 24, Line 2:
After "$192,000" insert "or the quarterly installment of $48,000"

Goldenrod Page 24, Line 20a:
After "15" insert ", 1990, or the quarterly installment beginning July 15, 1990,"

Page 13, Line 19:
Delete "inventory" and insert "determine the type of"

Page 13, Line 20:
After "state and" insert "tonnage of"

The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Black	Cornaby	Money	Swan

S.B. No. 255, as amended, was transmitted to the House. President Christensen is presiding.

* * *

On motion of Senator McMullin, under suspension of the rules, S.B. No. 279, ATTORNEY GENERAL COLLECTIONS, was lifted from Rules Committee and read the second and third times. Senators Hillyard, Craig Peterson, Leavitt, McAllister, and Barlow commented. The bill passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Pres. Christensen		

Voting in the negative was: Senator
Tempest

Absent or not voting were: Senators
Barton McMullin

S.B. No. 279, was transmitted to the House.

* * *

On motion of Senator McAllister, and at the request of President Christensen, President Christensen is to be recorded as voting Aye on all previous votes this day.

* * *

On motion of Senator Leavitt, S.B. No. 204, SALES TAX NEXUS, was before the Senate on reconsideration and passed on the following roll call:

Yeas, 21; Nays, 6; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Fordham	Hillyard	Holmgren

Leavitt	McAllister	McMullin	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Pres. Christensen			

Voting in the negative were: Senators

Carling	Cornaby	Money	Myrin
Nielsen	Tempest		

Absent or not voting were: Senators

Farley	Finlinson

S.B. No. 204 was transmitted to the House.

* * *

On motion of Senator McMullin, under suspension of the rules, S.B. No. 222 and S.B. No. 233 were lifted from Rules Committee and placed on Second Reading Calendar.

* * *

On motion of Senator Pace, the Senate voted to ask the House to return S.B. No. 197 to the Senate for further consideration.

* * *

S.B. No. 214, INDIAN BURIAL APPROPRATION, was read the third time, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Finlinson
Fordham	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Farley	Hillyard (excused)

S.B. No. 214, as amended, was transmitted to the House.

* * *

S.B. No. 251, PENALTY FOR FAILURE TO FILE TAX RETURN, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Black	Bunnell
Carling	Cornaby	Finlinson	Fordham
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Beattie	Farley	Hillyard (excused)

S.B. No. 251, was transmitted to the House.

* * *

On motion of Senator McMullin, under suspension of the rules, **S.C.R. No. 11**, MCGRUFF TENTH ANNIVERSARY RESOLUTION, was read the second and third times. Tibbie Milne, Utah Council for Crime Prevention 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

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig

Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Barton	Hillyard (excused)	Rees

S.C.R. No. 11 was transmitted to the House.

* * *

The Senate recessed at 10:10 a.m. and reassembled at 10:30 a.m.

* * *

S.R. No. 3, WINTER SPORTS AUTHORITY RESPONSIBILITY RESOLUTION, was before the Senate.

On motion of Senator Tempest, the bill was amended as follows:

Page 2, Lines 5–11:
Delete lines 5 through 11 and insert:

"NOW THEREFORE, BE IT RESOLVED that money from the Olympic Special Revenue Fund or funds for the construction or operation of Olympic related public sports facilities should be supplemented with funding from private sources credibly pledged to Utah's Olympic efforts, with target levels established with the review and approval of the Sports Authority."

Page 2, Lines 17–22:
Delete lines 17 through 22 and insert:

"BE IT FURTHER RESOLVED that, in the event any substantial commitment of state funds to the Sports Authority or to any public sports entity, event, or facility is needed beyond the amount of the currently authorized sales tax diversion; such commitment should be made subject to an advisory vote of the people."

James S. Jardine, Attorney at Law, Ray, Quinney & Nebeker, and Tom Welch, Chairman, Winter Games Bid Committee, spoke in opposition to the resolution in Committee of The Whole, and Stephen C. Pace, with Utahns For Responsible Public Spending spoke in support of the resolution in Committee of the Whole.

Senator Barton and Tempest commented. The resolution failed on the following roll call:

Yeas, 8; Nays, 21; Absent, 0

Voting in the affirmative were: Senators

Barton	Bunnell	Cornaby	Farley (exp.)
McAllister	Money	Peterson, C.E.	Tempest

Voting in the negative were: Senators

Barlow	Beattie	Black	Carling
Finlinson	Fordham	Hillyard	Holmgren
Leavitt (exp.)	McMullin	Myrin	Nielsen
Pace	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Pres. Christensen (expl.)			

S.R. No. 3 was filed.

COMMITTEE OF THE WHOLE

On motion of Senator Cary Peterson, the Senate resolved into a Committee of the Whole; Alma Welch, Utah Chapter President of Freedom's Foundation at Valley Forge, spoke before the Senate and discussed Freedom Awareness Week. Great Salt Lake Council Cub Scouts presented musical selections.

SECOND READING CALENDAR

S.J.R. No. 20, FAIR MARKET VALUE DETERMINATION, was before the Senate, explained by Senator Beattie. Senator Black is presiding. Senators Finlinson, Storey, and Bunnell commented. The resolution failed on the following roll call:

Yeas, 14; Nays, 10; Absent, 5

Voting in the affirmative were: Senators

Barlow	Beattie	Cornaby	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Peterson, C.E.	Peterson, Craig
Rees	Pres. Christensen		

Voting in the negative were: Senators

Barton	Black	Bunnell	Finlinson
Pace	Richards	Steele	Storey
Swan	Tempest		

Absent or not voting were: Senators

Carling	Farley	Fordham	Hillyard
Peterson, Cary			

S.J.R. No. 20 was filed.

* * *

On motion of Senator Cornaby, S.B. No. 241 was circled.

* * *

S.B. No. 227, ADOPTION RESTRICTIONS, was before the Senate.

Steven E. Snow, Attorney, spoke in opposition to the bill, and Calvin L. Rampton, Attorney, Jones, Waldo, Holbrook & McDonough, and Cathy C. Quinn, Social Worker, spoke in support of the bill in Committee of the Whole.

Senators Storey, Pace, Cornaby, Hillyard, and Steele commented. On motion of Senator Steele, under suspension of the rules, the bill was read the third time and passed on the following roll call:

Yeas, 24; Nays, 4; Absent, 1

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Cornaby (conflict)	Farley	Finlinson	Fordham
Holmgren	Leavitt (exp.)	McMullin	Money
Myrin	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Voting in the negative were: Senators

Barton	Hillyard	McAllister	Nielsen

Absent or not voting was: Senator
Carling

S.B. No. 227 was transmitted to the House.

* * *

On motion of Senator McAllister, under suspension of the rules, S.B. No. 139, UTAH ADMINISTRATIVE RULEMAKING ACT REVISION, was read the third time, and passed on the following roll call:

Yeas, 23; Nays, 3; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Comaby	Farley	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Rees	Richards
Storey	Tempest	Pres. Christensen	

Voting in the negative were: Senators

Black	Steele (exp.)	Swan

Absent or not voting were: Senators

Carling	Finlinson	Peterson, Craig

S.B. No. 139, as amended, was transmitted to the House.

* * *

On motion of Senator McAllister S.B. No. 273 was circled.

* * *

On motion of Senator McMullin, under suspension of the rules, S.B. No. 222, GOVERNANCE OF QUASI PUBLIC BODIES, was read the second and third times.

Senators Cary Peterson, Leavitt, McMullin, Pace, McAllister, Barton, Comaby, Rees, and Beattie commented. The bill passed on the following roll call:

Yeas, 24; Nays, 3; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Farley	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Rees	Richards
Steele	Storey	Swan	Pres. Christensen

Voting in the negative were: Senators

Cornaby	Peterson, Craig	Tempest

Absent or not voting were: Senators

Carling	Finlinson

S.B. No. 222, 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 Christensen presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 19, 1990

As per request of the Senate, the House of Representatives is this day returning to the Senate, S.B. No. 197, UTAH CONSERVATION CORPS, by Senator Lorin N. Pace, for further consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Pace, under suspension of the rules, the bill was read the first, second, and third times and passed, on reconsideration, on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barton	Beattie	Black	Bunnell
Cornaby	Fordham	Hillyard	Holmgren
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Barlow	Carling	Farley	Finlinson
Leavitt	Richards		

S.B. No. 197, was transmitted to the House.

* * *

Mr. President: February 19, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, S.B. No. 18, DISCLOSURE OF PSYCHOLOGICALLY IMPACTED PROPERTY, by Senator Lane Beattie, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Beattie, 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

Barton	Beattie	Bunnell	Cornaby
Fordham	Hillyard	Holmgren	McAllister
McMullin	Money	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Barlow	Black	Carling	Farley
Finlinson	Leavitt	Myrin	Pace
Richards	Steele		

S.B. No. 18 was transmitted to the House.

* * *

Mr. President: February 19, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **S.B. No. 86**, INDEPENDENT AGENCY AUDITS, by Senator LeRay McAllister, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator McAllister, the Senate voted to not concur in the House amendments, and to ask the House to recede from its amendments.

* * *

Mr. President: February 16, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.J.R. No. 39**, ABORTION LIMITATION RESOLUTION, by Representative Evan L. Olsen, 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. 307**, HEATING AND SAFETY EQUIPMENT FOR RAILROAD EMPLOYEES, by Representative Nielsen, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 393**, POWERS OF DIVISION OF FACILITIES CONSTRUCTION AND MANAGEMENT, by Representative Larry Lunt, and the 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. 439**, GUARANTEE ASSOCIATION AMENDMENTS, by Representative Ted D. Lewis, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, as amended, **H.B. No. 454**, BAIL COMMISSIONER AMENDMENTS, by Representative Frank R. Pignanelli, and the 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. 468**, EDUCATIONAL TECHNOLOGY IN PUBLIC

AND HIGHER EDUCATION, by Representative Richard J. 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. 462**, UTAH SPORTS AUTHORITY ACT AMENDMENTS, by Representative Nolan E. Karras, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.J.R. No. 39, H.B. Nos. 307, 393, 439, 454, and 468, were read the first time and referred to Rules Committee. **H.B. No. 462**, was referred to Rules Committee.

* * *

Mr. President: February 19, 1990

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. 158**, SCHOOL DISTRICT ACCOUNTABILITY, by Representative Richard J. Bradford, et al, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Chief Clerk

H.B. No. 158 was signed by the President of the Senate in open session and returned to the House.

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Mr. President: February 19, 1990

I am directed to inform the Senate that the House of Representatives has this day passed **S.C.R. No. 6**, RESOLUTION HONORING BRIGHTON HIGH SCHOOL, by Senator Fred W. Finlinson, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **SUB. S.B. No. 19**, UNIFORM SECURITIES ACT AMENDMENTS, by Senator Cornaby, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **SUB. S.B. No. 20**, REAL ESTATE APPRAISER REGISTRATION AND CERTIFICATION ACT, by Senator Barlow, et al,which has been signed by the

Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 26** UNDERGROUND STORAGE TANK ACT AMENDMENTS, by Senator Fred W. Finlinson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 48**, THEFT OF CABLE TV SERVICES AMENDMENTS, 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. 60**, OPTIONAL TITLING OF COLLECTOR MOTOR VEHICLES, by Senator Glade Nielsen, 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 **SUB. S.B. No. 87**, RESPIRATORY CARE PRACTICE ACT, by Senator Carling, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 103**, JUDICIAL 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. 105**, SENTENCE GUIDELINES REGARDING AGGRAVATION AND MITIGATION, by Senator Swan, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 126**, EXPANSION OF SUNSET REVIEW, by Senator Black, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 127**, AUDITS OF STATE LAND LEASES AND PERMITS, by Senator Steele, 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. 154, REVENUE TYPES, 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, and

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 170, CRIMINAL PENALTIES FOR HAZARDOUS WASTE VIOLATIONS, by Senator Stephen J. Rees, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 177, BUDGETARY PROCEDURES 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.

Carole E. Peterson, Chief Clerk

S.C.R. No. 6, SUB. S.B. No. 19, SUB. S.B. No. 20, S.B. Nos. 26, 48, 60, SUB. S.B. No. 87, S.B. Nos. 103, 105, 126, 127, 154, 170, and 177 were signed by the President of the Senate in open session, referred to Rules Committee to be enrolled and transmitted to the Governor.

* * *

On motion of Senator Black, under suspension of the rules S.R. No. 5, RESOLUTION HONORING RICHARD MEHORNAY and JAMES FLYNN, was read the third time. Richard Mehorney spoke in Committee of the Whole. Senators Christensen, Swan, Holmgren, Fordham, and Barton commented. The resolution passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barton	Beattie	Black	Bunnell
Cornaby	Fordham	Hillyard	Holmgren
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Steele	Storey	Pres. Christensen

Absent or not voting were: Senators

Barlow	Carling	Farley	Finlinson
Leavitt	Rees	Richards	Swan
Tempest			

S.R. No. 5 was signed by the President of the Senate in open session, referred to Rules Committee to be enrolled and transmitted to Lt. Governor.

* * *

On motion of Senator McAllister, under suspension of the rules, S.B. No. 221, MEDICAID SHORTFALL FUNDING was before the Senate and it's enacting clause was stricken.

SECOND READING CALENDAR

On motion of Senator McAllister, under suspension of the rules, S.B. No. 273, JUDICIAL REVIEW OF ADMINISTRATIVE RULES, was uncircled, read the third time, and the following substitute bill replaced the original bill.

JUDICIAL REVIEW OF ADMINISTRATIVE RULES
(2-16-90 11:02 a.m.)

SUB. S.B. No. 273 *LeRay McAllister*

AN ACT RELATING TO ADMINISTRATIVE RULES; PROVIDING FOR THE JUDICIAL REVIEW OF ADMINISTRATIVE RULES; AND MAKING TECHNICAL AMENDMENTS.

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

AMENDS: 63-46a-2, AS LAST AMENDED BY CHAPTER 72, LAWS OF UTAH 1988; 78-2a-3, AS LAST AMENDED BY CHAPTERS 73, 210, AND 248, LAWS OF UTAH 1988.

ENACTS: 63-46a-12.1, UTAH CODE ANNOTATED 1953.

REPEALS: 63-46a-13, AS ENACTED BY CHAPTER 158, LAWS OF UTAH 1985.

The substitute bill passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 6

Voting in the affirmative were: Senators

Barlow	Black	Bunnell	Carling
Cornaby	Farley	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Steele
Tempest	Pres. Christensen		

Voting in the negative was: Senator
Swan

Absent or not voting were: Senators

Barton	Beattie	Finlinson	Rees
Richards	Storey		

SUB. S.B. No. 273 was transmitted to the House.

* * *

On motion of Senator Craig Peterson, under suspension of the rules, S.B. No. 233, ACTIONS FOR PROCEEDINGS ON UNCLAIMED PROPERTY, was read the second and third times.

On motion of Senator Craig Peterson, the bill was amended as follows:

Page 1, Line 13:
After "GOVERNMENT" delete ", THE STATE, OR A POLITICAL SUBDIVISION" and insert "OR ANY STATE,"

Page 2, Lines 8–9:
After "government" delete ", any state, or any political subdivision," and insert "or any state,"

Page 2, Line 13:
Delete "any political subdivision,"

The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Comaby	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Swan	Pres. Christensen

Absent or not voting were: Senators

Carling	Farley	Myrin	Storey
Tempest			

S.B. No. 233, as amended, was transmitted to the House.

* * *

On motion of Senator Finlinson, under suspension of the rules, SECOND SUB. H.B. No. 1, POLITICAL CONTRIBUTION DISCLOSURE, was read the second and third times.

Mr. President: February 5, 1990

The State and Local Affairs Committee, to which was referred SECOND SUB. H.B. No. 1, POLITICAL CONTRIBUTION DISCLOSURE, by Representative Slack, has carefully considered the bill and reports the same out of Committee favorably with the following amendment:

Page 6, Line 12:
After "expenditures" insert "on current or proposed ballot issues"

Craig A. Peterson,
Committee Chairman

Committee report read and adopted. Senator Finlinson and Barton commented. The second substitute bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Comaby	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig

Rees	Richards	Steele	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Farley	Money	Storey

SECOND SUB. H.B. No. 1, as amended, was transmitted to the House.

* * *

On motion of Senator McMullin, the Senate voted to consider all House Bills on Second Reading Calendar, under suspension of the rules, read the second and third times, unless otherwise moved.

* * *

On motion of Senator McMullin, under suspension of the rules, **H.B. No. 4,** RISK MANAGEMENT AMENDMENTS, was read the second and third times.

Mr. President: January 26, 1990

The State and Local Affairs Committee, to which was referred **H.B. No. 4,** RISK MANAGEMENT AMENDMENTS, by Representative Ockey, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Lilac Page 2, Line 8:
After "property" delete "," and reinsert "and"

Lilac Page 2, Line 8a:
After "insurance" delete ", AND WORKERS' COMPENSATION INSURANCE"

Lilac Page 6, Line 3:
After "facilities" insert "to be covered by the fund" and after "review," insert "for risk control purposes"

Lilac Page 6, Line 14a:
Delete "workers' compensation insurance,"

Craig A. 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

Barlow	Barton	Beattie	Black
Bunnell	Cornaby	Finlinson	Fordham
Holmgren	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Carling	Farley	Hillyard	Leavitt
Storey			

H.B. No. 4, as amended, was transmitted to the House.

* * *

On motion of Senator McMullin, under suspension of the rules, **H.B. No. 109,** AMENDMENTS TO CONTROLLED SUBSTANCES ACT, was read the second and third times, and explained by Senator Richards.

Mr. President: January 25, 1990

The Senate Transportation & Public Safety Standing Committee, to which was referred **H.B. No. 109,** AMENDMENTS TO CONTROLLED SUBSTANCES ACT, by Representative Walt Bain, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Glade Nielsen,
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

Barlow	Barton	Beattie	Black
Bunnell	Cornaby	Finlinson	Fordham
Hillyard	Holmgren	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees

Richards	Steele	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Carling	Farley	Leavitt	Storey

H.B. No. 109 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Cary Peterson, the Senate voted to ask the House to return **SUB. H.B. No. 161** to the Senate for reconsideration.

* * *

On motion of Senator McMullin, under suspension of the rules, **SUB. H.B. No. 18**, NUCLEAR FACILITY SITING, was read the second and third times.

Mr. President: January 29, 1990

The Health Standing Committee to which was referred **SUB. H.B. No. 18**, NUCLEAR FACILITY SITING, by Representative H. Craig Moody, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Stephen J. Rees,
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

Barlow	Barton	Black	Bunnell
Carling	Cornaby	Finlinson	Hillyard
Holmgren	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Swan	Pres. Christensen	

Absent or not voting were: Senators

Beattie	Farley	Fordham	Leavitt
Storey	Tempest		

SUB. H.B. No. 18 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator McMullin, under suspension of the rules, H.B. No. 10, SUBCONTRACTOR LISTING ON PUBLIC CONSTRUCTION CONTRACTS, was read the second and third times.

Mr. President: Janaury 29, 1990

The Business, Labor, and Economic Development Standing committee, to which was referred H.B. No. 10, SUBCONTRACTOR LSTING ON PUBLIC CONSTRUCTION CONTRACTS, by Representative David M. Jones, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lane Beattie,
Committee Chairman

Committee report read and adopted. On motion of Senator Cary Peterson, the bill was circled.

* * *

On motion of Senator McMullin, under suspension of the rules, H.J.R. No. 9, STRATEGIC PLANNING COMMITTEE RESOLUTION, was read the second and third times.

Mr. President: January 29, 1990

The Business Labor, and Economic Development Standing Committee, to which was referred H.J.R. No. 9, STRATEGIC PLANNING COMMITTEE RESOLUTION, by Representative Kim R. Burningham, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lane Beattie,
Committee Chairman

Committee report read and adopted. On motion of Senator McAllister, the bill was amended as follows:

Page 4, Line 10:
After "consist of" insert "five"

Page 4, Line 11:
After "and" insert "five"

The resolution passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Barlow	Black	Bunnell	Carling
Cornaby	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Pres. Christensen			

Voting in the negative were: Senators
Swan

Absent or not voting were: Senators

Barton	Beattie	Farley	Finlinson
Fordham	Storey	Tempest	

H.J.R. No. 9, as amended, was returned to the House.

* * *

On motion of Senator McMullin, under suspension of the rules, **H.B. No. 105**, PROPERTY TAX AMENDMENTS, was read the second and third times, and explained by Senator Hillyard.

Mr. President: January 30, 1990

The Revenue and Taxation Standing Committee to which was referred **H.B. No. 105**, PROPERTY TAX AMENDMENTS, by Representative John L. Valentine, et al, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lorin N. Pace,
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

Barlow	Barton	Black	Bunnell
Carling	Cornaby	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Swan	Pres. Christensen		

Absent or not voting were: Senators

Beattie	Farley	Finlinson	Fordham
Peterson, C.E.	Storey	Tempest	

H.B. No. 105 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator McMullin, under suspension of the rules, **H.B. No. 85**, SALES TAX – AIRCRAFT EXEMPTION, was read the second and third times, and explained by Senator Bunnell.

Mr. President: February 14, 1990

The Revenue and Taxation Standing Committee to which was referred **H.B. No. 85**, SALES TAX – AIRCRAFT EXEMPTION, by Representative David S. Ostler, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lorin N. Pace,
Committee Chairman

Committee report read and adopted. Senator Bunnell, Black, Pace, Tempest, Leavitt, and McAllister commented. Senator Cary Peterson is presiding. The bill passed on the following roll call:

Yeas, 19; Nays, 3; Absent, 7

Voting in the affirmative were: Senators

Barton	Black	Bunnell	Carling
Cornaby	Hillyard	Holmgren	Leavitt
McMullin	Money	Myrin	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Swan	Tempest	

Voting in the negative were: Senators

McAllister	Steele	Pres. Christensen

Absent or not voting were: Senators

Barlow	Beattie	Farley	Finlinson
Fordham	Nielsen	Storey	

H.B. No. 85 was signed by the President of the Senate on February 20, 1990 and returned to the House.

* * *

On motion of Senator McMullin, under suspension of the rules, **H.B. No. 98,** HUMAN RESOURCE MANAGEMENT AND GROUP INSURANCE AMENDMENTS, was read the second and third times, and explained by Senator Comaby.

Mr. President: January 30, 1990

The State and Local Affairs Committee, to which was referred **H.B. No. 98,** HUMAN RESOURCE MANAGEMENT AND GROUP INSURANCE AMENDMENTS, by Representative Rob Bishop, has carefully considered the bill and reports it out of committee favorably with the following amendments:

Page 2, Line 24:
After "Management" delete "for inclusion" and insert ". The Department of Human Resource Management shall include the benefit adjustments"

Page 2, Line 25:
Delete "recommendation" and insert "recommended"

Craig A. 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

Barlow	Black	Bunnell	Carling
Comaby	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Barton	Beattie	Farley	Finlinson
Storey			

H.B. No. 98, as amended, was returned to the House.

* * *

On motion of Senator McMullin, under suspension of the rules, **H.B. No. 94**, RETIREMENT SYSTEM COMPLIANCE WITH FEDERAL TAX LAWS, was read the second and third times, and explained by Senator Cornaby.

Mr. President: January 30, 1990

The State and Local Affairs Committee, to which was referred **H.B. No. 94**, RETIREMENT SYSTEM COMPLIANCE WITH FEDERAL TAX LAWS, by Representative Rob Bishop, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Craig A. Peterson,
Committee Chairman

Committee report read and adopted. On motion of Senator Cornaby, the bill was amended as follows:

Page 1, Line 15:
After "FOR" insert "AN EFFECTIVE DATE AND"

Page 48, Line 17:
After "act" insert "takes effect on December 31, 1990 and"

The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Black	Bunnell
Carling	Cornaby	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Beattie	Farley	Storey

H.B. No. 94, as amended, was returned to the House.

* * *

On motion of Senator McMullin, under suspension of the rules, H.C.R. No. 2, MULTIPLE USES OF PUBLIC LANDS RESOLUTION, was read the second and third times.

Mr. President: February 1, 1990

The Senate Energy, natural Resources and Agriculture Committee, to which was referred H.C.R. No. 2, MULTIPLE USES OF PUBLIC LANDS RESOLUTION, by Representative James F. Yardley, 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 resolution passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Black	Bunnell
Carling	Cornaby	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Beattie	Farley	Storey

H.C.R. No. 2 was signed by the President of the Senate on February 20, 1990, and returned to the House.

* * *

On motion of Senator McMullin, under suspension of the rules H.C.R. No. 8, ROCKY MOUNTAIN TOBACCO FREE CHALLENGE RESOLUTION, was read the second time. Senator Craig Peterson commented.

Senator Black moved on Page 2, Lines 13, 14 and 15 to place a period after "Challenge", and to delete all remaining language. The motion failed on a standing vote.

The resolution passed on the following roll call:

Yeas, 20; Nays, 4; Absent, 5

Voting in the affirmative were: Senators

Barlow	Bunnell	Carling	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Myrin	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Swan	Tempest	Pres. Christensen

Voting in the negative were: Senators

Barton	Black	Money	Nielsen

Absent or not voting were: Senators

Beattie	Cornaby	Farley	Finlinson
Storey			

* * *

On motion of Senator McMullin, under suspension of the rules, H.J.R. No. 19, VOLUNTARY WATER CONSERVATION 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

Barlow	Barton	Beattie	Black
Carling	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Bunnell	Cornaby	Farley	Finlinson
Storey			

H.J.R. No. 19 was signed by the President of the Senate on February 20, 1990 and returned to the House.

* * *

On motion of Senator McMullin, SECOND SUB. H.B. No. 3, FAIR COMPETITION IN PUBLIC BIDDING, was read the second and third times. Senators Rees and Barton commented. The second substitute bill failed on the following roll call:

Yeas, 14; Nays, 11; Absent, 4

Voting in the affirmative were: Senators

Beattie	Black	Bunnell	Fordham
McAllister	Money	Pace	Peterson, C.E.
Peterson, Craig	Rees	Steele	Storey
Swan	Tempest		

Voting in the negative were: Senators

Barlow	Barton (exp.)	Carling	Cornaby
Finlinson	Hillyard	Holmgren	McMullin
Myrin	Nielsen	Peterson, Cary	

Absent or not voting were: Senators

Farley	Leavitt	Richards	Pres. Christensen

SECOND SUB. H.B. No. 3 was returned to the House for filing.

* * *

On motion of Senator McMullin, under suspension of the rules H.B. No. 146, JUVENILE COURT PROTECTIVE ORDERS, was read the second and third times, and explained by Senator Craig Peterson. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Cornaby	Finlinson	Fordham
Hillyard	Holmgren	McAllister	McMullin

Money	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Bunnell	Farley	Leavitt	Myrin
Richards			

H.B. No. 146 was signed by the President of the Senate on February 20, 1990 and returned to the House.

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On motion of Senator McMullin, **S.B. No. 241**, was uncircled and returned to Rules Committee.

* * *

On motion of Senator McMullin, under suspension of the rules **S.B. No. 212, S.B. No. 253, S.B. No. 254** and **S.B. No. 190** were lifted from Rules Committee, and placed on Second Reading Calendar.

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JOINT CONFERENCE COMMITTEE REPORT
(H.B. No. 16, REAL ESTATE LICENSURE CONTINUING EDUCATION REQUIREMENTS)

Mr. President and Mr. Speaker: February 29, 1990

The Joint Conference Committee, comprised of Senators Beattie, Barlow, and Money and Representatives Bradford, Allen, and Tuttle, to which was referred **H.B. No. 16**, REAL ESTATE LICENSURE CONTINUING EDUCATION REQUIREMENTS, by Representative Bradford, et al, reports the bill back as follows:

That the bill be amended as follows:

Goldenrod Page 2, Line 9b:
After "competence" insert "by viewing an approved real estate education video program and completing a supplementary workbook,"

Goldenrod Page 2, Lines 10–11:
Delete brackets from "approved by the division and commission"

Lane Beattie, Chairman
Senate Committee
Haven Barlow, Senate Committee
Richard Bradford Chairman
House Committee
Eldon Money, Senate Committee
Dan Tuttle, House Committee
Lee Allen, House Committee

On motion of Senator Beattie, the Senate voted to adopt the Joint Conference Committee Report. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Finlinson	Fordham
Hillyard	Holmgren	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Rees	Steele
Storey	Swan	Tempest	

Absent or not voting were: Senators

Barton	Farley	Leavitt	Peterson, Craig
Richards	Pres. Christensen		

H.B. No. 16, was returned to the House.

* * *

On motion of Senator McMullin, under suspension of the rules **H.B. No. 209**, NUMBER OF JUVENILE COURT JUDGES 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Finlinson

Fordham	Hillyard	Holmgren	McAllister
McMullin	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Voting in the negative was: Senator Money

Absent or not voting were: Senators

Farley	Leavitt	Peterson, Craig

H.B. No. 209 was signed by the President of the Senate on February 20, 1990 and returned to the House.

PRESENTATION OF RESOLUTIONS

On motion of Senator Barlow, under suspension of the rules, the Senate voted to allow him introduction of the following resolution.

JOINT RULES - ETHICS RESOLUTION

S.J.R. No. 34 *Haven J. Barlow*

A JOINT RESOLUTION OF THE LEGISLATURE REVISING JOINT RULES; CHANGING CERTAIN ETHICS PRACTICES; AND PROVIDING AN EFFECTIVE DATE, read the first time.

On motion of Senator McMullin, under suspension of the rules, the bill was placed on Second Reading Calendar.

SECOND READING CALENDAR

On motion of Senator McMullin, under suspension of the rules, H.B. No. 199, CHILD GUARDIAN AD LITEM APPOINTMENT, 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Comaby	Finlinson
Fordham	Hillyard	Holmgren	McAllister

McMullin	Money	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Richards
Steele	Storey	Tempest	Pres. Christensen

Absent or not voting were: Senators

Farley	Leavitt	Myrin	Rees
Swan			

H.B. No. 199 was signed by the President of the Senate on February 20, 1990 and returned to the House.

* * *

On motion of Senator McMullin, under suspension of the rules, **H.B. No. 244**, JUVENILE TRAFFIC OFFENSES AMENDMENT, 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Richards	Steele	Storey	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Farley	Myrin	Rees	Swan

H.B. No. 244 was signed by the President of the Senate on February 20, 1990 and returned to the House.

* * *

On motion of Senator Cornaby, under suspension of the rules, **H.B. No. 281**, JUDICIAL CONDUCT COMMISSION AMENDMENTS, was read the second and third times.

On motion of Senator Cornaby, the bill was amended as follows:

Page 2, Line 17:
Delete "after pleading guilty or no"

Page 2, Line 18:
Delete "contest"

Delete "the justice or judge is not convicted"

Delete "or if his"

Page 2, Line 19:
Before "conviction" insert "he is not convicted or if the"

Page 3, Line 20:
After "Council." insert "A private reprimand may be issued only if a formal hearing is not conducted regarding the matter."

The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Cornaby	Finlinson	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Steele	Storey	Tempest	Pres. Christensen

Absent or not voting were: Senators

Bunnell	Farley	Fordham	Richards
Swan			

H.B. No. 281, as amended, was returned to the House.

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On motion of Senator McMullin, under suspension of the rules, H.B. No. 319, JUSTICE COURT REVISORS, 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Finlinson
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Steele	Storey	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Farley	Fordham	Richards	Swan

H.B. No. 319 was signed by the President of the Senate on February 20, 1990 and returned to the House.

* * *

On motion of Senator McMullin, under suspension of the rules, H.B. No. 100, TELEPHONE FRAUD, was read the second and third time, and explained by Senator Cornaby.

Mr. President: February 2, 1990

The Business, Labor, and Economic Development Standing committee, to which was referred H.B. No. 100, TELEPHONE FRAUD, by Donald R. LeBaron, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Lilac Page 2, Line i:
After "$25" insert "or more"

Lane Beattie,
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

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister

McMullin	Money	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barton	Farley	Myrin	Richards

H.B. No. 100, as amended, was returned to the House.

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On motion of Senator McMullin, under suspension of the rules, **S.B. No. 212**, PUBLIC SAFETY ELIGIBILITY AMENDMENTS, 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

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Barton	Farley	Myrin	Pace
Storey			

S.B. No. 212 was transmitted to the House.

* * *

On motion of Senator McMullin, under suspension of the rules, **S.B. No. 253**, TAX EVASION WHISTLEBLOWERS, was read the second time. Senators Richards, Bunnell, Leavitt, and Carling commented, and the bill failed on the following roll call:

Yeas, 13; Nays, 10; Absent, 6

Voting in the affirmative were: Senators

Black	Bunnell	Fordham	Holmgren
McMullin	Money	Myrin	Peterson, C.E.
Rees	Richards	Steele	Swan
Pres. Christensen			

Voting in the negative were: Senators

Barlow	Beattie	Carling	Cornaby
Finlinson	Hillyard	Leavitt	McAllister
Pace	Peterson, Cary		

Absent or not voting were: Senators

Barton	Farley	Nielsen	Peterson, Craig
Storey	Tempest		

S.B. No. 253 was filed.

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On motion of Senator McMullin **S.B. No. 254, EXPANSION OF CERTIFIED DRIVERS LICENSE EXAMINERS,** was read the second and third times, and was circled.

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On motion of Senator McMullin, under suspension of the rules, **S.B. No. 190, USER FEES,** was read the second time. Senators McAllister, Leavitt, Swan, Finlinson, Storey, Rees, Beattie, and C.E. Peterson, commented. The following substitute bill replaced the original bill.

USER FEES
(2-15-90 4:57 p.m.)

SUB. S.B. No. 190 *LeRay McAllister*

AN ACT RELATING TO FEES; ESTABLISHING UNIFORM PROCEDURES FOR SETTING FEES; PROVIDING REQUIREMENTS FOR DEPOSIT OF FEES; ESTABLISHING WHEN AGENCIES MAY IMPOSE FEES; ESTABLISHING A PROCEDURE FOR ASSESSING FEES WITHOUT LEGISLATIVE APPROVAL; MAKING TECHNICAL CHANGES, AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS: 1-1-5, AS LAST AMENDED BY CHAPTER 1, LAWS OF UTAH 1969; 2-1-7.5, AS LAST AMENDED BY CHAPTER 23, LAWS OF UTAH 1989; 2-1-12, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987; 2-1-15, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 2-1-16, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 2-2-7, AS LAST AMENDED BY CHAPTER 7, LAWS OF UTAH 1987, FIRST SPECIAL SESSION; 3-1-6, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 3-1-36, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 4-2-2, AS LAST AMENDED BY CHAPTERS 104 AND 130, LAWS OF UTAH 1985; 4-9-6, AS LAST AMENDED BY CHAPTER 19, LAWS OF UTAH 1985; 4-16-7, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979; 4-23-7, AS LAST AMENDED BY CHAPTER 1, LAWS OF UTAH 1984, THIRD SPECIAL SESSION; 4-24-7, AS ENACTED BY CHAPTER 2, LAWS OF UTAH 1979; 4-24-8, AS LAST AMENDED BY CHAPTER 130, LAWS OF UTAH 1985; 4-24-21, AS LAST AMENDED BY CHAPTER 130, LAWS OF UTAH 1985; 4-24-22, AS LAST AMENDED BY CHAPTER 130, LAWS OF UTAH 1985; 4-35-6, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1986; 7-1-401, AS LAST AMENDED BY CHAPTER 267, LAWS OF UTAH 1989; 7-1-402, AS LAST AMENDED BY CHAPTER 229, LAWS OF UTAH 1987; 7-1-705, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987; 7-9-8, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 8-4-5, AS REPEALED AND REENACTED BY CHAPTER 258, LAWS OF UTAH 1989; 10-2-108, AS LAST AMENDED BY CHAPTER 27, LAWS OF UTAH 1983; 11-17A-9, AS LAST AMENDED BY CHAPTER 82, LAWS OF UTAH 1987; 13-1-2, AS LAST AMENDED BY CHAPTER 225, LAWS OF UTAH 1989; 13-11-7, AS LAST AMENDED BY CHAPTER 92, LAWS OF UTAH 1987; 13-11-17, AS LAST AMENDED BY CHAPTER 58, LAWS OF UTAH 1983; 13-11-19, AS LAST AMENDED BY CHAPTER 58, LAWS OF UTAH 1983; 13-18-10, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 13-18-14, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 13-18-15, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987; 13-18-17, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987; 13-22-6, AS ENACTED BY CHAPTER 122, LAWS OF UTAH 1987; 13-22-7, AS ENACTED BY CHAPTER 122, LAWS OF UTAH 1987; 13-22-9, AS ENACTED BY CHAPTER 122, LAWS OF UTAH 1987; 16-6-99, AS ENACTED BY CHAPTER 66, LAWS OF UTAH 1987; 16-6-99.1,

AS LAST AMENDED BY CHAPTER 222, LAWS OF UTAH 1988; 16-6-100, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 16-6-100.5, AS ENACTED BY CHAPTER 36, LAWS OF UTAH 1988; 16-6-101, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 16-6-124.5, AS ENACTED BY CHAPTER 36, LAWS OF UTAH 1988; 16-7-11, AS LAST AMENDED BY CHAPTER 178, LAWS OF UTAH 1985; 16-10-88.1, AS ENACTED BY CHAPTER 66, LAWS OF UTAH 1987; 16-10-88.2, AS LAST AMENDED BY CHAPTER 222, LAWS OF UTAH 1988; 16-10-123, AS ENACTED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 16-10-124, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 16-10-125, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 16-12-3, AS LAST AMENDED BY CHAPTER 178, LAWS OF UTAH 1985; 16-13-12, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 22-4-9, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987; 23-14-13, AS LAST AMENDED BY CHAPTER 76, LAWS OF UTAH 1986; 23-14-18, AS ENACTED BY CHAPTER 46, LAWS OF UTAH 1971; 23-15-10, AS ENACTED BY CHAPTER 46, LAWS OF UTAH 1971; 23-17-10, AS ENACTED BY CHAPTER 162, LAWS OF UTAH 1986; 23-19-10, AS LAST AMENDED BY CHAPTER 33, LAWS OF UTAH 1973; 23-19-13, AS LAST AMENDED BY CHAPTER 90, LAWS OF UTAH 1979; 23-19-17.7, AS ENACTED BY CHAPTER 30, LAWS OF UTAH 1984; 26-1-6, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-1-27, AS LAST AMENDED BY CHAPTER 180, LAWS OF UTAH 1989; 26-2-12, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-2-20, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-4-22, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-8-2.5, AS LAST AMENDED BY CHAPTER 46, LAWS OF UTAH 1989; 26-8-4, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987; 26-8-6, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-10-6, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-12-5, AS LAST AMENDED BY CHAPTER 167, LAWS OF UTAH 1989; 26-13-6, AS LAST AMENDED BY CHAPTER 188, LAWS OF UTAH 1988; 26-13-18, AS LAST AMENDED BY CHAPTER 238, LAWS OF UTAH 1989; 26-13-23, AS ENACTED BY CHAPTER 126, LAWS OF UTAH 1981; 26-14-21, AS LAST AMENDED BY CHAPTER 254, LAWS OF UTAH 1989; 26-14-23, AS LAST AMENDED BY CHAPTER 154, LAWS OF UTAH 1989; 26-14E-302, AS ENACTED BY CHAPTER 268, LAWS OF UTAH 1989; 26-14E-401, AS ENACTED BY CHAPTER 268, LAWS OF UTAH 1989; 26-18-3, AS LAST AMENDED BY CHAPTER 165, LAWS OF UTAH 1989; 26-18-3.5, AS ENACTED BY CHAPTER 135, LAWS OF UTAH 1983; 26-21-5, AS ENACTED

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SESSION; 61-2-5.5, AS LAST AMENDED BY CHAPTER 48, LAWS OF UTAH 1987; 61-2-9, AS LAST AMENDED BY CHAPTER 182, LAWS OF UTAH 1988; 61-2A-4, AS LAST AMENDED BY CHAPTER 48, LAWS OF UTAH 1987; 62A-1-111, AS LAST AMENDED BY CHAPTER 22, LAWS OF UTAH 1989; 62A-2-105, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-4-107, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-4-109, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-4-111, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-4-403, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-5-103, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-5-105, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-5-107, AS LAST AMENDED BY CHAPTER 74, LAWS OF UTAH 1988; 62A-5-206, AS LAST AMENDED BY CHAPTER 242, LAWS OF UTAH 1988; 62A-7-123, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-8-104, AS LAST AMENDED BY CHAPTER 242, LAWS OF UTAH 1988; 62A-8-403, AS ENACTED BY CHAPTER 242, LAWS OF UTAH 1988; 62A-10-106, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-11-327, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-102, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-104, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 62A-12-115, AS ENACTED BY CHAPTER 1, LAWS OF UTAH 1988; 63-1-19, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1986; 63-1-25, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1986; 63-1-53, AS ENACTED BY CHAPTER 102, LAWS OF UTAH 1986; 63-2-66, AS LAST AMENDED BY CHAPTER 86, LAWS OF UTAH 1985; 63-2-85.4, AS LAST AMENDED BY CHAPTER 92, LAWS OF UTAH 1987; 63-5-6, AS ENACTED BY CHAPTER 250, LAWS OF UTAH 1989; 63-9-52, AS ENACTED BY CHAPTER 12, LAWS OF UTAH 1976; 63-11-19.1, AS ENACTED BY CHAPTER 136, LAWS OF UTAH 1989; 63-11-40, AS LAST AMENDED BY CHAPTER 204, LAWS OF UTAH 1975; 63-11-44, AS LAST AMENDED BY CHAPTER 48, LAWS OF UTAH 1982; 63-11-45, AS LAST AMENDED BY CHAPTER 48, LAWS OF UTAH 1982; 63-17-4, AS LAST AMENDED BY CHAPTER 65, LAWS OF UTAH 1984; 63-18-25, AS LAST AMENDED BY CHAPTER 161, LAWS OF UTAH 1987; 63-29-7, AS LAST AMENDED BY CHAPTER 40, LAWS OF UTAH 1985; 63-29-16, AS LAST AMENDED BY CHAPTER 31, LAWS OF UTAH 1988; 63-29A-104, AS LAST AMENDED BY CHAPTER 149, LAWS OF UTAH 1988; 63-29A-105.5, AS ENACTED BY CHAPTER 149, LAWS OF UTAH 1988; 63-29A-107, AS LAST AMENDED BY CHAPTER 149, LAWS OF UTAH 1988; 63-29A-109, AS ENACTED BY CHAPTER 164, LAWS OF UTAH 1987; 63-29A-110, AS ENACTED BY CHAPTER 164, LAWS OF UTAH 1987; 63-29A-111.5, AS ENACTED BY

CHAPTER 149, LAWS OF UTAH 1988; 63-34-5, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 63-38-3, AS LAST AMENDED BY CHAPTERS 208 AND 225, LAWS OF UTAH 1989; 63-56-66, AS ENACTED BY CHAPTER 75, LAWS OF UTAH 1980; 63-63A-3, AS ENACTED BY CHAPTER 46, LAWS OF UTAH 1989; 63-70-1, AS LAST AMENDED BY CHAPTER 137, LAWS OF UTAH 1989; 63-70-3, AS ENACTED BY CHAPTER 137, LAWS OF UTAH 1989; 63-73-10, AS ENACTED BY CHAPTER 137, LAWS OF UTAH 1988; 64-2A-4, AS ENACTED BY CHAPTER 170, LAWS OF UTAH 1985; 64-4-7, AS ENACTED BY CHAPTER 323, LAWS OF UTAH 1983; 65A-1-2, AS LAST AMENDED BY CHAPTER 1, LAWS OF UTAH 1988 SECOND SPECIAL SESSION; 65A-1-4, AS ENACTED BY CHAPTER 121, LAWS OF UTAH 1988; 65A-5-2, AS ENACTED BY CHAPTER 121, LAWS OF UTAH 1988; 65A-7-12, AS ENACTED BY CHAPTER 121, LAWS OF UTAH 1988; 65A-8-5, AS ENACTED BY CHAPTER 121, LAWS OF UTAH 1988; 65A-9-4, AS ENACTED BY CHAPTER 121, LAWS OF UTAH 1989; 67-1A-2, AS ENACTED BY CHAPTER 68, LAWS OF UTAH 1984; 67-3-1, AS LAST AMENDED BY CHAPTER 21, LAWS OF UTAH 1985; 67-5-3, AS LAST AMENDED BY CHAPTER 76, LAWS OF UTAH 1982; 67-15-4, AS LAST AMENDED BY CHAPTER 69, LAWS OF UTAH 1987; 70-3-3, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 70-3-6, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 70-3-7, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 70A-9-403, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 70A-9-404, AS LAST AMENDED BY CHAPTER 50, LAWS OF UTAH 1987; 70A-9-405, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 70A-9-406, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 70A-9-407, AS LAST AMENDED BY CHAPTER 92, LAWS OF UTAH 1987; 71-7-3, AS REPEALED AND REENACTED BY CHAPTER 112, LAWS OF UTAH 1988; 73-2-14, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1982, SECOND SPECIAL SESSION; 73-3-25, AS LAST AMENDED BY CHAPTERS 25 AND 161, LAWS OF UTAH 1987; 73-10-26, AS LAST AMENDED BY CHAPTER 57, LAWS OF UTAH 1988; 73-18-4, AS REPEALED AND REENACTED BY CHAPTER 99, LAWS OF UTAH 1987; 73-18-7, AS LAST AMENDED BY CHAPTER 99, LAWS OF UTAH 1987; 73-18-12.7, AS ENACTED BY CHAPTER 118, LAWS OF UTAH 1987; 73-18-22, AS LAST AMENDED BY CHAPTER 197, LAWS OF UTAH 1986; 75-5-312, AS LAST AMENDED BY CHAPTER 104, LAWS OF UTAH 1988; 75-5-417, AS LAST AMENDED BY CHAPTER 104, LAWS

OF UTAH 1988; 76-10-1209, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION; 77-18-2, AS LAST AMENDED BY CHAPTER 78, LAWS OF UTAH 1987; 77-26-16, AS LAST AMENDED BY CHAPTER 72, LAWS OF UTAH 1989; 77-27-8, AS ENACTED BY CHAPTER 213, LAWS OF UTAH 1985; 78-3-16.5, AS LAST AMENDED BY CHAPTER 7, LAWS OF UTAH 1988 SECOND SPECIAL SESSION; 78-3A-54, AS LAST AMENDED BY CHAPTERS 150 AND 153, LAWS OF UTAH 1989; 78-4-24, AS LAST AMENDED BY CHAPTER 7, LAWS OF UTAH 1988 SECOND SPECIAL SESSION; 78-6-14, AS LAST AMENDED BY CHAPTER 22, LAWS OF UTAH 1989; 78-6-14, AS LAST AMENDED BY CHAPTER 22, LAWS OF UTAH 1989; 78-14-12, AS LAST AMENDED BY CHAPTERS 26 AND 225, LAWS OF UTAH 1989; 78-22A-7, AS ENACTED BY CHAPTER 169, LAWS OF UTAH 1983; 78-24A-8, AS ENACTED BY CHAPTER 288, LAWS OF UTAH 1983; 78-30-14, AS LAST AMENDED BY CHAPTER 20, LAWS OF UTAH 1985; 78-30-18, AS ENACTED BY CHAPTER 39, LAWS OF UTAH 1987; 78-51-21, AS LAST AMENDED BY CHAPTER 215, LAWS OF UTAH 1971; 78-51-24, AS LAST AMENDED BY CHAPTER 195, LAWS OF UTAH 1963.

ENACTS: 4-20-1.1, UTAH CODE ANNOTATED 1953; 41-1-49.21, UTAH CODE ANNOTATED 1953; 63-38A-101, UTAH CODE ANNOTATED 1953; 63-38A-102, UTAH CODE ANNOTATED 1953; 63-38A-103, UTAH CODE ANNOTATED 1953; 63-38A-201, UTAH CODE ANNOTATED 1953; 63-38A-202, UTAH CODE ANNOTATED 1953; 63-38A-203, UTAH CODE ANNOTATED 1953; 63-38A-204, UTAH CODE ANNOTATED 1953; 63-38A-205, UTAH CODE ANNOTATED 1953; 63-38A-206, UTAH CODE ANNOTATED 1953; 63-38A-301, UTAH CODE ANNOTATED 1953; 63-38A-302, UTAH CODE ANNOTATED 1953; 63-38A-401, UTAH CODE ANNOTATED 1953.

RENUMBERS AND AMENDS: 13-1A-5, (RENUMBERED FROM 21-1-2.5, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION); 17-16B-1, (RENUMBERED FROM 21-2-1, UTAH CODE ANNOTATED 1953); 17-16B-2, (RENUMBERED FROM 21-2-2, AS LAST AMENDED BY CHAPTERS 2, 47, 104, AND 152, LAWS OF UTAH 1988); 17-16B-3, (RENUMBERED FROM 21-2-3, AS LAST AMENDED BY CHAPTER 50, LAWS OF UTAH 1987); 17-16B-4, (RENUMBERED FROM 21-2-4, AS LAST AMENDED BY CHAPTER 27, LAWS OF UTAH 1980); 17-16B-5, (RENUMBERED FROM 21-2-5, AS LAST AMENDED BY CHAPTER 4, LAWS OF UTAH 1987); 17-16B-6, (RENUMBERED FROM 21-2-6, UTAH CODE ANNOTATED 1953); 17-16B-7, (RENUMBERED FROM 21-2-7, AS LAST AMENDED BY CHAPTER 33, LAWS OF UTAH 1961); 17-16B-8, (RENUMBERED FROM 21-3-3.5, AS ENACTED BY CHAPTER 27, LAWS OF UTAH 1980); 17-16B-9,

(RENUMBERED FROM 21-6-2, UTAH CODE ANNOTATED 1953); 17-16B-10, (RENUMBERED FROM 21-7-9, UTAH CODE ANNOTATED 1953); 17-16B-11, (RENUMBERED FROM 21-7-2, UTAH CODE ANNOTATED 1953); 17-16B-12, (RENUMBERED FROM 21-6-7, UTAH CODE ANNOTATED 1953); 17-16B-13, (RENUMBERED FROM 21-7-14, UTAH CODE ANNOTATED 1953); 17-25-2, (RENUMBERED FROM 21-3-5, AS ENACTED BY CHAPTER 44, LAWS OF UTAH 1983); 63-38A-501, (RENUMBERED FROM 21-7-1, UTAH CODE ANNOTATED 1953); 63-38A-502, (RENUMBERED FROM 21-7-11, UTAH CODE ANNOTATED 1953); 63-38A-503, (RENUMBERED FROM 21-7-12, UTAH CODE ANNOTATED 1953); 63-38A-504, (RENUMBERED FROM 21-7-15, UTAH CODE ANNOTATED 1953); 67-1A-2.5, (RENUMBERED FROM 21-1-2, AS LAST AMENDED BY CHAPTER 15, LAWS OF UTAH 1984, SECOND SPECIAL SESSION); 67-3-1.5, (RENUMBERED FROM 21-1-3, UTAH CODE ANNOTATED 1953); 67-5A-1, (RENUMBERED FROM 21-6-1, UTAH CODE ANNOTATED 1953); 67-5A-2, (RENUMBERED FROM 21-7-9, UTAH CODE ANNOTATED 1953); 67-5A-3, (RENUMBERED FROM 21-7-2, UTAH CODE ANNOTATED 1953); 67-5A-4, (RENUMBERED FROM 21-6-6, UTAH CODE ANNOTATED 1953); 78-2A-2.5, (RENUMBERED FROM 21-1-4, AS LAST AMENDED BY CHAPTER 111, LAWS OF UTAH 1986); 78-5-135.5, (RENUMBERED FROM 21-7-19, UTAH CODE ANNOTATED 1953); 78-11-7.5, (RENUMBERED FROM 21-7-4, UTAH CODE ANNOTATED 1953); 78-46A-1, (RENUMBERED FROM 21-5-1, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1989); 78-46A-2, (RENUMBERED FROM 21-5-1.5, AS ENACTED BY CHAPTER 153, LAWS OF UTAH 1989); 78-46A-3, (RENUMBERED FROM 21-5-2, UTAH CODE ANNOTATED 1953); 78-46A-4, (RENUMBERED FROM 21-5-3, UTAH CODE ANNOTATED 1953); 78-46A-5, (RENUMBERED FROM 21-5-4, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1989); 78-46A-6, (RENUMBERED FROM 21-5-4.5, AS ENACTED BY CHAPTER 153, LAWS OF UTAH 1989); 78-46A-7, (RENUMBERED FROM 21-5-5, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1989); 78-46A-8, (RENUMBERED FROM 21-5-6, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1989); 78-46A-9, (RENUMBERED FROM 21-5-7, UTAH CODE ANNOTATED 1953); 78-46A-10, (RENUMBERED FROM 21-5-7.5, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1989); 78-46A-11, (RENUMBERED FROM 21-5-8, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1989); 78-46A-12, (RENUMBERED FROM 21-5-9, AS LAST AMENDED BY CHAPTERS 153 AND 157, LAWS OF UTAH 1989); 78-46A-13, (RENUMBERED FROM 21-5-10, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1989); 78-46A-14, (RENUMBERED FROM

21-5-11, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1989); 78-46A-15, (RENUMBERED FROM 21-5-14, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1989); 78-46A-16, (RENUMBERED FROM 21-5-15, AS LAST AMENDED BY CHAPTER 98, LAWS OF UTAH 1977); 78-46A-17, (RENUMBERED FROM 21-5-16, UTAH CODE ANNOTATED 1953); 78-46A-18, (RENUMBERED FROM 21-5-17, AS LAST AMENDED BY CHAPTER 40, LAWS OF UTAH 1967); 78-46A-19, (RENUMBERED FROM 21-5-18, AS LAST AMENDED BY CHAPTER 153, LAWS OF UTAH 1989); 78-46A-20, (RENUMBERED FROM 21-6-4, UTAH CODE ANNOTATED 1953); 78-46A-21, (RENUMBERED FROM 21-6-5, AS LAST AMENDED BY CHAPTER 90, LAWS OF UTAH 1981); 78-46A-22, (RENUMBERED FROM 21-7-16, AS LAST AMENDED BY CHAPTER 77, LAWS OF UTAH 1977); 78-46A-23, (RENUMBERED FROM 21-7-17, UTAH CODE ANNOTATED 1953); 78-46A-24, (RENUMBERED FROM 21-7-18, UTAH CODE ANNOTATED 1953.

REPEALS: 21-1-1, UTAH CODE ANNOTATED 1953; 21-3-3, AS ENACTED BY CHAPTER 27, LAWS OF UTAH 1980; 21-3-4, UTAH CODE ANNOTATED 1953; 21-4-1, AS LAST AMENDED BY CHAPTER 30, LAWS OF UTAH 1986; 21-4-2, UTAH CODE ANNOTATED 1953; 21-6-3, UTAH CODE ANNOTATED 1953; 21-7-3, UTAH CODE ANNOTATED 1953; 21-7-5, UTAH CODE ANNOTATED 1953; 21-7-6, UTAH CODE ANNOTATED 1953; 21-7-7, UTAH CODE ANNOTATED 1953; 21-7-10, UTAH CODE ANNOTATED 1953; 21-7-13, UTAH CODE ANNOTATED 1953; 23-14-16, AS ENACTED BY CHAPTER 46, LAWS OF UTAH 1971; 63-38-17, AS LAST AMENDED BY CHAPTER 154, LAWS OF UTAH 1986.

On motion of Senator McAllister, the substitute bill was amended as follows:

Page 136, Line 22:
After "to be" reinstate "used by"

Page 136, Line 23:
Delete "appropriated to"

Page 446, Line 13:
After "agency" delete "or"

Page 446, Line 14:
Delete "public education entity"

Page 569, Line 18:
Delete "This" and insert:

"Except for the provisions of this act that govern deposit of fees or that change the account of fund into which fees are deposited, this"

Page 569, Line 18:
After line 18 insert:

"The provisions of this act that govern deposit of fees and that change the account or fund into which fees are deposited take effect July 1, 1991."

The substitute bill passed on the following bill:

Yeas, 17; Nays, 10; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Carling
Holmgren	McAllister	McMullin	Money
Myrin	Nielsen	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Steele	Storey
Pres. Christensen			

Voting in the negative were: Senators

Black	Bunnell	Cornaby	Farley
Finlinson	Fordham	Leavitt	Pace
Richards	Swan		

Absent or not voting were: Senators

Hillyard	Tempest

PRESENTATION OF RESOLUTION

On motion of Senator Black, under suspension of the rules, the Senate voted to allow introduction of the following resolution.

RESOLUTION RECOGNIZING SENATOR FRANCES FARLEY

S.R. No. 6 *Wilford R. Black, Jr. and all members of the Senate*

A RESOLUTION OF THE SENATE HONORING SENATOR FRANCES FARLEY FOR HER MANY YEARS OF PUBLIC SERVICE TO THE CITIZENS OF UTAH.

Be it resolved by the Senate of the state of Utah:

WHEREAS Senator Frances Farley, who is serving her twelfth year in the Utah Senate, has announced that she will not seek re-election to the Senate in 1990;

WHEREAS Senator Farley's public service is an example of the determination and professionalism she developed early in life;

WHEREAS her upbringing during the Great Depression and the numerous personal adversities she overcame helped her develop early the self-reliance and self-confidence necessary to reach her professional goals and stand firm by her beliefs;

WHEREAS her many years of college education and extensive business experience combined with wisdom born of challenge led her to public service, where she has consistently championed the importance and value of the contributions all people can make to society, regardless of their race, sex, economic status, or physical limitations;

WHEREAS Senator Farley has successfully furthered many causes that are of deep value to her without neglecting the human aspect that make the issues so important; and

WHEREAS Senator Farley continues to serve with honor and distinction in the Utah Senate, and merits the respect of all Utahns:

NOW, THEREFORE, BE IT RESOLVED that the Senate of the state of Utah honor Senator Frances Farley for the many years of faithful and dedicated service on behalf of the citizens of the state of Utah, and the empathy, persistence, determination and professionalism that distinguish her public service.

BE IT FURTHER RESOLVED that we, as members of the Utah Senate, express our appreciation to Senator Frances Farley for her wit, wisdom, and commitment to values that have made our association with her rich and rewarding.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Senator Frances Farley.

On motion of Senator Black, under suspension of the rules, the resolution was read the first, second, and third times.

Senator Swan, Black, Finlinson, Farley, Holgrem, C.E. Peterson, Bunnell, Barton, Storey, Tempest and Hillyard commented. Senator Farley commented. The resolution passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Comaby	Farley
Finlinson	Fordham	Hillyard	Holmgren

Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

S.R. No. 6 was signed by the President of the Senate on February 20, 1990 and referred to Rules Committee to be enrolled and transmitted to the Lt. Governor.

* * *

On motion of Senator McMullin S.B. No. 254, EXPANSION OF CERTIFIED DRIVERS LICENSE EXAMINERS was uncircled, and amended as follows:

Page 2, Line 12:
Delete "(a)"

Page 2, Line 14:
Delete "other" and delete ", data, or pictures required".

Page 2, Lines 16, 17, 18, 19 and 20:
Delete entirely

Page 2, Line 22:
Delete "July" and insert "September"

Senators McMullin, Steele, C.E. Peterson, Swan, Myrin, Finlinson, Rees and Barton commented. The bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Finlinson	Leavitt
McAllister	McMullin	Myrin	Nielsen
Pace	Peterson, C.E.	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Cornaby	Farley	Fordham	Hillyard
Holmgren	Money	Peterson, Cary	Peterson, Craig

S.B. No. 254, as amended, was transmitted to the House. Senator C.E. Peterson is presiding.

* * *

On motion of Senator Barlow, under suspension of the rules, S.J.R. No. 34, JOINT RULES – ETHICS RESOLUTION, was read the second and third times. Senators Barlow, Myrin, Tempest, Beattie, Swan, Leavitt, and Finlinson commented.

On motion of Senator Barlow the bill was amended as follows:

Page 4, Line 6:
After "(3)" delete "Unless" and insert "(a) If"

Page 4, Line 10:
After "legislation," delete "this" and insert "that legislator shall declare a conflict of interest.

(b) This"

Page 4, Line 10:
After "when a legislator" insert ", without payment or financial compensation as specified in Subsection (a)," and after "has" insert "supported or opposed legislation that results in"

Page 4, Line 11:
After "who" delete "may benefit or suffer" and insert "benefits or suffers"

S.J.R. No. 34 remains as unfinished business.

* * *

On motion of Senator Finlinson, the circle was removed from H.B. No. 10

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On motion of Senator Finlinson and at 6:00 p.m., the Senate adjourned until 8:00 a.m. Tuesday, February 20, 1990.

FORTY-FOURTH 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 – Reverend Jeffrey Silliman, Mt. Olympus Presbyterian Church.

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: ,February 20, 1990

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.

Boyd K. Storey,
Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 19, 1990

As per request of the Senate, the House of Representatives is this day returning to the Senate, SUB. H.B. No. 161, ASBESTOS ABATEMENT IN THE PUBLIC SCHOOLS, by Representative Richard J. Bradford, for further consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Barlow, the appropriation is to be changed from [$5,000,000] to "$4,000,000" in the title and body of the bill.

The substitute bill, on reconsideration, passed on the following roll call:

Yeas, 20; Nays, 1; Absent, 8

Voting in the affirmative were: Senators

Barlow	Barton	Black	Bunnell
Carling	Farley	Fordham	Leavitt
McAllister	Money	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Voting in the negative was: Senator Nielsen

Absent or not voting were: Senators

Beattie	Cornaby	Finlinson	Hillyard
Holmgren	McMullin	Myrin	Rees

SUB. H.B. No. 161, as amended, was transmitted to the House.

* * *

Mr. President: February 19, 1990

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 40**, RESOLUTION URGING FEDERAL EARTHQUAKE PROJECT STUDY, by Representative Gene Davis, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.J.R. No. 40, was read the first time and referred to Rules Committee.

* * *

Mr. President: February 19, 1990

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. 94**, RETIREMENT SYSTEM COMPLIANCE WITH FEDERAL TAX LAWS, by Representative Rob Bishop, and 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. 4**, RISK MANAGEMENT FUND AMENDMENTS, by Representative Ronald J. Ockey, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day concurred in the Senate amendments and passed **H.B. No. 57**, VEHICLE SIZE, WEIGHT, AND LOAD REVISIONS, by Representative Fox, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Chief Clerk

H.B. No. 94, H.B. No. 4 and **H.B. No. 57** were signed by the President of the Senate in open session and returned to the House.

* * *

Mr. President: February 19, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as substituted by the HOUSE SUB. S.B. No. 10, HOMEOWNERS AND AUTO INSURANCE COMPARISON TABLE, by Senator Lane Beattie, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Beattie, the Senate voted to concur in the House Substitute (amendment). The House substitute bill passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

HOUSE SUB. S.B. No. 10 was transmitted to the House.

* * *

Mr. President: February 19, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, S.B. No. 73, LIABILITY EXEMPTION FOR SKI PATROL, by Senator Lane Beattie, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Beattie, 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

Barlow	Barton	Beattie	Black

Bunnell	Carling	Farley	Finlinson
Fordham	Leavitt	McAllister	Money
Myrin	Nielsen	Peterson, C.E.	Peterson, Craig
Richards	Steele	Storey	Swan
Pres. Christensen			

Absent or not voting were: Senators

Cornaby	Hillyard	Holmgren	McMullin
Pace	Peterson, Cary	Rees	Tempest

S.B. No. 73, was transmitted to the House.

* * *

Mr. President: February 19, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, S.B. No. 121, MASSAGE PRACTICE ACT, by Senator Richard J. Carling, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Carling Senate voted to not concur in the House amendments, and to ask the House to recede from its amendments.

S.B. No. 121, was returned to the House.

* * *

Mr. President: February 19, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, S.B. No. 123, PHYSICIAN ASSISTANT LICENSING ACT, by Senator Richard J. Carling, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Carling, the Senate voted to not concur in the House Amendments, and to ask the House to recede from its amendments.

S.B. No. 123 was returned to the House.

* * *

Mr. President: February 19, 1990

I am directed to inform the Senate that the House of Representatives has this day rejected, as amended by the Senate, SUB. S.B. No. 92, CAPITAL OFFENSES PENALTY AMENDMENT, by Senator Frances Farley, and the same is returned herewith.

Carole E. Peterson, Chief Clerk

S.B. No. 92 was filed.

* * *

Mr. President: February 19, 1990

I am directed to inform the Senate that the House of Representatives has this day passed S.C.R. No. 3, RESOLUTION URGING PROTECTION OF THE FLAG, by Senator Nielsen, 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. 11, MC GRUFF TENTH ANNIVERSARY RESOLUTION, 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 S.J.R. No. 13, CONSOLIDATION OF RETIREMENT SYSTEMS STUDY by Senator Lane Beattie, 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. 23, BEAR RIVER DEVELOPMENT AND OVERSIGHT, by Senator John P. Holmgren, 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, DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING LICENSURE REVIEW PROCESS, 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 THIRD SUBSTITUTE S.B. No. 58, STANDARDIZED EMISSION INSPECTIONS, by Senator Stephen J. Rees, 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. 61, INTEREST PAYABLE ON PROPERTY TAX JUDGMENTS, by Senator Cary G. 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. 86, INDEPENDENT AGENCY AUDITS, by Senator LeRay McAllister, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 91, PROSECUTION COUNCIL, by Senator K.S. Cornaby, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 99, COMMUNICATIONS FRAUD AMENDMENT, by Senator Richard J. 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. 107, UNIFORM ANATOMICAL GIFT ACT, by Senator William T. Barton, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 133, SEX OFFENDER TREATMENT, by Senator Karl G. Swan, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 144, PRESERVATION OF HERITAGE ACT, by Senator Leavitt, 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. 150, UNIFORM COMMERCIAL CODE – LEASES, by Senator Fred W. Finlinson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 156, LAND SALES, TIMESHARE, AND CAMP RESORT AMENDMENTS, by Senator Stephen J. Rees, 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 SUB. S.B. No. 160, UAPA AMENDMENTS REGARDING CHILD PLACEMENT, by Senator David H. Steele, 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. 161, UNIFORM FOREIGN MONEY CLAIMS ACT, by Senator Fred W. Finlinson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

As per request of the Senate, the House of Representatives is this day returning to the Senate, S.B. No. 182, EDUCATIONAL TELECOMMUNICATIONS, by Senator Richard B. Tempest, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 189, DEPARTMENT OF FINANCIAL INSTITUTIONS 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 passed S.B. No. 191, UNIFORM COMMERCIAL CODE AMENDMENTS, by Senator Fred W. Finlinson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 194, GOVERNMENTAL IMMUNITY FOR DAMAGES OF POLICE PURSUED VEHICLE, by Senator Richard J. 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. 213, BOATING AMENDMENTS, by Senator Swan, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 219, MONEY LAUNDERING AND PRECURSOR CHEMICAL

VIOLATIONS AMENDMENTS, by Senator Craig A. 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. 228, AMENDMENTS TO CONTROLLED SUBSTANCES PRECURSOR ACT, by Senator Craig A. Peterson, 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, Chief Clerk

S.C.R. Nos. 3, 11, S.J.R. No. 13, S.B. Nos. 23, 38, 3rd SUB. S.B. No. 58, S.B. Nos. 61, 86, 91, 99, 107, 133, 144, 150, 156, SUB. S.B. No. 160, S.B. No. 161, 182, 189, 191, 194, 213, 219, and 228 were signed by the President of the Senate in open session, referred to Rules committee to be enrolled, and transmitted to the Governor or Lieutenant Governor.

CONSENT CALENDAR

H.C.R. No. 13, AIR NATIONAL GUARD 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Pres. Christensen		

Absent or not voting were: Senators

Cornaby	Hillyard	Tempest

H.C.R. No. 13 was signed by the President of the Senate in open session and returned to the House.

* * *

H.C.R. No. 18, 1990 UTAH SUMMER GAMES RESOLUTION, was read the third time and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Cornaby	Hillyard

H.C.R. No. 18 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Cornaby, **H.C.R. No. 21**, FEDERAL REGULATION OF STATE RETIREMENT PLANS, was read the third time and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Cornaby	Hillyard	Pace	Steele

H.C.R. No. 21 was signed by the President of the Senate in open session and returned to the House.

* * *

H.C.R. No. 27, BEN HOGAN GOLF TOUR COMMEMORATION, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Cornaby	Hillyard	Pace

H.C.R. No. 27 was signed by the President of the Senate in open session and returned to the House.

* * *

H.J.R. No. 24, RESOLUTION RECOGNIZING JACK A. OLSON, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Cornaby	Hillyard	Pace

H.J.R. No. 24 was signed by the President of the Senate in open session and returned to the House.

* * *

H.B. No. 130, FARMLAND ASSESSMENT ACT 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	Money	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Pres. Christensen

Absent or not voting were: Senators

Cornaby	McMullin	Myrin	Pace
Tempest			

H.B. No. 130 was signed by the President of the Senate in open session and returned to the House.

* * *

SUB. H.B. No. 201, QUALIFICATION OF ADMINISTRATIVE LAW 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Storey	Swan	Pres. Christensen

Absent or not voting were: Senators

Cornaby	Hillyard	Pace	Steele
Tempest			

SUB. H.B. No. 201 was signed by the President of the Senate in open session and returned to the House.

* * *

H.B. No. 206, UTAH COMMISSION FOR WOMEN AND FAMILIES, was read the third time and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Cornaby	Hillyard	Pace

H.B. No. 206 was signed by the President of the Senate in open session and returned to the House.

THIRD READING CALENDAR

On motion of Senator Cornaby, **H.B. No. 119**, LICENSURE OF YOUTH SERVICES PROGRAMS, was read the third time and circled.

* * *

H.C.R. No. 8, ROCKY MOUNTAIN TOBACCO FREE CHALLENGE RESOLUTION, was read the third time.

On motion of Senator Craig Peterson, the bill was amended as follows:

Page 1, Line 19
After "New Mexico," insert "Montana"

Page 2, Lines 13, 14, and 15
After "Challenge" insert a period and delete remainder of the language.

The resolution passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Carling
Farley	Finlinson	Fordham	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Pres. Christensen

Voting in the negative was: Senator
Barton

Absent or not voting were: Senators

Bunnell	Cornaby	Hillyard	Tempest

H.C.R. No. 8, as amended, was transmitted to the House.

* * *

SUB. S.B. No. 190, USER FEES, was read the third time. Senators McAllister, Swan, Finlinson, and Barton commented.

On motion of Senator McAllister, the bill was amended as follows:

Page 455, Lines 21 through 24
Delete entirely

On motion of Senator Swan, the bill was amended as follows:

Page 99, Line 23:
After "(2)(a)" insert "Notwithstanding the requirements of Chapter 38a, Title 63 concerning the deposit of fees,"

On motion of Senator Black, the bill was placed on Third Reading Table.

SECOND READING CALENDAR

On motion of Senator Carling, under suspension of the rules, all bills and resolution on the calendar on this day shall be considered on this day shall be considered, read the second and third times, unless otherwise moved.

* * *

H.B. No. 10, SUBCONTRACTOR LISTING ON PUBLIC CONSTRUCTION CONTRACTS, was before the Senate, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Carling
Cornaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barton	Bunnell	Myrin	Pace

H.B. No. 10 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Carling, under suspension of the rules, H.B. No. 195, WORKERS COMPENSATION ACT AMENDMENTS, was read the second and third times.

Mr. President: February 12, 1990

The Business, Labor, and Economic Development Standing Committee, to which was referred H.B. No. 195, WORKERS' COMPENSATION ACT AMENDMENTS, by Representative David S. Ostler, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lane Beattie,
Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator
Barton

H.B. No. 195 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator McAllister, at the request of President Christensen, the Senate voted to allow President Christensen to vote on all bills yesterday.

RULES COMMITTEE REPORT

Mr. President: February 20, 1990

The Senate Rules Committee to which were referred to the following Senate Bills requests that they be printed and placed on the Second Reading Calendar:

S.B. No. 195	SALT LAKE SKILLS CENTER
S.B. No. 272	DISCLOSURE ON VACANT LAND TRANSFER INFORMATION

C.E. Peterson,
Rules Committee Chairman

Committee report read and adopted. S.B. No. 195 and S.B. No. 272 were placed on Second Reading Calendar.

* * *

Senator Barlows motion to reconsider S.B. No. 253 failed on a standing vote.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 19, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, SUB. S.B. No. 198, OPERATOR ASSISTED SERVICES REQUIREMENTS, by Senator K.S. Cornaby, and the same is transmitted herewith for Senate consideration

Carole E. Peterson, Chief Clerk

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

Yeas, 29; Nays, 0; Absent, 0

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

SUB. S.B. No. 198 was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator Carling, under suspension of the rules, H.B. No. 82, LOCAL SALES AND USE TAX - POPULATION FIGURES, was read the second and third times, and explained by Senator Barlow.

Mr. President: February 2, 1990

The Education Standing Committee to which was referred H.B. No. 82, LOCAL SALES AND USE TAX - POPULATION FIGURES, by Representative Walter Bain, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Dixie L. Leavitt,
Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black

Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

H.B. No. 82 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Carling, under suspension of the rules, H.B. No. 312, AUTHORITY TO ACCEPT BONDS FROM INDIAN TRIBES FOR WATER PROJECTS, was read the second and third times. Senator Bunnell commented.

On motion of Senator Finlinson, the bill was amended as follows:

Lilac Page 3, Line 17:
After "with" insert ", or purchasing any bonds or obligations from,"

Lilac Page 3, Line 21:
After "agreement" insert ", bonds, or obligations"

Lilac Page 3, Line 22:
After "counsel" insert "certifying that the tribe has legal authority to enter into the agreement or issue the bonds or obligations, that the pledge of any assets or revenues by the tribe as security for the payments under the agreement, bonds, or obligations is a valid and legally enforceable pledge, and that the agreement, bonds, or obligations may be enforced in any court of general jurisdiction in the state"

Lilac Page 3, line 24:
After "tribe" insert "and against any security pledge by the tribe"

The bill passed on the following roll call:

Yeas, 27; Nays, 1; Absent, 1

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson

Fordham	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig (c)
Rees	Richards	Steele	Storey
Swan	Tempest (conflict)	Pres. Christensen	

Voting in the negative was: Senator Barton

Absent or not voting was: Senator Hillyard

Senator Craig Peterson and Senator Tempest declared a conflict of interest.

H.B. No. 312, as amended, was returned to the House.

RULES COMMITTEE REPORT

Mr. President February 20. 1990

The Senate Rules Committee to which was referred the following Senate Resolution and House Bill asks that they be placed on the Second Reading Calendar:

S.J.R. No. 23 NEW ALCOHOLIC BEVERAGE LAWS IMPLEMENTATION REVIEW

H.B. No. 153 COMPENSATION FOR WILDLIFE DAMAGES

C.E. Peterson,
Rules Committee Chairman

Committee report read and adopted. S.J.R. No. 23 and H.B. No. 153 were placed on Second Reading Calendar.

SECOND READING CALENDAR

On motion of Senator Carling, under suspension of the rules, S.J.R. No. 23, NEW ALCOHOLIC BEVERAGE LAWS IMPLEMENTATION REVIEW, 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin

Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator
Finlinson

S.J.R. No. 23 was transmitted to the House.

* * *

On motion of Senator Carling, under suspension of the rules **H.B. No. 106, CHILD SUPPORT GUIDELINES AMENDMENTS**, was read the second and third times, and explained by Senator Hillyard.

Mr. President: February 1, 1990

The Senate Social Services Standing Committee, to which was referred **H.B. No. 106, CHILD SUPPORT GUIDELINES AMENDMENTS**, by Representative Kelly C. Atkinson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Boyd K. Storey,
Committee Chairman

Committee reports read and adopted. The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator
Finlinson

H.B. No. 106 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Leavitt, under suspension of the rules, H.B. No. 168, CORPORATION AND BUSINESS NAME STANDARDS, was read the second and third times.

Mr. President: February 2, 1990

The Education Standing Committee to which was referred H.B. No. 168, CORPORATION AND BUSINESS NAME STANDARDS, by Representative Nancy S. Lyon, has carefully considered the bill and reports it out of committee with a favorable recommendation with the following amendments:

Page 7, Line 18:
following "corporation" insert ", "company" "

Page 7, Line 19:
following "corp." insert ", "co." "

Page 9, Line 16:
following "(i)" insert "the words or"

Dixie L. Leavitt,
Committee Chairman

Committee report read and adopted. On motion of Senator Leavitt, the bill was circled.

* * *

On motion of Senator Richards, under suspension of the rules, H.B. No. 114, INMATE INCOME AND EXPENSES, was read the second and third times.

Mr. President: February 5, 1990

The Judiciary Committee. to which was referred H.B. No. 114, INMATE INCOME AND EXPENSES, by Representative Grant D. Protzman, has carefully considered the bill and reports it out of committee with a favorable recommendation.

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

Barlow	Barton	Beattie	Black

Bunnell	Carling	Cornaby	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Pres. Christensen			

Absent or not voting were: Senators

Farley	Finlinson	Peterson, C.E.	Tempest

H.B. No. 114 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Rees, under suspension of the rules, **H.B. No. 213**, HEALTH FACILITY LICENSURE AND INSPECTION ACT, was read the second and third times. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, Cary	Peterson, Craig
Rees	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Finlinson	Peterson, C.E.	Richards

H.B. No. 213 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Holmgren, under suspension of the rules, **H.B. No. 148**, REQUIREMENT TO FURNISH SOCIAL SECURITY NUMBERS, was read the second and third times.

Mr. President: February 6, 1990

The Senate Social Services Standing Committee, to which was referred **H.B. No. 148**, REQUIREMENT TO FURNISH SOCIAL SECURITY NUMBERS, by Representative Lloyd Frandsen, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Boyd K. Storey,
Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 22; Nays, 3; Absent, 4

Voting in the affirmative were: Senators

Black	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Pace	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Voting in the negative were: Senators

Barlow	Myrin	Nielsen

Absent or not voting were: Senators

Barton	Beattie	Bunnell	Peterson, C.E.

H.B. No. 148 was signed by the President of the Senate in open session and returned to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 20, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, upon reconsideration, **SUB. H.B. No. 259**, TAX TECHNICAL AMENDMENTS, by Representative Valentine, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

SUB. H.B. No. 259, on reconsideration, passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barlow	Beattie	Carling	Cornaby

Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McMullin	Myrin	Nielsen
Pace	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Pres. Christensen			

Absent or not voting were: Senators

Barton	Black	Bunnell	Farley
McAllister	Money	Peterson, C.E.	Tempest

SUB. H.B. No. 259 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Leavitt, under suspension of the rules, **H.B. No. 168,** CORPORATION AND BUSINESS NAME STANDARDS, was uncircled and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Carling
Cornaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Barton	Bunnell	Peterson, Cary

H.B. No. 168, as amended, was returned to the House.

* * *

On motion of Senator Cornaby, under suspension of the rules, **H.B. No. 97,** RETIREMENT OPERATION STATUS, was read the second and third times.

Mr. President: February 6, 1990

The State and Local Affairs Committee, to which was referred H.B. No. 97, RETIREMENT OPERATION STATUS, by Representative Rob Bishop, has carefully considered the bill and reports it out of Committee with a favorable recommendation.

Craig A. Peterson,
Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Carling
Cornaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Barton	Bunnell

H.B. No. 97 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Cary Peterson, the Senate recessed at 10:10 a.m., and reassembled at 10:40 a.m.

* * *

On motion of Senator Cornaby, under suspension of the rules, H.B. No. 173, RETIREMENT OFFICE AMENDMENTS, was read the second and third times.

Mr. President: February 6, 1990

The State and Local Affairs Committee, to which was referred H.B. No. 173, RETIREMENT OFFICE AMENDMENTS, by representative Rob Bishop, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Craig A. Peterson,
Committee Chairman

Committee report read and adopted. Senators Cornaby, Holmgren, Barton, Swan, and McMullin commented. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barton	Beattie	Black	Bunnell
Carling	Cornaby	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Barlow	Farley

H.B. No. 173 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Money, under suspension of the rules, H.B. No. 140, AGRICULTURE AMENDMENTS, was read the second and third times.

Mr. President: February 8, 1990

The Energy, Natural Resources and Agriculture Standing Committee to which was referred H.B. No. 140, AGRICULTURE AMENDMENTS, by Representative Lee Allen, has carefully considered the bill and reports it out of committee with a favorable recommendation with the following amendments:

Lilac Page 9, Line 11c:
After line 11c insert the following:

"(4) This section shall not apply to any distributor who sells, leases, rents or services soft-service ice cream or yogurt machines."

Lilac Page 9, Lines 21-22:
Delete the brackets around "all representations" and delete "a representation disseminated in any manner or by any means"

Lilac Page 21, Lines 16-19a:
Delete lines 16 through 19a
Reletter remaining subsections

Lilac Page 21, Lines 21:
After "filled" insert "with packing material or air"

Page 31, Line 9:
After "obtain" delete ", at no charge to the department,"

Page 31, Line 11:
After "chapter" insert: "so long as the department pays the posted price for the sample if requested to do so and receives a signed receipt from the person from whom the sample is taken"

Fred Finlinson,
Committee Chairman

Committee report read and adopted.

On motion of Senator Money, the committee amendment on Lilac Page 9, Line 11c was deleted from the report.

On motion of Senator Money, the bill was amended as follows:

Lilac Page 9, Line 4:
After "any]" delete "including" and insert "excluding"

Lilac Page 9, Line 8:
After "renting of" delete "ice cream" and after "cabinets," delete "milk"

Lilac Page 9, Line 9:
After "or" delete "milk" after "coolers" insert "for dairy products" after "affairs" insert ", demonstrations,"

Lilac Page 9, Line 11:
Before "consecutive" delete "six" and insert "three"

Lilac Page 9, Line 11a:
After "(3)" insert "(a)"

Lilac Page 9, Line 11c:
After "distributor." insert new subsection:

"(b) Subsection (a) shall not apply to a dairy by-product that is:

(i) a short-term special; or

(ii) a new product being introduced on a trial basis for a period not to exceed 45 days."

The bill passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt (conflict)	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

H.B. No. 140, as amended, was returned to the House.

* * *

On motion of Senator Farley, under suspension of the rules, **H.C.R. No. 22,** GENDER PAY EQUITY SURVEY RESOLUTION, was read the second and third times, and passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.

Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

H.C.R. No. 22 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Cornaby, under suspension of the rules, H.B. No. 175, RETIREMENT OPTION AMENDMENTS, 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

H.B. No. 175 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Carling, under suspension fo the rules, H.B. No. 322, UTAH HOUSING FINANCE AGENCY AMENDMENTS, was read the second and third times, and passed on the following roll call:

Yeas, 26; Nays, 2; Absent, 1

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Rees

Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Voting in the negative were: Senators

Barton	McAllister

Absent or not voting was: Senator
Peterson, Craig

H.B. No. 322 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Holmgren, under suspension of the rules, **H.B. No. 232,** FEE FOR COLLECTORS OF CHILD SUPPORT REPEALED, 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

Barlow	Barton	Beattie	Black
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Bunnell	Peterson, Craig

H.B. No. 232 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Beattie, under suspension of the rules, **SUB. H.B. No. 63,** OIL AND GAS SEVERANCE TAX AMENDMENTS, was read the second and third times.

Mr. President: February 14, 1990

The Revenue and Taxation Standing Committee, to which was referred SUB. H.B. No. 63, OIL AND GAS SEVERANCE TAX AMENDMENTS, by Representative Ted D. Lewis, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Lorin N. Pace
Committee Chairman

Committee report read and adopted. The substitute bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator
Beattie

SUB. H.B. No. 63 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator McAllister, under suspension of the rules, H.B. No. 351, STATE EMPLOYEES DRUG-FREE WORKPLACE, was read the second time.

On motion of Senator McAllister, the bill was amended as follows:

Page 1, Line 22:
After line 22, insert:

"67-19-107, UTAH CODE ANNOTATED 1953"

Page 6, Line 18:
After line 18 insert a new section to read:

"Section 8. Section 67-19-107, Utah Code Annotated 1953, is enacted to read:

67-19-107. Exemptions.

Peace officers, as defined under Section 77-1a-1, acting in their official capacity as peace officers in undercover roles and assignments are exempt from the provisions of this act."

On motion of Senator Black, the bill was circled.

* * *

On motion of Senator Carling, under suspension of the rules, **H.B. No. 284**, ADMINISTRATIVE RULES REAUTHORIZATION, was read the second and third times.

On motion of Senator McAllister, the bill was amended as follows:

Lilac Page 1, Lines 21, 21a, 22:
Delete lines 21, 21a, and 22 and insert:

"(1) Utah Admin. R. 540-132 (1989), Department of Insurance, Insurance Treatment of AIDS"

The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Nielsen	Pace	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Myrin	Peterson, C.E.

H.B. No. 284, as amended, was returned to the House.

* * *

Senator Farley's motion to reconsider S.B. No. 41, UNIFORM TAX ON PERSONAL PROPERTY failed on the following roll call:

Yeas, 12; Nays, 15; Absent, 2

Voting in the affirmative were: Senators

Barlow	Black	Bunnell	Farley
Fordham	Hillyard	McMullin	Nielsen
Pace	Rees	Swan	Tempest

Voting in the negative were: Senators

Barton	Beattie	Comaby	Finlinson
Holmgren	Leavitt	McAllister	Money
Myrin	Peterson, C.E.	Peterson, Cary	Richards
Steele	Storey	Pres. Christensen	

Absent or not voting were: Senators

Carling	Peterson, Craig

* * *

On motion of Senator Hillyard, under suspension of the rules, H.B. No. 266, TAX REVIEW COMMISSION, was read the second and third times, and was circled.

* * *

On motion of Senator Barlow, under suspension of the rules, S.B. No. 195, SALT LAKE SKILLS CENTER, was read the second time. Senators, Barlow, Finlinson, Holmgren, McMullin, Hillyard, and Leavitt commented.

On motion of Senator Hillyard, the bill was placed on Second Reading Table.

* * *

On motion of Senator Beattie, under suspension of the rules, S.B. No. 272, DISCLOSURE OF VACANT LAND TRANSFER INFORMATION, was read the second time. Senators Beattie, Nielsen, and McMullin commented.

On motion of Senator McMullin, the bill was placed on Second Reading Table.

* * *

On motion of Senator Money, under suspension of the rules, H.B. No. 153, COMPENSATION FOR WILDLIFE DAMAGE, was read the second and third times.

Mr. President: February 13, 1990

The Senate Energy, Natural Resources and Agriculture Committee, to which was referred H.B. No. 153, COMPENSATION FOR WILDLIFE DAMAGE, by Representative Beverly Ann Evans, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Lilac Page 1, Line 25:
After line 25 insert the following:

"(a) "Damage" means injury or loss to livestock."

Reletter remaining subsections.

Lilac Page 2, Line 12:
After line 12, insert "(b) The division shall not pay mountain lion and bear damage claims to livestock owners who have failed to file with the Commissioner of Agriculture their completed livestock form and appropriate fee as outlined in Section 4-23-7 for the immediately preceding and current year."

Lilac Page 2, Line 13:
Delete "(b)" and insert "(c)" and after "claim" insert ", except as provided in Subsection (4)(b),"

Lilac Page 2, Lines 22a-23:
Delete "Restricted Funds of the Wildlife Resources Account" and insert "the General Fund"

Fred W. Finlinson
Committee Chairman

Committee report read and adopted. Senators Money, Black, Hillyard, Beattie, Finlinson, Cary Peterson, Swan, and Tempest commented. The bill remains as unfinished business.

RULES COMMITTEE REPORT

Mr. President: February 20, 1990

The Senate Rules Committee to which were referred the following House Bills asks that they be placed on the Second Reading Calendar:

H.B. No. 301	UTAH COLUMBUS QUINCENTENARY COMMISSION
H.B. No. 355	UTAH COORDINATE SYSTEM RECORDING AMENDMENTS
H.B. No. 311	COUNTY RECORDING OF FEDERAL LIENS
H.B. No. 212	COUNTY SURVEYOR AMENDMENTS
H.B. No. 264	DISCLOSURE OF BUDGET NOTICES
H.B. No. 159	LICENSING REQUIREMENTS OF INSURANCE AGENTS
H.B. No. 383	STATE LAND LAW AMENDMENTS
H.B. No. 176	RETIREMENT SYSTEM CREDIT TRANSFER
H.B. No. 393	POWERS OF DIVISION OF FACILITIES CONSTRUCTION AND MANAGEMENT
H.B. No. 230	COMMERCE SERVICE FUND
H.B. No. 308	TRANSPORTATION FUNDS USES
H.B. No. 328	RULEMAKING POWERS OF EXECUTIVE DIRECTORS
H.B. No. 239	PHARMACY PRACTICE ACT AMENDMENTS
H.B. No. 196	LEGAL COUNSEL FOR THE INDUSTRIAL COMMISSION AND EMPLOYERS REINSURANCE FUND
H.B. No. 263	OBTAINING CONTROLLED SUBSTANCES AMENDMENT
SUB.	
H.B. No. 268	CERTIFIED PUBLIC ACCOUNTING LICENSING ACT
SECOND SUB.	
H.B. No. 309	COUNTY ATTORNEY AMENDMENTS
H.B. No. 214	SECOND DEGREE MURDER AMENDMENT
H.B. No. 307	HEATING AND SAFETY EQUIPMENT FOR RAILROAD EMPLOYEES
H.J.R. No. 40	RESOLUTION URGING FEDERAL EARTHQUAKE PROJECT STUDY

C.E. Peterson,
Rules Committee Chairman

Committee report read and adopted. The bills were placed on Second Reading Calendar.

* * *

On motion of Senator McMullin, and at 12:00 noon, the Senate recessed.

AFTERNOON SESSION

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

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 20, 1990

I am directed to inform the Senate that the Speaker has signed in open session, S.B. No. 18, DISCLOSURE OF PSYCHOLOGICALLY IMPACTED PROPERTY, by Senator Beattie, and the same is 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 SUB. S.B. No. 49, NONCONFORMING USERS AMENDMENTS, 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. 164, SPECIAL FUEL TAX AMENDMENT, by Senator Craig A. 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. 246, MEAT AND POULTRY PRODUCTS INSPECTION 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, SUB. S.B. No. 198, OPERATOR ASSISTED SERVICES REQUIREMENTS, by Senator K.S.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. 120, MOTOR VEHICLE BUSINESS ACT 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 passed S.J.R. No. 19, RESOLUTION HONORING FRANK C. CARMAN, by

Senator Omar B. Bunnell, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 148, CURATION OF ARCHAEOLOGICAL AND PALEONTOLOGICAL SPECIMENS, by Senator Stephen J. Rees, 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, SUB. S.B. No. 10, HOMEOWNERS AND AUTO INSURANCE COMPARISON TABLE, by Senator Lane Beattie, 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. 73, LIABILITY EXEMPTION FOR SKI PATROL, by Senator Lane Beattie, and the same is 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. 155, ADULT ABUSE DATA BASE, by Senator Winn L. Richards, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 188, SUBCONTRACTOR OIL AND GAS MECHANICS LIEN LAW, by Senator Alarik Myrin, 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 SUB. S.B. No. 215, SUBPOENA POWERS ACT AMENDMENT, by Senator Richard J. 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 receded from its amendments and passed S.B. No. 123, PHYSICIAN ASSISTANT LICENSING ACT, by Senator Richard J. 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, Chief Clerk

S.B. No. 18, SUB. S.B. No. 49, S.B. Nos. 164, 246, SUB. S.B. No. 198, S.B. No. 120, S.J.R. No. 19, S.B. No. 148, SUB. S.B. No. 10, S.B. Nos. 73, 123, 155, 188 and SUB. S.B. No. 215 were signed by the President of the Senate in open session,

referred to Rules Committee to be enrolled and transmitted to the Governor, and S.J.R. No. 19 to the Lieutenant Governor..

* * *

Dear President: February 20, 1990

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 SUB. H.B. No. 1, POLITICAL CONTRIBUTION DISCLOSURE, by Representative Robert A. Slack, and 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.J.R. No. 9, STRATEGIC PLANNING COMMITTEE RESOLUTION by Representative Kim R. 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 adopted the Joint Conference Committee Report as of February 19, 1990, and passed H.B. No. 16, REAL ESTATE LICENSURE CONTINUING EDUCATION REQUIREMENTS, by Representative Bradford, 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 H.B. No. 98, HUMAN RESOURCE MANAGEMENT AND GROUP INSURANCE AMENDMENTS, by Representative Bishop, and 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. 100, TELEPHONE FRAUD, by Representative LeBaron, and 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 SUB. H.B. No. 161, ASBESTOS ABATEMENT IN THE PUBLIC SCHOOLS, by Representative Richard J. Bradford, and 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. 281, JUDICIAL CONDUCT COMMISSION AMENDMENTS, by Representative Bodily, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Chief Clerk

SECOND SUB. H.B. No. 1, H.J.R. No. 9, H.B. Nos. 16, 98, 100, SUB. H.B. No. 161 and H.B. No. 281 was signed by the President of the Senate in open session and returned to the House.

* * *

Mr. President: February 20, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **S.B. No. 203**, AFTERMARKET CRASH PARTS ACT, by Senator C.E. Peterson, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, 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, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barton	Beattie	Bunnell	Carling
Cornaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Barlow	Black	Peterson, Craig

S.B. No. 203 was transmitted to the House.

* * *

Mr. President: February 20, 1990

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. 121, MASSAGE PRACTICE ACT, by Senator Richard Carling, and has appointed a Conference Committee consisting of Representatives H. Hunter, R. Bishop, and Ted Lewis to act with a like Committee from the Senate on this bill.

Carole E. Peterson, Chief Clerk

President Christensen appointed a conference committee consisting of Senators Carling, Richards, and Tempest.

S.B. No. 121 was returned to the House.

SECOND READING CALENDAR

H.B. No. 153, COMPENSATION FOR WILDLIFE DAMAGE, was before the Senate as unfinished business. Senators Beattie, Swan, Hillyard, Bunnell, Finlinson, Black and Money commented.

On motion of Senator Hillyard, the bill was amended as follows:

Lilac Page 2, Lines 22a–23:
Delete the committee amendments.

Senator Finlinson's motion on Lilac Page 1, Line 28a to insert after "mountain lion" the words "on private lands" failed on a standing vote.

On motion of Senator Beattie, the bill was amended as follows:

Lilac Page 1, Line 29:
After "for" insert "50 percent of"

The bill passed on the following roll call:

Yeas, 20; Nays, 5; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Farley	Hillyard	Holmgren
Leavitt	McMullin	Money	Myrin
Nielsen	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Richards	Steele	Storey	Pres. Christensen

Voting in the negative were: Senators

Carling	Cornaby	Finlinson	Fordham
McAllister			

Absent or not voting were: Senators

Pace	Rees	Swan	Tempest

* * *

On motion of Senator Hillyard, under suspension of the rules, **H.B. No. 266**, TAX REVIEW COMMISSION, was uncircled, and passed on the following roll call:

Yeas, 18; Nays, 3; Absent, 8

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Fordham
Hillyard	Holmgren	Leavitt	Money
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Storey
Swan	Pres. Christensen		

Voting in the negative were: Senators

Barton	Finlinson	McAllister

Absent or not voting were: Senators

McMullin	Myrin	Nielsen	Pace
Rees	Richards	Steele	Tempest

H.B. No. 266 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator McAllister, **H.B. No. 351**, STATE EMPLOYEES DRUG-FREE WORKPLACE, was uncircled. Senator Swan and Cornaby commented.

On motion of Senator McAllister, the bill was amended as follows:

Lilac Page 3, Line 22:
After "drug testing" insert "and test results"

Lilac Page 5, Line 1:
After "by a" insert "federally certified and licensed" and after

"physician," insert "federally certified and licensed" and after "facility" insert "federally certified and"

Lilac Page 5, Line 6:
After line 6 insert "(3) A physician, medical clinic, or testing facility may not be held liable in any civil action for:

(a) performing or failing to perform a test under this section;

(b) issuing or failing to issue a test result under this section; or

(c) acting or omitting to act in any other way in good faith under this section."

Lilac Page 5, Line 25:
After "effectively" insert "as defined by rule under Subsection 67-19-102(4)"

The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Fordham
Holmgren	Leavitt	McAllister	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Farley	Finlinson	Hillyard	McMullin
Storey			

* * *

On motion of Senator Cornaby, under suspension of the rules, H.B. No. 301, UTAH COLUMBUS QUINCENTENARY COMMISSION, 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

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Fordham
Holmgren	Leavitt	McAllister	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Barton	Finlinson	Hillyard	McMullin
Storey			

H.B. No. 301 was signed by the President of the Senate in open session and returned to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 20, 1990

I am directed to inform the Senate that the House of Representative has this day passed, as amended, **H.B. No. 53**, DOMESTIC VIOLENCE PROGRAMS, by Representative Joanne R. Milner, 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. 178**, FUNDING FOR LIBRARIES IN HIGHER EDUCTION INSTITUTIONS, by Representative Martin R. Stephens, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.B. No. 53 and **H.B. No. 178**, were read the first time and referred to Rules Committee.

* * *

On motion of Senator C.E. Peterson, under suspension of the rules, **H.B. No. 355**, UTAH COORDINATE SYSTEM RECORDING AMENDMENTS, was read the second and third time and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Fordham	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Rees	Richards
Steele	Storey	Swan	Pres. Christensen

Absent or not voting were: Senators

Finlinson	Hillyard	Pace	Peterson, Craig
Tempest			

H.B. No. 355 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Carling, under suspension of the rules, **H.B. No. 311**, COUNTY RECORDING OF FEDERAL LIENS, 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Fordham	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Rees	Richards
Steele	Storey	Swan	Pres. Christensen

Absent or not voting were: Senators

Finlinson	Hillyard	Pace	Peterson, Craig
Tempest			

H.B. No. 311 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator McAllister, **H.B. No. 212**, COUNTY SURVEYOR AMENDMENTS, was read the second and third times. Senators Black, Bunnell, and Cary Peterson commented.

Mr. President: February 9, 1990

The State and Local Affairs Committee, to which was referred **H.B. No. 212**, COUNTY SURVEYOR AMENDMENTS, by Representative Wilson, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Craig A. Peterson,
Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Barlow	Beattie	Bunnell	Carling
Cornaby	Farley	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Pres. Christensen			

Voting in the negative was: Senator
Black

Absent or not voting were: Senators

Barton	Finlinson	Tempest

H.B. No. 212 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Storey, under suspension of the rules, **H.B. No. 264**, DISCLOSURE OF BUDGET NOTICES, 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

Barlow	Beattie	Black	Bunnell
Carling	Comaby	Farley	Fordham
Hillyard	Holmgren	Leavitt	McMullin
Money	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barton	Finlinson	McAllister	Myrin

H.B. No. 264 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Leavitt, under suspension of the rules, **H.B. No. 159,** LICENSING REQUIREMENTS OF INSURANCE AGENTS, was read the second and third times. Senator Barlow commented.

On motion of Senator Steele, the bill was amended as follows:

Lilac Page 2, Lines 10e and 10f:
After "PROVISIONS" insert a period and delete remaining language.

The bill passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Barlow (conflict)	Barton	Beattie	Black
Bunnell	Carling	Comaby	Farley
Fordham	Hillyard	Holmgren	Leavitt (conflict)
McMullin	Money	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Rees	Richards
Steele (conflict)	Storey	Swan	Tempest
Pres. Christensen			

Voting in the negative was: Senator
McAllister

Absent or not voting were: Senators

Finlinson	Myrin	Peterson, Craig

H.B. No. 159, as amended, was returned to the House.

* * *

The Senate recessed at 4:15 p.m. and reassembled at 4:35 p.m.

* * *

On motion of Senator Finlinson, under suspension of the rules, **H.B. No. 383**, STATE LAND LAW AMENDMENT, was read the second and third times, and circled.

* * *

On motion of Senator Cornaby, under suspension of the rules, **H.B. No. 176**, RETIREMENT SYSTEM CREDIT TRANSFER, was read the second and third times.

Mr. President: February 14, 1990

The State and Local Affairs Committee, to which was referred **H.B. No. 176**, RETIREMENT SYSTEM CREDIT TRANSFER, by Representative Harward, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Craig A. Peterson,
Committee Chairman

Committee reports read and adopted. The bill passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9

Voting in the affirmative were: Senators

Barlow	Barton	Black	Cornaby
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	Money	Myrin
Nielsen	Pace	Peterson, Craig	Richards
Steele	Storey	Swan	Pres. Christensen

Absent or not voting were: Senators

Beattie	Bunnell	Carling	Farley

McMullin Peterson, C.E. Peterson, Cary Rees
Tempest

H.B. No. 176 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Money, under suspension of the rules, H.B. No. 393, POWERS OF DIVISION OF FACILITIES CONSTRUCTION AND MANAGEMENT, was read the second and third times and passed on the following roll call:

Yeas, 17; Nays, 2; Absent, 10

Voting in the affirmative were: Senators

Barlow	Barton	Black	Cornaby
Finlinson	Fordham	Hillyard	Holmgren
Money	Myrin	Pace	Peterson, Craig
Richards	Steele	Storey	Swan
Pres. Christensen			

Voting in the negative were: Senators

McAllister (exp.) Nielsen

Absent or not voting were: Senators

Beattie	Bunnell	Carling	Farley
Leavitt	McMullin	Peterson, C.E.	Peterson, Cary
Rees	Tempest		

H.B. No. 393 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Cornaby, under suspension of the rules, H.B. No. 119, LICENSURE OF YOUTH SERVICES PROGRAMS, was uncircled, and amended as follows:

Lilac Page 4, Line 20a:
After "parents" insert "or" and after "guardians" delete "; or"

Lilac Page 4, Line 20b:
Delete "friends"

Lilac Page 4, Line 21:
Delete "outside the program"

Lilac Page 4, Line 22a:
Delete "right or"

Norman G. Angus, Social Services, Executive Director, spoke in Committee of the Whole. Senators Cornaby, Leavitt, Steele, McAllister, Holmgren, Barton, and Black commented. The bill passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 7

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Cornaby	Fordham	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Pace	Peterson, Cary	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Voting in the negative was: Senator
Peterson, Craig

Absent or not voting were: Senators

Bunnell	Farley	Finlinson	Hillyard
Nielsen	Peterson, C.E.	Rees	

H.B. No. 119, as amended was returned to the House.

APPOINTMENTS BY THE HONORABLE NORMAN H. BANGERTER GOVERNOR, STATE OF UTAH

President Christensen and Senate Members: February 6, 1990

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

CORRECTIONS

Board of Pardons

Alan E. Keller appointed to the Board of Pardons replacing Gary Judkins for a term expiring July 1, 1993. Section 77–27–2, Utah Code Annotated, 1953.

HIGHER EDUCATION

State Board of Regents

Evelyn Lee Appointed to the State Board of Regents replacing Donald B. Holbrook for a term expiring June 30, 1993. Section 53–48–5, Utah Code Annotated, 1953.

COMMUNITY AND ECONOMIC DEVELOPMENT

Utah Sports Authority

Jerry Atkin appointed to the Utah Sports Authority for a term expiring January 1, 1992. Section 62–1–101, Utah Code Annotated, 1953.

Ian Cumming appointed to the Utah Sports Authority for a term expiring January 1, 1992. Section 62–1–101, Utah Code Annotated, 1953.

Randy Dryer appointed to the Utah Sports Authority for a term expiring January 1, 1994. Section 62–1–101, Utah Code Annotated, 1953.

Phyllis White appointed to the Utah Sports Authority for a term expiring January 1, 1994. Section 62–1–101, Utah Code Annotated, 1953.

Clifford Goff appointed to the Utah Sports Authority for a term expiring January 1, 1994. Section 62–1–101, Utah Code Annotated, 1953.

Paul Barber appointed to the Utah Sports Authority for a term expiring January 1, 1992. Section 62–1–101, Utah Code Annotated, 1953.

Jim Young appointed to the Utah Sports Authority for a term expiring January 1, 1992. Section 62–1–101, Utah Code Annotated, 1953.

Carol Thorne appointed to the Utah Sports Authority for a term expiring January 1, 1994. Section 62–1–101, Utah Code Annotated, 1953.

David Adams appointed to the Utah Sports Authority for a term expiring January 1, 1992. Section 62–1–101, Utah Code Annotated, 1953.

Alan Lipman appointed to the Utah Sports Authority for a term expiring January 1, 1992. Section 62-1-101, Utah Code Annotated, 1953.

Scott Nelson appointed to the Utah Sports Authority for a term expiring January 1, 1994. Section 62-1-101, Utah Code Annotated, 1953.

Francis Suitter appointed to the Utah Sports Authority for a term expiring January 1, 1992. Section 62-1-101, Utah Code Annotated, 1953.

Stan Parrish appointed to the Utah Sports Authority for a term expiring January 1, 1994. Section 62-1-101, Utah Code Annotated, 1953.

Dr. E. Marlow Goble appointed to the Utah Sports Authority for a term expiring January 1, 1994. Section 62-1-101, 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.

Norman H. Bangerter,
Governor

Communications filed.

On motion of Senator Myrin, the Senate voted to consent to the appointments listed on the communications dated February 6, 1990, on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Cornaby	Finlinson	Fordham
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Bunnell	Farley	Hillyard	Nielsen

SECOND READING CALENDAR

On motion of Senator Money, **H.B. No. 153**, COMPENSATION FOR WILDLIFE DAMAGE, was before the Senate for reconsideration.

On motion of Senator Money, the bill was amended as follows:

Lilac Page 2, Line 22:
After "$50,000" delete remainder of line

Lilac Page 2, Line 23:
Delete "This"

Lilac Page 2, Line 24:
Delete entirely

The bill passed on the following roll call:

Yeas, 18; Nays, 8; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Fordham	Hillyard	Leavitt	McMullin
Money	Myrin	Nielsen	Peterson, C.E.
Peterson, Cary	Rees	Richards	Steele
Storey	Pres. Christensen		

Voting in the negative were: Senators

Black	Carling	Cornaby	Finlinson
McAllister	Pace	Swan	Tempest

Absent or not voting were: Senators

Farley	Holmgren	Peterson, Craig

H.B. No. 153, as amended, was returned to the House.

* * *

On motion of Senator Beattie, under suspension of the rules, **H.B. No. 230**, COMMERCE SERVICE FUND, 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Finlinson
Fordham	Hillyard	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Farley	Holmgren

H.B. No. 230 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Finlinson, under suspension of the rules, **H.B. No. 383**, STATE LAND LAW AMENDMENTS, was uncircled. Senators Finlinson, Christensen, Swan, and Leavitt commented. Senator Carling is presiding.

On motion of Senator Finlinson, the bill was amended as follows:

White Page 9, Lines 21–25:
Insert all deleted language

Lilac Page 14, Line 9:
Insert "(c) Rights under leases entered into prior to January 1, 1988 shall not be abridged with respect to rights of purchase."

Lilac Page 15, Line 4:
Insert "(d)" delete "(c)"

Lilac Page 15, Line 9:
Insert "(e)" delete "(d)"

The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator
Farley

H.B. No. 383, as amended, was returned to the House.

* * *

On motion of Senator Hillyard, under suspension of the rules, S.B. No. 235, UTAH HEALTH DATA COMMITTEE, was lifted from Third Reading Table and before the Senate. Senators C.E. Peterson, Holmgren, Barton, and Rees commented.

On motion of Senator Barton, the bill was amended as follows:

Goldenrod Page 3, Line 5:
After "payor," insert "health maintenance organization,"

Goldenrod Page 4, Line 8:
After line 8 insert

"(8) Health maintenance organization" has the meaning set forth in Section 31-8-101(5)."

Renumber remaining subsections accordingly

Page 5, Lines 9-10:
Delete "any health maintenance organization, as defined by Subsection 31A-8-101(5)."

Page 5, Line 21:
Delete "nine" and insert "eleven"

Page 6, Line 13:
Delete "one person" and insert "three persons"

Page 6, Line 14:
After "employees" insert ", at least one of whom represents an employer employing fifty or fewer employees"

Page 6, Line 15:
After "payor" insert "that is not licensed under Chapter 8, Title 31A"

Page 6, Line 16:
Delete "consumers" and insert "consumer representatives from organized consumer or employee associations" and delete "and"

Page 6, Line 17:
Delete "two other persons" and insert "one person"

Page 6, Line 18:
Delete the period and insert "; and"

Page 6, Line 18:
After line 18 insert

"(viii) one person employed by or associated with an organization which is licensed under Chapter 8, Title 31A."

Page 6, Line 19:
Delete "three" and insert "four"

Page 6, Line 20:
Delete "three" and insert "four"

Page 7, Line 8:
Delete "Five" and insert "Six"

The bill passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Comaby	Finlinson
Hillyard	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace

Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest			

Voting in the negative was: Senator Fordham

Absent or not voting were: Senators

Farley	Holmgren	Pres. Christensen

S.B. No. 235, as amended, was transmitted to the House.

RULES COMMITTEE REPORT

Mr. President: February 20, 1990

The Senate Rules Committee to which were referred the following Senate Bills:

S.B. No. 259 FINANCING FOR THE HEBER CREEPER
S.B. No. 239 WATER AND SEWER SERVICE DELINQUENCIES
ask that they be printed and placed at the top of the Second Reading Calendar.

C.E. Peterson,
Rules Committee Chairman

Committee report read and adopted. **S.B. No. 259** and **S.B. No. 239** were placed on Second Reading Calendar, and

* * *

Mr. President: February 20, 1990

The Senate Rules Committee to which was referred the following Senate Bill:

S.B. No. 269 MERGER OF THE DIVISION OF MENTAL HEALTH
asks that it be printed and placed on the Second Reading Calendar.

Paul T. Fordham,
Committee member

Committee report read and adopted. **S.B. No. 269** was placed on Second Reading Calendar.

SECOND READING CALENDAR

On motion of Senator Cary Peterson, under suspension of the rules, **H.B. No. 308**, TRANSPORTATION FUNDS USERS, was read the second time. Senators Craig Peterson, Myrin, Hillyard, Fordham, Storey, Black, C.E. Peterson, Holmgren, Money, McMullin and Rees commented. The bill passed on the following roll call:

Yeas, 20; Nays, 7; Absent, 2

Voting in the affirmative were: Senators

Barlow	Beattie	Bunnell	Carling
Farley	Finlinson	Fordham	Holmgren
Leavitt	McAllister	Myrin (exp.)	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Richards
Steele	Storey	Swan	Tempest

Voting in the negative were: Senators

Black	Cornaby	Hillyard	McMullin
Money	Peterson, Craig	Rees	

Absent or not voting were: Senators

Barton	Pres. Christensen

* * *

On motion of Senator McAllister, under suspension of the rules, **SECOND SUB. S.B. No. 72**, BICYCLE PATHS AND TRAILS DEVELOPMENT was lifted from Third Reading Table and read the third time.

On motion of Senator McAllister, the bill was amended as follows:

Salmon Page 1, Line 18:
Delete "$750,000" and insert "$40,000"

Salmon Page 6, Line 16:
Delete "$750,000" and insert "$40,000"

The second substitute bill passed on the following roll call:

Yeas, 24; Nays, 3; Absent, 2

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell

Cornaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Steele
Storey	Swan	Tempest	Pres. Christensen

Voting in the negative were: Senators

Barton	Nielsen	Richards

Absent or not voting were: Senators

Carling	Rees

SECOND SUB. S.B. No. 72, as amended, was transmitted to the House.

RULES COMMITTEE REPORT

Mr. President: February 20, 1990

The Senate Rules Committee to which were referred the following House Bills asks that they be placed on the Second Reading Calendar:

H.B. No. 468	EDUCATIONAL TECHNOLOGY IN PUBLIC AND HIGHER EDUCATION
H.B. No. 450	RETIREMENT CONTRIBUTION RATES
H.B. No. 223 SUB.	NOTARIES PUBLIC BONDING AMENDMENTS
H.B. No. 91	MINIMUM FINES FOR OVERWEIGHT VEHICLES
H.J.R. No. 30	TAX RECODIFICATION COMMISSION PROPERTY TAX POLICY
H.J.R. No. 31	TAX RECODIFICATION COMMISSION INCOME TAX POLICY
H.J.R. No. 32	TAX RECODIFICATION COMMISSION SALES AND USE TAX POLICY
H.B. No. 30 SUB.	REPEAL OF UTAH CONSERVATION AND RESEARCH FOUNDATION
H.B. No. 149 SUB.	IMMEDIATE INCOME WITHHOLDING
H.B. No. 150	REVIEW AND MODIFICATION OF CHILD SUPPORT GUIDELINES
H.B. No. 349	HEALTH INSURANCE FOR DEPENDENT CHILDREN
H.B. No. 352	LIABILITY FOR MEDICAL EXPENSES FOR CHILDREN
H.B. No. 169	DUI ALCOHOL AND DRUG TESTING FEE

H.B. No. 185	PROCEDURAL AMENDMENTS TO THE NONPROFIT AND BUSINESS CORPORATIONS ACTS
SUB. H.B. No. 401	AMENDMENTS TO STATE GOVERNMENT
H.B. No. 297	RULES OF CRIMINAL PROCEDURE CITATIONS
H.B. No. 382	ALTERNATIVE CERTIFICATION
H.B. No. 250	METALLIFEROUS SEVERANCE TAX AMENDMENTS

C.E. Peterson,
Rules Committee Chairman

Committee report read and adopted. The bills were placed on Second Reading Calendar.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 20, 1990

I am directed to inform the Senate that the House of Representatives has this day passed S.J.R. No. 26 SPECIAL DISTRICT RESOLUTION, by Senator Nielsen, 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. 12, RESOLUTION URGING LAND TRADE IN TRAPPERS LOOP AREA, 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, and

I am directed to inform the Senate that the House of Representatives has this day passed S.J.R. No. 32, INDIAN AFFAIRS RESOLUTION, by Senator Myrin, 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. 44, SALES TAX EXEMPTION FOR POLLUTION CONTROL FACILITIES, by Senator Cary 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. 82, AMENDMENTS TO EMPLOYMENT SECURITY ACT, by Senator Richard B. Tempest, 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. 203, AFTERMARKET CRASH PARTS ACT, 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 House of Representatives has this day passed S.B. No. 226, YOUTH CORRECTIONS PAROLE VIOLATIONS AMENDMENTS, by Senator K.S. Cornaby, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed SUB. S.B. No. 271, MOTOR VEHICLE INSPECTIONS, 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.

Carole E. Peterson, Chief Clerk

S.J.R. No. 26, S.C.R. No. 12, S.J.R. No. 32, S.B. Nos. 44, 82, 203, 226 and SUB. S.B. No. 271 were signed by the President of the Senate in open session, referred to Rules Committee to be enrolled and transmitted to the Governor or Lt. Governor.

* * *

On motion of Senator Swan, under suspension of the rules, S.B. No. 218, RURAL FIRE PROTECTION APPARATUS FUND, was lifted from Third Reading Table, and read the third time.

On motion of Senator Swan, the bill was amended as follows:

Page 1, Line 13:
Delete "$500,000" and insert "$10,000"

Page 3, Line 14:
Delete "$500,000" and insert "$10,000"

The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister

McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Barton	Cornaby	Storey

S.B. No. 218, as amended, was transmitted to the House.

* * *

On motion of Senator Leavitt, under suspension of the rules, S.B. No. 24, PURCHASING PRACTICES IN PUBLIC AND HIGHER EDUCATION, was lifted from Third Reading Table and read the third time.

On motion of Senator Leavitt, the bill was amended as follows:

Page 2, Line 9:
Delete "four" and insert "one"

The bill passed on the following roll call:

Yeas, 20; Nays, 3; Absent, 6

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Cornaby	Farley	Finlinson	Fordham
Leavitt	McAllister	McMullin (exp.)	Money
Nielsen	Pace	Peterson, Craig	Rees
Steele	Storey	Swan	Pres. Christensen

Voting in the negative were: Senators

Hillyard	Peterson, C.E.	Richards

Absent or not voting were: Senators

Barton	Carling	Holmgren	Myrin
Peterson, Cary	Tempest		

S.B. No. 24, as amended, was transmitted to the House.

* * *

On motion of Senator McAllister, under suspension of the rules, H.B. No. 328, RULEMAKING POWERS OF EXECUTIVE DIRECTORS, was read the second time.

On motion of Senator McAllister, the bill was amended as follows:

Page 2240, Line 12:
After line 12 insert:

"(1) The provisions of this act that places rulemaking authority with the department executive director and that makes reference to the rulemaking powers of the department or board supersede any conflicting provisions enacted at the 1990 General Session of the Legislature

(2) The provisions of this act are superseded by any conflicting powers enacted at the 1990 General Session of the Legislature that retains or clarifies references to federal regulations."

Douglas F. Bates, with the State Land Board spoke in Committee of the Whole. Senators McAllister, Black, Steele, C.E. Peterson, Myrin, Beattie, Money, Swan, and Leavitt commented.

The bill passed on the following roll call:

Yeas, 18; Nays, 9; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Fordham
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Rees	Storey
Tempest	Pres. Christensen		

Voting in the negative were: Senators

Bunnell	Carling	Cornaby	Farley
Finlinson	Peterson, Craig	Richards	Steele
Swan			

Absent or not voting were: Senators

Black	Hillyard

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 20, 1990

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. 312**, AUTHORITY TO ACCEPT BONDS FROM INDIAN TRIBES FOR WATER PROJECTS, by Representative David M. Adams, and 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.C.R. No. 8**, ROCKY MOUNTAIN TOBACCO-FREE CHALLENGE RESOLUTION, by Representative Lloyd 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. 140**, AGRICULTURE AMENDMENTS, by Representative Lee Allen, and 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. 168**, CORPORATION AND BUSINESS NAME STANDARDS, by Representative Nancy S. Lyon, and 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. 284**, ADMINISTRATIVE RULES REAUTHORIZATION, by Representative Byron L. Harward, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Chief Clerk

H.B. No. 312, H.C.R. No. 8, H.B. No. 140, H.B. No. 168 and **H.B. No. 284** were signed by the President of the Senate in open session and returned to the House.

* * *

S.J.R. No. 34 was placed on Third Reading Table.

* * *

On motion of Senator McMullin, and at 7:00 p.m., the Senate adjourned until 8:00 a.m., Wednesday, February 21, 1990.

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 Lyle W. Hillyard.

Reading of Title of Bills and Resolutions
(Please refer to Day 1, Page 106)

DAILY SENATE JOURNAL

Mr. President: February 21, 1990

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.

Paul T. Fordham,
Committee Member

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 20, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, SUB. H.B. No. 474, SCHOOL BOARD LEEWAY, by Representative David M. Adams, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

SUB. H.B. N. 474, was read the first time. On motion of Senator C.E. Peterson, the substitute bill was placed on Second Reading Calendar.

* * *

Mr. President: February 20, 1990

I am directed to inform the Senate that the House of Representatives has this day passed S.C.R. No. 14, RESOLUTION RECOGNIZING THE COREY BRONSON FAMILY, by Senator John P. Holmgren, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 54, GREAT SALT LAKE DEVELOPMENT AUTHORITY ACT AMENDMENTS, by Senator Farley, 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. 64, JUDGES' RETIREMENT BENEFIT ENHANCEMENTS, by Senator K.S.Cornaby, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed SUB. S.B. No. 88, SMALL CLAIMS COURT AMENDMENTS, by Senator William T. Barton, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 223, UNCLAIMED PROPERTY ACT AMENDMENTS, by Senator Craig Peterson 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, Chief Clerk

S.C.R. No. 14, S.B. No. 54, S.B. No. 64, SUB. S.B. No. 88 and S.B. No. 223 were signed by the President of the Senate in open session, referred to Rules Committee to be enrolled and transmitted to the Governor.

* * *

Mr. President:

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, S.B. No. 147, UNLAWFUL USE OF FIREARMS, by Senator Richard J. Carling, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, 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, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Holmgren	Leavitt	McAllister

Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Comaby	Hillyard	McMullin	Money

S.B. No. 147, was transmitted to the House.

* * *

Mr. President: February 20, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, SUB. H.B. No. 110, SEVERANCE TAX INCENTIVES, by Representatives Davis M. Adams, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

SUB. H.B. No. 110, was read the first time and referred to Rules Committee.

RULES COMMITTEE REPORT

Mr. President: February 20, 1990

The Senate Rules Committee to which were referred the following House Bills and Resolution asks that they be placed on the Second Reading Calendar:

H.B. No. 229	BOARD OF STATE HISTORY AMENDMENTS
H.B. No. 233	ARCHAEOLOGICAL, PALEONTOLOGICAL, AND HISTORIC SITE VANDALISM PROTECTION ACT
H.B. No. 234 SUB.	HISTORIC AND CULTURAL SITES PROTECTION
H.B. No. 73	SHARED FOREIGN SALES CORPORATIONS
H.B. No. 77	ENFORCEMENT OF NEW MOTOR VEHICLES WARRANTIES
H.B. No. 101	UTAH SUBSTANCE ABUSE COUNCIL
H.B. No. 251	PROSECUTOR AMENDMENTS
H.B. No. 235	CREDIT REPORTING AMENDMENTS
H.B. No. 391	COURT COMMISSIONER AMENDMENTS
H.B. No. 454	BAIL COMMISSIONER AMENDMENTS
H.B. No. 43	UTAH FIT PREMISES ACT

SUB.
H.B. No. 24 HANDICAPPED SERVICES TASK FORCE
H.B. No. 265 STATE ARTS ENDOWMENT
H.B. No. 177 ARMORY AND ARSENAL BUILDING LEASES
H.B. No. 387 COURT FUNDS AND INTEREST
SUB.
H.B. No. 334 ESCROW ACCOUNT PROVISIONS
H.B. No. 167 NOTARIES PUBLIC REFORM ACT AMENDMENTS
SUB.
H.B. No. 276 MOTOR RIDER EDUCATION ACT
SUB.
H.B. No. 330 PURCHASE OF RECYCLED PAPER
H.B. No. 396 UNAUTHORIZED RELEASE OF ANIMALS
H.B. No. 332 CONTRABAND IN CORRECTIONAL FACILITIES
H.B. No. 335 CHILD ABUSE AMENDMENTS
H.C.R. No. 16 EARTH DAY 1990 RESOLUTION
H.B. No. 476 COURT FEES
H.B. No. 388 PRIVATE PROBATION PROVIDER LICENSING ACT

C.E. Peterson,
Rules Committee Chairman, and

The Senate Rules Committee to which were referred the following House Bills asks that they be placed on the Second Reading Calendar:

H.B. No. 414 LIMITED GUARDIANSHIP FOR STATE TRAINING SCHOOL RESIDENTS
H.B. No. 456 COMPETENCY EVALUATION AMENDMENTS

C.E. Peterson,
Rules Committee Chairman

Committee reports read and adopted. The bills were placed on Second Reading Calendar.

THIRD READING CALENDAR

On motion of Senator McAllister, H.B. No. 351, STATE EMPLOYEES DRUG-FREE WORKPLACE, was read the third time, and circled.

* * *

On motion of Senator Cary Peterson, H.B. No. 308, TRANSPORTATION FUND USES, was read the third time, and circled.

* * *

On motion of Senator Cary Peterson, H.B. No. 328, RULEMAKING POWERS OF EXECUTIVE DIRECTORS, was read the third time, and circled.

SECOND READING CALENDAR

On motion of Senator Cary Peterson, SUB. H.B. No. 474, SCHOOL BOARD LEEWAY, was read the second time, and circled.

* * *

On motion of Senator Myrin, under suspension of the rules, S.B. No. 259, FINANCING FOR THE HEBER CREEPER, was read the second and third times, and passed on the following roll call:

Yeas, 19; Nays, 9; Absent, 1

Voting in the affirmative were: Senators

Beattie	Black (exp.)	Bunnell	Fordham
Hillyard	Holmgren	Leavitt	McMullin
Money	Myrin	Pace	Peterson, C.E.
Peterson, Cary	Rees	Richards	Steele
Storey	Swan	Pres. Christensen	

Voting in the negative were: Senators

Barlow	Barton (exp.)	Carling	Cornaby
Farley	Finlinson	McAllister	Peterson, Craig
Tempest			

Absent or not voting was: Senator
Nielsen

S.B. No. 259, was transmitted to the House.

* * *

On motion of Senator Cary Peterson, under suspension of the rules, the Senate voted to consider all bills on the Calendar this day as read for the second and third times, unless otherwise moved.

* * *

On motion of Senator Rees, under suspension of the rules, S.B. No. 239, WATER SEWER SERVICE DELINQUENCIES, was read the second and third times. Senators Craig Peterson, Beattie, Storey, and Finlinson commented.

On motion of Senator Rees, the bill was amended as follows:

Page 3, Lines 24–25:
Delete the brackets and reinstate the language on lines 24 and 25

Page 4, Lines 1–6:
Delete the brackets and reinstate the language on lines 1 through 6

Page 4, Lines 7–8:
Delete the brackets and reinstate "delinquent sewer charges" and delete "customer and is a personal liability for the customer and may not be placed as lien on the customer's property" and after the period insert "However, when the customer is a renter of residential property any unpaid and delinquent charges are a personal liability for the customer and may not be placed as a lien on the property."

The bill failed on the following roll call:

Yeas, 14; Nays, 10; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Holmgren	Leavitt	McMullin	Myrin
Nielsen	Peterson, C.E.	Peterson, Cary	Rees
Swan	Pres. Christensen		

Voting in the negative were: Senators

Black	Carling	Cornaby	Farley
Finlinson	McAllister	Money	Peterson, Craig
Storey	Tempest		

Absent or not voting were: Senators

Fordham	Hillyard	Pace	Richards
Steele			

S.B. No. 239 was filed.

* * *

On motion of Senator Holmgren, under suspension of the rules, S.B. No. 269, MERGER OF THE DIVISION OF MENTAL HEALTH AND THE DIVISION OF SUBSTANCE ABUSE, was read the second and third times. On motion of Senator Cornaby, the bill was circled.

* * *

On motion of Senator Cary Peterson and at 8:55 a.m., the Senate recessed for Republican Party Caucus. The Senate reassembled at 10:00 a.m.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives has this day passed H.B. No. 370, RADON CERTIFICATION, by Representative Rush, and the 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. 34, VOCATION-TECHNICAL EDUCATION FUNDING RESOLUTION, by Representative LeBaron, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.B. No. 340 and H.J.R. No. 34, were read the first time and referred to Rules Committee.

* * *

Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 52, GROUP CRIMINAL ACTIVITY PENALTIES, by Senator Paul T. Fordham, 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. 56, DAM SAFETY AMENDMENTS, by Senator Frances Farley, et al, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Chief Clerk

S.B. No. 52 and S.B. No. 56 were signed by the President of the Senate in open session, referred to Rules Committee to be enrolled and transmitted to the Governor.

JOINT CONFERENCE COMMITTEE REPORT
(S.B. No. 121, MASSAGE PRACTICE ACT)

Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended by the Joint Conference Committee Report as of February 20, 1990, S.B. No. 121, MASSAGE PRACTICE ACT, by Senator Carling, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

Mr. Speaker and President: February 20, 1990

You Conference Committee, consisting of Senators Carling and Richards, and Representatives R. Haze Hunter, Lewis and Bishop to which was referred S.B. No. 121, MASSAGE PRACTICE ACT, by Senator Carling, begs leave to report as follows:

Page 7, Line 14c of Lilac Copy:
After "DIVISION" insert ", AND WHO MEET TRAINING STANDARDS APPROVED BY THE DIVISION"

All other amendments remain intact.

Let the Journal show it is the intent of the Legislature that the educational standards for aestheticians be comparable to those of Massage Technicians.

Richard J. Carling
Chairman, Senate Committee

R. Haze Hunter
Chairman, House Committee

On motion of Senator Carling, the Senate voted to adopt the Joint Conference Committee Report. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Fordham
Hillyard	Leavitt	McAllister	Money
Myrin	Nielsen	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Farley	Finlinson	Holmgren	McMullin
Pace			

S.B. No. 121 was transmitted to the House.

* * *

Mr. President: February 21, 1990

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. 159, LICENSING REQUIREMENTS OF INSURANCE AGENTS, by Representative Ted D. Lewis, and requests the Senate to recede from its amendments.

Carole E. Peterson, Chief Clerk

On motion of Senator Steele, the following information is placed in the Senate Journal.

Dear Senator Steele February 20, 1990

The Insurance Department is willing to accredit any classes of courses of study presented by companies, agencies, or trade associations, if the curriculum is appropriate and an objective method of demonstrating attendance is submitted.

Randall R. Smart
Deputy Commissioner,
State of Utah,
Insurance Department

On motion of Senator Leavitt, the Senate voted to recede from its amendments. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Finlinson	Pace	Richards

H.B. No. 159 was signed by the President of the Senate in open session and returned to the House.

* * *

Mr. President: February 20, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, SECOND SUB. S.B. No. 134, CHIROPRACTIC IMPROVEMENT AMENDMENTS, by Senator Dix H. McMullin, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

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

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Black	Finlinson	Pace	Richards

SECOND SUB. S.B. No. 134, was transmitted to the House.

* * *

On motion of Senator McAllister, under suspension of the rules, H.B. No. 328 was uncircled and its enacting clause was stricken.

* * *

On motion of Senator Richards H.B. No. 239, PHARMACY PRACTICE ACT AMENDMENTS 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

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Rees
Richards	Steele	Storey	Swan
Pres. Christensen			

Absent or not voting were: Senators

Black	Finlinson	Peterson, Craig	Tempest

H.B. No. 239 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Cornaby, under suspension of the rules, **H.B. No. 196,** LEGAL COUNSEL FOR THE INDUSTRIAL COMMISSION AND EMPLOYERS REINSURANCE FUND, 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Finlinson	Pace

H.B. No. 196 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Richards, under suspension of the rules, **H.B. No. 263**, OBTAINING CONTROLLED SUBSTANCES AMENDMENT, 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

Barlow	Beattie	Bunnell	Carling
Cornaby	Farley	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barton	Black	Finlinson	Peterson, C.E.

H.B. No. 263 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Cornaby, under suspension of the rules, **SUB. H.B. No. 268**, CERTIFIED PUBLIC ACCOUNTANT LICENSING ACT, was read the second and third times, and was amended as follows:

Lilac Page 28a, Lines 17o–17p:
After "CHAPTER" delete the rest of the sentence

The substitute bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Fordham	Hillyard	Holmgren	Leavitt
McAllister	Money	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Finlinson	McMullin	Myrin	Pace
Richards			

* * *

On motion of Senator McMullin, under suspension of the rules, SECOND SUB. H.B. No. 309, COUNTY ATTORNEY AMENDMENTS, 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

Barton	Beattie	Black	Bunnell
Cornaby	Farley	Fordham	Hillyard
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Barlow	Carling	Finlinson	Holmgren
Richards			

SECOND SUB. H.B. No. 309 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Carling, under suspension of the rules, H.B. No. 214, SECOND DEGREE MURDER AMENDMENT, 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

Barlow	Black	Bunnell	Carling
Cornaby	Farley	Fordham	Hillyard
Holmgren	Leavitt	McAllister	Money
Nielsen	Peterson, Cary	Peterson, Craig	Rees
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barton	Beattie	Finlinson	McMullin
Myrin	Pace	Peterson, C.E.	Richards

H.B. No. 214 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Bunnell, under suspension of the rules, **H.B. No. 307**, HEATING AND SAFETY EQUIPMENT FOR RAILROAD EMPLOYEES, 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

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Fordham
Leavitt	McMullin	Money	Peterson, C.E.
Peterson, Cary	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Voting in the negative were: Senators

Hillyard	McAllister	Nielsen

Absent or not voting were: Senators

Barton	Finlinson	Holmgren	Myrin
Pace	Peterson, Craig		

H.B. No. 307 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Nielsen, the Senate voted to allow him to change his vote from Aye to Nay on **SUB. H.B. No. 268**. The final vote is:

Yeas, 23; Nays, 1; Absent, 5

SUB. H.B. No. 268, as amended, was returned to the House.

* * *

On motion of Senator Bunnell, H.J.R. No. 40, RESOLUTION URGING FEDERAL EARTHQUAKE PROJECT STUDY, 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

Barlow	Barton	Beattie	Black
Bunnell	Cornaby	Finlinson	Fordham
Hillyard	Leavitt	McAllister	McMullin
Money	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Carling	Farley	Holmgren	Myrin

H.J.R. No. 40, was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Cornaby, under suspension of the rules, H.B. No. 450, RETIREMENT CONTRIBUTION RATES, was read the second and third times, and passed on the following roll call:

Yeas, 27; Nays, 1; Absent, 1

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Cornaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Voting in the negative was: Senator
Barton

Absent or not voting was: Senator
Carling

H.B. No. 450 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Leavitt, under suspension of the rules, **H.B. No. 223**, NOTARIES PUBLIC BONDING AMENDMENTS, 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

Barlow	Barton	Beattie	Black
Bunnell	Cornaby	Farley	Finlinson
Fordham	Hillyard	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Pres. Christensen			

Absent or not voting were: Senators

Carling	Holmgren	Peterson, C.E.	Tempest

H.B. No. 223 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Pace, under suspension of the rules, **H.B. No. 468**, EDUCATIONAL TECHNOLOGY IN PUBLIC AND HIGHER EDUCATION, was read the second and third times. Senator McAllister commented. The bill passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson

Fordham	Hillyard	Leavitt (exp.)	McAllister
McMullin	Money	Myrin	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig (exp.)	
Rees	Richards	Steele	Tempest
Pres. Christensen			

Voting in the negative was: Senator Nielsen

Absent or not voting were: Senators

Barton	Holmgren	Storey	Swan

H.B. No. 468 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Myrin, under suspension of the rules, SUB. H.B. No. 91, MINIMUM FINES OVERWEIGHT VEHICLES, was read the second time.

On motion of Senator McMullin, the bill was amended as follows:

Page 4, Line 17:
After line 17 insert

"(6) Notwithstanding the distribution of revenue required under Sections 78-4-22, 78-5-116, and 78-5-135, any revenue from a fine imposed or calculated under Subsection (5) for a citation issued by a Utah Highway Patrol officer or a person employed at an inspection and checking station or port of entry under Section 27-12-19 shall be remitted to the state treasurer and be deposited in the Transportation Fund."

On motion of Senator McMullin, the bill was circled.

* * *

On motion of Senator Hillyard, under suspension of the rules, H.J.R. No. 32, TAX RECODIFICATION COMMISSION ALES AND USE TAX POLICY, was read the second and third times. Senator Leavitt commented. The resolution passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	Money	Myrin
Nielsen	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

McMullin	Pace	Peterson, C.E.	Storey

H.J.R. No. 32 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Hillyard, under suspension fo the rules, H.J.R. No. 30, TAX RECODIFICATION COMMISSION PROPERTY TAX POLICY, 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

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Fordham
Hillyard	Holmgren	Leavitt	McAllister
Money	Myrin	Nielsen	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Black	Finlinson	McMullin	Pace
Peterson, C.E.	Storey	Swan	

H.J.R. No. 30 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Hillyard, under suspension of the rules, H.J.R. No. 31, TAX RECODIFICATION COMMISSION INCOME TAX POLICY, 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

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Fordham	Hillyard
Holmgren	Leavitt	McAllister	Money
Myrin	Nielsen	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Black	Farley	Finlinson	McMullin
Pace	Peterson, C.E.	Storey	Swan

H.J.R. No. 31 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Fordham, under suspension of the rules, H.B. No. 30, REPEAL OF UTAH CONSERVATION AND RESEARCH FOUNDATION, 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

Barlow	Barton	Black	Bunnell
Carling	Farley	Fordham	Hillyard
Holmgren	Leavitt	McAllister	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Rees	Richards	Steele
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Beattie	Cornaby	Finlinson	McMullin
Peterson, Craig	Storey	Swan	

H.B. No. 30 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Holmgren, under suspension of the rules, SUB. H.B. No. 149, IMMEDIATE INCOME WITHHOLDING, was read the second and third times.

Mr. President: February 14, 1990

The Senate Social Services Standing committee, to which was referred SUB. H.B. No. 149, IMMEDIATE INCOME WITHHOLDING, by Representative Lloyd Frandsen, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Boyd K. Storey
Committee Chairman

Committee report read and adopted. Senators Leavitt and Barton commented. The bill failed on the following roll call:

Yeas, 14; Nays, 9; Absent, 6

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Farley	Fordham	Holmgren	McAllister
Money	Peterson, Cary	Rees	Steele
Swan	Pres. Christensen		

Voting in the negative were: Senators

Barton	Carling	Finlinson	Hillyard
Leavitt	McMullin (exp.)	Myrin	Nielsen
Tempest			

Absent or not voting were: Senators

Comaby	Pace	Peterson, C.E.	Peterson, Craig
Richards	Storey		

* * *

On motion of Senator Hillyard, under suspension of the rules, SUB. H.B. No. 474, SCHOOL BOARD LEEWAY, was uncircled and read the third time. Senators Hillyard, Christensen, Cornaby, Cary Peterson, Black, Bunnell, Rees, Leavitt, Barton, Barlow, Holmgren, McMullin, C.E. Peterson, and Richards commented.

Senator Cornaby, under suspension of the rules, moved that a School Board mandated voted leeway for imposition of 2 mills tax to reduce class size should go to a vote of the people. Senator Pace's substitute motion to circle the bill until Senator Cornaby's amendments are before the Senate, failed on a voice vote.

Senator Cornaby's main motion failed on a voice vote.

Senator Hillyard commented. The substitute bill passed on the following roll call:

Yeas, 15; Nays, 14; Absent, 0

Voting in the affirmative were: Senators

Barlow	Beattie	Finlinson	Hillyard
Leavitt	McMullin	Myrin	Pace (exp.)
Peterson, C.E. (exp.)		Peterson, Cary	Peterson, Craig
Rees	Steele	Storey	Pres. Christensen

Voting in the negative were: Senators

Barton	Black	Bunnell	Carling
Cornaby	Farley	Fordham	Holmgren
McAllister	Money	Nielsen	Richards
Swan (exp.)	Tempest		

SUB. H.B. No. 474 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Cary Peterson, and at 12:35 p.m., the Senate recessed.

AFTERNOON SESSION

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

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives has this day passed **H.J.R. No. 41**, RESOLUTION DISCOURAGING INTERSTATE SEMITRAILER TRUCK TRAFFIC IN PROVO CANYON, by Representative Harward, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 27**, UTAH STEAM COAL TAX CREDIT, by Representative Mike Dmitrich, et al, and the same is transmitted herewith for Senate consideration, and

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **SUB. H.B. No. 272**, READING REMEDIATION PILOT PROGRAMS IN THE PUBLIC SCHOOLS, by Representative Jerrold S. Jensen, and the 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. 304**, OFFICE OF CHILD CARE, by Representative Hugh D. Rush, 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. 306**, DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING ACT AMENDMENTS, by Representative Ronald J. Ockey, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.J.R. No. 41, H.B. No. 27, SUB. H.B. No. 272, H.B. No. 304, and **H.B. No. 306**, were read the first time and referred to Rules Committee.

* * *

Mr. President February 21, 1990

I am directed to inform the Senate that the Speaker has signed in open session, **S.B. No. 147**, UNLAWFUL USE OF FIREARMS, by Senator Carling, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Chief Clerk

S.B. No. 147 was signed by the President of the Senate in open session, referred to Rules Committee to be enrolled and transmitted to the Governor.

* * *

Mr. President: February 21, 1990

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. 153, COMPENSATION FOR WILDLIFE DAMAGE, by Representative B. Evans, and 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. 119, LICENSURE OF YOUTH SERVICES PROGRAMS, by Representative Oscarson, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Chief Clerk

H.B. No. 153 and H.B. No. 119 were signed by the President of the Senate in open session and returned to the House.

SECOND READING CALENDAR

On motion of Senator Holmgren, under suspension of the rules, SUB. H.B. No. 150, REVIEW AND MODIFICATION OF CHILD SUPPORT ORDERS, was read the second and third times, and circled.

* * *

On motion of Senator Finlinson, under suspension of the rules, H.B. No. 349, HEALTH INSURANCE FOR DEPENDENT CHILDREN, was read the second and third times, and passed on the following roll call:

Yeas, 15; Nays, 0; Absent,14

Voting in the affirmative were: Senators

Barlow	Beattie	Finlinson	Fordham
Holmgren	Leavitt	McAllister	Money
Myrin	Nielsen	Pace	Peterson, Craig
Steele	Storey	Pres. Christensen	

Absent or not voting were: Senators

Barton	Black	Bunnell	Carling
Cornaby	Farley	Hillyard	McMullin
Peterson, C.E.	Peterson, Cary	Rees	Richards
Swan	Tempest		

H.B. No. 349 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Finlinson, under suspension of the rules, H.B.No. 352, LIABILITY FOR MEDICAL EXPENSES FOR CHILDREN, was read the second and third times, and passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 13

Voting in the affirmative were: Senators

Barlow	Beattie	Finlinson	Fordham
Holmgren	Leavitt	McAllister	Money
Myrin	Nielsen	Pace	Peterson, Craig
Richards	Steele	Storey	Pres. Christensen

Absent or not voting were: Senators

Barton	Black	Bunnell	Carling
Cornaby	Farley	Hillyard	McMullin
Peterson, C.E.	Peterson, Cary	Rees	Swan
Tempest			

H.B. No. 352 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Beattie, under suspension of the rules, H.B. No. 169, DUI CHEMICAL TESTING FEE, was read the second and third times, and passed on the following roll call:

Yeas, 17; Nays, 1; Absent, 11

Voting in the affirmative were: Senators

Barton	Beattie	Cornaby	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	Money	Myrin	Pace
Peterson, Craig	Richards	Steele	Storey
Pres. Christensen			

Voting in the negative was: Senator Nielsen

Absent or not voting were: Senators

Barlow	Black	Bunnell	Carling
Farley	McMullin	Peterson, C.E.	Peterson, Cary
Rees	Swan	Tempest	

H.B. No. 169 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Finlinson, under suspension of the rules, H.B. No. 185, PROCEDURAL AMENDMENTS TO THE NONPROFIT AND BUSINESS CORPORATION ACTS, was read the second and third times.

On motion of Senator Leavitt, the bill was amended as follows:

Page 15, after Line 2 insert:
"(c) the annual report may be signed under penalty of perjury on behalf of the corporation by an authorized officer of the corporation or by the registered agent of the corporation."

Page 34, after Line 11 insert
"(4) the annual report may be signed under penalty of perjury on behalf of the corporation by an authorized officer of the corporation or by the registered agent of the corporation."

The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Cornaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
Money	Myrin	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Steele
Storey	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Black	Carling	McMullin	Nielsen
Richards	Swan		

H.B. No. 185, as amended, was returned to the House.

* * *

On motion of Senator Barlow, S.J.R. No. 34, JOINT RULES ETHICS RESOLUTION, was before the Senate, and with the understanding that the resolution will be reviewed during the interim, its enacting clause was stricken.

* * *

On motion of Senator Leavitt, SUB. H.B. No. 149, IMMEDIATE INCOME WITHHOLDING, was before the Senate on reconsideration, and the bill passed on the following roll call:

Yeas, 16; Nays, 8; Absent, 5

Voting in the affirmative were: Senators

Beattie	Cornaby	Finlinson	Holmgren
Leavitt	McAllister	McMullin	Money
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Pres. Christensen

Voting in the negative were: Senators

Barton	Black	Bunnell	Fordham
Hillyard	Myrin	Nielsen	Pace

Absent or not voting were: Senators

Barlow	Carling	Farley	Peterson, C.E.
Tempest			

SUB. H.B. No. 149 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Holmgren, S.B. No. 269, MERGER OF THE DIVISION OF MENTAL HEALTH AND THE DIVISION OF SUBSTANCE ABUSE, was uncircled, with the understanding that it be reviewed during the interim, and its enacting clause was stricken.

* * *

On motion of Senator McAllister, under suspension of the rules, H.B. No. 351, STATE EMPLOYEES DRUG-FREE WORKPLACE, was uncircled, and the following substitute bill replaced the original bill.

STATE EMPLOYEES DRUG-FREE WORKPLACE
(2-21-90 9:10 a.m.)

SENATE
SUB. H.B. No. 351 *Evan L. Olsen*

AN ACT RELATING TO STATE EMPLOYEES; PROHIBITING THE USE OF CONTROLLED SUBSTANCES AND ALCOHOL BY STATE EMPLOYEES DURING WORK HOURS.

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

AMENDS: 67-19-3, AS LAST AMENDED BY CHAPTER 122, LAWS OF UTAH 1988.

ENACTS: 67-19-101, UTAH CODE ANNOTATED 1953; 67-19-102, UTAH CODE ANNOTATED 1953; 67-19-103, UTAH CODE ANNOTATED 1953; 67-19-104, UTAH CODE ANNOTATED 1953; 67-19-105, UTAH CODE ANNOTATED 1953; 67-19-106, UTAH CODE ANNOTATED 1953; 67-19-107, 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

Barlow	Barton	Beattie	Black
Cornaby	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Bunnell	Carling	Farley	Money

SENATE SUB. H.B. No. 351 was returned to the House.

* * *

On motion of Senator Holmgren, SUB. H.B. No. 150, REVIEW AND MODIFICATION OF CHILD SUPPORT ORDERS, was uncircled, and passed on the following roll call:

Yeas, 20; Nays, 2; Absent, 7

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Cornaby
Holmgren	Leavitt	McAllister	McMullin
Myrin	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Voting in the negative were: Senators

Hillyard	Nielsen

Absent or not voting were: Senators

Black	Bunnell	Carling	Farley
Finlinson	Fordham	Money	

SUB. H.B. No. 150 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Hillyard, H.B. No. 297, RULES OF CRIMINAL PROCEDURE CITATIONS, 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

Beattie	Black	Bunnell	Cornaby
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Steele	Storey	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barlow	Barton	Carling	Farley
Finlinson	Pace	Richards	Swan

H.B. No. 297 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Hillyard, H.B. No. 250 was returned to Rules Committee.

* * *

On motion of Senator Holmgren, under suspension of the rules, H.B. No. 414, LIMITED GUARDIANSHIPS FOR STATE TRAINING SCHOOL RESIDENTS, was read the second and third times.

On motion of Senator Holmgren, the bill was amended as follows:

Page 2, Line 19:
After "ward" delete "," and insert "."; and before "the Utah Legal Center" insert "Personal notice shall also be given to"

The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Cornaby	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Carling	Farley	Finlinson	Money

H.B. No. 414, as amended, was returned to the House.

* * *

On motion of Senator McMullin, H.B. No. 193, TEACHING EXPERIENCE EMPLOYMENT FACTOR, was lifted from Rules Committee, read the second and third times, and failed on the following roll call:

Yeas, 6; Nays, 16; Absent, 7

Voting in the affirmative were: Senators

Barlow	Cornaby	Holmgren	Money
Rees	Swan		

Voting in the negative were: Senators

Barton	Beattie	Bunnell	Fordham
Leavitt	McAllister	McMullin	Myrin
Nielsen	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Steele	Storey	Tempest	Pres. Christensen

Absent or not voting were: Senators

Black	Carling	Farley	Finlinson
Hillyard	Pace	Richards	

H.B. No. 193 was returned to the House to be filed.

* * *

On motion of Senator Holmgren, under suspension of the rules, H.B. No. 456, COMPETENCY EVALUATIONS AMENDMENTS, was read the second and third times.

On motion of Senator Holmgren, the bill was amended as follows:

Page 1, Line 25:
Remove the brackets and reinsert "Prior" and delete the remainder of line 25

Page 1, Line 26:
Delete "prior"

Page 1, Line 29:
After "[or]" insert the following:

"however, that examination may only take place after the superintendent of the Utah State Hospital notifies the entity with custody of the person that space is available at the state hospital for the examination;"

Page 2, Line 5:
After line 5 insert the following:

"(3) With regard to persons ordered to be evaluated at the Utah State Hospital, the superintendent of the hospital shall, after consultation with the Commission on Criminal and Juvenile Justice, establish by rule criteria for prioritization for admission of persons who are on a waiting list for evaluation."

Page 2, Lines 6–16:
Delete lines 6 through 16

Page 2, Line 23:
After "(5)" delete "(a)" and after "Subsection (2)" delete "(b)"

Page 3, Line 3:
Delete "48 hours" and insert "seven days"

The bill passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Cornaby	Finlinson	Fordham	Holmgren
Leavitt	McAllister	McMullin	Money
Nielsen	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Bunnell	Carling	Farley	Hillyard
Myrin	Pace	Rees	Richards

H.B. No. 456, as amended, was returned to the House.

* * *

On motion of Senator Cornaby, under suspension of the rules, H.B. No. 229, BOARD OF STATE HISTORY AMENDMENTS, was read the second and third times.

Mr. President: February 9, 1990

The Senate Social Services Standing Committee, to which was referred H.B. No. 229, BOARD OF STATE HISTORY AMENDMENTS, by Representative Rob

W. Bishop, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Boyd K. Storey
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

Barlow	Barton	Beattie	Black
Bunnell	Cornaby	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Carling	Farley	Pace	Rees

H.B. No. 229 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Cornaby, under suspension of the rules, **H.B. No. 233**, ARCHAEOLOGICAL, PALEONTOLOGICAL, AND HISTORIC SITE VANDALISM PROTECTION ACT, was read the second and third times.

Mr. President: February 9, 1990

The Senate Social Services Standing Committee, to which was referred **H.B. No. 233**, ARCHAEOLOGICAL, PALEONTOLOGICAL, AND HISTORIC SITE VANDALISM PROTECTION ACT, by Representative Rob W. Bishop, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Boyd K. Storey
Committee Chairman

Committee report read and adopted. Senators Money, Black, Leavitt, and Holmgren commented. The bill passed on the following roll call:

Yeas, 22; Nays, 2; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Cornaby	Finlinson	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Myrin	Nielsen	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Swan	Pres. Christensen		

Voting in the negative were: Senators

Money	Tempest

Absent or not voting were: Senators

Carling	Farley	Fordham	Pace
Storey			

H.B. No. 233 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Myrin, SUB. H.B. No. 91, MINIMUM FINES OVERWEIGHT VEHICLES, was uncircled.

On motion of Senator McMullin, the bill was amended as follows:

On his previous amendment (6):
After "78-5-135," insert "twenty-five percent of"

The substitute bill passed on the following roll call:

Yeas, 19; Nays, 6; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Finlinson	Fordham	Hillyard
McAllister	McMullin	Money	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Swan	Tempest	Pres. Christensen	

Voting in the negative were: Senators

Cornaby	Holmgren	Leavitt	Myrin
Nielsen	Storey		

Absent or not voting were: Senators

Carling	Farley	Pace	Steele

* * *

On motion of Senator Black, under suspension of the rules, SUB. H.B. No. 401, AMENDMENTS TO STATE GOVERNMENT, was read the second and third times. Senators McMullin, Black, Craig Peterson, and Cornaby commented.

On motion of Senator Black, the bill was amended as follows:

Lilac Page 9, Line 3:
After "Governor" delete "$73,400" and insert "$72,800"

Lilac Page 9, Line 4:
After "Lieutenant Governor" delete "$55,000" and insert "$54,600"

Lilac Page 9, Line 5:
After "Attorney General" delete "$58,700" and insert "$58,300"

Lilac page 9, Line 6:
After "State Auditor" delete "$58,000" and insert "$55,200"

Lilac Pace 9, Line 7:
After "State Treasurer" delete "$58,000" and insert "$55,200"

The bill passed on the following roll call:

Yeas, 17; Nays, 8; Absent, 4

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Finlinson	Fordham
Hillyard	McMullin	Myrin	Pace
Peterson, C.E.	Peterson, Cary	Rees	Swan
Pres. Christensen			

Voting in the negative were: Senators

Holmgren	McAllister	Money	Nielsen
Peterson, Craig	Steele	Storey	Tempest

Absent or not voting were: Senators

Barton	Farley	Leavitt	Richards

SUB. H.B. No. 401, as amended, was returned to the House.

* * *

On motion of Senator Cornaby, under suspension of the rules, H.B. No. 234, HISTORIC AND CULTURAL SITES PROTECTION, was read the second and third times.

Mr. President: February 9, 1990

The Senate Social Services Standing Committee, to which was referred H.B. No. 234, HISTORIC AND CULTURAL SITES PROTECTION, by Representative Rob W. Bishop, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Boyd K. Storey
Committee Chairman

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Barlow	Beattie	Bunnell	Carling
Cornaby	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Swan	Tempest	Pres. Christensen

Voting in the negative was: Senator
Barton

Absent or not voting were: Senators

Black	Farley	Myrin	Storey

H.B. No. 234 was signed by the President of the Senate in open session and returned to the House.

RULES COMMITTEE REPORT

Mr. President: February 21, 1990

The Senate Rules Committee, to which were referred the following House Bills and Resolutions, asks that they be placed on the Second Reading Calendar:

H.B. No. 53	DOMESTIC VIOLENCE PROGRAMS
H.B. No. 462 SEC. SUB	UTAH SPORTS AUTHORITY ACT AMENDMENTS
H.B. No. 318 SUB.	PROTECTION OF OLYMPICS USE
H.B. No. 110	SEVERANCE TAX INCENTIVES FOR PETROLEUM INDUSTRY RECOVERY
H.B. No. 27	UTAH STEAM COAL TAX CREDIT
H.B. No. 147	AMENDMENTS TO CRIME VICTIM REPARATIONS
H.C.R. No. 31	1990 CENSUS RESOLUTION
H.J.R. No. 28	DEPARTMENT OF ENVIRONMENTAL QUALITY STUDY RESOLUTION
H.J.R. No. 41	RESOLUTION DISCOURAGING INTERSTATE SEMITRAILER TRUCK TRAFFIC IN PROVO CANYON
H.B. No. 440	EXPANSION OF BLOCK GRANT FUNDING PILOT PROGRAM
H.B. No. 439	GUARANTEE ASSOCIATION AMENDMENTS

C.E. Peterson,
Rules Committee Chairman

Committee report read and adopted. The bills and resolutions were placed on Second Reading Calendar.

* * *

On motion of Senator Cornaby, under suspension of the rules, SUB. H.B. No. 73, SHARED FOREIGN SALES CORPORATIONS, was read the second and third times, and passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 6

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Finlinson
Fordham	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Steele
Storey	Swan		

Voting in the negative was: Senator
Pres. Christensen

Absent or not voting were: Senators

Farley	Hillyard	Pace	Rees
Richards	Tempest		

SUB. H.B. No. 73 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Beattie, under suspension of the rules, **H.B. No. 77,** ENFORCEMENT OF NEW MOTOR VEHICLES WARRANTIES, was read the second and third times.

Mr. President: January 25, 1990

The Senate Transportation and Public Safety Standing Committee, to which was referred **H.B. No. 77,** ENFORCEMENT OF NEW MOTOR VEHICLES WARRANTIES, by Representative Grant D. Protzman, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Glade Nielsen
Committee Chairman

Committee report read and adopted.

On motion of Senator Beattie, the bill was amended as follows:

Page 1, Line 5:
After "(" delete "ENFORCEMENT OF" and after "WARRANTIES" insert "AMENDMENTS"

Page 1, Line 11:
After "WARRANTIES ACT;" insert "CLARIFYING ITS SCOPE TO INCLUDE LEASED VEHICLES AND TO EXCLUDE CERTAIN PORTIONS OF A MOTOR HOME; CLARIFYING TRANSFER OF TITLE;"

Page 1, Line 15:
After Line 15 insert

"13-20-4, AS ENACTED BY CHAPTER 168, LAWS OF UTAH 1985"

Page 2, Line 1:
After "of the" delete "warranty" and after "under" delete "this"

Page 2, Line 2:
Delete "chapter" and insert "Section 13-20-5"

Page 2, Line 6:
After "(3)" insert "(a)" and after "includes" insert ": (i)" and after "vehicle" insert "sold in this state"

Page 2, Line 7:
After "41-1-1" bracket ", which is" and insert "; and (ii) a "motor home""; after "state" insert "as defined in Section 41-20-1"; and after "but" insert "only the self-propelled vehicle and chassis. (b) "Motor vehicle""

Page 2, Line 7:
After Line 7 insert:

"(i) those portions of a motor home designated, used, or maintained primarily as a mobile dwelling, office, or commercial space;"

Page 2, Line 8:
Bracket "(a)" and insert "(ii)"

Page 2, Line 10:
Bracket "(b)" insert "(iii)' and after "mobile home" bracket "or "motor home""

Page 2, Line 11:
Bracket "(c)" insert "(iv)"

Page 2, Line 12:
After Line 12 insert:

"Section 2. Section 13-20-4, Utah Code Annotated 1953, as enacted by Chapter 168, Laws of Utah 1985, is amended to read:

13-20-4. Nonconforming motor vehicles — Replacement — Refund — Criteria — Defenses.

(1) If the manufacturer, its agent, or its authorized dealer is unable to conform the motor vehicle to any applicable express warranty by repairing or correcting any defect or condition [~~which~~] that substantially impairs the use, market value, or safety of the motor vehicle after a reasonable number of attempts, the manufacturer shall replace the motor vehicle with a comparable new motor vehicle or

accept return of the vehicle from the consumer and refund to the consumer the full purchase price including all collateral charges, less a reasonable allowance for the consumer's use of the vehicle. Refunds shall be made to the consumer, and any lienholders or lessors as their interests may appear.

(2) A reasonable allowance for use is that amount directly attributable to use by the consumer prior to his first report of the nonconformity to the manufacturer, its agent, or its authorized dealer, and during any subsequent period when the vehicle is not out of service because of repair.

(3) Upon receipt of any refund or replacement under Subsection (1), the consumer, lienholder, or lessor shall furnish to the manufacturer clear title to and possession of the motor vehicle.

(4) It is an affirmative defense to any claim under this chapter:

[~~(1)~~] (a) that an alleged nonconformity does not substantially impair the consumer's use of the motor vehicle and does not substantially impair the market value or safety of the motor vehicle; or

[~~(2)~~] (b) that an alleged nonconformity is the result of abuse, neglect, or unauthorized modifications or alternations of a motor vehicle by a consumer."

Renumber remaining sections accordingly.

The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Carling
Cornaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Pres. Christensen			

Absent or not voting were: Senators

Barton	Bunnell	McMullin	Tempest

H.B. No. 77, as amended, was returned to the House.

* * *

On motion of Senator Rees, H.B. No. 101, UTAH SUBSTANCE ABUSE COUNCIL, 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

Barlow	Beattie	Bunnell	Carling
Farley	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barton	Black	Cornaby	McMullin

H.B. No. 101 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Pace, H.B. No. 251, PROSECUTOR AMENDMENTS, 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

Barlow	Beattie	Black	Bunnell
Carling	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Barton	Cornaby	McAllister	McMullin
Storey			

H.B. No. 251 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Farley, under suspension of the rules, H.B. No. 235, CREDIT REPORTING 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Fordham
Holmgren	Leavitt	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Rees	Richards	Steele	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Cornaby	Finlinson	Hillyard	McAllister
McMullin	Peterson, Craig	Storey	

H.B. No. 235 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Pace, under suspension of the rules, H.B. No. 391, COURT COMMISSIONER 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

Barlow	Barton	Black	Bunnell
Carling	Farley	Fordham	Hillyard
Leavitt	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Beattie	Cornaby	Finlinson	Holmgren
McAllister	McMullin	Money	

H.B. No. 391 was signed by the President of the Senate in open session and returned to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 21, 1990

I am directed to request the Senate to return to the House of Representatives **S.J.R. No. 21**, SPECIAL SERVICE DISTRICTS RESOLUTION, by Senator Cornaby, for further consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Cornaby, the resolution was returned to the House.

SECOND READING CALENDAR

On motion of Senator Storey, under suspension of the rules, **H.B. No. 454**, BAIL COMMISSIONER 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

Barlow	Barton	Beattie	Black
Carling	Farley	Fordham	Hillyard
Leavitt	McAllister	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Bunnell	Cornaby	Finlinson	Holmgren
McMullin	Swan		

H.B. No. 454 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Beattie, under suspension of the rules, H.B. No. 43, UTAH FIT PREMISES ACT, was read the second and third times.

Mr. President: January 30, 1990

The Senate Social Services Standing Committee, to which was referred H.B. No. 43, UTAH FIT PREMISES ACT, by Representative H. Craig Moody, has carefully considered the bill and report it out of committee with a favorable recommendation.

Boyd K. Storey
Committee Chairman

Committee report read and adopted.

* * *

On motion of Senator Cary Peterson, and at 4:00 p.m., the Senate recessed. The Senate reassembled at 5:00 p.m.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, H.B. No. 67, COMPREHENSIVE HEALTH INSURANCE POOL ACT, by Representative Gene Davis, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.B No. 67 was read the first time. On motion of Senator C.E. Peterson, the bill was placed on Second Reading Calendar.

* * *

Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, H.B. No. 102, RURAL PHYSICIAN EDUCATION LOAN REPAYMENT ACT, by Representative Joseph M. Moody, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.B. No. 102 was read the first time. On motion of Senator C.E. Peterson, the bill was placed on Second Reading Calendar.

* * *

Mr.. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives, on reconsideration, has this day concurred in the Senate amendments and passed SUB. H.B. No. 351, STATE EMPLOYEES DRUG-FREE WORKPLACE, by Representative Evan Olsen, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Chief Clerk

SUB. H.B. No. 351 was signed by the President of the Senate in open session and returned to the House.

* * *

Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, S.B. No. 9, UTAH INJURED WORKER REEMPLOYMENT ACT, by Senator Tempest, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President; and

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 143, PARDONS AND PAROLES 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. 121, MASSAGE 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 SECOND SUB. S.B. No. 134, CHIROPRACTIC IMPROVEMENT AMENDMENTS, 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 S.B. No. 252, APPROPRIATION AND FUNDING AMENDMENTS, by Senator Cary 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 S.B. No. 214, INDIAN BURIAL APPROPRIATION, by Senator Swan, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President; and

I am directed to inform the Senate that the House of Representatives has this day passed S.J.R. No. 33, SALES TAX EXEMPTIONS SUNSET, 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; and

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 233, ACTIONS OR PROCEEDINGS ON UNCLAIMED PROPERTY, by Senator Craig A. 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. 27, GRAND JURY REFORM, by Senator Lyle W. 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.J.R. No. 22, ANTHONY COMMISSION RESOLUTION, 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; and

I am directed to inform the Senate that the House of Representatives has this day passed S.C.R. No. 10, RESOLUTION HONORING UTAH EMERGENCY MEDICAL TRAINING PROGRAMS, 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.C.R. No. 8, RESOLUTION COMMEMORATING JOHN AND GLENN WALLACE, by Senator Tempest, 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. 13, RECOGNIZING THE 50TH ANNIVERSARY OF THE UTAH SYMPHONY. 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. 255, WASTE MANAGEMENT AMENDMENTS, by Senator Stephen J. Rees, 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. 204, SALES TAX NEXUS, by Senator Leavitt, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President; and

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 176, UTAH HOMESTEAD RIGHTS, 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. 212., PUBLIC SAFETY ELIGIBILITY 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. 230, SOCIAL SERVICES DIVISIONS AMENDMENTS, by Senator John P. Holmgren, 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, ATTORNEY GENERAL COLLECTIONS, 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. 95, TRANSIENT ROOM TAX COLLECTIONS, 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, Chief Clerk

S.B. Nos. 9, 143, 121; SECOND SUB. S.B. No. 134, S.B. Nos. 252, 214, S.J.R. No. 33, S.B. Nos. 233, 27; S.J.R. No. 22, S.C.R. Nos. 10, 8, 13; S.B. Nos. 255, 204, 176, 212, 230, 279, and **95** were signed by the President of the Senate in open session, referred to Rules Committee to be enrolled and transmitted to the Governor or Lieutenant Governor.

* * *

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, SUB. S.B. No. 132, GOVERNANCE OF PUBLIC EDUCATION, by Senator Dixie L. Leavitt, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Leavitt, 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

Barlow	Barton	Beattie	Black
Bunnell	Cornaby	Farley	Fordham
Hillyard	Holmgren	Leavitt	McAllister
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Carling	Finlinson	McMullin

SUB. S.B. No. 132 was transmitted to the House.

RULES COMMITTEE REPORT

Mr. President: February 21, 1990

The Senate Rules Committee, to which were referred the following House Bills and Resolutions, asks that they be placed on Second Reading Calendar:

H.B. No. 226	TELECOMMUNICATIONS ACCESS FOR HEARING IMPAIRED
SUB.	
H.B. No. 248	PUBLIC SAFETY REGARDING TEMPORARY
H.B. No. 261	POSSESSION OF DANGEROUS WEAPON
SUB.	
H.B. No. 288	JOINT CUSTODY AMENDMENTS
SUB.	
H.B. No. 274	CONSOLIDATION OF DATE PROCESSING AND TELECOMMUNICATIONS
H.B. No. 379	STATE TREASURER AMENDMENTS
H.B. No. 310	TRANSPORTING ARRESTED JUVENILE
H.B. No. 384	HUNTER EDUCATION AMENDMENTS
H.J.R. No. 26	ECONOMIC DIVERSIFICATION STUDY

H.B. No. 21	P.O.W. LICENSE PLATE RENEWAL EXEMPTION
H.B. No. 125	APPLIED TECHNOLOGY CENTERS
SUB.	
H.B. No. 139	VEHICLE CHILD RESTRAINT DEVICES
H.J.R. No. 22	HISTORIC SITE PRESERVATION RESOLUTION
H.J.R. No. 39	ABORTION LIMITATION RESOLUTION

C.E. Peterson,
Rules Committee Chairman

Committee report read and adopted. The bills and resolutions were placed on Second Reading Calendar.

SECOND READING CALENDAR

H.B. No. 43, UTAH FIT PREMISES ACT, was before the Senate as unfinished business.

On motion of Senator Rees, the bill was amended as follows:

Page 1, Line 14:
After Line 14 insert

"AMENDS:

17-6-3.6, AS LAST AMENDED BY CHAPTER 1, LAWS OF UTAH 1982, SECOND SPECIAL SESSION

Page 1, Line 22:
After Line 22 insert:

"Section 1. Section 17-6-3.6, Utah Code Annotated 1953, as last amended by Chapter 1, Laws of Utah 1982, Second Special Session, is amended to read;

17-6-3.6. Certification of bond issue to county commissioners — Tax levy — Payment of revenue bonds — Election on general obligation bonds and revenue bonds — Bonds for sewer purposes.

(1) Except as to bonds issued payable solely from revenues derived from the district's facilities, it [~~shall be~~] is the duty of the board of county commissioners to levy annually until principal and interest shall have been fully paid, taxes on all taxable property in the district, sufficient to assure the prompt payment of principal and interest as each falls due, all as provided in Section 17-6-3.5.

(2) If any bonds issued under this chapter are issued in [~~such~~] a manner as not to be payable from taxes but to be payable solely from the revenues to be derived by the district from the operation of its facilities, the bonds so issued shall be payable from and secured by the pledge of all or any specified part of the revenues to be derived by the district from the operation of its facilities; and where the bonds are so issued, it [~~shall be~~] is the duty of the board of trustees to impose for all services rendered thereby rates fully sufficient to pay principal of and interest on the bonds and to carry out all commitments made in the resolution authorizing the bonds. The board may in the resolution enter into such covenants with the future holders of the bonds as to the management and operation of the facilities, the imposition and collection of fees and charges for water and services furnished by these facilities, the disposition of these fees and revenues, the issuance of future bonds and the creation of future liens and encumbrances against these facilities and the revenue from them, and carrying of insurance on the facilities, the keeping of books and records, and other pertinent matters, as [~~may be deemed~~] considered proper by the board of trustees to assure the marketability of the bonds. The board may [~~in its discretion~~] undertake in the resolution to make the revenues of the facilities sufficient to pay the expense of their operation and maintenance and may undertake to make the revenues or net revenues of the facilities sufficient to produce in each year an amount in such specified excess of actual requirements for principal of and interest on the bonds in that year as the board may [~~in its opinion~~] consider necessary to assure the highest marketability of the bonds. If the board [~~makes provision~~] provides in the resolution authorizing the revenue bonds for the creation of a reserve fund to assure the prompt payment of principal and interest, the board may provide for the accumulation of this fund not only from the revenues of the facilities but also through the paying into it of such part of the bond proceeds as it may consider advisable. A proposition of issuing general obligation bonds and a proposition of the issuance of revenue bonds, or any combination of them, may be voted upon at the same election.

(3) When bonds are issued under this chapter in whole or in part for sewer purposes and the district operates a waterworks system, provision may be made in the bond resolution under which charges for sewer service and water are to be billed in a single bill to each customer and payment of the charge for water accepted only when the charge for sewer service is paid at the same time. The board may agree to suspend water or sewer service, or both, to any customer who shall become

delinquent in the payment of any charges due the district. Whether or not a district operates a waterworks system, any unpaid and delinquent charges for sewer or water service shall be certified by the clerk of the district to the treasurer or assessor of the county in which the delinquent premises are located. The amount of the delinquent charges, together with interest and penalties, shall immediately upon the certification become a lien on the delinquent premises on a parity with and collectible at the same time and in the same manner as general county taxes are a lien on the premises and are collectible. All methods of enforcement available for the collection of general county taxes, including sale of the delinquent premises, shall be available and shall be used in the collection of the delinquent sewer charges. However, when the customer is a renter of residential property covered by Chapter 22, Title 57, any unpaid and delinquent charges are a personal liability for the customer and may not be placed as lien on the property."

and renumber sections accordingly.

On motion of Senator Beattie, the bill was amended as follows:

Page 2, Line 12:
After "facility," insert "mobile home lot,"

Page 4, Line 16:
Delete "ten days of" and insert "a reasonable time after"

Page 7, Line 24:
After "(4)" insert "(a)"

Page 8, Line 2:
After line 2 insert:

"(b) no renter may be required to move sooner than ten days after the date of notice."

The bill passed on the following roll call:

Yeas, 21; Nays, 3; Absent, 5

Voting in the affirmative were: Senators

Barlow (conflict)	Barton	Beattie (conflict)	Cornaby (conflict)
Fordham	Hillyard (conflict)	Holmgren	Leavitt
McAllister	Money	Myrin	Nielsen

Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees (conflict)
Richards (conflict)	Steele	Storey	Tempest
Pres. Christensen (conflict)			

Voting in the negative were: Senators

Black	Bunnell	Swan

Absent or not voting were: Senators

Carling	Farley	Finlinson	McMullin
Pace			

H.B. No. 43, as amended, was returned to the House.

* * *

On motion fo Senator Cary Peterson, under suspension of the rules, **H.B. No. 329, PROPERTY TAX INTANGIBLES STUDY DATE,** was lifted from Rules Committee, 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

Barlow	Barton	Beattie	Cornaby
Fordham	Hillyard	Holmgren	McAllister
Money	Myrin	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Black	Bunnell	Carling	Farley
Finlinson	Leavitt	McMullin	Pace

H.B. No. 329 was signed by the President of the Senate in open session and returned to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, SUB. S. B. No. 242, PSYCHIATRIC SECURITY REVIEW BOARD AND MENTALLY RETARDED OFFENDERS AMENDMENTS, by Senator John P. Holmgren, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Holmgren, the Senate voted to concur in the House amendment.

The substitute bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Cornaby	Fordham	Hillyard
Holmgren	Leavitt	McAllister	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Carling	Farley	Finlinson	McMullin
Rees			

SUB. S.B. No. 242 was transmitted to the House.

* * *

On motion of Senator McMullin, SUB. H.B. No. 24, HANDICAPPED SERVICES TASK FORCE, was read the second and third times, and passed on the following roll call:

Yeas, 22; Nays, 6; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Finlinson

Fordham	Hillyard	McMullin	Money
Myrin	Pace	Peterson, C.E.	Peterson, Cary
Rees	Richards	Steele	Storey
Swan	Pres. Christensen		

Voting in the negative were: Senators

Holmgren	Leavitt	McAllister	Nielsen
Peterson, Craig	Tempest		

Absent or not voting was: Senator
Farley

SUB. H.B. No. 24 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Barlow, **H.B. No. 265**, STATE ARTS ENDOWMENT, 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

Barlow	Barton	Beattie	Black
Cornaby	Farley	Fordham	Hillyard
Holmgren	Leavitt	McAllister	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Bunnell	Carling	Finlinson	McMullin

H.B. No. 265 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Cary Peterson, under suspension of the rules, **H.B. No. 102**, RURAL PHYSICIAN EDUCATION LOAN REPAYMENT ACT, was read the second and third times. Senators Leavitt, Black, and Swan commented.

The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Pres. Christensen		

Absent or not voting were: Senators

Carling	Pace	Tempest

H.B. No. 102 was signed by the President of the Senate in open session and returned to the House.

SECOND READING CALENDAR

On motion of Senator Cary Peterson, under suspension of the rules, H.B. No. 308, TRANSPORTATION FUND USES, was uncircled and the following substitute bill replaced the original bill.

TRANSPORTATION TASK FORCE
(2-21-90 10:41 a.m.)

SENATE SUB.
H.B. No. 308 *Byron L. Harward, et. al.*

AN ACT RELATING TO TRANSPORTATION; ESTABLISHING A TRANSPORTATION COMMITTEE TO STUDY TRANSPORTATION ISSUES; DIRECTING THE EFFORTS OF THE TASK FORCE; PROVIDING STAFFING; APPROPRIATING $10,000 TO FUND THE TASK FORCE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING A REPEAL DATE.

THIS ACT ENACTS NEW MATERIAL.

The SENATE SUB. H.B. No. 308 passed on the following roll call:

Yeas, 25; Nays, 2; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell

Cornaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Myrin	Nielsen	Pace
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Voting in the negative were: Senators

Black	Money

Absent or not voting were: Senators

Carling	Peterson, C.E.

SENATE SUB. H.B. No. 308 was returned to the House.

* * *

On motion of Senator Barlow, under suspension of the rules, **H.B. No. 67**, COMPREHENSIVE HEALTH INSURANCE POOL ACT, was read the second and third times, and passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Cornaby	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Voting in the negative was: Senator
McAllister

Absent or not voting were: Senators

Carling	Farley

H.B. No. 67 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Money, **H.B. No. 177**, ARMORY & ARSENAL BUILDING LEASES, 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

Barlow	Barton	Beattie	Black
Cornaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Bunnell	Carling

H.B. No. 177 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Barlow, **H.B. No. 440**, EXPANSION OF BLOCK GRANT FUNDING PILOT PROGRAM, was read the second and third times, and passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Rees	Richards	Steele	Storey
Swan	Pres. Christensen		

Voting in the negative was: Senator
Tempest

Absent or not voting were: Senators
Farley Peterson, Craig

H.B. No. 440 was signed by the President of the Senate in open session and returned to the House.

COMMUNICATIONS FROM THE HOUSE

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, S.J.R. No. 24, LIMITATION OF CONGRESSIONAL TERMS AMENDMENTS RESOLUTION, by Senator C.E. Peterson, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator C.E. Peterson, the Senate voted to concur in the House amendments. The resolution passed on the following roll call:

Yeas, 21; Nays, 3; Absent, 5

Voting in the affirmative were: Senators

Barton	Carling	Cornaby	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Myrin	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Tempest
Pres. Christensen			

Voting in the negative were: Senators

Black	Money	Swan

Absent or not voting were: Senators

Barlow	Beattie	Bunnell	Farley
Pace			

S.J.R. No. 24 was transmitted to the House.

PRESENTATION OF RESOLUTION

On motion of Senator Barton, the Senate voted to allow him to introduce the following resolution:

NATIONAL VOTER REGISTRATION RESOLUTION

S.R. No. 7 *William T. Barton*

A RESOLUTION OF THE SENATE OPPOSING PASSAGE OF HOUSE RESOLUTION 2190, A NATIONAL VOTER REGISTRATION ACT, BY THE UNITED STATES SENATE, was read the first time.

On motion of Senator Barton, the resolution was placed on Second Reading Calendar.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, SUB. S.B. No. 81, REGULATION EXEMPTION FOR MANUFACTURED HOMES, by Senator Craig A. Peterson, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Craig Peterson, the Senate voted to concur in the House amendment.

The substitute bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Comaby	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator
Farley

SECOND READING CALENDAR

On motion of Senator Finlinson, under suspension of the rules, H.B. No. 387, COURT FUNDS AND INTEREST, 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

Barton	Beattie	Bunnell	Carling
Cornaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Barlow	Black

H.B. No. 387 was signed by the President of the Senate in open session and returned to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 20, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, S.B. No. 46, COLLECTION OF PERSONAL PROPERTY TAXES AND FEES, by Senator Dix H. McMullin, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator McMullin, the Senate voted to concur in the House amendment.

The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barton	Beattie	Bunnell	Carling
Cornaby	Farley	Finlinson	Fordham
Hillyard	Leavitt	McAllister	McMullin

Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Barlow	Black	Holmgren

S.B. No. 46 was transmitted to the House.

* * *

Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, S.B. No. 199, SEVERANCE TAXES ON METALLIFEROUS MINERALS, by Senator Lyle W. Hillyard, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Hillyard, the Senate voted to concur in the House amendment.

The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator
Black

S.B. No. 199 was transmitted to the House.

* * *

On motion of Senator Carling, under suspension of the rules, SUB. H.B. No. 334, ESCROW ACCOUNT PROVISIONS, 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

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators
Barton

SUB. H.B. No. 334 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Cornaby, under suspension of the rules, H.B. No. 167, NOTARIES PUBLIC REFORM ACT AMENDMENTS, was read the second and third times.

Mr. President: February 8, 1990

The Judiciary Committee, to which was referred H.B. No. 167, NOTARIES PUBLIC REFORM ACT AMENDMENTS, by Representative Ted D. Lewis, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Carole E. Peterson, Chief Clerk

Committee report read and adopted. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell

Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Black	Rees	Richards

H.B. No. 167was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Craig Peterson, under suspension of the rules, SUB. H.B. No. 276, MOTORCYCLE RIDER EDUCATION ACT, 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

Barlow	Barton	Carling	Cornaby
Farley	Finlinson	Fordham	Hillyard
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Beattie	Black	Bunnell	Holmgren

SUB. H.B. No. 276 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Money, under suspension of the rules, H.B. No. 396, UNAUTHORIZED RELEASE OF ANIMALS, 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

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Fordham
Hillyard	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Barton	Finlinson	Holmgren

H.B. No. 396 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Swan, under suspension of the rules, H.B. No. 332, CONTRABAND IN CORRECTIONAL 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

Barlow	Black	Bunnell	Carling
Cornaby	Farley	Finlinson	Fordham
Hillyard	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Barton	Beattie	Holmgren

H.B. No. 332 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Cornaby, under suspension of the rules, H.B. No. 335, CHILD ABUSE AMENDMENTS, 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

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Leavitt	McAllister
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barton	Holmgren	McMullin	Money

H.B. No. 335 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Farley, under suspension of the rules, H.C.R. No. 16, EARTH DAY 1990 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

Beattie	Bunnell	Carling	Cornaby
Farley	Fordham	Hillyard	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Barlow	Barton	Black	Finlinson
Holmgren			

H.C.R. No. 16 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Carling, under suspension of the rules, H.B. No. 476, COURT FEES, was read the second and third times. Senators C.E. Peterson, McAllister, and Black commented.

On motion of Senator Carling, the bill was amended as follows:

Page 4, Line 1:
After "fee," reinsert "of $15" after "collected," insert "as part of the filing fee for any complaint or petition in a civil, probate, or adoption matter invoking the original jurisdiction in all courts of record"

Page 4, Line 2:
Delete "clerk of the court."

Page 4, Line 8:
Before "as" insert "and such other fees shall be collected"

Page 22, Line 12:
Delete "allocated as follows:"

Page 22, Lines 13–15:
Delete lines 13 through 15

Page 22, Line 17:
Delete "allocated as follows:"

Page 22, Lines 18–20:
Delete lines 18 through 20

Page 26, line 4:
After "$15," insert "of which $7.50 shall be allocated to the Judges' Retirement System."

Page 26, Line 4:
After "$12.50;" insert "of which $5.00 shall be allocated to the Judges' Retirement System."

Page 28, Line 21:
After line 21 insert a new section as follows:

"This act takes effect July 1, 1990.

The $15 fee provision of Section 78–4–24 and other provisions in this act specifically supersede the amended fee provision in Section 78–4–24 and other conflicting provisions in Senate Bill 64."

The bill passed on the following roll call:

Yeas, 27; Nays, 1; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling (expl.)	Cornaby (expl.)	Farley
Finlinson	Fordham	Hillyard	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Steele	Storey
Swan	Tempest	Pres. Christensen	

Voting in the negative was: Senator
Richards

Absent or not voting was: Senator
Holmgren

* * *

On motion of Senator Cary Peterson, under suspension of the rules, H.B. No. 306, DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING ACT AMENDMENTS, 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

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Finlinson
Hillyard	Leavitt	McAllister	McMullin
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Black	Fordham	Holmgren	Money

H.B. No. 306 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Cary Peterson and at 6:25 p.m., the Senate recessed, and reassembled at 7:45 p.m.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives has this day passed **S.B. No. 129**, EARLY GRADUATION INCENTIVES AMENDMENTS, by Senator Dix H. 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 **SUB. S.B. No. 138**, INSURANCE CODE 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 passed **S.B. No. 145**, GROSS RECEIPTS TAX 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. 254**, EXPANSION OF CERTIFIED DRIVER LICENSE EXAMINERS, by Senator Dix H. McMullin which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President, and

Carole E. Peterson, Chief Clerk

S.B. No. 129, SUB. S.B. No. 138, S.B. No. 145, and **S.B. No. 254,** were signed by the President of the Senate in open session, referred to Rules Committee to be enrolled and transmitted to the Governor.

* * *

On motion of Senator Holmgren, under suspension of the rules, H.B. No. 53, DOMESTIC VIOLENCE PROGRAMS, 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

Barton	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Barlow	Hillyard

H.B. No. 53 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Holmgren, under suspension of the rules H.B. No. 54, DOMESTIC VIOLENCE NO-CONTRACT REQUIREMENTS, was lifted from Third Reading Table, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barton	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Barlow	Hillyard

H.B. No. 54 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Holmgren, under suspension of the rules, H.B. No. 52, DOMESTIC VIOLENCE AMENDMENTS, was lifted from Third Reading Table, read the third time, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1

Voting in the affirmative were: Senators

Barton	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator
Barlow

H.B. No. 52 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Holmgren, under suspension of the rules, H.J.R. No. 3, DOMESTIC VIOLENCE PROSECUTION RESOLUTION, was lifted from Third Reading Table, read the third time, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barton	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators
Barlow Peterson, Craig

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

* * *

On motion of Senator Carling, under suspension of the rules, **H.B. No. 462**, UTAH SPORTS AUTHORITY, 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Comaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt (expl.)	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Tempest	Pres. Christensen	

Absent or not voting were: Senators
Storey Swan

H.B. No. 462 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Carling, **H.B. No. 476**, COURT FEES, was before the Senate on reconsideration.

Page 4, Line 1:
Delete "by the"

The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Bunnell	Storey	Swan

H.B. No. 476, as amended, was returned to the House.

* * *

On motion of Senator Cornaby, under suspension of the rules, SECOND SUB. H.B. No. 318, PROTECTION OF OLYMPICS USE, 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

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Barton	Swan

SECOND SUB. H.B. No. 318 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Tempest, under suspension of the rules, SUB. H.B. No. 330, PURCHASE OF RECYCLED PAPER, 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Leavitt	Swan

SUB. H.B. No. 330 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Myrin, under suspension of the rules, SUB. H.B. No. 110, SEVERANCE TAX INCENTIVE FOR PETROLEUM INDUSTRY RECOVERY, was read the second and third times, and passed on the following roll call:

Yeas, 24; Nays, 3; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt (conflict)
McMullin	Money	Myrin (conflict)	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Storey	Tempest (conflict)	Pres. Christensen

Voting in the negative were: Senators

Cornaby	McAllister	Richards

Absent or not voting were: Senators

Steele	Swan

SUB. H.B. No. 110 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator McMullin, under suspension of the rules, SUB. H.B. No. 91, MINIMUM FINES FOR OVERWEIGHT VEHICLES, was read the third time. Senator Myrin moved amendments that failed. On motion of Senator McMullin, the bill was circled.

* * *

On motion of Senator Bunnell, under suspension of the rules, H.B. No. 27, UTAH COAL TAX CREDIT, 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

Barlow	Beattie	Black	Bunnell
Carling (exp.)	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Barton	Myrin

H.B. No. 27 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Hillyard, under suspension of the rules, H.B. No. 147, AMENDMENTS TO CRIME VICTIM REPARATIONS, 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

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator
Barton

H.B. No. 147 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Hillyard, under suspension of the rules, **SUB. H.B. No. 288**, JOINT CUSTODY AMENDMENTS, 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

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator
Barton

SUB. H.B. No. 288 was signed by the President of the Senate in open session and returned to the House.

PRESENTATION OF RESOLUTIONS

On motion of Senator Cary Peterson, under suspension of the rules, the Senate voted to allow introduction of the following resolution

MASTER STUDY RESOLUTION
(2-21-90 4:46 p.m.)

S.J.R. No. 35 *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 49TH LEGISLATURE IN THE 1991 GENERAL SESSION, read the first time.

On motion of Senator Cary Peterson, under suspension of the rules, the resolution was read the second and third times.

On motion of Senator Cary Peterson, the resolution was amended as follows:

Page 32, Line 23:
After line 23, insert "264. Licensing Financial Planners – to study the requirement that certain persons register with the Division of Securities as investment advisors. (H.B. 127)"

On motion of Senator Bunnell, the resolution was amended as followed:

Page 32, After "264." item insert:
265. Effect of tax deductions for intangibles on State property tax.

The resolution passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

S.J.R. No. 35, as amended, was transmitted to the House.

SECOND READING CALENDAR

On motion of Senator Cary Peterson, under suspension of the rules, H.C.R. No. 31, 1990 CENSUS 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Comaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was: Senator
Nielsen

H.C.R. No. 31 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Carling, under suspension of the rules, **H.J.R. No. 28**, DEPARTMENT OF ENVIRONMENTAL QUALITY STUDY 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Comaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Money
Myrin	Nielsen	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting was; Senator
Pace

H.J.R. No. 28 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Craig Peterson, under suspension of the rules, H.J.R. No. 41, RESOLUTION DISCOURAGING INTERSTATE SEMITRAILER TRUCK TRAFFIC IN PROVO CANYON, was read the second and third times. Senators Myrin, C.E. Peterson, Finlinson, Rees, Black, Beattie, and McMullin commented. The resolution failed on the following roll call:

Yeas, 12; Nays, 12; Absent, 5

Voting in the affirmative were: Senators

Barlow	Beattie	Bunnell	Hillyard
Leavitt	McAllister	Money	Pace
Peterson, C.E.	Peterson, Cary	Steele	Swan

Voting in the negative were: Senators

Black	Carling	Cornaby	Farley
Finlinson	McMullin	Myrin	Nielsen
Rees	Richards	Tempest	Pres. Christensen

Absent or not voting were: Senators

Barton	Fordham	Holmgren	Peterson, Craig
Storey			

* * *

On motion of Senator Finlinson, under suspension of the rules, H.B. No. 439, GUARANTEE ASSOCIATION AMENDMENTS, 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Fordham	Hillyard	Holmgren	Storey

H.B. No. 439 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Richards, under suspension of the rules H.B. No. 226, TELECOMMUNICATIONS ACCESS FOR HEARING IMPAIRED, 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

Barlow	Barton	Beattie	Black
Bunnell	Cornaby	Farley	Finlinson
Fordham	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Rees	Richards
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Carling	Hillyard	Holmgren	Peterson, Craig
Storey			

H.B. No. 226 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Money, under suspension of the rules, SUB. H.B. No. 248, PUBLIC SAFETY REGARDING TEMPORARY, was read the second and third times, and passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Farley	Finlinson
Fordham	Hillyard	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Swan	Tempest	Pres. Christensen

Voting in the negative was: Senator
Steele

Absent or not voting were: Senators

Cornaby	Holmgren	Richards	Storey

SUB. H.B. No. 248 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Carling, under suspension of the rules, **H.B. No. 261**, POSSESSION OF DANGEROUS WEAPON, 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Leavitt	McAllister	McMullin
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Fordham	Hillyard	Holmgren	Money
Storey			

H.B. No. 261 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Cary Peterson, under suspension of the rules, **SUB. H.B. No. 274**, CONSOLIDATION OF DATA PROCESSING AND TELECOMMUNICATION 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

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Steele	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Black	Hillyard	Holmgren	Richards
Storey			

SUB. H.B. No. 274 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Cornaby, under suspension of the rules **H.B. No. 379**, STATE TREASURER 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

Barlow	Beattie	Bunnell	Carling
Cornaby	Farley	Finlinson	Fordham
McAllister	McMullin	Myrin	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barton	Black	Hillyard	Holmgren
Leavitt	Money	Nielsen	Storey

H.B. No. 379 was signed by the President of the Senate in open session and returned to the House.

RULES COMMITTEE REPORT

Mr. President: February 21, 1990

The Senate Rules Committee to which were referred the following House Bills and Resolutions asks that they be placed on the Second Reading Calendar:

H.B. No. 178	FUNDING FOR LIBRARIES IN HIGHER EDUCATION INSTITUTIONS
H.J.R. No. 35	HIGHWAY 89 RESOLUTION
SUB.	
H.B. No. 337	SPECIAL DISTRICTS TELEPHONE LISTING
H.B. No. 344	PROBATE CODE AMENDMENTS
H.B. No. 231	APPORTIONMENT BY COUNTY COMMISSIONERS
H.B. No. 286	FINALITY OF DIVORCE AMENDMENTS
SUB.	
H.B. No. 240	PROHIBITION OF UNSOLICITED FACSIMILE ADVERTISING
H.B. No. 216	ESCAPE OFFENSE AMENDMENTS
H.B. No. 224	CRIMINAL SENTENCING AMENDMENT
H.B. No. 279	DEPARTMENT OF CORRECTIONS AMENDMENTS
H.B. No. 367	PRIVATIZATION POLICY BOARD AMENDMENTS

C.E. Peterson,
Rules Committee Chairman

Committee report read and adopted. The bills were placed on Second Reading Calendar.

SECOND READING CALENDAR

On motion of Senator Myrin, under suspension of the rules, **H.B. No. 310**, TRANSPORTING ARRESTED JUVENILE, 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

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	McAllister	Money	Myrin
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Richards	Steele	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Barton	Hillyard	Holmgren	Leavitt
McMullin	Nielsen	Rees	Storey

H.B. No. 310 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Fordham, under suspension of the rules, **H.B. No. 384**, HUNTER EDUCATION AMENDMENTS, was read the second and third times and passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Beattie	Black	Bunnell	Carling
Cornaby	Farley	Fordham	Leavitt
McAllister	Money	Myrin	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Richards	Steele
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Barlow	Barton	Finlinson	Hillyard
Holmgren	McMullin	Nielsen	Pace
Rees	Storey		

H.B. No. 384 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Carling, under suspension of the rules **H.J.R. No. 26**, ECONOMIC DIVERSIFICATION STUDY 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

Barlow	Beattie	Bunnell	Carling
Cornaby	Finlinson	Fordham	Holmgren

Leavitt	McAllister	McMullin	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Craig
Richards	Steele	Storey	Swan
Tempest			

Absent or not voting were: Senators

Barton	Black	Farley	Hillyard
Money	Peterson, Cary	Rees	Pres. Christensen

H.J.R. No. 26 was signed by the President of the Senate later this day and returned to the House.

* * *

On motion of Senator Myrin SUB. H.B. No. 91, MINIMUM FINES FOR OVERWEIGHT VEHICLES, was uncircled and before the Senate.

On motion of Senator Myrin the bill was amended as follows:

Goldenrod page 4, Line 14g:
After line 17g insert:
"(7) The provisions of Subsection (6) do not apply to an inspection and checking station or port of entry that employs fewer than six full-time employees."

The substitute bill passed on the following roll call:

Yeas, 16; Nays, 1; Absent, 12

Voting in the affirmative were: Senators

Barlow	Beattie	Bunnell	Carling
Comaby	Finlinson	McAllister	Myrin
Nielsen	Peterson, C.E.	Peterson, Craig	Richards
Steele	Storey	Swan	Tempest

Voting in the negative was: Senator
Leavitt

Absent or not voting were: Senators

Barton	Black	Farley	Fordham
Hillyard	Holmgren	McMullin	Money
Pace	Peterson, Cary	Rees	Pres. Christensen

SUB. H.B. No. 91, as amended was returned to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives passed on February 8, 1990, H.B. No. 214, SECOND DEGREE MURDER AMENDMENT, by Representative Milner, amended as follows:

Page 2, Line 8:
Reinstate deleted language and delete new language.

The same is transmitted herewith for Senate reconsideration.

On motion of Senator Carling 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	Barton	Beattie	Bunnell
Carling	Cornaby	Finlinson	Holmgren
Leavitt	McAllister	Nielsen	Pace
Peterson, C.E.	Peterson, Craig	Richards	Steele
Storey	Swan		

Absent or not voting were: Senators

Black	Farley	Fordham	Hillyard
McMullin	Money	Myrin	Peterson, Cary
Rees	Tempest	Pres. Christensen	

H.B. No. 214 was signed by the President of the Senate later this day and returned to the House. Senator Cornaby is presiding.

SECOND READING CALENDAR

On motion of Senator Craig Peterson, under suspension of the rules, H.B. No. 388, PRIVATE PROBATION PROVIDER LICENSING ACT was read the second and third times.

On motion of Senator Craig Peterson, the bill was amended as follows:

Lilac Page 4, Lines 1-2:
Under line the language on lines 1 and 2

Lilac Page 4, Line 10b:
After "government"; insert "and"

Lilac Page 4, Line 12–12a:
After "(ii)" delete all the language on lines 12 and 12a

Lilac Page 4, Line 12d:
After "supervision" delete "or" and insert ":"

Lilac Page 4, Line 12e:
After "supervision" delete "of an" and insert ", or the" and after "individual" insert "is"

The bill passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10

Voting in the affirmative were: Senators

Barlow	Barton	Bunnell	Carling
Cornaby	Finlinson	Holmgren	Leavitt
McAllister	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Craig	Richards
Steele	Swan	Tempest	

Absent or not voting were: Senators

Beattie	Black	Farley	Fordham
Hillyard	McMullin	Peterson, Cary	Rees
Storey	Pres. Christensen		

H.B. No. 388, as amended, was returned to the House.

* * *

On motion of Senator Finlinson, under suspension of the rules, H.B. No. 21, P.O.W. LICENSE PLATE RENEWAL EXEMPTION, was read the second and third times.

Mr. President: January 25, 1990

The Senate Transportation & Public Safety Standing Committee, to which was referred H.B. No. 21, P.O.W. LICENSE PLATE RENEWAL EXEMPTION, by Representative Jed W. Wasden, has carefully considered the bill and reports it out of committee with a favorable recommendation.

Glade Nielsen,
Committee Chairman

Committee reports read and adopted. The bill passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 11

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Finlinson	Leavitt
McAllister	Myrin	Nielsen	Pace
Peterson, C.E.	Richards	Steele	Storey
Swan	Tempest		

Absent or not voting were: Senators

Black	Farley	Fordham	Hillyard
Holmgren	McMullin	Money	Peterson, Cary
Peterson, Craig	Rees	Pres. Christensen	

H.B. No. 21 was signed by the President of the Senate later this day and returned to the House.

* * *

On motion of Senator McAllister, under suspension of the rules **H.B. No. 125**, APPLIED TECHNOLOGY CENTERS, was read the second and third times.

Mr. President: February 14, 1990

The Education Standing Committee to which was referred **H.B. No. 125**, APPLIED TECHNOLOGY CENTERS, by Representative Grant D. Protzman, has carefully considered the bill the reports it out of committee with a favorable recommendation.

Dixie L. Leavitt,
Committee Chairman

Committee report read and adopted. The bill failed on the following roll call:

Yeas, 14; Nays, 5; Absent, 10

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Leavitt	Nielsen	Pace	Peterson, C.E.
Peterson, Craig	Richards	Steele	Storey
Swan	Tempest		

Voting in the negative were: Senators

Carling	Cornaby	Finlinson	McAllister
Myrin			

Absent or not voting were: Senators

Black	Farley	Fordham	Hillyard
Holmgren	McMullin	Money	Peterson, Cary
Rees	Pres. Christensen		

* * *

On motion of Senator Richards, under suspension of the rules, SUB. H.B. No. 139, VEHICLE CHILD RESTRAINT DEVICES, 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

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Fordham	Leavitt
McAllister	McMullin	Myrin	Nielsen
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest

Voting in the negative were: Senators

Barton	Peterson, C.E.	Pres. Christensen

Absent or not voting were: Senators

Farley	Finlinson	Hillyard	Holmgren
Money	Pace		

SUB. H.B. No. 139 was signed by the President of the Senate later this day and returned to the House.

* * *

On motion of Senator Myrin, under suspension of the rules, H.B. No. 125, was placed on the calendar for possible reconsideration. President Christensen is presiding.

* * *

On motion of Senator McMullin, under suspension of the rules, H.B. No. 178, FUNDING FOR LIBRARIES IN HIGHER EDUCATION INSTITUTIONS, 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

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Fordham
Hillyard	Holmgren	Leavitt (exp.)	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Voting in the negative was: Senator
Peterson, C.E.

Absent or not voting were: Senators

Black	Finlinson	Pace

H.B. No. 178 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Cornaby, under suspension of the rules, SUB. H.B. No. 272, READING REMEDIATION PILOT PROGRAMS IN PUBLIC SCHOOLS, was lifted from Rules Committee, was read the second and third times, and passed on the following roll call:

Yeas, 24; Nays, 2; Absent, 3

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Peterson, Cary	Peterson, Craig	Rees	Steele
Storey	Swan	Tempest	Pres. Christensen

Voting in the negative were: Senators

Barton	Peterson, C.E.

Absent or not voting were: Senators

Farley	Pace	Richards

SUB. H.B. No. 272 was signed by the President of the Senate in open session and returned to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives has this day passed H.B. No. 443, APPROPRIATIONS ACT, by Representative G. Brown, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Hillyard, under suspension of the rules, the bill was read the first, second, and third times, and passed on the following roll call:

Yeas, 27; Nays, 1; Absent, 1

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Farley
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McAllister	McMullin	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Steele	Storey
Swan	Tempest	Pres. Christensen	

Voting in the negative was: Senator
Money

Absent or not voting was: Senator
Richards

H.B. No. 443 was signed by the President of the Senate in open session and returned to the House.

On motion of Senator Barlow the following statement is placed in the Senate Journal.

ADDITIONAL INTENT LANGUAGE TO BE ADDED TO EXISTING INTENT LANGUAGE DEALING WITH STATE ROUTE 89

"or for environmental and design studies upon approval of local political subdivisions and local legislators."

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, **H.B. No. 441**, CAPITAL FACILITIES – STATE PROJECTS, by Representative R. Haze Hunter, et al, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

H.B. No. 441 was read the first time.

On motion of Senator Cary Peterson, under suspension of the rules, **H.B. No. 441**, CAPITOL FACILITIES – STATE PROJECTS was read the second and third times. Senators McAllister, Steele, Black, C.E. Peterson, Finlinson, Barlow, Cary Peterson, Beattie, Farley, Bunnell, Hillyard, and McMullin commented.

Senator McAllister moved to delete all Lilac House amendments, and return the bill to its original language. The motion passed on a voice vote. The bill passed on the following roll call:

Yeas, 16; Nays, 12; Absent, 1

Voting in the affirmative were: Senators

Black	Bunnell	Farley	Hillyard
Leavitt	McAllister	Money	Nielsen
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Storey	Swan	Tempest	Pres. Christensen

Voting in the negative were: Senators

Barlow	Barton	Beattie	Carling
Comaby	Finlinson	Holmgren	McMullin
Myrin	Pace	Richards	Steele

Absent or not voting was: Senator
Fordham

H.B. No. 441, as amended, was returned to the House.

* * *

Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, **H.B. No. 475**, SCHOOL FINANCE ACT, by Representative Glen E. Brown, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Barlow, under suspension of the rules, the bill was read the first, second, and third times, and passed on the following roll call:

Yeas, 28; Nays, 1; Absent, 0

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele (conflict)
Storey	Swan (conflict)	Tempest	Pres. Christensen

Voting in the negative was: Senator
Barton

H.B. No. 475 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator McMullin, **S.B. No. 180**, DIVORCED PARENTS COMPLIANCE WITH RESIDENTIAL PROVISIONS FOR A CHILD, was lifted from Third Reading Table, and was amended as follows:

Page 1, Line 15:
After "PROVISIONS;" delete "AND"

After "ORDER" insert "; AND PROVIDING A FEE FOR CERTAIN DOMESTIC ACTIONS TO FUND THE COSTS INCURRED BY COURTS"

Page 1, Line 18:
After Line 18 insert:

"78-3-16.5, AS LAST AMENDED BY CHAPTER 7, LAWS OF UTAH 1988 SECOND SPECIAL SESSION"

Page 7, Line 2:
Delete "may" and insert "shall"

Page 9, Line 24:
After Line 24 insert:

"(8) An additional filing fee of $10 shall be imposed under Section 78-3-16.5 for divorce complaints, petitions to modify a decree of divorce, and other specified actions that involve determination of or enforcement of child custody or visitation issues."

Page 9, Line 24:
After line 24 insert:

"Section 3. Section 78-3-16.5, Utah Code Annotated 1953, as last amended by Chapter 7, Laws of Utah 1988 Second Special Session, is amended to read:

78-3-16.5. Fees for filing and other services or actions.

(1) The following fees shall be paid to the district court clerk for:

(a) filing any complaint or petition in a civil or probate matter invoking the original jurisdiction of the court, $75, which the court clerk shall allocate as follows:

(i) $15 reporter's fee under Section 78-56-9;

(ii) $15 judge's retirement fee under Subsection 49-6-301 (4);

(iii) $21 to the General Fund; and

(iv) the remaining $24 to the General Fund if the county is in the district court system, and to the county treasurer if the county is not a part of the system, and an additional fee of $10 shall be paid for filing divorce complaints if the divorce involves determination of child custody or visitation, and this additional fee shall be transmitted to the General Fund if the county is in the district court system or to the county treasurer if the county is not a part of the system;

(b) an injunction, attachment, petition for appointment of a receiver, writ, order to show cause, execution, order of sale, supplemental order, commission to take testimony, or any other order requiring the seal of the court, an additional advance fee of $5, but if the action is to enforce child custody or visitation rights, an additional fee of $10 shall be paid and transmitted to the General Fund if the county is in the district court system or to the county treasurer if the county is not a part of the system;

(c) filing a cross-complaint, counterclaim, or complaint in intervention, $50;

(d) entering judgement by confession, $6;

(e) filing a motion for new trial or to set aside a judgment, $5;

(f) filing of a motion for any of the following, when a judicial order is required, $5:

(i) judgment notwithstanding the verdict;

(ii) preliminary injunction;

(iii) dismissal, when by an adverse party;

(iv) production of documents;

(v) to amend pleadings;

(vi: to intervene;

(vii) to substitute parties;

(viii) joinder, misjoinder, or nonjoinder; or

(ix) to refuse or disqualify a judge;

(g) transmittal of files and papers on a change of venue to another district court, or upon removal to a United States court, $20, exclusive of express charges or postage, and payable by the moving party;

(h) filing notice of appeal and undertaking, and for all services on appeal, including indexing, certification of a transcript, exemplification of a record, and all additional services on appeal, $20;

(i) filing or docketing an abstract or transcript of judgment, $5;

(j) filing a demand for jury trial, $50;

(k) filing any other documents required by law, $2, but there is no charge for filing a remittitur on appeal or for filing a satisfaction of judgment;

(l) certifying a document, $2 per document;

(m) making copies or other services, a reasonable charge approximating the cost of the service, or the actual cost of the service;

(n) a judge's certificate, $2;

(o) filing a petition to modify a decree of divorce, $25, but if the action involves child custody or visitation rights, an additional fee of $10 shall be paid and transmitted tot he General Fund if the county is in the district court system or to the county treasurer if the county is not a part of the system;

(p) filing a foreign judgment, $25;

(q) filing foreign child custody documents, $25; and

(r) filing foreign probate documents, $25.

(2) Fees not included in this section shall be established by the Judicial Council and applied uniformly statewide.

(3) (a) The filing fees under this section may not be charged to the state, its agencies, or political subdivisions filing or defending any action. In judgments awarded in favor of the state, or its agencies except the Office of Recovery Services, or political subdivisions, the court shall order the filing fees and collection costs to be paid by the judgment debtor.

(b) The Judicial Council shall adopt rules establishing fees to be collected by the state and its agencies or political subdivisions from persons indebted to those entities in all other matters filed with the clerk, but which are not commenced by the filing of a civil complaint or petition.

(c) The rules shall be adopted after consultation with affected entities, and shall take into consideration pertinent state laws or federal regulations. The sums collected under this section shall be applied to the fees after credit to the judgment, order, fine, tax, lien, or other penalty and costs permitted by the Rules of Civil Procedure, Rule of Criminal Procedure, or state law.

(d) All fees under this section shall be deposited by the state, its agencies, or political subdivisions with the state treasurer."

The bill passed on the following roll call:

Yeas, 22; Nays, 5; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Carling	Finlinson	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Tempest	Pres. Christensen		

Voting in the negative were: Senators

Farley	Pace	Steele	Storey
Swan			

Absent or not voting were: Senators

Bunnell	Cornaby

S.B. No. 180, as amended, was transmitted to the House.

* * *

On motion of Senator Black, under suspension of the rules, H.J.R. No. 22, HISTORIC SITE PRESERVATION RESOLUTION, was read the second and third times, and passed on the following roll call:

Yeas, 25; Nays, 2; Absent, 2

Voting in the affirmative were: Senators

Barton	Beattie	Black	Bunnell
Carling	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Swan	Tempest
Pres. Christensen			

Voting in the negative were: Senators

Steele	Storey

Absent or not voting were: Senators

Barlow	Cornaby

H.J.R. No. 22 was signed by the President of the Senate in open session and returned to the House.

* * *

Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, S.B. No. 57, RECODIFICATION OF SPECIAL DISTRICTS, by Senator Dix H. McMullin, and the same is transmitted herewith for Senate consideration as amended:

Goldenrod Page 1068, Line 15f:
After line 15f insert:

"The legislature directs that the Office of Legislative Research and General Council:

(1) renumber Sections 17A-3-301 to 17A-3-338 to 17-2-301 to 17-2-338 before enrolling this bill; and

(2) renumber the remaining sections in Chapters 2 and 3, Title 17A to reflect this change."

Carole E. Peterson, Chief Clerk

On motion of Senator McMullin, 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

Barton	Beattie	Black	Bunnell
Carling	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Barlow	Cornaby	Money

S.B. No. 57, was transmitted to the House.

* * *

Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, S.B. No. 197, UTAH CONSERVATION CORPS, by Senator Lorin N. Pace, and the same is transmitted herewith for Senate consideration as amended:

Page 1, Lines 11–12:
Delete "THE DEPARTMENT OF AGRICULTURE;
ESTABLISHING THE UTAH CONSERVATION CORPS WITHIN THE DEPARTMENT OF AGRICULTURE;" and insert:
"SOIL CONSERVATION DISTRICT'S; AUTHORIZING SOIL CONSERVATION DISTRICTS TO ESTABLISH UTAH CONSERVATION CORPS;"

Page 2, Lines 13–14:
Delete "There is established within the Department of Agriculture the Utah Conservation Corps, which is" and insert: "The Utah Conservation Corps shall be"

Page 3, Line 2:
Delete line 2. Renumber remaining subsections

Page 3, Line 11:
After "director" delete "shall" and insert "may"

Page 4, Line 7:
After "assist" delete "other divisions with the department"

Page 5, Line 6:
After "corps" delete ", in conjunction with other state agencies."

Page 6, Line 14:
After "equipment;" insert "and"

Page 6, Line 15:
After "insurance" delete "; and" and insert "."

Page 6, Lines 16–17:
Delete lines 16 through 17

Page 7, Line 1:
After "corps" delete "shall" and insert "may"

Carole E. Peterson, Chief Clerk

On motion of Senator Pace, 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Comaby	Farley
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Finlinson	Money

S.B. No. 197, was transmitted to the house.

RULES COMMITTEE REPORT

Mr. President: February 21, 1990

The Senate Rules Committee to which were referred the following House Bills asks that they be placed on the Second Reading Calendar:

H.B. No. 5 SUGGESTION AWARDS PROGRAM
H.B. No. 304 OFFICE OF CHILD CARE

C.E. Peterson,
Rules Committee Chairman

Committee read and adopted. The bills were placed on Second Reading Calendar.

SECOND READING CALENDAR

On motion of Senator Carling, under suspension of the rules, H.B. No. 304, OFFICE OF CHILD CARE, was read the second and third times. Senators Carling, Tempest, Barton, Farley, Holmgren, and Fordham commented. The bill passed on the following roll call:

Yeas, 18; Nays, 9; Absent, 2

Voting in the affirmative were: Senators

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt (exp.)
McAllister	Myrin	Rees (exp.)	Steele
Swan	Pres. Christensen		

Voting in the negative were: Senators

Barton	Money	Nielsen	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Richards	Storey
Tempest			

Absent or not voting were: Senators

McMullin	Pace

H.B. No. 304 was signed by the President of the Senate in open session and returned to the House.

* * *

Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, S.B. No. 220, INCOME TAX CHECKOFF FOR HIGHER EDUCATION, by Senator Leavitt, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Leavitt, 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

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators
Black Pace

S.B. No. 220, was transmitted to the House.

* * *

On motion of Senator Beattie, under suspension of the rules, **H.B. No. 5,** SUGGESTION AWARDS PROGRAM, 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

Barlow	Beattie	Black	Bunnell
Carling	Cornaby	Farley	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators
Barton Finlinson

H.B. No. 5 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Cary Peterson, under suspension of the rules, **H.B. No. 61,** WILDERNESS TASK FORCE, was lifted from the Rules Committee, read the second and third times.

Mr. President: February 13, 1990

The Senate Energy, Natural Resources and Agriculture Committee, to which was referred **H.B. No. 61,** WILDERNESS TASK FORCE, by Representative David M. Adams, has carefully considered the bill and reports it out of committee favorably and with the following amendments:

Page 3, Lines 4–9:
Delete lines 4 through 9 and insert the following:

"(9) The Wilderness Task Force shall submit recommendations regarding lands to be designated as wilderness to the Energy, Natural Resources, and Agriculture Interim Committee. The committee shall review the recommendations and prepare a joint resolution of the Legislature incorporating a description of proposed wilderness lands. The resolution shall be submitted to the legislature for its consideration no later than the 1992 General Session. When approved, the resolution shall be sent to the President and Vice-President of the United States, the Speaker of the United States House of Representatives, the members of the Utah Congressional Delegation, and the United States Secretary of the Interior."

Fred W. Finlinson
Committee Chairman

Committee report read and adopted. Senator Farley commented.

The bill passed on the following roll call:

Yeas, 18; Nays, 9; Absent, 2

Voting in the affirmative were: Senators

Barlow	Beattie	Bunnell	Cornaby
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Pres. Christensen		

Voting in the negative were: Senators

Black	Carling	Farley	Pace
Richards	Steele	Storey	Swan
Tempest			

Absent or not voting were: Senators

Barton	Finlinson

H.B. No. 61, as amended, was returned to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 21, 1990

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. 441**, CAPITAL

FACILITIES – STATE PROJECTS, by Representative R. Haze Hunter, et al, and requests the Senate to recede from its amendments.

Carole E. Peterson, Chief Clerk

On motion of Senator McAllister, the Senate voted to refuse to recede from its amendments on the following roll call:

Yeas, 17; Nays, 11; Absent, 1

Voting in the affirmative were: Senators

Black	Bunnell	Carling	Cornaby
Farley	Fordham	Hillyard	Holmgren
McAllister	McMullin	Money	Nielsen
Peterson, C.E.	Peterson, Craig	Storey	Tempest
Pres. Christensen			

Voting in the negative were: Senators

Barlow	Barton	Beattie	Leavitt
Myrin	Pace	Peterson, Cary	Rees
Richards	Steele	Swan	

Absent or not voting was: Senator
Finlinson

President Christensen appointed a Conference Committee consisting of Senators McAllister, Barlow, and Black.

H.B. No. 441 was returned to the House.

* * *

Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, **S.J.R. No. 35**, MASTER STUDY RESOLUTION, by Senator Cary Peterson, and the same is transmitted herewith for Senate consideration as amended:

Page 32, Line 23:
After item 265, insert, "266. TERM BONDING – TO STUDY THE RATIONALE OF THE CURRENT TERM BONDING PRACTICES WHICH LIMIT BONDS TO SEVEN YEARS.

267. BOTTLE RECYCLING – TO STUDY THE ISSUES RELATED TO BOTTLE RECYCLING."

Carole E. Peterson, Chief Clerk

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

Yeas, 23; Nays, 0; Absent, 6

Voting in the affirmative were: Senators

Barton	Beattie	Bunnell	Carling
Cornaby	Farley	Fordham	Hillyard
Holmgren	Leavitt	McAllister	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Storey	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Barlow	Black	Finlinson	Richards
Steele	Swan		

S.J.R. No. 35 was transferred to the House.

* * *

Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, S.B. No. 124, VENUE FOR CONSUMER TRANSACTIONS, by Senator Carling, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Carling, the Senate voted to refuse to concur in the House amendment and to ask the House to recede from its amendment.

S.B. No. 124 was transmitted to the House.

* * *

On motion of Senator Hillyard, under suspension of the rules, S.B. No. 268, APPROPRIATIONS ACT - SUPPLEMENTAL, was lifted from Rules Committee, 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

Barlow	Beattie	Black	Bunnell

Carling	Cornaby	Farley	Fordham
Hillyard	Holmgren	Leavitt	McAllister
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Richards
Storey	Tempest	Pres. Christensen	

Voting in the negative was Senator
Barton

Absent or not voting were: Senators

Finlinson	McMullin	Rees	Steele
Swan			

S.B. No. 268 was transferred to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, H.B. No. 103, RURAL PHYSICIAN SCHOLARSHIP ACT, by Representative Joseph M. Moody, et al, and the same is transmitted herewith for Senate consideration as amended:

Page 3, Line 10:
After "medicine" insert "in a specialty needed as determined by the committee"

Page 3, Line 17:
After "full-time service" insert "in a specialty needed as determined by the committee"

P[age 9, Line 7:
Delete "nonlapsing"

Page 10, Lines 11-12:
Delete lines 11 and 12 and insert "(1) The funding provided for the program shall be provided as a separate line item to the department in the annual appropriation act and, unless otherwise provided in an appropriations acts, shall be non-lapsing. This funding shall include:"

Page 10, Lines 21-23:
Delete lines 21 through 23

Carole E. Peterson, Chief Clerk

On motion of Senator Cary Peterson, under suspension of the rules, the bill was read the first, second and third times, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Cornaby	Farley	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Black	Rees

H.B. No. 103 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Cary Peterson, H.J.R. No. 39 was circled.

* * *

On motion of Senator Cary Peterson, H.J.R. No. 35 was circled.

* * *

On motion of Senator Barton under suspension of the rules, S.R. No. 7, NATIONAL VOTER REGISTRATION RESOLUTION, was read the second and third times, and passed on the following roll call:

Yeas, 19; Nays, 5; Absent, 5

Voting in the affirmative were: Senators

Barton	Beattie	Bunnell	Carling
Finlinson	Fordham	Hillyard	Holmgren
Leavitt	McMullin	Myrin	Nielsen

Peterson, C.E.	Peterson, Cary	Rees	Steele
Storey	Tempest	Pres. Christensen	

Voting in the negative were: Senators

Farley	Money	Pace	Richards
Swan (exp.)			

Absent or not voting were: Senators

Barlow	Black	Comaby	McAllister
Peterson, Craig			

S.R. No. 7 was signed by the President of the Senate in open session, referred to Rules Committee to be enrolled and transmitted to the Lieutenant Governor.

* * *

On motion of Senator Fordham, H.J.R. No. 41 was returned for reconsideration and circled.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 21, 1990

I am directed to inform the Senate that the Speaker of the House has this day appointed a Conference Committee consisting of Representatives Hunter, Holt and Knowlton to act with a like Committee from the Senate to consider or amend H.B. No. 441, CAPITAL FACILITIES – STATE PROJECTS, by Representative R. Haze Hunter.

Carole E. Peterson, Chief Clerk

Communication filed.

* * *

On motion of Senator McMullin, under suspension of the rules, SUB. H.B. No. 337, SPECIAL DISTRICTS TELEPHONE LISTING, was lifted from Rules Committee, 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

Barton	Beattie	Bunnell	Carling

Cornaby	Farley	Fordham	Hillyard
Holmgren	Leavitt	McMullin	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Storey	Swan	Tempest	Pres. Christensen

Absent or not voting were: Senators

Barlow	Black	Finlinson	McAllister
Money			

SUB. H.B. No. 337 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Hillyard, under suspension of the rules S.B. No. 256, SUPPLEMENTAL APPROPRIATIONS ACT, was lifted from Rules Committee, read the second and third times, and passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 6

Voting in the affirmative were: Senators

Barton	Beattie	Bunnell	Carling
Cornaby	Farley	Hillyard	Holmgren
Leavitt	McMullin	Myrin	Nielsen
Pace	Peterson, Cary	Peterson, Craig (conflict)	
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Voting in the negative was: Senator
Money

Absent or not voting were: Senators

Barlow	Black	Finlinson	Fordham
McAllister	Peterson, C.E.		

S.B. No. 256 was transmitted to the House.

* * *

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives has passed on February 8, 1990, H.C.R. No. 16, EARTH DAY 1990 RESOLUTION, by Representative White, amended as follows:

Page 1, Line 12:
Delete "AND"

Page 1, line 13:
After "DAY" insert "; AND PROVIDING FOR AN EFFECTIVE DATE"

Page 2, Line 18:
After line 18 insert "If approved by two-thirds of all the members elected to each house, this act takes effect upon the Governor's signature"

The same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator McMullin, under suspension of the rules, the resolution was read the first, second, and third times, and passed, on reconsideration, on the following roll call:

Yeas, 24; Nays, 2; Absent, 3

Voting in the affirmative were: Senators

Barton	Beattie	Bunnell	Carling
Comaby	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McMullin
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Steele
Storey	Swan	Tempest	Pres. Christensen

Voting in the negative were: Senators

Money	Richards

Absent or not voting were: Senators

Barlow	Black	McAllister

H.C.R. No. 16 was signed by the President of the Senate in open session and returned to the House.

* * *

Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives has passed on February 16, 1990, H.B. No. 349, HEALTH INSURANCE FOR DEPENDENT CHILDREN, by Representative Atkinson, amended as follows:

Page 3, Line 4:
After "plan" insert ", assuming equivalent benefits,"

Page 3, Lines 5–6:
Delete ", if the parent or legal guardian's plan does not provide" and insert "which provides"

Page 3, lines 7–8:
Delete "or does not comply with the prior court or administrative order"

The same is transmitted herewith for Senate reconsideration.

Carole E. Peterson, Chief Clerk

On motion of Senator McMullin, under suspension of the rules, the bill was read the first, second and third times, and passed, on reconsideration, on the following roll call:

Yeas, 26; Nays, 0; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McMullin
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Richards	Steele	Storey	Swan
Tempest	Pres. Christensen		

Absent or not voting were: Senators

Black	Cornaby	McAllister

H.B. No. 349 was signed by the President of the Senate in open session and returned to the House.

* * *

Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended, S.B. No. 268, APPROPRIATIONS ACT - SUPPLEMENTAL, by Senator Lyle W. Hillyard and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

On motion of Senator Hillyard, the Senate voted to concur with the House amendment. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Carling	Farley	Finlinson	Fordham
Hillyard	Holmgren	Leavitt	McMullin
Money	Myrin	Nielsen	Pace
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Absent or not voting were: Senators

Black	Cornaby	McAllister	Peterson, C.E.

S.B. No. 268 was transmitted to the House.

* * *

On motion of Senator Myrin, under suspension of the rules, H.B. No. 125, APPLIED TECHNOLOGY CENTERS, was before the Senate on reconsideration, and passed on the following roll call:

Yeas, 23; Nays, 2; Absent, 4

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Bunnell
Farley	Fordham	Hillyard	Holmgren
Leavitt	McMullin	Money	Myrin
Nielsen	Pace	Peterson, C.E.	Peterson, Cary
Peterson, Craig	Rees	Richards	Steele
Swan	Tempest	Pres. Christensen	

Voting in the negative were: Senators

Carling	Finlinson

Absent or not voting were: Senators

Black	Cornaby	McAllister	Storey

H.B. No. 125 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator C.E. Peterson, **H.J.R. No. 41**, RESOLUTION DISCOURAGING INTERSTATE SEMITRAILER TRUCK TRAFFIC IN PROVO CANYON, was uncircled, and passed on the following roll call:

Yeas, 19; Nays, 9; Absent, 1

Voting in the affirmative were: Senators

Barlow	Beattie	Bunnell	Carling
Cornaby	Fordham	Hillyard	Holmgren
McAllister	McMullin	Money	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Steele
Storey	Swan	Pres. Christensen	

Voting in the negative were: Senators

Barton	Black	Farley	Finlinson
Myrin	Nielsen	Rees	Richards
Tempest			

Absent or not voting was: Senator
Leavitt

H.J.R. No. 41 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator McMullin, **S.B. No. 264**, STATE BONDING FOR CAPITAL FACILITIES, was lifted from Rules Committee, and read the second and third times.

Senator Leavitt moved the following amendments:

Page 2, Line 20:
Delete "$5,100,000" and insert "$5,900,000"

Page 2, Line 23:
After "Highway." insert "and $800,00 to the Division of Facilities Construction and Management for capital improvements for fiscal year 1989–1990 and repay the outstanding obligation for the Dixie Center."

Senator Leavitt's motion to amend passed on the following roll call:

Yeas, 19; Nays, 9; Absent, 1

Voting in the affirmative were: Senators

Barton	Beattie	Black	Bunnell
Carling	Farley	Finlinson	Fordham
Hillyard	Leavitt	McMullin	Money
Pace	Peterson, C.E.	Peterson, Craig	Rees
Steele	Swan	Tempest	

Voting in the negative were: Senators

Cornaby	Holmgren	McAllister	Myrin
Nielsen	Peterson, Cary	Richards	Storey
Pres. Christensen			

Absent or not voting was: Senator
Barlow

The bill passed on the following roll call:

Yeas, 18; Nays, 10; Absent, 1

Voting in the affirmative were: Senators

Barlow	Beattie	Carling	Finlinson
Hillyard	Leavitt	McMullin	Money
Myrin	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Steele
Storey	Tempest		

Voting in the negative were: Senators

Barton	Black	Bunnell	Cornaby

Farley	Fordham	Holmgren	Richards
Swan	Pres. Christensen		

Absent or not voting was: Senator McAllister

S.B. No. 264, as amended, was transmitted to the House.

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On motion of Senator Beattie, under suspension of the rules, **H.J.R. No. 39,** ABORTION LIMITATION RESOLUTION, was uncircled, read the second and third times, and passed on the following roll call:

Yeas, 17; Nays, 6; Absent, 6

Voting in the affirmative were: Senators

Barton	Beattie	Black	Hillyard
McAllister	Myrin	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Richards
Steele	Storey	Swan	Tempest
Pres. Christensen			

Voting in the negative were: Senators

Bunnell	Carling	Cornaby	Farley
Fordham	Holmgren		

Absent or not voting were: Senators

Barlow	Finlinson	Leavitt	McMullin
Money	Nielsen		

H.J.R. No. 39 was signed by the President of the Senate in open session and returned to the House.

* * *

Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, **S.B. No. 108,** PUBLIC CHOICE ON TRANSIT TAX AMENDMENTS (LIGHT RAIL), by Senator K.S. Cornaby, et al, and the same is transmitted herewith for Senate consideration as amended:

Goldenrod Page 2, Line 15b:
After line 15b (Goldenrod Copy) insert:
"(5) Notwithstanding the designated use of revenues in Subsection (1), of the revenues generated by the tax imposed under this section by any county of the first class, 75% shall be allocated to fund a fixed guideway and expanded public transportation system and 25% shall be allocated to fund renovations, repairs, and improvements to Interstate 15."

Goldenrod Page 2, Line 2:
Reinstate "or special"

Goldenrod Page 2, Line 15b:
After line 15b insert:
"Section 2. Effective Date.
This act takes effect January 1, 1991."

Carole E. Peterson, 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, 26; Nays, 3; Absent, 3

Voting in the affirmative were: Senators

Beattie	Black	Carling	Cornaby
Finlinson	Fordham	Hillyard	Holmgren
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Voting in the negative were: Senators

Barton	Bunnell	Farley

Absent or not voting were: Senators

Barlow	Leavitt	McAllister

S.B. No. 108 was transmitted to the House.

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Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives has this day passed, as amended per lilac copy, S.B. No. 175, FUNDING FOR TOURISM, RECREATION, AND CONVENTION FACILITIES, by Senator Dix H. McMullin, and the same is transmitted herewith for Senate consideration.

Carole E. Peterson, Chief Clerk

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

Yeas, 24; Nays, 2; Absent, 3

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Finlinson
Fordham	Hillyard	Holmgren	McAllister
Money	Myrin	Nielsen	Pace
Peterson, C.E.	Peterson, Cary	Peterson, Craig	Rees
Storey	Swan	Tempest	Pres. Christensen

Voting in the negative were: Senators

Richards	Steele	

Absent or not voting were: Senators

Farley	Leavitt	McMullin

S.B. No. 175 was transmitted to the House.

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Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives has refused to concur in the Senate amendments to SUB. H.B. No. 91, MINIMUM FINES FOR OVERWEIGHT VEHICLES, by Representative Stephen M. Bodily, et al, and requests the Senate to recede from its amendments.

Carole E. Peterson, Chief Clerk

SUB. H.B No. 91 was unfinished business.

* * *

Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives concurs in the Senate amendments to **H.B. No. 441**, CAPITAL FACILITIES STATE PROJECT, by Representative Hunter, and agrees to recede from House amendments.

Carole E. Peterson, Chief Clerk

The bill, as introduced without amendments, passed on the following roll call:

Yeas, 19; Nays, 8; Absent, 2

Voting in the affirmative were: Senators

Beattie	Black	Bunnell	Carling
Fordham	Hillyard	Leavitt	McAllister
Money	Nielsen	Pace	Peterson, C.E.
Peterson, Cary	Peterson, Craig	Rees	Storey
Swan	Tempest	Pres. Christensen	

Voting in the negative were: Senators

Barlow	Barton	Cornaby	Finlinson
Holmgren	McMullin	Myrin	Steele

Absent or not voting were: Senators

Farley	Richards

H.B. No. 441 was signed by the President of the Senate in open session and returned to the House.

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On motion of Senator Cary Peterson, under suspension of the rules, **H.J.R. No. 35**, HIGHWAY 89 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

Barlow	Barton	Beattie	Black
Bunnell	Carling	Cornaby	Finlinson
Fordham	Hillyard	Holmgren	Leavitt
McAllister	McMullin	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig

Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Farley	Money

H.J.R. No. 35 was signed by the President of the Senate in open session and returned to the House.

SUB. H.B. No. 91 was before the Senate at 12 midnight. No action taken.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 21, 1990

I am directed to inform the Senate that House of Representatives failed to read into the record, **S.B. No. 180**, DIVORCED PARENTS COMPLIANCE WITH RESIDENTIAL PROVISION FOR A CHILD, by Senator Dix H. McMullin. The enacting clause was stricken on February 21, 1990, and the bill is returned herewith for filing; and

I am directed to inform the Senate that the House of Representatives has this day rejected, **S.J.R. No. 21**, SPECIAL SERVICE DISTRICTS RESOLUTION, by Senator K.S. Cornaby, and the same is returned herewith; and

I am directed to inform the Senate that the House of Representatives has this day rejected, **S.J.R. No. 5**, INCOME TAX EARMARK AMENDMENT, by Senator Karl G. Swan, and the same is returned herewith.

Carole E. Peterson, Chief Clerk

S.B. No. 180, S.J.R. No. 21, and S.J.R. No. 5 were filed.

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Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives, on reconsideration, has this day concurred in the Senate amendments and passed **SUB. H.B. No. 268**, CERTIFIED PUBLIC ACCOUNTING LICENSING ACT, by Representative Nancy S. Lyon, and 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. 383, STATE LAND LAW AMENDMENTS, by Representative Christensen, and the same is transmitted herewith for the signature of the President; and

Carole E. Peterson, Chief Clerk

SUB. H.B. No. 268, and H.B. No. 383 were signed by the President of the Senate in open session and returned to the House.

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Mr. President: February 20, 1990

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. 61, WILDERNESS TASK FORCE, by Representative David M. Adams, and 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. 77, ENFORCEMENT OF NEW MOTOR VEHICLES WARRANTIES AMENDMENTS, by Representative Grant D. Protzman,and 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. 185, PROCEDURAL AMENDMENTS TO THE NONPROFIT AND BUSINESS CORPORATIONS ACT, by Representative Nancy S. Lyon, and 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 SUB. H.B. No. 308, TRANSPORTATION TASK FORCE, be Representative Byron L. Harward, 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 H.B. No. 388, PRIVATE PROBATION PROVIDER LICENSING ACT, by Representative R. Lee Ellertson, and 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 SUB. H.B. No. 401, AMENDMENTS TO STATE GOVERNMENT, by Representative Karras, and 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. 414, LIMITED GUARDIANSHIPS FOR STATE TRAINING SCHOOL RESIDENTS, by Representative Hugh D. Rush, and 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. 456, COMPETENCY EVALUATIONS AMENDMENTS, by Representative Lloyd 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. 476, COURT FEES, by Representative R. Lee Ellertson, and 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. 43, UTAH FIT PREMISES ACT, by Representative C. Moody, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Chief Clerk

H.B. Nos. 61, 77, 185, SUB. H.B. No. 308, H.B. No. 388, SUB. H.B. No. 401, H.B. Nos. 414, 456, 476, and 43, were signed by the President of the Senate on February 22, 1990 and returned to the House.

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Mr. President: February 21, 1990

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 235, UTAH HEALTH DATA COMMITTEE, 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 passed S.B. No. 256, SUPPLEMENTAL APPROPRIATIONS ACT, by Senator Lyle W. 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. 259, FINANCING FOR THE HEBER CREEPER, by Senator

Alarik Myrin, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President; and

Carole E. Peterson, Chief Clerk

S.B. No. 235, 256 and 259 were signed by the President of the Senate in open session, referred to Rules Committee to be enrolled and transmitted to the Governor.

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Mr. President: February 22, 1990

I am directed to inform the Senate that the Speaker has signed S.J.R. No. 35, MASTER STUDY RESOLUTION, by Senator Cary G. Peterson, et al, and the same is transmitted herewith for the signature of the President.

I am directed to inform the Senate that the Speaker has signed S.B. No. 108, PUBLIC CHOICE ON TRANSIT TAX AMENDMENTS, by Senator K.S. Comaby, 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 S.B. No. 175, FUNDING FOR TOURISM, RECREATION, AND CONVENTION FACILITIES, by Senator Dix H. McMullin, 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 S.B. No. 268, APPROPRIATIONS ACT – SUPPLEMENTAL, by Senator Lyle W. Hillyard, et al, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Chief Clerk

S.J.R. No. 35, S.B. Nos. 108, 175, and 268 were signed by the President of the Senate on February 23, 1990, referred to the Rules committee to be enrolled and transmitted herewith to the Governor and Lieutenant Governor.

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Mr. President: February 21, 1990

I am directed to inform the Senate that the Speaker signed in open session, S.B. No. 46, COLLECTION OF PERSONAL PROPERTY TAXES AND FEES, by Senator Dix H. McMullin, 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. 57, RECODIFICATION OF SPECIAL DISTRICTS, by Senator McMullin, and the same is transmitted herewith for the signature of the President; and

I am directed to inform the Senate that the House of Representatives has this day passed SUB. S.B. No. 75, PROBATION CRITERIA, by Senator Holmgren, 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. 76, PROPERTY DAMAGE PROTECTION AGAINST UNINSURED MOTORISTS, by Senator David H. Steele, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President; and

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 90, SOLICITATION OF CRIMINAL 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. 100, INTERJURISDICTIONAL TRANSFER OF PRISONERS, by Senator Lorin N. Pace, 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. 104, STATE GRASS DESIGNATED, by Senator Myrin, 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. 124, VENUE FOR CONSUMER TRANSACTIONS, 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 signed in open session, SUB. S.B. No. 132, GOVERNANCE OF PUBLIC EDUCATION, by Senator Leavitt, and SUB S.B. No. 81, REGULATION EXEMPTION FOR MANUFACTURED HOMES, by Senator Craig Peterson, and the same are 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, UNIFORM COMMERCIAL CODE - CHECK AMENDMENTS, by Senator Richard J. 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. 165, CREDIT SERVICES ACT AMENDMENTS, by Senator

Richard J. 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. 181, CRIMINAL OFFENSE CHARGES, by Senator Winn L. Richards, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President; and

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 183,, REPEAL OF ORS BAIL COLLECTION, by Senator John P. Holmgren, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President; and

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 185, MUDGUARD AND FENDER REQUIREMENT, by Senator David H. Steele, 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. 186, NOTICE PERIOD FOR WATER DISTRICT REPORT, by Senator Cary G. 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. 187, FORFEITURE HEARING JURISDICTION, by Senator Winn L. Richards, 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 SUB. S.B. No. 193, DIESEL EMISSION INSPECTIONS, by Senator Stephen J. Rees 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, UTAH CONSERVATION CORPS, by Senator Lorin N. Pace, 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. 199, SEVERANCE TAXES ON METALLIFEROUS MINERALS, by Senator Lyle W. 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 SUB. S.B. No. 200, SPECIAL IMPROVEMENT DISTRICT

AMENDMENTS, by Senator Fred W. Finlinson, which has been signed by the Speaker in open session, and the same is transmitted herewith for the signature of the President; and

I am directed to inform the Senate that the House of Representatives has this day passed S.B. No. 207, UNIFORM CHILD CUSTODY JURISDICTION ACT AMENDMENTS, by Senator John P. Holmgren, 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. 220, INCOME TAX CHECKOFF FOR HIGHER EDUCATION, by Senator Dixie L. Leavitt, and the same is 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. 238, MOTOR VEHICLE ACT 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 Speaker has signed in open session, SUB. S.B. No. 242, PSYCHIATRIC SECURITY REVIEW BOARD AND MENTALLY RETARDED OFFENDERS AMENDMENTS, by Senator John P. Holmgren, and the same is 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. 249, DEPARTMENT OF SOCIAL SERVICES REORGANIZATION, by Senator John P. Holmgren, 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. 265, GENERAL GOVERNMENT AMENDMENTS, by Senator Dix H. 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 SUB. S.B. No. 273, JUDICIAL REVIEW OF ADMINISTRATIVE RULES, 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; and

I am directed to inform the Senate that the House of Representatives has this day passed S.J.R. No. 23, NEW ALCOHOLIC BEVERAGE LAWS

IMPLEMENTATION REVIEW, by Senator Richard J. 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 signed in open session S.J.R. No. 24, LIMITATION OF CONGRESSIONAL TERMS AMENDMENT RESOLUTION, by Senator C.E. Peterson, and the same is transmitted herewith for the signature of the President.

Carole E. Peterson, Chief Clerk

S.B. Nos. 46, 57, SUB. S.B. No. 75, S.B. Nos. 76, 90, 100, 104, 124, SUB. S.B. No. 132, SUB. S.B. No. 81, S.B. Nos. 163, 165, 181, 183, 185, 186, 187, SUB. S.B. No. 193, S.B. Nos. 197, 199, SUB. S.B. No. 200, S.B. Nos. 207, 220, 238, SUB. S.B. No. 242, S.B. Nos. 249, 265, SUB. S.B. No. 273, S.J.R. Nos. 23 and 24 were signed by the President of the Senate on February 22, 1990, referred to Rules Committee to be enrolled and transmitted to the Governor or Lieutenant Governor.

SENATE STRUCK ENACTING CLAUSE
(House Bills and Resolutions)

Mr. Speaker: February 21, 1990

I am directed to inform the House of Representatives that the Senate on this day struck the enacting clause on the following House Bills and Resolutions:

H.B. No. 15 SUB.	SMOKE DETECTOR ACT
H.B. No. 20	LICENSURE OF ADDICTIONS COUNSELORS
H.B. No. 22	OCCUPATIONAL INFORMATION COORDINATION ACT
H.B. No. 29	HEALTH CARE INSURANCE TASK FORCE
H.B. No. 47	UTAH HEALTH CARE INFORMATION ACT
H.B. No. 62	INSURANCE COMPANIES DISCLOSURE
H.B. No. 74	PROGRAM FOR SUGGESTIONS AND COMPLAINTS BY SCHOOL EMPLOYEES
H.B. No. 96 SUB.	TICKET SCALPING RESTRICTIONS
H.B. No. 99	CAMPAIGN SIGNS
H.B. No. 118	PROPERTY TAX PAYMENT AMENDMENTS
H.B. No. 122 SUB.	CORPORATE TRADEMARKS AND SERVICE MARKS
H.B. No. 127 SUB.	LICENSING FINANCIAL PLANNERS
H.B. No. 129	STUDENT DISCIPLINE IN THE PUBLIC SCHOOLS

H.B. No. 137	THEFT OFFENSE AMENDMENTS
H.B. No. 144	SCHOOL WARNING DEVICES
H.B. No. 155	ENTRANCE REQUIREMENTS AT INSTITUTIONS OF HIGHER EDUCATION
H.B. No. 157	REPORTING CAMPAIGN CONTRIBUTIONS
H.B. No. 160	TASK FORCE ON VOLUNTEERS FOR COMMUNITY SERVICE
H.B. No. 179	ELDERLY RESIDENTIAL ZONING
H.B. No. 181	REPORTING OF LITIGATION AND LITIGATION COSTS IN THE PUBLIC SCHOOLS
H.B. No. 188 SUB.	DRIVING PRIVILEGES AMENDMENTS
H.B. No. 189	STATE FOREST NURSERY
H.B. No. 191	MUNICIPAL IMPROVEMENT DISTRICT AMENDMENTS
H.B. No. 219	LATE REGISTRATION OF VOTERS
H.B. No. 225	SOLID WASTE MANAGEMENT SUPERVISION
H.B. No. 228	DURABLE POWER OF ATTORNEY AMENDMENTS
H.B. No. 236	INCOME TAX - SCHOOLS CHECKOFF
H.B. No. 241	USE OF CAMPAIGN CONTRIBUTOR LIST
H.B. No. 250	METALLIFEROUS SEVERANCE TAX AMENDMENTS
H.B. No. 257	PERSONAL REPRESENTATIVE COMPENSATION
H.B. No. 271	AMATEUR HAM RADIO OPERATOR'S SPECIAL LICENSE PLATE
H.B. No. 285 SEC. SUB.	REVISION OF STATUTORY AUTHORIZATION FOR ADMINISTRATIVE RULES
H.B. No. 289	REDEVELOPMENT REVIEW COMMITTEE
H.B. No. 295	CONSUMER PROTECTION AMENDMENTS
H.B. No. 302	CONSUMER SALES PRACTICE ACT PENALTIES
H.B. No. 323	PARTISAN SCHOOL BOARD ELECTIONS
H.B. No. 348	RECOGNITION OF ACKNOWLEDGEMENT ACT AMENDMENTS
H.B. No. 354	ADMINISTRATORS TEACHING IN THE PUBLIC SCHOOLS
H.B. No. 358	LIMITED IMMUNITY FOR CERTAIN HMO ACTIVITIES
H.B. No. 370	RADON CERTIFICATION
H.B. No. 377	CONSUMER SALES PRACTICES ACT DEFINITIONS
H.B. No. 378	EDUCATION STABILIZATION FUND
H.B. No. 390	SUPREME COURT RULEMAKING
H.B. No. 402	TRANSFER OF TITLE ON LOCAL ROADS
H.B. No. 411	SOCIAL SERVICES LICENSING AMENDMENTS

H.B. No. 417	GREAT SALT LAKE DEVELOPMENT AUTHORITY AMENDMENT
H.B. No. 457	OPTIONAL FORMS OF COUNTY GOVERNMENT
H.C.R. No. 15	ARBOR DAY RESOLUTION
H.C.R. No. 20	NATIVE PLANT DAY RESOLUTION
H.C.R. No. 28	UTAH HOUSING FINANCE AGENCY RESOLUTION
H.J.R. No. 2	SCHEDULING OF ANNUAL GENERAL SESSIONS
H.J.R. No. 7	TELEVISED LEGISLATURE RESOLUTION
H.J.R. No. 17	TRANSPORTATION FUND AMENDMENTS RESOLUTION
H.J.R. No. 18	INCOME TAX DEDUCTION FOR HEALTH INSURANCE PREMIUMS
H.J.R. No. 20	EARTHQUAKE HAZARD IN PUBLIC SCHOOLS RESOLUTION
H.J.R. No. 34	VOCATIONAL–TECHNICAL EDUCATION FUNDING RESOLUTION
H.J.R. No. 36	DRUG AND ALCOHOL ABUSE RESOLUTION

I am also directed to inform the House of Representatives that the Senate on this day struck the enacting clause on the following House Bills on the Senate 2nd Reading Calendar at adjournment sine die:

SUB. H.B. No. 91	MINIMUM FINES FOR OVERWEIGHT VEHICLES
H.B. No. 216	ESCAPE OFFENSE AMENDMENTS
H.B. No. 224	CRIMINAL SENTENCING AMENDMENT
H.B. No. 231	APPORTIONMENT BY COUNTY COMMISSIONERS
SUB. H.B. No. 240	PROHIBITION OF UNSOLICITED FACSIMILE ADVERTISING
H.B. No. 279	DEPARTMENT OF CORRECTIONS AMENDMENTS
H.B. No. 286	FINALITY OF DIVORCE AMENDMENTS
H.B. No. 344	PROBATE CODE AMENDMENTS
H.B. No. 367	PRIVATIZATION POLICY BOARD AMENDMENTS
H.B. No. 382	ALTERNATIVE CERTIFICATION
H.J.R. No. 8	JOINT RULES RESOLUTION
H.J.R. No. 33	RESOLUTION URGING NATIONAL RECOGNITION OF THE ARMY OF THE WEST

SOPHIA C. BUCKMILLER
Secretary of the Senate

Communications filed.

SENATE STRUCK ENACTING CLAUSE
(Senate Bills and Resolutions)

Mr. President: February 21, 1990

The Senate Sifting (Rules) Committee recommends that the enacting clause be stricken on the following Senate bills, Senate Joint Resolutions, and Senate Resolutions and that they be filed:

S.B. No. 1	CAMPAIGN ADVERTISING CLEANUP
S.B. No. 8	RIGHT TO PREVENT DESECRATION OF FLAG
S.B. No. 36	FARM EQUIPMENT DEFINITION AMENDMENT
S.B. No. 39	PROPERTY TAX – PERSONAL PROPERTY PENALTIES
S.B. No. 40	PROPERTY TAX – PERSONAL PROPERTY TAX EXEMPTION
S.B. No. 42	MOVEMENT OF IMPLEMENTS OF HUSBANDRY
S.B. No. 43	JAIL AMENDMENTS
S.B. No. 50	RETIREMENT BENEFIT AMENDMENTS
S.B. No. 65	LEGISLATIVE RETIREMENT PLAN
S.B. No. 67	SALES TAX – REPEAL EXEMPTIONS
S.B. No. 68	PRODUCTS MANUFACTURERS' LIABILITY AMENDMENTS
S.B. No. 71	INDIAN RELATIONS ACT
S.B. No. 77	CONTINGENT ATTORNEY FEES
S.B. No. 80	PHASE OUT OF INTANGIBLE REDUCTION
S.B. No. 84	INSURANCE COVERAGE FOR ADOPTION-RELATED EXPENSES
S.B. No. 92	DEATH PENALTY REPEAL
S.B. No. 93	COMMON MEASURE PROPERTY DESCRIPTION
S.B. No. 96	STANDARDIZED REPORTING OF PUBLIC EDUCATION DATA
S.B. No. 97	PROSECUTION AMENDMENTS
S.B. No. 106	CONFLICTS OF INTEREST
S.B. No. 109	SETTLEMENT OF LITIGATION RELATION TO SAVINGS AND LOANS
S.B. No. 110	GOVERNMENTAL EMPLOYEE INDEMNIFICATION
S.B. No. 111	SALES TAX – MANUFACTURING MACHINERY EXEMPTION
S.B. No. 112	INCOME TAX – FEDERAL TAX DEDUCTIBILITY
S.B. No. 114	UTAH LIVING WILL AMENDMENTS
S.B. No. 117	NEGATIVE CREDIT REPORT
S.B. No. 118	PROFESSIONAL BOXING FEES
S.B. No. 122	HIGHWAY USERS' PROTECTION ACT

S.B. No. 125	INVESTIGATORY POWERS OVER CRIMES IN STATE PRISONS
S.B. No. 128	DECERTIFICATION OF PEACE OFFICERS
S.B. No. 131	INCOME TAX - AMENDMENTS
SUB.	
S.B. No. 135	CANCELLATION OF AUTOMOBILE PURCHASE
S.B. No. 136	CONTINUITY OF GOVERNMENT ACT
S.B. No. 137	TASK FORCE ON JUVENILE ARSON
S.B. No. 140	COMPENSATION FOR TEACHING EXPERIENCE
S.B. No. 142	INTERCOLLEGIATE COMPETITION AMONG THE STATE'S UNIVERSITIES AND COLLEGES
S.B. No. 146	LEMON LAW EXPANSION
S.B. No. 152	PUBLICATION OF DOCUMENTS IN ENGLISH
S.B. No. 159	PUBLIC SAFETY NEEDS TASK FORCE
S.B. No. 162	FEES OF SHERIFFS AND PRECINCT OFFICERS
S.B. No. 166	SCHOOL BUILDING STATE SUPPORTED PROGRAM AMENDMENTS
SUB.	
S.B. No. 167	COLLEGE STUDENT IMMUNIZATION
S.B. No. 168	STANDARDS FOR IMPOSITION OF THE DEATH PENALTY
S.B. No. 169	INSURANCE BENEFIT FOR LINE OF DUTY DEATH
S.B. No. 172	STATE BUILDING OWNERSHIP AUTHORITY RESPONSIBILITIES
S.B. No. 173	STATE-OWNED HEALTH CARE FACILITIES
S.B. No. 174	FIREWORKS DEALER LICENSE FEES
S.B. No. 178	PUBLIC SCHOOL CLASS SIZE
S.B. No. 179	COMMUNITY CONTROL CORRECTIONS PROGRAM
S.B. No. 184	COUGAR AND BEAR PERMITS
S.B. No. 190	USER FEES
S.B. No. 192	REJECTION OF WATER APPROPRIATION APPLICATION
S.B. No. 196	ORGANIC FOOD ACT
S.B. No. 202	TRIBAL-STATE RELATIONS ACT
S.B. No. 205	DEFINITION OF FAIR MARKET VALUE
S.B. No. 206	EXPANSION OF INITIATIVE AND REFERENDUM PROCEDURES
S.B. No. 208	UTAH CONTROLLER GENERAL ACT
S.B. No. 210	OFF-HIGHWAY VEHICLE REGISTRATION AMENDMENTS
S.B. No. 225	ATTORNEYS' FEES FOR ENHANCED WORKERS' COMPENSATION BENEFITS

S.B. No. 229	INSURANCE COVERAGE EXPANSION
S.B. No. 231	TREATMENT AND COMMITMENT OF MENTALLY RETARDED OFFENDERS
S.B. No. 232	LEGAL PENALTIES FOR PROSTITUTION BY HIV POSITIVE PERSONS
S.B. No. 236	INTERLOCAL COOPERATION ACT AMENDMENTS
S.B. No. 237	HIGHER EDUCATION INSTITUTIONAL COUNCIL AMENDMENTS
S.B. No. 239	WATER AND SEWER SERVICE DELINQUENCIES
S.B. No. 240	PENSION INCOME TAXATION AMENDMENTS
S.B. No. 241	ACCESS TO SALES TAX RECORDS
S.B. No. 243	INTERLOCAL COOPERATION AGREEMENTS ON PRISON SPACE
S.B. No. 244	TASK FORCE ON CRIMINAL SENTENCING
S.B. No. 245	LIMITATION ON CANCELLATION OF INSURANCE
S.B. No. 247	MUNICIPAL BUILDING AUTHORITIES
S.B. No. 248	SECURITY PERSONNEL LICENSING AND EXEMPTION
S.B. No. 253	TAX EVASION WHISTLEBLOWERS
S.B. No. 257	AMENDMENTS TO LANDLORD AND TENANT LAW
S.B. No. 258	BONDING FOR CAPITAL FACILITIES
S.B. No. 260	FUNDING FOR STATE GOVERNMENT
S.B. No. 261	STATE AFFAIRS AMENDMENTS
S.B. No. 262	INCOME SURTAX FOR PUBLIC EDUCATION
S.B. No. 263	STATE AFFAIRS AMENDMENTS
S.B. No. 266	INSURANCE CLAIMS PRACTICES AMENDMENTS
S.B. No. 267	DEPARTMENT OF ENVIRONMENTAL QUALITY
S.B. No. 270	LIMITING BIRTH CONTROL ABORTIONS
S.B. No. 274	RIGHTS OF PRISON MOTHERS
S.B. No. 275	OPEN ENROLLMENT OPTION IN PUBLIC EDUCATION
S.B. No. 276	AWARDS FOR EXCELLENCE IN PUBLIC EDUCATION
S.B. No. 278	ANTI-DRUG LICENSE PLATES
S.J.R. No. 1	WENDOVER ECONOMIC DEVELOPMENT RESOLUTION
S.J.R. No. 2	SPECIAL SESSION AMENDMENTS RESOLUTION
S.J.R. No. 5	INCOME TAX EARMARK AMENDMENT
S.J.R. No. 6	JOINT RULES AMENDMENTS RESOLUTION
S.J.R. No. 10	PERSONAL PROPERTY TAX EXEMPTION
S.J.R. No. 14	JOINT RULES – INTERIM COMMITTEE AMENDMENTS RESOLUTION
S.J.R. No. 18	MOTOR FUEL TAX CONSTITUTIONAL AMENDMENT
S.J.R. No. 20	FAIR MARKET VALUE DETERMINATION
S.J.R. No. 21	SPECIAL SERVICE DISTRICTS RESOLUTION

S.J.R. No. 25	STATE SPENDING LIMITATION
S.J.R. No. 27	BYU FOOTBALL RESOLUTION
S.J.R. No. 28	RESOLUTION HONORING UTAH EMERGENCY MEDICAL ORGANIZATIONS
S.J.R. No. 29	WORLD SENIOR GAMES RESOLUTION
S.J.R. No. 30	RESOLUTION COMMEMORATING MCGRUFF
S.R. No. 1	SENATE RULES - COMMITTEE CHAIRMEN AND VICE-CHAIRMEN RESOLUTION

On Second Reading Table

S.B. No. 21	LEGISLATORS' COMPENSATION
S.B. No. 195	SALT LAKE SKILLS CENTER
S.B. No. 272	DISCLOSURE OF VACANT LAND TRANSFER INFORMATION
S.B. No. 277	TEACHER SALARY INCREASE

On Third Reading Table

S.B. No. 51	SALES TAX - EXEMPTION FOR FACTORY BUILT HOMES
S.B. No. 83	SEISMIC INSTRUMENTATION BOARD
S.B. No. 158	BONDING FOR PUBLIC SCHOOL IMPROVEMENTS
S.B. No. 171	PUBLIC SAFETY SALARY PACKAGE
S.B. No. 190	USER FEES
S.B. No. 211	BONDING FOR WATER PROJECTS
S.B. No. 217	WATER PROJECTS APPROPRIATION
S.B. No. 234	CIVIL PENALTY FOR VIOLATION OF ORDINANCE

C.E. Peterson,
Rules Committee Chairman

Communication filed.

HOUSE STRUCK ENACTING CLAUSE
(Senate Bills)

Mr. President:: February 23, 1990

I am directed to inform the House of Representatives your Committee on Rules has struck the enacting clause on the following Senate Bills:

S.B. No. 7	FLAG DESECRATION OFFENSE
S.B. No. 33	TAX PENALTY AMENDMENTS
S.B. No. 15	LABOR CODE REVISIONS
S.B. No. 24	PURCHASING PRACTICES IN PUBLIC AND HIGHER EDUCATION

S.B. No. 29	ELIGIBILITY FOR TAX RELIEF PROGRAMS
S.B. No. 31	JUVENILE COURT CUSTODY AMENDMENT
S.B. No. 32	FEES LIMITATIONS ON TRUST DEEDS
S.B. No. 53 SUB.	PURCHASE OF RETIREMENT CREDIT
S.B. No. 55	REGULATION OF AUTOMOBILE INSURANCE PREMIUMS
S.B. No. 63	TRANSPORTATION FUND MONIES
S.B. No. 66	RETIREMENT SYSTEM TRANSFER
S.B. No. 69	PRODUCTS LIABILITY DEFENSES
S.B. No. 70 SEC. SUB.	PRODUCTS SELLERS - LIABILITY AMENDMENTS
S.B. No. 72	BICYCLE PATHS AND RECREATIONAL TRAILS DEVELOPMENT
S.B. No. 74	WORKERS' COMPENSATION FUND TASK FORCE
S.B. No. 89 SUB.	EXTORTION AMENDMENTS
S.B. No. 102	UTAH LAKE TASK FORCE
S.B. No. 116	AMENDMENTS TO PUBLIC OFFICERS AND EMPLOYEES ETHICS ACT
S.B. No. 130	FAIR MARKET VALUE DETERMINATION
S.B. No. 139	UTAH ADMINISTRATIVE RULEMAKING ACT REVISION
S.B. No. 149	FIRE FIGHTERS' RETIREMENT CREDIT PURCHASE
S.B. No. 151	PRISONER DEFINED
S.B. No. 201	CUSTOMER SERVICE PRACTICES OF CABLE TV
S.B. No. 216	CORPORATIONS AMENDMENTS
S.B. No. 218	RURAL FIRE PROTECTION APPARATUS FUND
S.B. No. 222	GOVERNANCE OF QUASI PUBLIC BODIES
S.B. No. 227	ADOPTION RESTRICTIONS
S.B. No. 224	BUSINESS CORPORATION ACT AMENDMENTS
S.B. No. 250	ELECTION CODE FOR MUNICIPALITIES
S.B. No. 251	PENALTY FOR FAILURE TO FILE TAX RETURN
S.B. No. 264	STATE BONDING FOR CAPITAL FACILITIES
S.J.R. No. 8	LEGISLATIVE CONSTITUTIONAL AMENDMENT

Carole E. Peterson, Chief Clerk

Communication filed.

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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 1990 General Session of the 48th Legislature.

On motion of Senator Nielsen, the Senate voted to give each member of the Senate Staff an additional two days (16 hours) compensation, at the rate of compensation established for each employee.

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 Barlow thanked the interns who served throughout the session and did such a superb job.

Senator Glade Nielsen, Chairman of the Employee and Patronage Committee, asked that all Senate employees stand and receive the thanks of the Senators. He also expressed thanks to all the legislative employees serving in the Office of Legislative Research and General Counsel, Fiscal Analyst, Auditor General and to the employees in Legislative Printing.

President Christensen expressed appreciation once again to Senator Lyle W. Hillyard for his excellent service as Appropriations chairman. He also thanked Senator C.E. "Chuck" Peterson for his work as Rules Committee Chairman, and thanked Senator John P. Holmgren for serving as Speaker of the Third House.

President Christensen appointed Senators McAllister, Holmgren, and Fordham 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 comprised of Representatives Christensen, G. Brown, and White, notified the Senate that the House has concluded its business and is ready to adjourn sine die.

President Christensen appointed Senators Carling, Barton, and Swan, to notify the House of Representatives that the Senate has concluded its business and is ready to adjourn sine die.

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

Senator McAllister 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

Thank you very much. I appreciate the opportunity to come and address you briefly this evening. You've put in a tough 45 days. I think on balance you've done a fantastic job. I presume that among other things, this session will go down as an education session. But I think at the same time we say that, I'd like to congratulate you for passing a balanced budget and a balanced program that deals not only with the challenges in public education but dealt with all the other areas of state government including weighty matters that were before you in a very evenhanded way. I'd like to just indicate that I have met with the leaders of the teacher's organization, the UEA and their board has unanimously agreed to the package and are recommending it to their members and they will have the opportunity to determine its acceptability. I think its fair to say that it contains the promises that were made, or the commitments that were made last Friday when we held a joint press conference.

I think its safe to say in the overall budget that its very close to what was recommended in December, including the 6% money and we've tried to treat everyone evenly. I think the legislature did a good job in putting some additional wrinkles in that package to impact teachers salaries and compensation which will be beneficial and have helped us move forward. That package has taken a lot of time by a lot of people, and I'd like to personally thank those members of the UEA, the State School Boards Association, the Society of Superintendents, the State School Board, the State Superintendent, the PTA and all other education groups who I believe have worked harmoniously with the legislature and the administration to make sure we're addressing these challenges that we have in our state in an equitable and fair way. I believe that we've done that.

The package on public education is anchored by what I believe is a significant change in direction. And that change is toward more local responsibility, autonomy and control. That to me is one of the most important challenges we face in our society is to give the schools back to the students, the parents, and the teachers. We've had a propensity in our society over the last several decades to concentrate power at the federal level and at the state level, and I believe the more we do that, the more we tend to cut out the real people who we're trying to impact. I congratulate you for passing that package.

You've made some hard votes, we've dealt with a voted leeway. I don't want to dwell on that, except to say that it reinforces the responsibility that local districts have to step forward and I congratulate them for asking for that authority. That

money, if they choose to implement it and their voters go along, will be directed toward class size reduction. That's been one of the rallying cries in our state for a number of years. Secondly, you addressed very adequately I believe, the textbook situation. You put ten million dollars of one time money into that program, doubled the amount of commitment for the ongoing budget to 4 million from 2, and again that's a very significant contribution.

You passed an accountability series of bills which will allow our patrons and our schools to know how they are doing in comparison with the rest of the country and the rest of the state. That's a hard thing to do because none of us really like direct comparisons. I liken the necessity of evaluating and grading to the example that if my son goes to school and he earns a "D" and the teacher gives him a "B" that doesn't do my son any good and it doesn't do me any good. I think we're mature enough in this society to know that we have to be judged on what we do. We should be judged against ourselves and make sure that we're doing all we can to move things forward. So all in all I think you've done a great job in the public education area.

Higher education, obviously, an equal part of our society. There again you've addressed that in a very admirable way. I should say, that if the mill levy is implemented, we've put in this session, for those who say we didn't have enough money, I want you to hear this number: $140 million dollars available for public education and for higher education, another 47 million dollars. That's $187 million. If that isn't enough, I guess we'll never have enough. I think its a good job, I think it meets the needs, but it doesn't satisfy everything we could do for our schools, and we'll still have to sacrifice and make sure we make those sacrifices in the future. We have a strong higher education system, I think one of the best in America, and they deserve our support and we've not only given the $47 million, we've given them considerable dollars through the bonding program for libraries and other materials that will help them move their program forward.

In public education we've given money for technology in addition with computer programs that we'll do over a three–four year period. So education has fared well in this session.

There are some other things that have been done that are worthy of note and there are many more that I won't mention, but the liquor reform bill is a significant step for our state to take. It will be very helpful to our economic development efforts, to our tourism interests and help our people feel more comfortable with that law and still maintain proper control.

You passed a child care office late tonight. We appreciate that. Children in school and out of school are our most important resource. You passed a strong economic development program which will allow us to continue to move around the country and around the world as Utah takes it place as a leader in the business community. We live in a very small world today, much smaller than we've lived in before in real terms, and its absolutely important that we're out at every level with

every opportunity to make sure people know of the great life here and that we're trying to provide opportunities for our children.

You did some good things in the area of health. You passed the Health Data Authority to help us try and bring under control that monster that is virtually eating us alive with increases that are much greater than the cost of living. We have to know more about why its doing it and what we can do to bring it under control. You helped us inaugurate for the first time a new program to help those who are unable to obtain insurance, obtain that insurance. Another positive step. You've helped to move physicians into the rural communities of our state, which again is something that's in dire need for those areas of our state.

In Corrections we have the money to open a new facility. Its always a sad thing to think we have to open a new facility, but its a fact that we do and we'll be opening that come the first of July down in Gunnison and we're pleased with that effort as well.

That and many other things that you've done, you've worked in basically a cooperative effort, you've done as you always do, you've argued, you've even fought a little bit, you've even disagreed with the governor on occasion, but I think we're all leaving here as good friends, recognizing that we've had to comprise, that we've had to make decisions that we've sometimes liked not to have made. I've come to the conclusion that the philosophy we must all have in government is that the philosophy that must govern is that we must govern. Sometimes that's the most difficult thing to do because it isn't easy. It isn't easy to make decisions, it isn't easy to go against some things that we've hoped we wouldn't have to do. You've been able to do that, you've been willing to do that and I compliment you and I express my appreciation to each of you individually as well as collectively for the great privilege that I've had of working with you these past two years. I'd like to predict that I won't see you again in session until after the general election this fall but that would probably be a little optimistic. If I can avoid it, we won't. Good night, God bless you, thank you very much.

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On motion of Senator Cary Peterson, and at 12:25 p.m. the 1990 General Session of the 48th Legislature adjourned sine die.

COMMUNICATION FROM THE GOVERNOR

Dear President Christensen and Speaker Karras: March 13, 1990

This is to inform you that on March 13, 1990, after consulting with the sponsor, I have vetoed S.B. No. 46, COLLECTION OF PERSONAL PROPERTY TAXES AND FEES.

The concept of a single entity collecting all registration process is a worthy goal that my administration supports and is actively working towards implementing. However, an amendment was placed in the bill during the last hours of the session that mandated "full reimbursement" by the state to local governments handling part or all of the State's titling and registration responsibilities. Subsequent discussions between concerned parties indicate there are significant differences of opinion as to the meaning, cost and effect of this amendment. furthermore, neither the state nor the counties are prepared economically to implement this bill in its current form.

The Tax Commission is committed to continue to move in the direction of "one-stop-shopping" without this bill.

Norman H. Bangerter,
Governor

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Dear President Christensen and Speaker Karras: March 13, 1990

This is to inform you that on March 13, 1990, I signed **S.B. No. 256,** SUPPLEMENTAL APPROPRIATIONS ACT, but have vetoed Line Item 62.

Line Item 63 appropriated $2.5 million to the Tax Commission to implement the provisions of **H.B. No. 110,** SEVERANCE TAX INCENTIVES FOR PETROLEUM INDUSTRY RECOVERY. **H.B. No. 110** contains its own $2.5 million appropriation. My veto of Line Item 62 ensures a balanced budget and clarifies that only one appropriation of $2.5 million was intended by the Legislature.

Norman H. Bangerter,
Governor

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Dear President Christensen and Speaker Karras: March 13, 1990

This is to inform you that on March 13, 1990, I have allowed **S.B. No. 175,** FUNDING FOR TOURISM, RECREATION, AND CONVENTION FACILITIES, to become law without my signature and have forwarded it to the Lieutenant Governor for filing.

The bill is flawed due to a provision which remained after amendment and which imposes an unnecessary burden upon the hospitality industry. I anticipate the Legislature will revisit this provision as soon as possible, because the law is badly needed by several of our counties.

Norman H. Bangerter,
Governor

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Dear Speaker Karras and President Christensen: March 13, 1990

This is to inform you that on March 13, 1990, I have vetoed H.B. No. 18, NUCLEAR FACILITY SITING, because after discussing this bill with the sponsor, it is clear that the substance of the bill is already embodied in S.B. No. 255, which was passed this same session.

Norman H. Bangerter,
Governor

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Dear Speaker Karras and President Christensen: March 13, 1990

This is to notify you that I have vetoed H.B. No. 114, INMATE INCOME AND EXPENSES, on March 13, 1990, sponsored by Representative Protzman. I strongly endorse the concept that we make inmates pay for their incarceration costs. This legislation does not give any additional tools in collecting inmates' resources. It does, however, add additional administrative costs and effort we do not deem necessary to collect almost all costs associated with incarceration. Under current statute, Corrections is already authorized and currently doing almost all that this legislation attempts to do. Furthermore, there were no new FTE's or funding given to the Department to implement this new program. It would be counter productive to have Corrections set up an inmate accounting system without the manpower and resources to do it properly.

This is also indication that this legislation may create an additional burden to our court system. for these reasons, I have vetoed H.B. No. 114. I have forwarded it to the Lieutenant Governor for filing.

Norman H. Bangerter,
Governor

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Dear Speaker Karras and President Christensen: March 13, 1990

This is to inform you that on March 13, 1990–, I allowed H.B. No. 27, UTAH COAL TAX CREDIT, to become law without my signature because:

1. The bill would probably constitute an "export subsidy" in violation of United States Trade Agreements. I have received preliminary advice on this subject from the State Energy Office by way of memorandum, a copy of which is attached.
2. Despite the fact that last year Utah produced a record amount of coal – over 19 million tons – coal is currently the only major mineral mined in

Utah that does not have a severance tax. In addition, although the bill is designed to increase coal exports, these are already increasing, from 555,000 short tons in 1987 to 1.7 million in 1989. Because the coal industry already enjoys favored tax status and is improving quickly, I see no compelling reason to require Utah taxpayers to subsidize it further.

I have forwarded it to the Lieutenant Governor for filing.

Norman H. Bangerter,
Governor

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Dear Speaker Karras and President Christensen: March 9, 1990

This is to inform you that on March 13, 1990, I have allowed **H.B. No. 153,** COMPENSATION FOR WILDLIFE DAMAGE, to become law without my signature. While I sympathize with the need to provide some form of compensation for damage to livestock by wildlife, I am uncomfortable with several aspects of this bill.

First, any damages for cougar and bear depradation should be paid out of the general fund, rather than hunting license fees. Over the past 10 years, the Division of Wildlife Resource's General Fund Appropriation has already dropped from 17 percent of the total appropriated budget to 7 percent. If public policy is to pay for losses caused by wildlife, they should be born by all Utah taxpayers, rather than by hunters alone, who are no more responsible for the problem than any other segment of the population.

Second, it appears that the bill is underfunded. Based on data from the Utah Department of Agriculture, and assuming all reported losses are claimed, requests for reimbursement for lambs, sheep, and calves could be over $250,000 next year. Only $50,000 is appropriated.

Third, the bill mandates compensation for damage done on public as well as private lands. The philosophical issues involved in asking the public to underwrite such losses on public lands are significant, and have not received adequate discussion.

For these reasons, I choose not to sign this bill, and hope that the legislature will take time during the interim to discuss these issues with the agricultural and wildlife communities, and seek a more equitable balance of the costs and benefits involved.

I have forwarded it to the Lieutenant Governor for filing.

Norman H. Bangerter,
Governor

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Dear Speaker Karras and President Christensen: March 13, 1990

This is to inform you that it is my intent to let H.B. No. 284, ADMINISTRATIVE RULES REAUTHORIZATION, become law without my signature.

As I indicated in my letter dated February 17, 1989 regarding H.B. No. 142, ADMINISTRATIVE RULES OVERSIGHT, H.B. No. 154, REVISION OF ADMINISTRATIVE RULEMAKING POWERS OF STATE AGENCIES, and H.B. No. 408, ADMINISTRATIVE RULES OVERSIGHT, I have some serious reservations concerning the repeated efforts of the Legislature to exercise inappropriate control in the executive rulemaking process.

The Legislature, rather than seeking a shared check and balance process, has attempted to expand its role and limit my role and the executive branch of government's role in rulemaking. For several years the Attorney General has found serious constitutional problems with such legislation. Such is also the cause this year. I have attached the Attorney General's review for H.B. No. 284, ADMINISTRATIVE RULES REAUTHORIZATION, which again finds constitutional concerns, including: (1) the Separation of Powers provisions; (2) due process; (3) conflicts of constitutional established rulemaking authority of some agencies and separately elected officials.

Because of these constitutional deficiencies and because they encroach upon on duties and responsibilities I believe they are not in the best interest of efficient and open government.

Under normal circumstances, it is not my policy to sign or to allow bills to become law without my signature that are considered to be unconstitutional by the Attorney General. Furthermore, I believe the issues of the proper role of the Executive and Legislative Branches of government should at some point be clarified. However, I believe it is more important to work together in best serving the people of Utah with fair, efficient rules and laws rather than create a period of uncertainty while significant time and energies spent on constitutional turf battles fought in court. Therefore, I am letting H.B. No. 284 go into law without my signature.

Norman H. Bangerter,
Governor

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Dear Speaker Karras and President Christensen: March 13, 1990

This is to inform you that on March 13, 1990, I signed H.B. No. 43, UTAH FIT PREMISES ACT.

I signed the bill into law, even though I have serious reservations about a last minute amendment to the bill prohibiting special districts from placing a lien against

rental property for unpaid utilities. I have received a commitment from the sponsor of this bill that this issue will be revisited at the earliest possible date in a manner which will allow for more meaningful analysis of this significant shift in public policy. It is unfortunate that an amendment unrelated to the issue of fit premises was attached to this important bill at the eleventh hour with little scrutiny and no public input.

It is because I believe it is critical that the Legislature rather than the courts take the lead in developing landlord/tenant policy that I am signing this bill, notwithstanding the possibility of otherwise unnecessary legal costs resulting from the amendment discussed above.

Norman H. Bangerter,
Governor

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Dear Speaker Karras and President Christensen: March 13, 1990

This is to inform you that on March 13, 1990, I signed **H.B. No 351**, STATE EMPLOYEES DRUG-FREE WORKPLACE, and have forwarded it to the Lieutenant Governor for filing. However, in an informal opinion letter, the Attorney General's Office has advised me about some concerns surrounding the scope of this legislation.

I have attached a copy of Mr. Stephen G. Schwendiman's letter regarding this bill and would request that you review his comments and make some modifications in **H.B. No. 351** during the 1991 General Session. It does seem to me that a policy of this magnitude should apply equally to legislative and judicial employees as well as to all executive branch employees. I am considering including all exempt employees of the executive branch in the program through an Executive Order but they should more appropriately be included through statute.

Thank you for your consideration in expanding the scope of this legislation.

Norman H. Bangerter,
Governor

Dear Governor Bangerter: March 9, 1990

You requested this office's review of **H.B. No. 351**, STATE EMPLOYEES DRUG-FREE WORKPLACE amendments, 1990 General Session. While the time I have had to review this bill has been limited and has not provided opportunity for in-depth analysis, I do find several areas of legal concern that you should be made award of.

Federal law requires all state departments and agencies that receive federal grants and funds to have policies in place prohibiting certain activities by employees of the agencies. The requirements deal specifically with "convictions" from possessing, manufacturing or distributing controlled substances.

It appears that **H.B. No. 351** was originally designed to meet this federal requirement and, at the same time, establish a state policy regarding "convictions" for such activities and the acts themselves regardless of whether convictions were obtained. The bill goes beyond the federal requirements and includes alcohol in the workplace, something not mandated by federal law.

While I find no legal problems with the Legislature establishing State policy of controlling activities in the workplace for drug and alcohol use, **H.B. No. 351** falls short of making any broad based policy statement except in a very limited and narrow area. This could possibly create legal challenges that would pit one segment of the state workforce against another.

Under proposed U.C.A. 67–19–3(7), "Employee" is defined as "any career service or classified service position." In essence, only one segment of the workforce is covered. 67–19–12 sets forth the exemptions to classified services and 67–19–15 set forth the exemptions from career service. While these two systems are mutually exclusive from each other, there are many positions that overlap.

For example, members of the legislature and legislative employees, members of the judiciary and judicial employees, elected officials and their merit exempt employees, officers, faculty, and other employees of state institutions of higher education, attorneys in the attorney generals office, department heads and others appointed by the governor, and executive/professional positions in the Department of Community and Economic Development are exempt from both classified and career service. In essence, not only are entire segments of the workforce excluded from the drug–free workplace statutes, but many individuals within departments covered by the statutory provisions are exempted. There is also a question where "independent state agencies" fit in this regard.

It is unknown why the Legislature exempted from the drug–free workplace law executive directors who are the chief administrators in the departments where federal funds/grants are received. If one was convicted of prohibited conduct, there would be no policy to cover them and the State might be subject to federal sanctions. The same would be true, for example of DCED where several of its employees are exempted yet the department receives federal grants and funds.

In light of the specific exemptions as set forth in the bill, there is a distinct question as to how the exempted employees within the executive branch could be covered. Regardless of the language of **H.B. No. 351**, every agency that received federal grant/funds is obligated to be under policy for drug–free workplace, yet not everyone is bond by the provisions of this act. This includes each branch of government and independent state agencies. The current language presents no clear and consistent policy from the legislature as to the "policy" of the state in this regard since a significant number of state employees are not covered. This certainly creates inconsistency in state government and could lead to challenges based on the varying levels of coverage.

This difference becomes more significant in light of the provisions for drug testing. The proposed provisions are found at 67-19-36. Certain principles of statutory construction could lead one to the position that if certain positions are specifically exempted from an otherwise clear declaration, then no authorization can be assumed or exercised in the area. In essence, since there is no broad grant of authority for "any" state agency to institute drug testing, but only the segment of the workforce specifically authorized through the Department of Human Resource Management (DHRM), one could argue that the Legislature has specifically denied others the authority to institute it. While I am cautious to state that there is no certainty to this position, it is none-the-less a position that could affect the application of drug testing throughout the state.

I further question whether there might be a potential constitutional challenge as the "equal protection of the laws" as guaranteed by the Fourteenth Amendment to the Constitution of the United States in that only certain segments of the workforce are covered. My concern stems from the fact that the law talks about certain "highly sensitive" positions as identified in class specifications, but then exempts Executive Directors and others who might be in the most sensitive positions of the entire agency. Is there a rational basis to say that merit employees should be covered and certain exempt employees not covered? Also, the question arises as to arbitrary application of drug testing if one segment of a department is covered and another is not.

On July 21, 1989, this office issued Informal Opinion No. 89-03 regarding a proposed drug testing policy within the Department of Public Safety. At the time this opinion was issued there was no statute authorized or prohibiting the implementation of such a policy. Now, however, with the proposed provisions, jurisdiction for controlling and making rules regarding such policies for covered employees belongs to DHRM. This opinion dealt with the applicability of them newly issued court decisions from the United States Supreme Court regarding random drug testing in the public workplace and areas that are highly regulated by the government.

What becomes clear from these cases. Skinner v. Railway Labor Executives' Ass'n, 109 S.Ct. 1402 (1989), National Treasury Employees Union v. Von raab, 109 S.Ct. 1384 (1989, Consolidated Rail Corp. v. Railway Labor Executives" Assn"n, 109 S.Ct. 2472 (1989), is that as of now, only certain areas for drug testing can meet the balancing test of governments rights versus the rights of individuals. The Court has recognized random testing in peace officer positions where one carries weapons or interdicts drugs, positions involved with significant public safety or "safety sensitive positions" as referred to in Skinner.

In the last three months, the United States Supreme Court has denied review in three other cases that could help one understand the area. This entire area is in flux and will be for some time to come. In one of these cases, random testing for

employees of the Justice Department who had "Top Secret" clearances was permitted. The lower court struck down that portion of the tests where prosecutors and employees of the Grand jury were required to undergo such test, stating that *simply having access to classified or confidential information was not sufficient to overcome the rights of the individual without proper suspicion or cause*, Harmon v. Thornburgh, 878 F.2d 484 (D.C. Cir. 1989).

This discussion is relevant to the proposed language that random testing may be authorized in "highly sensitive" positions. So far, the courts have been unwilling to equate "highly sensitive" to the right of random drug testing where there is no suspicion or cause to believe there has been improper usage. This, in and of itself, is not unconstitutional per se because DHRM does have authority by rule to establish which positions will be subject to such testing. The language "highly sensitive," which is the Legislature's statement of the positions subject to testing, could well be considered in conflict with the fourth amendment of the Constitution of the United States which precludes unreasonable searches and seizures as applied.

Any policy issued, whether through DHRM or through individual departments will be subject to the same scrutiny. "Highly sensitive," however, is not yet an accepted term and might imply a broader latitude than is allowed by the courts or the constitution. This provision has no patent constitutional problem, but as applied might well create significant legal problems.

I trust that this discussion will be helpful in your understanding some of the concerns presented by the present makeup of the bill.

Stephen G. Schwendiman
Assistant Attorney General
Tax & Business Regulation Division

Communications filed.

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SUMMARY OF LEGISLATION
1990 General Session

	House	Senate	Total
Bills Introduced	476	279	755
Bills Passed by Legislature	189	142	331
Bills Vetoed	2	1	3
Vetos Overridden	0	0	0
Number of bills Enacted into Law	187	141	328

Joint Resolutions Introduced	39	35	74
Concurrent Resolutions Introduced	33	14	47
House & Senate Resolutions Introduced	8	6	14
Total Resolutions Introduced	**80**	**55**	**135**
Joint Resolutions Passed	20	17	37
Concurrent Resolutions Passed	22	14	36
House & Senate Resolutions Passed	7	3	10
Total Resolutions Passed	**49**	**34**	**83**

1986–1990 General Sessions

	1986	1987	1988	1989	1990
Bills Introduced	664	595	619	678	755
Bills Passed	230	259	267	287	331
Bills Vetoed	8	4	7	4	3
Vetos Overridden	0	0	0	0	0
Joint Resolutions Introduced	61	44	81	57	74
Joint Resolutions Passed	21	23	39	25	37
Concurrent Resolutions Introduced	29	24	37	32	47
Concurrent Resolutions Passed	24	22	34	20	36
House & Senate Resolutions Introduced	11	12	13	16	14
House & Senate Resolutions Passed	8	8	10	11	10

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(LWS) Law without Governor's Signature

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Court Commissioner Amendments (Valentine, J.L.) ..... HB 391 (P)
Court Fees (Ellertson, R.L.) ..... HB 476 (P)
Court Funds and Interest (Ellertson, R.L.) ..... HB 387 (P)
Grand Jury Reform (Hillyard, L.W.) ..... SB 27 (P)
Forfeiture Hearing Jurisdiction (Richards, W.L.) ..... SB 187 (P)
Increasing Small Claims Court Limit (Young, M.W.) ..... HB 282 (F)
Judicial Amendments (Cornaby, K.S.) ..... SB 103 (P)
Justice Court Revisors (Jensen, J.S.) ..... HB 319 (P)
Juvenile Court Custody Amendment (Barlow, H.J.) ..... SB 31 (F)
Juvenile Court Filing Amendment (Barlow, H.J.) ..... SB 47 (P)
Juvenile Court Protective Orders (Jensen, J.S.) ..... HB 146 (P)
Juvenile Traffic Offenses Amendment (Bradshaw, A.B.) ..... HB 244 (P)
Number of Juvenile Court Judges (Moody, H.C.) ..... HB 209 (P)
Small Claims Court Amendments (Barton, W.T.) ..... SB 88 (P)
Supreme Court Rulemaking (Harward, B.L.) ..... HB 390 (F)
Transporting Arrested Juvenile (Evans, B.A.) ..... HB 310 (P)
Utah Rules of Civil Procedure Amendment (Valentine, J.L.) ..... HB 353 (F)
Warrant Service Fee (Pignanelli, F.R.) ..... HB 255 (F)

CRIMINAL CODE

Amendments to Crime Victims Reparations (Evans, R.M.) ..... HB 147 (P)
Amendments to Controlled Substances Precursor Act
(Peterson, C.A.) ..... SB 228 (P)
Archeological, Paleontological and Historical Site Vandalism
Protection Act (Bishop, R.W.) ..... HB 233 (P)
Arraignment Jurisdiction (White, B.J.) ..... HB 163 (P)
Assault Amendments (Rose, J.) ..... HB 138 (F)
Basic Training Program for Felony Offenders (Ostler, D.S.) ..... HB 395 (F)
Circuit Court Transportation Expenses (Wilson, J.B.) ..... HB 210 (F)
Communications Fraud Amendment (Carling, R.J.) ..... SB 99 (P)
Community Control Corrections Program–home confinement–
(Pace, L.N.) ..... SB 178 (F)
Community Control Corrections Program–home confinement
(White, B.J.) ..... HB 350 (F)
Competency Evaluations Amendments (Frandsen, L.) ..... HB 456 (P)

Concealed Weapons Amendment (Hull, J.) ..... HB 183 (P)
Contraband in Correctional Facilities (White, B.J.) ..... HB 332 (P)
Criminal Appeals Amendments (Harward, B.L.) ..... HB 192 (F)
Criminal Background Checks on School Personnel (Burningham, K.) HB 293 (F)
Criminal Gang Penalties (Rushton, A.C.) ..... HB 33 (F)
Criminal Offenses Against the Elderly (Rose, J.) ..... HB 9 (F)
Criminal Offense Charges (Richards, W.L.) ..... SB 181 (P)
Criminal Sentencing Amendment (Tuttle, D.H.) ..... HB 224 (F)
Death Penalty Repeal (Farley, F.) ..... SB 92 (F)
Decertification of Peace Officers (Cornaby, K.S.) ..... SB 128 (F)
Department of Corrections Amendments (James, A.D.) ..... HB 279 (F)
DUI Penalty Amendments (Richards, W.L.) ..... SB 4 (P)
Escape Offense Amendments (Tuttle, D.H.) ..... HB 216 (F)
Extortion Amendments (Carling, R.J.) ..... SB 89 (F)
Fire Fighters, Peace Officers, and Public Safety Officers
Negotiations Act (Tuttle, D.H.) ..... HB 151 (F)
Flag Desecration Offense (Barton, W.T.) ..... SB 7 (F)
Free Distribution of Tobacco Products (Rush, H.D.) ..... HB 14 (P)
Governmental Immunity for Damages of Police Pursued Vehicle
(Carling, R.J.) ..... SB 194 (P)
Grand Jury Reform (Hillyard, L.W.) ..... SB 27 (P)
Group Criminal Activity Penalties (Fordham, P.T.) ..... SB 52 (P)
Habitual Criminal Penalties (Milner, J.R.) ..... HB 217 (F)
Homicide Amendment (Milner, J.R.) ..... HB 218 (F)
Impersonating a Peace Officer (Pignanelli, F.R.) ..... HB 81 (P)
Indoor Clean Air Act Amendments (Dmitrich, M.) ..... HB 331 (F)
Interference with Arresting Officer Amendment (Tuttle, D.H.) .... HB 108 (P)
Interjurisdictional Transfer or Prisoners (Pace, L.N.) ..... SB 100 (P)
Interlocal Cooperation Agreements on Prison Space (Pace, L.N.) ... SB 243 (F)
Legal Penalties for Prostitution by HIV Positive Persons
(Swan, K.G.) ..... SB 232 (F)
Malicious Harassment (Pignanelli, F.R.) ..... HB 76 (F)
Money Laundering and Precursor Chemical (Peterson, C.A.) ..... SB 219 (P)
Obtaining Controlled Substances Amendment (Bain, W.) ..... HB 263 (P)
Pardons and Paroles Amendments (Hillyard, L.W.) ..... SB 143 (P)
Possession of Dangerous Weapon (James, A.D.) ..... HB 261 (P)
Prisoner Defined (Barlow, H.J.) ..... SB 151 (F)
Private Probation Provider Licensing Act (Ellertson, R.L.) ..... HB 388 (P)

Private Security Officers Amendments (Dmitrich, M.) ..... HB 356 (F)
Probation Criteria (Holmgren, J.P.) ..... SB 75 (P)
Prohibition of Death Penalty for Persons Having Mental Retardation (Rose, J.) ..... HB 112 (F)
Prohibition of Paramilitary Training (Pignanelli, F.R.) ..... HB 31 (F)
Prosecution Amendments (Carling, R.J.) ..... SB 97 (F)
Prosecution Council (Cornaby, K.S.) ..... SB 91 (P)
Psychiatric Security Review Board Amendments (Holmgren, J.P.) .. SB 242 (P)
Public Safety Needs Task Force (Black, W.R.) ..... SB 159 (F)
Resolution Commemorating McGruff (McMullin, D.H.) ..... SJR 30 (F)
Rights of Prison Mothers (Pace, L.N.) ..... SB 274 (F)
Right to Prevent Desecration of Flag (Barton, W.T.) ..... SB 8 (F)
Rules of Criminal Procedure Citations (Harward, B.L.) ..... HB 297 (P)
Rules of Criminal Procedure Revision (Harward, B.L.) ..... HB 58 (P)
Second Degree Murder Amendment (Milner, J.R.) ..... HB 214 (P)
Security Personnel Licensing and Exemption (Peterson, C.E.) ..... SB 248 (F)
Sentence Guidelines Regarding Aggravation and Mitigation (Swan, K.G.) ..... SB 105 (P)
Sex Offender Treatment (Swan, K.G.) ..... SB 133 (P)
Solicitation of Criminal Act (Carling, R.J.) ..... SB 90 (P)
Statute of Limitation Amendment (White, B.J.) ..... HB 35 (P)
Subpoena Powers Act Amendment (Carling, R.J.) ..... SB 215 (P)
Task Force on Criminal Sentencing–$25,000–(Pace, L.N.) ..... SB 244 (F)
Theft of Cable TV Services Amendments (Barlow, H.J.) ..... SB 48 (P)
Theft Offense Amendments (Anderton, B.) ..... HB 137 (F)
Ticket Scalping Restrictions (Lunt, L.V.) ..... HB (6 (F)
Trespass Amendments (Tempest, R.B.) ..... SB 45 (F)
Treatment and Commitment of Mentally Retarded Offenders (Holmgren, J.P.) ..... SB 231 (F)
Unlawful Use of Firearms (Carling, R.J.) ..... SB 147 (P)
Use of Embryonic or Fetal Tissue Prohibited (Hunter, J.R.) ..... HB 300 (F)
Warrant Service Fee (Pignanelli, F.R.) ..... HB 255 (F)

DISCRIMINATION

Employment Discrimination Proceedings (Cornaby, K.S.) ..... SB 6 (P)
Gender Pay Equity Sruvey Resolution (Atkinson, K.C.) ..... HCR 22 (P)
Macbride Principle Employment Discrimination (Pignanelli, F.R.) . HB 455 (F)

Malicious Harassment (Pignanelli, F.R.) ..... HB 76 (F)
Prohibition of Discrimination in Employment of Homeless
(Pignanelli, F.R.) ..... HB 267 (F)

DRUGS (See LIQUOR–TOBACCO AND DRUGS)

EDUCATION (General)

Education Alternatives (Goodfellow, B.H.) ..... HB 432 (F)
Education Article Amendment (Moody, H.C.) ..... HJR 11 (F)
Education Article Revision Resolution (Holmgren, J.P.) ..... SJR 11 (F)
Education Funding Option (McMullin, D.H.) ..... SB 262 (F)
Hunter Education Amendmets (Christensen, T.) ..... HB 384 (P)
National School Counseling Week Resolution (Dmitrich, M.) ..... HCR 29 (F)
Res. Honoring Utah's Outstanding Teachers (Karras, N.E.) ..... HJR 16 (P)
School Warning Devices (James, A.D.) ..... HB 144 (F)
Strategic Planning for Education Resolution (Barlow, H.J.) ..... SCR 9 (P)

EDUCATION (Higher)

BYU Football Resolution (Peterson, C.E.) ..... SJR 27 (F)
Board of Regents Membership (Hunter, R.H.) ..... HB 374 (F)
College of Eastern Utah Study Resolution (Dmitrich, M.) ..... HR 3 (P)
College Student Immunization (Richards, W.L.) ..... SB 167 (F)
Curation of Archaelogical and Paleontological Specimens
–Museum of Natural History–(Rees, S.J.) ..... SB 148 (P)
Educational Telecommunication (Tempest, R.B.) ..... SB 182 (P)
Entrance Requirements at Institutions (Holmes, D.J.) ..... HB 155 (F)
Entrance Requirements for Institutions of Higher Education
Resolution (Holmes, D.J.) ..... HJR 21 (F)
Funding for Libraries in Higher Education Institutions
(Stephens, M.R.) ..... HB 178 (P)
Higher Education Institutional Council Amendments (Barlow, H.J.) . SB 237 (F)
Higher Education Institutional Name Change (Barlow, H.J.) ..... SB 101 (P)
Higher Education Reimbursed Overhead (Yardley, J.F.) ..... HB 362 (F)
Income Tax Checkoff for Higher Education (Leavitt, D.L.) ..... SB 219 (P)
Intercollegiate Competition Among The State's Universities
and Colleges (Leavitt, D.L.) ..... SB 142 (F)
Membership on Higher Education Institutional Councils
(Protzman, G.D.) ..... HB 156 (F)

Postsecondary Proprietary School Amendments (Protzman, G.) ... HB 132 (P)
Public Access to University Salary Information (Evans, R.M.) .... HB 207 (F)
Purchasing Practices in Public & Higher Education (Leavitt, D.) ... SB 24 (F)
Res. Recognizing Weber State College (Halverson, D.) ..... HCR 14 (P)
Salt Lake Skills Center (Barlow, H.J.) ..... SB 195 (F)
State Educational Telecommunication System (Adams, D.M.) .... HB 283 (F)
Testing and Remedial Course Work in Higher
Education (Wasden, J.W.) ..... HB 180 (F)
Voter Registration at Colleges and Universities (Wharton, B.D.) ... HB 449 (F)
Weber State College Name Change (Stephens, M.R.) ..... HB 336 (F)

EDUCATION (Public)

Accountability For Increased Funding in the Public Schools
(Holmes, D.J.) ..... HB 467 (F)
Achievement Tests in the Public Schools (Bradford, R.J.) ..... HB 321 (P)
Administrators Teaching in the Public Schools (Protzman, G.D.) .. HB 354 (F)
Alternative Certification (Wilson, J.B.) ..... HB 382 (F)
Asbestos Abatement in the Public Schools (Bradford, R.J.) ..... HB 161 (P)
Awards for Excellence in Public Education (Hillyard, L.W.) ..... SB 276 (F)
Bonding for Public School Amendments – Computer Centers
–$50,000,000–(Pace, L.N.) ..... SB 158 (F)
Child Care Centers in the Public Schools (Jones, D.M.) ..... HB 111 (F)
Class Size Reduction in the Public Schools (Moody, H.C.) ..... HB 466 (F)
Compensation for Teaching Experience (Pace, L.N.) ..... SB 140 (F)
Criminal Background Checks on School Personnel (Burningham, K.) HB 293 (F)
Early Graduation Credit Resolution (Steele, D.H.) ..... SJR 15 (P)
Early Graduation Incentives Amendments (McMullin, D.) ..... SB 129 (P)
Earthquake Hazard in Public Schools Study Resolution
(Bradshaw, A.B.) ..... HJR 20 (F)
Education Stabilization Fund (Brown, M.R.) ..... HB 378 (F)
Educational Technology in Public and Higher Education
(Bradford, R.J.) ..... HB 468 (P)
Expansion of Block Grant Funding Pilot Program (Harward, B.L.) . HB 440 (P)
Expanison of Certified Driver License Examiners (McMullin, D.) .. SB 254 (P)
Extracurricular Activities (Bishop, R.W.) ..... HB 317 (F)
Family Planning Services (Pignanelli, F.R.) ..... HB 421 (F)
Funding For Math, Science and Engineering Achievement Programs
(Holmes, D.J.) ..... HB 471 (F)

Funding Textbooks for Public Education (Bradford, R.J.) ..... HB 162 (P)
Governance of Public Education (Leavitt, D.L.) ..... SB 132 (P)
Grading Policies for Public Schools (Holmers, D.J.) ..... HB 205 (F)
Guidelines for the Use of Physical Restraint in Schools
(Burningham, K.R.) ..... HB 83 (F)
Income Tax–Schools Checkoff (Nix, P.) ..... HB 236 (F)
In–Service Training For Public Education Classified Employees
(Wasden, J.W.) ..... HB 246 (F)
Lengthening of the School Year (Lunt, L.V.) ..... HB 221 (F)
Local Option Income Surtax for Public Education (Bradford, R.J.) . HB 165 (F)
Mitigation of Earthquake Hazards in the Public Schools
(Burningham, K.R.) ..... HB 408 (F)
Natural Hazards Notice and Instruction (Nielsen, R.) ..... HB 392 (F)
Office of Public School Accountability (Holmes, D.J.) ..... HB 470 (F)
Open Enrollment Option in Public Education (Barton, W.T.) ..... SB 275 (F)
Partisan School Board Elections (Wharton, B.D.) ..... HB 323 (F)
Physician Monitoring High School Athletic Events (Fuller, H.R.) .. HB 215 (F)
Program for Suggestions and Complaints by School Employees
(Lewis, T.D.) ..... HB 74 (F)
Promoting Math and Science in the Public Schools Resolution
(Steele, D.H.) ..... SJR 16 (P)
Public Education Curriculum (Holmes, D.J.) ..... HB 164 (F)
Public Education Options (Bradford, R.J.) ..... HB 202 (P)
Public School Class Size (Pace, L.N.) ..... SB 178 (F)
Pubic School Teacher's Tax Credit (Hunter, J.R.) ..... HB 340 (F)
Purchasing Practices in Public & Higher Education (Leavitt, D.) ... SB 24 (F)
Reading Remediation Programs in the Public Schools (Jensen, J.) .. HB 272 (P)
Reporting of Litigation and Litigation Costs in the
Public Schools (Wasden, J.W.) ..... HB 181 (F)
Res. Honoring Brighton High School (Finlinson, F.W.) ..... SCR 6 (P)
Res. Honoring Highland Bantam B Team (Davis, G.) ..... HR 6 (P)
Res. Honoring Highland High PeeWee Football Team (Davis, G.) .. HR 5 (P)
Res. Honoring Paul McCarty and Hill View School (Rose, J.) ..... HJR 23 (P)
Salary Increases for Teachers (Adams, D.M.) ..... HB 436 (P)
School Based Management Pilot Project (Bradford, R.J.) ..... HB 464 (F)
School Board Leeway –2% mill–(Adams, D.M.) ..... HB 474 (P)
School Building State Supported Program Amendments
(Hillyard, L.W.) ..... SB 166 (F)

School District Accountability (Bradford, R.J.) ..... HB 158 (P)
School District Performance Reports (Bradford, R.J.) ..... HB 170 (P)
School Dropouts Driver License Revocation (Jones, D.M.) ..... HB 46 (F)
Standardized Reporting of Public Education Date (Beattie, L.) ..... SB 96 (F)
State Building Ownership Authority Responsibilities (Pace, L.N.) .. SB 172 (F)
Student Discipline in the Schools (LeBaron, D.R.) ..... HB 129 (F)
Student Registration Plan (Lyon, N.S.) ..... HB 465 (F)
Task Force on Strategic Planning For Education (Bradford, R.J.) .. HB 472 (F)
Teacher Career Ladder Funding (Burningham, K.R.) ..... HB 469 (F)
Teacher Career Ladder Modification (Goodfellow, B.H.) ..... HB 473 (F)
Teacher Salary Increase (Barlow, H.J.) ..... SB 277 (F)
Teaching Experience Employment Factor (Hull, J.L.) ..... HB 193 (F)
Title 53A Revisions–Public Education (Hillyard, L.W.) ..... SB 98 (P)

EDUCATION (Technical/Vocational)

Area Applied Technology Centers (Protzman, G.D.) ..... HB 125 (P)
Vocational–Technical Education Funding Resolution (LeBaron, D.) . HJR 34 (F)

ELECTIONS

Campaign Advertising Cleanup (Carling, R.J.) ..... SB 1 (F)
Conflicts of Interest (Hillyard, L.W.) ..... SB 106 (F)
Constable Amendments (Lewis, T.D.) ..... HB 133 (P)
Election Code for Municipalities (Leavitt, D.L.) ..... SB 250 (F)
Election Law Amendments (Wharton, B.D.) ..... HB 410 (F)
Expansion of Initiative and Referendum Procedures (Barton, W.T.) . SB 206 (F)
Late Registration of Voters (Bradshaw, A.B.) ..... HB 219 (F)
Municipal Election Amendments (Evans, B.A.) ..... HB 204 (F)
National Voter Registration Resolution (Barton, W.T.) ..... SR 7 (P)
Partisan School Board Elections (Wharton, B.D.) ..... HB 323 (F)
Political Contribution Disclosure (Slack, R.A.) ..... HB 1 (P)
Presidential Preference Primary Elections (Slack, R.A.) ..... HB 220 (F)
Reporting Campaign Contributions (Moody, H.C.) ..... HB 157 (F)
Residency Requirements of Certain Elected Officials (Bodily, S.) ... HB 38 (P)
Student Registration Plan (Lyon, N.S.) ..... HB 465 (F)
Use of Campaign Contributor List (Jensen, J.) ..... HB 241 (F)
Voter Registration at Colleges and Universities (Wharton, B.D.) .... HB 44((F)
Water Conservancy Act Election Amendments (Olsen, E.L.) ..... HB 3(8 (F)

ENVIRONMENTAL PROTECTION

Archeological, Paleontological and Historical Site Vandalism Protection Act (Bishop, R.W.) ..... HB 233 (P)
Control of Environmental Pollution (Lewis, T.D.) ..... HB 400 (F)
Department of Environmental Quality Study Resolution (Frandsen, L.) ..... HJR 28 (P)
Department of Environmental Quality (Holmgren, J.P.) ..... SB 267 (F)
Earth Day 1990 Resolution (White, B.J.) ..... HCR 16 (P)
Historic and Cultural Sites Protection (Bishop, R.W.) ..... HB 234 (P)
Historic Site Preservation Resolution (Pignanelli, F.R.) ..... HJR 22 (P)
Indoor Clean Air Act Amendments (Dmitrich, M.(..... HB 331 (F)
Native Plant Day Resolution (Milner, J.R.) ..... HCR 20 (F)
Nuclear Facility Siting (Moody, C.) ..... HB 18 (V)
Purchase of Recycled Paper (White, B.J.) ..... HB 330 (P)
Rejection of Water Appropriation Application (Tempest, R.B.) ..... SB 192 (F)
Res. Urging Federal Eqrthquake Project Study (Davis, G.) ..... HJR 40 (P)
Sales Tax Exemption for Pollution Control Facilities (Peterson, Cary) ..... SB 44 (P)
Solid Waste Management Supervision (White, B.J.) ..... HB 225 (F)
Tree Planting Fund (Lewis, T.D.) ..... HB 154 (P)
Underground Storage Tank Act Amendments (Finlinson, F.W.) ..... SB 26 (P)
Utah Air Conservation Committee (Milner, J.R.) ..... HB 198 (F)
Voluntary Water Conservation Resolution (Brown, M.R.) ..... HJR 19 (P)

FAMILIES

Adoption Act Amendments (Rush, H.D.) ..... HB 56 (P)
Adoption Recodification Act (Steele, D.H.) ..... SB 14 (P)
Adoption Restrictions (Steele, D.H.) ..... SB 226 (P)
Adult Abuse Data base (Richards, W.L.) ..... SB 155 (P)
Adult Adoptee Information Task Force (Burningham, K.R.) ..... HB 423 (F)
Child Care Centers in the Public Schools (Jones, D.M.) ..... HB 111 (F)
Child Guardian Ad Lien Appointment (Evans, R.M.) ..... HB 199 (P)
Child Support Guidelines Amendments (Atkinson, K.C.) ..... HB 106 (P)
Child Support Orders (Harward, B.L.) ..... HB 197 (F)
Commitment and Admission of Minors to Psychiatric Facilities (Oscarson, K.E.) ..... HB 134 (F)
Criminal Offenses Against the Elderly (Rose, J.) ..... HB 9 (F)

Divorced Parents Compliance with Residential Provisions for a Child (McMullin, D.H.) ..... SB 180 (F)
Domestic Garnishment Amendment (Jensen, J.S.) ..... HB 372 (F)
Domestic Violence Amendments (Evans, R.M.) ..... HB 52 (P)
Domestic Violence No-Contact Requirements (Evans, R.M.) ..... HB 54 (P)
Domestic Violence Prosecution Resolution (Milner, J.R.) ..... HJR 3 (P)
Domestic Violence Programs (Milner, J.R.) ..... HB 53 (P)
Elderly Residential Zoning (Harward, B.L.) ..... HB 179 (F)
Extension of Adoption Authority (Oscarson, K.E.) ..... HB 72 (P)
Family Planning Services (Pignanelli, F.R.) ..... HB 421 (F)
Finality of Divorce Amendments (Jensen, J.S.) ..... HB 286 (F)
Fee for Collection of Child Support Repealed (Atkinson, K.C.) .... HB 232 (P)
Guardianship Amendments (Rush, H.D.) ..... HB 414 (P)
Health Insurance for Dependent Children (Atkinson, K.C.) ..... HB 349 (P)
Immediate Income Withholding (Frandsen, L.) ..... HB 149 (P)
Income Tax Credit for Employers Giving Child Care Assistance (Jones, D.M.) ..... HB 41 (F)
Income Tax-Dependent Care Credit (Rose, J.) ..... HB 42 (F)
Income Tax-Elderly Dependents (Evans, R.M.) ..... HB 36 (F)
Income Tax-Exemption for Working Heads of Household (Rose, J.) HB 44 (F)
Income Tax-Marriage Credit (Rush, H.D.) ..... HB 19 (F)
Insurance Coverage for Adoption-Related Expenses (Holmgren, J.P.) SB 84 (F)
Insurance Coverage of Infertility (Carling, R.J.) ..... SB 16 (F)
Itemization of Fees for Adoption (Rush, H.D.) ..... HB 55 (P)
Joint Custody Amendments (Ockey, R.J.) ..... HB 288 (P)
Juvenile Court Protective Orders-abuse/ex parte- (Jensen, J.S.) ... HB 146 (P)
Liability for Medical Expenses for Children (Atkinson, K.C.) ..... HB 352 (P)
Licensure of Youth Services Programs (Oscarson, K.E.) ..... HB 119 (P)
Office of Child Care (Rush, H.D.) ..... HB 3)4 (P)
Privileged Communications Amendments-Spouses (Karras, N.E.) . HB 145 (P)
Res. Honoring Utah's Mother & Young Mother of the Year (Hillyard, L.W.) ..... SCR 4 (P)
Review and Modification of Child Support Orders (Frandsen, L.) .. HB 150 (P)
Requirement to Furnish Social Security Numbers (Frandsen, L.) ... HB 148 (P)
Transporting Children in Pickup Trucks (Milner, J.R.) ..... HB 141 (F)
UAPA Exemption of State Actions Regarding Child Placement (Steele, D.H.) ..... SB 160 (P)
Uniform Child Custody Jurisdiction Act Amendments (Holmgren, J.) SB 207 (P)

Utah Commission for Women and Families (White, B.J.) ..... HB 206 (P)
Vehicle Child Restraint Devices (Frandsen, L.) ..... HB 139 (P)
Youth Corrections Parole Violation Amendments (Cornaby, K.S.) .. SB 226 (P)

FEES

Cigarette Licensing Fees (Valentine, J.L.) ..... HB 287 (P)
Constable Amendments (Lewis, T.D.) ..... HB 133 (P)
DUI Chemical Testing Fee (Ockey, R.J.) ..... HB 169 (P)
Driver License Fees (Ostler, D.S.) ..... HB 93 (F)
Fees Limitations on Trust Deeds (Pace, L.N.) ..... SB 32 (F)
Fees of County Officers (Burningham, K.R.) ..... HB 190 (F)
Fees of Sheriffs and Precinct Officers (Pace, L.N.) ..... SB 162 (F)
Fireworks Dealer License Fees (McMullin, D.H.) ..... SB 174 (F)
Fishing License Fee for Mentally Retarded (Tuttle, D.H.) ..... HB 50 (P)
Juror and Witness Fees Amendment (Ellertson, R.L.) ..... HB 51 (P)
User Fees (McAllister, L.) ..... SB 190 (F)
Video Fees for Arts Funding (Price, D.Q.) ..... HB 208 (F)

FINANCIAL INSTITUTIONS

Credit Reporting Amendments (Anderton, B.) ..... HB 235 (P)
Department of Financial Institutions Amendments (Peterson, C.E.) . SB 189 (P)
Fees Limitations on Trust Deeds (Pace, L.N.) ..... SB 32 (F)
Financial Institutions Names (Bishop, R.W.) ..... HB 463 (F)
Interest Limitation on Credit Cards (Hull, J.L.) ..... HB 245 (F)
Money Laundering and Precursor Chemical (Peterson, C.A.) ..... SB 21((P)
Mortgage Lending and Servicing Act (Beattie, L.) ..... SB 37 (P)
Redepositing Dishonored Checks (Jensen, J.S.) ..... HB 25 (F)
Small Business Linked Loan Program (Halverson, D.P.) ..... HB 8 (F)

FIRE CONTROL

Fire Fighters, Peace Officers and Public Saftey Officers
Negotiations Act (Tuttle, D.H.) ..... HB 151 (F)
Fire Fighters' Retirement Credit Purchase (Pace, L.N.) ..... SB 149 (F)
Fire Fighters Training (Valentine, J.L.) ..... HB 347 (F)
Fire Fighter System Social Security Offset (Bishop, R.W.) ..... HB 174 (P)
Rural Fire Protection Apparatus Fund–$500,000– (Swan, K.G.) .... SB 218 (F)
Smoke Detector Act (Hull, J.L.) ..... HB 15 (F)
State Fire Prevention Amendments (Tuttle, D.H.) ..... HB 273 (P)

FISH, GAME & WILDLIFE PRESERVATION

Amendments to Trespass Law (Brown, M.R.) ..... HB 394 (F)
Compensation for Wildlife Damage (Evans, B.A.) ..... HB 153 (LWS)
Cougar and Bear Permits (Tempest, R.B.) ..... SB 184 (F)
Fishing License Fee for Mentally Retarded (Tuttle, D.H.) ..... HB 50 (P)
Hunter Education Amendments (Christensen, T.) ..... HB 384 (P)
Prohibition of Certain Animals–raccoon/coyote–as Pets (Allen, L.) . HB 95 (P)
Safe Transportation of Animals Resolution (Milner, J.R.) ..... HCR 25 (F)
Transporting of Animals (Milner, J.R.) ..... HB 142 (F)
Unlawful Use of Firearms (Carling, R.J.) ..... SB 147 (P)
Waterfowl Resolution (Bodily, S.M.) ..... HCR 6 (P)

FRAUD

Statute of Frauds Amendments (Lunt, L.V.) ..... HB 254 (F)

GAMBLING

Charitable Bingo and Raffles Amendments (James, A.D.) ..... HJR 6 (F)
State Lottery Resolution (James, A.D.) ..... HJR 5 (F)
Ticket Scalping Restrictions (Lunt, L.V.) ..... HB 96 (F)
Wendover Economic Development Resolution (Barton, W.T.) ..... SJR 1 (F)

HANDICAPPED

Fishing License Fee for Mentally Retarded (Tuttle, D.H.) ..... HB 50 (P)
Guardianship Amendments (Rush, H.D.) ..... HB 414 (P)
Handicapped License Plates (White, B.J.) ..... HB 327 (F)
Handicapped Parking Amendments (Rose, J.) ..... HB 186 (F)
Handicapped Services Task Force (Frandsen, L.) ..... HB 24 (P)
Prohibition of Death Penalty for Persons Having Mental Retardation (Rose, J.) ..... HB 112 (F)
Psychiatric Security Review Board and Mentally Retarded Offenders Amendments (Holmgren, J.P.) ..... SB 242 (P)
Telecommunications Access for Hearing Impaired (Goodfellow, B.) HB 226 (P)
Treatment and Commitment of Mentally Retarded Offenders (Holmgren, J.P.) ..... SB 231 (F)

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Criminal Penalties for Hazardous Waste Violations (Rees, S.J.) ..... SB 170 (P)
Hazardous Waste Operation Plan Amendments (Knowlton, F.W.) .. HB 419 (F)

Infectious Waste Act (Lyon, N.S.) ..... HB 420 (F)
Nuclear Facility Siting (Moody, H.C.) ..... HB 18 (V)
Recycling of Waste (Brown, G.E.) ..... HB 428 (F)
Waste Management Amendments (Rees, S.J.) ..... SB 255 (P)

HEALTH–MEDICAL
(See HAZARDOUS SUBSTANCES/SOCIAL SERVICES)

Budgetary Procedures Act Amendments–Medicaid–(Hillyard, L.W.) SB 177 (P)
Chiropractic Improvement Amendments (McMullin, D.H.) ..... SB 134 (P)
College Student Immunication (Richards, W.L.) ..... SB 167 (F)
Comprehensive Health Insurance Pool Act (Davis, G.) ..... HB 67 (P)
Comprehensive Waste Management Act (Davis, G.) ..... HB 386 (F)
Computerized Prescription Information System (Halverson, D.P.) ... HB 60 (F)
Criminal Penalties for Hazardous Waste Violations (Rees, S.J.) ..... SB 170 (P)
Drug Use Labeling (Price, D.Q.) ..... HB 200 (F)
Emergency Rural Medical Services resolution (Price, D.Q.) ..... HCR 12 (F)
Free Distribution of Tobacco Products (Rush, H.D.) ..... HB 14 (P)
Good Samaritan Protection for Ski Patrol (Beattie, L.) ..... SB 73 (P)
Hazardous Waste Operation Plan Amendments (Knowlton, F.W.) .. HB 419 (F)
Health Care Insurance Task Force (Moody, J.M.) ..... HB 29 (F)
Health Facility Licensure and Inspection Act (Moody, J.M.) ..... HB 213 (P)
Health Insurance for Dependent Children (Atkinson, K.C.) ..... HB 349 (P)
Income Tax Deduction for Health Insurance Premiums (Fuller, H.) .. HJR 18 (F)
Infectious Waste Act (Lyon, N.S.) ..... HB 420 (F)
Insurance Coverage of Infertility (Carling, R.J.) ..... SB 16 (F)
Insurance Coverage for Oral Surgery (Rush, H.D.) ..... HB 11 (F)
Insurance Coverage for Persons with AIDS or HIV (Frandsen, L.) . HB 458 (F)
Legal Penalties for Prostitution by HIV Positive Persons
(Swan, K.G.) ..... SB 232 (F)
Liability for Medical Expenses for Children (Atkinson, K.C.) ..... HB 352 (P)
Limited Immunity for Certain HMO Activities (Bishop, R.W.) .... HB 358 (F)
Medicaid Shortfall Funding (McAllister, L.) ..... SB 221 (F)
Merger of the Division of Mental Health and the Division of
Substance Abuse (Holmgren, J.P.) ..... SB 269 (F)
Nuclear Facility Siting (Moody, H.C.) ..... HB 18 (V)
Physician Assistant Licensing Act (Carling, R.J.) ..... SB 123 (P)
Physician Monitoring High School Athletic Events (Fuller, H.R.) .. HB 215 (F)
Radon Certification (Rush, H.D.) ..... HB 370 (F)

Recycling of Plastic Products (Lewis, T.D.) ..... HB 397 (F)
Recycling of Waste (Brown, G.E.) ..... HB 428 (F)
Recycling of Waste Tires (Tempest, R.B.) ..... SB 5 (P)
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Medical Organizations (McMullin, D.) ..... SCR 10 (P)
Res. Recognizing Medic Alert Program (Julander, P.) ..... HJR 4 (P)
Res. Urging Review of Long-Term Care Facilities (Davis, G.) ..... HJR 29 (F)
Requirement to Furnish Social Security Numbers (Frandsen, L.) ... HB 148 (P)
Rural Physician Education Loan Repayment Act (Moody, J.M.) ... HB 102 (P)
Rural Physician Scholarship Act (Moody, J.M.) ..... HB 103 (P)
Sales and Use Tax–Home Medical Equipment Exemptions
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Sales Tax Exemption for Pollution Control Facilities
(Peterson, Cary) ..... SB 44 (P)
Solid Waste Management Supervision (White, B.J.) ..... HB 225 (F)
State-Owned Health Care Facilities (Carling, R.J.) ..... SB 173 (F)
Underground Storage Tank Act Amendments (Finlinson, F.W.) ..... SB 26 (P)
Use of Embryonic or Fetal Tissue Prohibited (Hunter, J.R.) ..... HB 300 (F)
Utah Air Conservation Committee (Milner, J.R.) ..... HB 198 (F)
Utah Beverage Container Recycling and Litter Control Act
(Milner, J.R.) ..... HB 403 (F)
Utah Health Care Information Act (Rush, H.D.) ..... HB 47 (F)
Utah Health Data Committee (Frandsen, L.) ..... HB 124 (F)
Utah Health Data Committee (Peterson, C.E.) ..... SB 235 (P)
Utah Waste Recycling Act (Pignanelli, F.R.) ..... HB 277 (F)
Waste Management Amendments (Rees, S.J.) ..... SB 255 (P)
Waste Tire Recycling (Ostler, D.S.) ..... HB 34 (F)
Water Projects Appropriations (Leavitt, D.L.) ..... SB 217 (F)

HIGHWAYS AND ROADS

Appropriation for Book Cliffs Road (Adams, D.M.) ..... HB 409 (F)
Civil Penalties for Vehicle Violations (Bodily, S.M.) ..... HB 91 (F)
Highway 89 Resolution (Knowlton, F.W.) ..... HJR 35 (P)
Highway Survey (Fuller, H.R.) ..... HB 365 (F)
Highway Users' Protection Act (Pace, L.N.) ..... SB 122 (F)
Motor Fuel Funding for Motor Vehicle Insurance (Wharton, B.D.) . HB 291 (F)
Movement of Implements of Husbandry (Holmgren, J.P.) ..... SB 42 (F)
Off-Highway Vehicle Registration Amendments (Holmgren, J.P.) .. SB 210 (F)
Oversight of Ports of Entry (Bodily, S.M.) ..... HB 92 (P)

Res. Discouraging Interstate Semitrailer Truck Traffic in Provo Canyon (Harward, B.L.) ..... HJR 41 (P)
Revision to State Highways (Myrin, A.) ..... SB 22 (P)
Stopping at Ports of Entry (Bodily, S.M.) ..... HB 89 (P)
Traffic Right-of-Way Amendments (Goodfellow, B.H.) ..... HB 37 (P)
Transfer of Title on Local Roads (Holmes, D.J.) ..... HB 402 (F)
Transportation Fund Uses (Harward, B.L.) ..... HB 308 (P)
Utah Outdoor Advertising Limitations (Black, W.R.) ..... SB 12 (P)
Vehicle Size, Weight and Load Revisions (Fox, C.R.) ..... HB 57 (P)

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Elderly Residential Zoning (Harward, B.L.) ..... HB 179 (F)
Homeowners and Auto Insurance Comparison Table (Beattie, L.) ... SB 10 (P)
Home Owners Bill of Rights (Prante, F.C.) ..... HB 78 (F)
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Res. Honoring the State Homeless Coordinating Committee (Rose, J.) ..... HCR 24 (F)
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Utah Housing Finance Agency Amendments (Karras, N.E.) ..... HB 322 (P)
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Utah Fit Premises Act (Moody, H.C.) ..... HB 43 (P)
Utah Residential Landlord and Tenant Act (Julander, P.) ..... HB 315 (F)

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Edge of Cedars Museum (Adams, D.M) ..... HB 364 (F)
Indian Affairs Resolution (Myrin, A.) ..... SJR 32 (P)
Indian Burial Appropriation-$50,000- (Swan, K.G.) ..... SB 214 (P)
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Comprehensive Health Insurance Pool Act (Davis, G.) ..... HB 67 (P)
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Escrow Account Provisions (Harward, B.L.) ..... HB 334 (P)
Guarantee Association Amendments (Lewis, T.D.) ..... HB 439 (P)
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Health Insurance for Dependent Children (Atkinson, K.C.) ..... HB 349 (P)
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Insurance Benefit for Line of Duty Death (Fordham, P.T.) ..... SB 169 (F)
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Insurance Claims Practices Amendments (Holmgren, J.P.) ..... SB 266 (F)
Insurance Code Amendments (Peterson, C.E.) ..... SB 138 (P)
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Insurance Coverage for Adoption–Related Expenses (Holmgren, J.P.) SB 84 (F)
Insurance Coverage Expansion (Money, E.A.) ..... SB 229 (F)
Insurance Coverage for Oral Surgery (Rush, H.D.) ..... HB 11 (F)
Insurance Coverage of Infertility (Carling, R.J.) ..... SB 16 (F)
Insurance Liquidation Amendments (Lewis, T.D.) ..... HB 438 (F)
Insurance Premiums For Persons With AIDS or HIV (Frandsen, L.) HB 458 (F)
Liability for Medical Expenses for Children (Atkinson, K.C.) ..... HB 352 (P)
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Limited Immunity For Certain HMO Activities (Bishop, R.W.) ... HB 358 (F)
Motorcycle Insurance Coverage (Evans, R.M.) ..... HB 451 (F)
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Property Tax Damage Protection Against Uninsured
Motorists (Steele, D.H.) ..... SB 76 (P)
Regulating Motor Vehicle Insurance Increases (Holt, S.W.) ..... HB 86 (F)
Regulation of Automobile Insurance Premiums (Holmgren, J.P.) ... SB 39 (F)
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(Pace, L.N.) ..... SB 178 (F)

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Court Commissioner Amendments (Valentine, J.L.) ..... HB 391 (P)
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Judicial Conduct Commission Amendments (Bodily, S.M.) ..... HB 281 (P)
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Juvenile Court Filing Amendment (Barlow, H.J.) ..... SB 47 (P)
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(Holmgren, J.P.) ..... SB 183 (P)
Small Claims Court Amendments (Barton, W.T.) ..... SB 88 (P)
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Unclaimed Property Act Amendments (Peterson, C.A.) ..... SB 223 (P)
Uniform Child Custody Jurisdiction Act Amendments (Holmgren, J.) SB 207 (P)
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Employers' Reinsurance Fund Amendments (Tempest, R.B.) ..... SB 13 (P)
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Reinsurance Funds (Ostler, D.S.) ..... HB 196 (P)
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Forfeiture Hearing Jurisdiction (Richards, W.L.) ..... SB 187 (P)
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Cancellation of Automobile Purchase (Holmgren, J.P.) ..... SB 135 (F)
Civil Penalties for Vehicle Violations (Bodily, S.M.) ..... HB 91 (F)
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Safe Transportation of Animals Resolution (Milner, J.R.) ..... HCR 25 (F)
School Dropouts Driver License Revocation (Jones, D.M.) ..... HB 46 (F)
School Warning Devices (James, A.D.) ..... HB 144 (F)
Special Fuel Tax Permit Amendments (Bodily, S.M.) ..... HB 90 (P)
Standardized Emission Inspections (Rees, S.J.) ..... SB 58 (P)
Standardized Vehicle Emission Inspections (Ockey, R.J.0 ..... HB 172 (F)
Traffic Right-Of-Way Amendments (Goodfellow, B.H.) ..... HB 37 (P)
Transporting of Animals (Milner, J.R.) ..... HB 142 (F)
Transporting Children in Pickup Trucks (Milner, J.R.) ..... HB 141 (F)
Transportation Fund Monies (McMullin, D.H.) ..... SB 63 (F)
Uninsured Motorist Penalty (Rose, J.) ..... HB 7 (F)
Use of Emission Inspection Statements (Wasden, J.W.) ..... HB 32 (F)
Vehicle Child Restraint Devices (Frandsen, L.) ..... HB 139 (P)
Waste Tire Recycling (Ostler, D.S.) ..... HB 34 (F)

NOTARIES PUBLIC

Notaries Public Bonding Amendments (Stephens, M.R.) ..... HB 223 (P)
Notaries Public Reform Act Amendments (Lewis, T.D.) ..... HB 167 (P)

NUISANCES

Moral Nuisance Statute (Hunter, J.R.) ..... HB 280 (F)

OCCUPATIONS AND PROFESSIONS

Aestheticians Exemption From Licensure (Bishop, R.W.) ..... HB 28 (F)
Alarm Company Licensing Amendments (Dmitrich, M.) ..... HB 404 (F)
Alternative Dispute Resolution Providers (White, B.J.) ..... HB 294 (F)
Amendments to Controlled Substances Act (Bain, W.) ..... HB 109 (P)
Certified Public Accounting Licensing Act (Lyon, N.S.) ..... HB 268 (P)
Chiropractic Improvement Amendments (McMullin, D.H.) ..... SB 134 (P)
Contractors Licensing Amendments (Nielsen, G.) ..... SB 59 (P)
Division of Occupational and Professional Licensing Act
Amendments (Ockey, R.J.) ..... HB 306 (P)
Division of Occupational and Professional Licensing
Review Process (Money, E.A.) ..... SB 38 (P)
Division of Occupational and Profesional Licensing
Amendments (Evans, R.M.) ..... HB 333 (F)

Drug Use Labeling (Price, D.Q.) ..... HB 200 (F)
Forfeiture Hearing Jurisdiction (Richards, W.L.) ..... SB 187 (P)
Licensing Requirements of Insurance Agents (Lewis, T.D.) ..... HB 159 (P)
Licensure of Addictions Counselors (White, B.J.) ..... HB 20 (F)
Massage Practice Act (Carling, R.J.) ..... SB 121 (P)
Peace Officer Status of Division Investigators (Bradford, R.J.) .... HB 380 (F)
Pharmacy Practice Act Amendments (Bain, W.) ..... HB 239 (P)
Physician Assistant Licensing Act (Carling, R.J.) ..... SB 123 (P)
Private Investigators' Licensing (Fawson, J.) ..... HB 303 (F)
Private Probation Provider Licensing Act (Ellertson, R.L.) ..... HB 388 (P)
Real Estate Licensure Continuing Education Requirements
(Bradford, R.J.) ..... HB 16 (P)
Respiratory Care Practice Act Amendments (Carling, R.J.) ..... SB 87 (P)
State Earthquake Building Code (Davis, G.) ..... HB 371 (F)

PARKS AND RECREATION

Amusement Rides Safety and Inspection Act (Wharton, B.D.) .... HB 453 (F)
Antelope Island Causeway (Holt, S.W.) ..... HB 88 (F)
Bicycle Paths and Trails Development (McAllister, L.) ..... SB 72 (F)
Edge of Cedars Museum (Adams, D.M.) ..... HB 364 (F)
Funding for Tourism, Recreation and Convention Facilities
(McMullin, D.H.) ..... SB 175 (LWS)
Good Samaritan Protection for Ski Patrol (Beattie, L.) ..... SB 73 (P)
Salt Lake Regional Trails Council Resolution (Rose, J.) ..... HJR 1 (P)
Renovation of Pioneer Trail State Park Commendation Resolution
(LeBaron, D.R.) ..... HJR 15 (P)

PARTNERSHIP

Revised Uniform Limited Partnership Act (Lyon, N.S.) ..... HB 107 (P)

PEACE OFFICERS (See CRIMINAL CODE)

PENSIONS (See RETIREMENT)

PROBATE

Durable Power of Attorney Amendments (Lewis, T.D.) ..... HB 228 (F)
Personal Representative Compensation (Lewis, T.D.) ..... HB 257 (F)
Probate Code Amendments (Lewis, T.D.) ..... HB 344 (F)
Uniform Transfers to Minors Act (Valentine, J.L.) ..... HB 26 (P)

PUBLIC FUNDS AND ACCOUNTS (See also TAXATION)

Post-Employment Benefits Liabilities (McAllister, L.) ..... SB 94 (P)
State Spending Limitation (Barton, W.T.) ..... SJR 25 (F)
State Treasurer Amendments (Ellertson, R.L.) ..... HB 379 (F)

PUBLIC UTILITIES (See UTILITIES, PUBLIC)

RAILROADS

Heating and Safety Equipment for Railroad Employers (Nielsen, R.) HB 307 (P)
Heber Creeper Procurement Appropriation (Evans, B.A.) ..... HB 418 (F)

REAL ESTATE

Common Measure Property Description (Beattie, L.) ..... SB 93 (F)
Disclosure of Psychologically Impacted Property (Beattie, L.) ..... SB 18 (P)
Fees Limitations on Trust Deeds (Pace, L.N.) ..... SB 32 (F)
Home Owners Bill of Rights (Prante, F.C.) ..... HB 78 (F)
Land Sales, Timeshare, and Camp Resort Amendments (Rees, S.J.) . SB 156 (P)
Mortgage Lending and Servicing Act (Beattie, L.) ..... SB 37 (P)
Real Estate Appraiser Registration and Certification
Act (Barlow, H.J.) ..... SB 2) (P)
Real Estate Licensure Continuing Education Requirements
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Recognition of Acknowledgement Act Amendments (Lewis, T.D.) . HB 348 (F)
Removal of Unenforceable Covenants (Moody, H.C.) ..... HB 79 (P)
Utah Coordinate System Recording Amendments (Valentine, J.L.) . HB 355 (P)
Utah Fit Premises Act (Moody, H.C.) ..... HB 43 (P)
Utah Residential Landlord and Tenant Act (Julander, P.) ..... HB 315 (F)

RESOLUTIONS (See also CONSTITUTIONAL AMENDMENTS)

1990 Census Resolution (Karras, N.E.) ..... HCR 31 (P)
1990 Utah Summer Games Resolution (Hunter, R.H.) ..... HCR 18 (P)
Abortion Limitation Resolution (Nix, P.) ..... HJR 39 (P)
Air National Guard Resoltuion (Lewis, T.D.) ..... HCR 13 (P)
Anthony Commission Resolution (Christensen, A.) ..... SJR 22 (P)
Arbor Day Resolution (Lewis, T.D.) ..... HCR 15 (F)
Ben Hogan Golf Tour Commemoration (Dmitrich, M.) ..... HCR 27 (P)
BYU Football Resolution (Peterson, C.E.) ..... SJR 27 (F)
Century of Service Resolution (Black, W.R.) ..... SJR 17 (P)
Charitable Bingo and Raffles Amendments (James, A.D.) ..... HJR 6 (F)
College of Eastern Utah Study Resolution (Dmitrich, M.) ..... HR 3 (P)

Compensation of Legislative In-Session Employees (Nielsen, G.) .. SJR 12 (P)
Commemorative Resolution for Howard D. Johnson (Davis, G.) .... HJR 10 (P)
Consolidation of Retirement Systems Study (Beattie, L.) ..... SJR 13 (P)
Department of Environmental Quality Study Resolution
(Frandsen, L.) ..... HJR 28 (P)
Domestic Violence Prosecution Resolution (Milner, J.R.) ..... HJR 3 (P)
Drug and Alcohol Abuse Resolution (Wright, B.) ..... HJR 36 (F)
Early Graduation Credit Resolution (Steele, D.H.) ..... SJR 15 (P)
Earth Day 1990 Resolution (White, B.J.) ..... HCR 16 (P)
Earthquake Hazard in Public Schools Study Resolution
(Bradshaw, A.B.) ..... HJR 20 (F)
Economic Diversification Study (Burningham, K.) ..... HJR 26 (P)
Education Article Amendment (Moody, H.C.) ..... HJR 11 (F)
Education Article Revision Resolution (Holmgren, J.P.) ..... SJR 11 (F)
Emergency Powers Amendment (Hillyard, L.W.) ..... SJR 9 (P)
Emergency Rural Medical Services Resolution (Price, D.Q.) ..... HCR 12 (F)
Entrance Requuirements for Institutions of Higher Education
Resolution (Holmes, D.J.) ..... HJR 21 (F)
Fair Market Value Determination (Beattie, L.) ..... SJR 20 (F)
Federal Regulation of State Retirement Plans (Bishop, R.W.) ..... HCR 21 (P)
Gender Pay Equity Survey Resolution (Atkinson, K.C.) ..... HCR 22 (P)
Historic Site Preservation Resolution (Pignanelli, F.R.) ..... HJR 22 (P)
Highway 89 Resolution (Knowlton, F.W.) ..... HJR 35 (P)
House Rules–Committee Chairmen & Vice–Chairmen Resolution
(Wasden, J.W.) ..... HR 8 (F)
House Rules Resolution (Bishop, R.W.) ..... HR 1 (P)
Income Tax Deduction for Health Insurance Premiums
(Fuller, H.R.) ..... HJR 18 (F)
Income Tax Earmark Amendment (Swan, K.G.) ..... SJR 5 (F)
Indian Affairs Resolution (Myrin, A.) ..... SJR 32 (P)
International Friendship Week Resolution (Strong, D.) ..... HR 7 (P)
Joint Rules Resolution (Bishop, R.W.) ..... HJR 8 (F)
Joint Rules Amendments Resolution (Peterson, C.E.) ..... SJR 6 (F)
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Joint Rules–Powers of Committee Chairmanship Resolution
(Leavitt, D.) ..... SJR 14 (F)
Labor Article Revision (Hillyard, L.W.) ..... SJR 7 (F)
Legislative Auditor General Resolution (Black, W.R.) ..... SJR 3 (P)

Legislative Constitutional Amendment (Hillyard, L.W.) ..... SJR 8 (F)
Legislative Fiscal Analyst Resolution (Christensen, A.) ..... SJR 4 (P)
Limitation of Congressional Terms Amendment Resolution
(Peterson, C.E.) ..... SJR 24 (P)
Master Study Resolution (Peterson, Cary) ..... SJR 35 (P)
McGruff Tenth Anniversary Resolution (McMullin, D.H.) ..... SCR 11 (P)
Motor Fuel Tax Constitutional Amendment (Pace, L.N.) ..... SJR 18 (F)
Multiple Uses of Public Lands Resolution (Yardley, J.F.) ..... HCR 2 (P)
National School Counseling Week Resolution (Dmitrich, M.) ..... HCR 29 (F)
National Voter Registration Resolution (Barton, W.T.) ..... SR 7 (P)
Native Plant Day Resolution (Milner, J.R.) ..... HCR 20 (F)
New Alcoholic Beverage Laws
Implementation Review (Carling, R.J.) SJR 23 (P)
Personal Property Tax Exemption (Barton, W.T.) ..... SJR 10 (F)
Promoting Math and Science in the Public Schools Resolution
(Steele, D.H.) ..... SJR 16 (P)
Protection of the Flag Resolution (Wright, B.) ..... HCR 5 (F)
Recognizing the 50th Anniversary of the Utah Symphony
(Barlow, H.J.) ..... SCR 13 (P)
Renovation of Pioneer Trail State Park Commendation Resolution
(LeBaron, D.R.) ..... HJR 15 (P)
Res. Commending Calvin F. Black (Adams, D.M.) ..... HCR 33 (P)
Res. Commemorating Chesley Peterson (Black, W.R.) ..... SCR 7 (P)
Res. Commemorating John and Glenn Wallace (Tempest, R.B.) .... SCR 8 (P)
Res. Commemorating McGruff (McMullin, D.H.) ..... SJR 30 (F)
Res. Discouraging Interstate Semitrailer Truck Traffic in
Provo Canyon (Harward, B.L.) ..... HJR 41 (P)
Res. Encouraging Daytime Lights on Vehicles (Rush, H.D.) ..... HCR 1 (F)
Res. Honoring Bae B. Gardner (Carling, R.J.) ..... SJR 31 (P)
Res. Honoring Betty Calder (Evans, B.A.) ..... HCR 3 (P)
Res. Honoring Brighton High School (Finlinson, F.W.) ..... SCR 6 (P)
Res. Honoring Carr Printing Company (Smedley, S.W.) ..... HCR 30 (P)
Res. Honoring Cecilia B. Walker (Lyon, N.) ..... HR 4 (P)
Res. Honoring Frank C. Carman (Bunnell, O.B.) ..... SJR 19 (P)
Res. Honoring Highland Bantam B Team (Davis, G.) ..... HR 6 (P)
Res. Honoring Highland High PeeWee Football Team (Davis, G.) .. HR 5 (P)
Res. Honoring Kathy Garcia (Rose, J.) ..... HCR 26 (P)
Res. Honoring Paul McCarty and Hill View School (Rose, J.) ..... HCR 17 (F)

Res. Honoring Paul McCarty and Hill View School (Rose, J.) ..... HJR 23 (P)
Res. Honoring R. LaVaun Cox (Rush, H.D.) ..... HCR 11 (P)
Res. Honoring Ralph Blackman (Peterson, Cary) ..... SCR 5 (P)
Res. Honoring Richard Mehornay and James Flynn (Christensen, A.) . SR 5 (P)
Res. Honoring the State Homeless Coordinating Committee
(Rose, J.) ..... HCR 24 (F)
Res. Honoring Utah Emergency Medical Organizations
(McMullin, D.) ..... SJR 28 (F)
Res. Honoring Utah Emergency Medical Training Programs
(McMullin, D.H.) ..... SCR 10 (P)
Res. Honoring Utah's Mother and Young Mother of the Year
(Hillyard, L.W.) ..... SCR 4 (P)
Res. Honoring Utah's Outstanding Teachers (Karras, N.E.) ..... HJR 16 (P)
Res. Lauding Dale C. Hatch (Brown, G.E.) ..... HR 2 (P)
Res. On Sharon Steel Site (Brown, M.R.) ..... HCR 9 (P)
Res. Opposing the Wasatch Variation Pipeline (Lyon, N.) ..... HCR 32 (P)
Res. Opposing the Wasatch Variation Pipeline (Lyon, N.) ..... HJR 27 (F)
Res. Recognizing Jack A. Olson (Karras, N.E.) ..... HJR 24 (P)
Res. Recognizing Medic Alert Program (Julander, P.) ..... HJR 4 (P)
Res. Recognizing Weber State College (Halverson, D.) ..... HCR 14 (P)
Res. Recognizing Senator Frances Farley (All Senators) ..... SR 6 (P)
Res. Recognizing the Corey Bronson Family (Holmgren, J.P.) .... SCR 14 (P)
Res. Rescinding Utah's Call for Constitutional Convention
(Hunter, J.R.) ..... HJR 14 (F)
Res. Urging Congress to Limit the Jurisdiction of the Supreme
Court (Hunter, J.R.) ..... HJR 13 (F)
Res. Urging Federal Earthquake Project Study (Davis, G.) ..... HJR 40 (P)
Res. Urging National Recognition of the Army of the West
(Ockey, R.) ..... HJR 33 (F)
Res. Strengthening the Pledge of Allegiance (Wasden, J.W.) ..... HCR 4 (F)
Res. Urging Congressional Repeal of the Requirmentfor a
55 mile per hour Speed Limit (Carling, R.J.) ..... SCR 2 (P)
Res. Urging Land Trade in Trappers Loop Area (Christensen, A.) .. SCR 12 (P)
Res. Urging Protection of the Flag (Nielsen, G.) ..... SCR 3 (P)
Res. Urging Review of Long-Term Care Facilities (Davis, G.) ..... HJR 29 (F)
Rocky Mountain Tobacco-Free Challenge Resolution (Frandsen, L.) HCR 8 (P)
Rules Committee Amendments (Harward, B.L.) ..... HJR 25 (F)
Safe Transportation of Animals Resolution (Milner, J.R.) ..... HCR 25 (F)

Sales Tax Exemptions Sunset (McAllister, L.) ..... SJR 33 (P)
Salt Lake Regional Trails Council Resolution (Rose, J.) ..... HJR 1 (P)
Scheduling of Annual General Sessions (Slack, R.) ..... HJR 2 (P)
Senate Rules–Committee Chair/Vice Chair Resolution (Leavitt, D.) .. SR 1 (F)
Snowbird Women Trans–Antarctic Expedition Resolution
(Rose, J.) ..... HCR 23 (P)
Special District Resolution (Nielsen, G.) ..... SJR 26 (P)
Special Service Districts Resolution (Cornaby, K.S.) ..... SJR 21 (F)
Special Session Amendments Resolution (McAllister, L.) ..... SJR 2 (F)
State Lottery Resolution (James, A.D.) ..... HJR 5 (F)
State Spending Limitation (Barton, W.T.) ..... SJR 25 (F)
Strategic Planning Committee Resolution (Burningham, K.) ..... HJR 9 (P)
Strategic Planning for Education Resolution (Barlow, H.J.) ..... SCR 9 (P)
Tax Recodification Commission Property Tax Policy (Knowlton, F.) HJR 30 (P)
Tax Recodification Commission Income Tax Policy (Knowlton, F.) . HJR 31 (P)
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(Knowlton, F.) ..... HJR 32 (P)
Televised Legislature Resolution (Pignanelli, F.R.) ..... HJR 7 (F)
Tenth Amendment Resolution (Christensen, A.) ..... SCR 1 (P)
Transportation Fund Amendments Resolution (Brown, G.E.) ..... HJR 17 (F)
United Mine Workers of America Resolution (Dmitrich, M.) ..... HCR 19 (P)
Utah Housing Finance Agency Resolution (Burningham, K.) ..... HCR 28 (F)
Utah's Support of Constitutional Amendment Protecting the Flag
(Hunter, J.R.) ..... HJR 12 (F)
Utah Tar Sands Development (Tuttle, D.H.) ..... HCR 10 (P)
Ute Indian Recognition Resolution (Evans, B.A.) ..... HCR 7 (P)
Vocational–Technical Education Funding Resolution (LeBaron, D.) . HJR 34 (F)
Voluntary Water Conservation Resolution (Brown, M.R.) ..... HJR 19 (P)
Waterfowl Resolution (Bodily, S.M) ..... HCR 6 (P)
Wendover Economic Development Resolution (Barton, W.T.) ..... SJR 1 (F)
Winter Sports Authority Responsibility Resolution (Tempest, R.B.) .. SR 3 (F)
World Senior Games Resolution (Christensen, A.) ..... SJR 29 (F)

RETIREMENT

Consolidation of Retirement Systems Study (Beattie, L.) ..... SJR 13 (P)
Federal Regulation of State Retirement Plans (Bishop, R.W.) ..... HCR 21 (P)
Fire Fighters' Retirement Credit Purchase (Pace, L.N.) ..... SB 149 (F)
Insurance Benefit for Line of Duty Death (Fordham, P.T.) ..... SB 169 (F)
Judges' Retirement Benefit Enhancements (Cornaby, K.S.) ..... SB 64 (P)

Legislative Retirement Plan (Cornaby, K.S.) ..... SB 65 (F)
Lien Against Retirement Benefits (Hillyard, L.W.) ..... SB 157 (P)
Minimum Retirement Allowance for
Public Employees (Harward, B.) ..... HB 120 (P)
Pension Income Taxation Amendments (Nielsen, G.) ..... SB 240 (F)
Post-Retirement Restrictions for Elected Officials
(Barlow, H.J.) ..... SB 78 (P)
Public Safety Eligibility Amendments (Cornaby, K.S.) ..... SB 212 (P)
Purchase of Retirement Credit (McMullin, D.H.) ..... SB 53 (F)
Retirement Allowance Increase Amendments (Harward, B.L.) ..... HB 115 (P)
Retirement Amendments (Goodfellow, B.H.) ..... HB 429 (F)
Retirement Benefit Amendments (McMullin, D.H.) ..... SB 50 (F)
Retirement Contribution Rates (Bishop, R.W.) ..... HB 450 (P)
Retirement Exclusions From Membership (Wilson, J.B.) ..... HB 236 (F)
Retirement Office Amendments (Bishop, R.W.) ..... HB 173 (P)
Retirement Operation Status (Bishop, R.W.) ..... HB 97 (P)
Retirement Option Amendments (Fawson, J.) ..... HB 175 (P)
Retirement Service Credit Increase (Bishop, R.W.) ..... HB 59 (P)
Retirement System Credit Transfer (Harward, B.L.) ..... HB 176 (P)
Retirement System Transfer (Cornaby, K.S.) ..... SB 66 (F)
Retirement Taxation Amendments (Smedley, S.M.) ..... HB 412 (F)
Service Credit Increase for Retirees (Wasden, J.W.) ..... HB 117 (F)

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Alternative Dispute Resolution Providers (White, B.J.) ..... HB 294 (F)
Eligibility for Tax Relief Programs (Barlow, H.J.) ..... SB 29 (F)
Employers' Reinsurance Fund Amendments (Tempest, R.B.) ..... SB 13 (P)
Fair Market Value Determination (Beattie, L.) ..... SB 130 (F)
Farm Equipment Definition Amendment (Money, E.A.) ..... SB 36 (F)
Gross Receipts Tax Amendments (Hillyard, L.W.) ..... SB 145 (P)
Phase Out of Intangible Reduction (Bunnell, O.B.) ..... SB 80 (F)
Revenue Types (McAllister, L.) ..... SB 154 (P)
Special Fuel Tax Amendment (Peterson, C.A.) ..... SB 164 (P)
Tax Penalty Amendments (Barton, W.T.) ..... SB 33 (F)
Telecommunications Taxation (Hillyard, L.W.) ..... SB 17 (P)
Transient Room Tax Collections (Hillyard, L.W.) ..... SB 95 (P)
Video Fees for Arts Funding (Price, D.Q.) ..... HB 208 (F)

SECURITIES DIVISION (See also REAL ESTATE)

Licensed Financial Planners (Fawson, J.) ..... HB 127 (F)
Utah Franchise Disclosure Act (Holmes, D.J.) ..... HB 406 (F)
Uniform Securities Act Amendments (Cornaby, K.S.) ..... SB 19 (P)

SOCIAL SERVICES

Adult Abuse Data Base (Richards, W.L.) ..... SB 155 (P)
Child Support Orders (Harward, B.L.) ..... HB 197 (F)
Commitment and Admission of Minors to Psychiatric Facilities
(Oscarson, K.E.) ..... HB 134 (F)
Department of Social Services Reorganization (Holmgren, J.P.) .... SB 249 (F)
Fee for Collection of Child Support Repealed (Atkinson, K.C.) .... HB 232 (P)
Handicapped Services Task Force (Frandsen, L.) ..... HB 24 (P)
Immediate Income Withholding (Frandsen, L.) ..... HB 149 (P)
Licensure of Youth Services Programs (Oscarson, K.E.) ..... HB 119 (P)
Merger of the Division of Mental Health and the Division of
Substance Abuse (Holmgren, J.P.) ..... SB 269 (F)
ORS Location of Custodial Parent (Bush, D.E.) ..... HB 343 (F)
Probation Criteria (Holmgren, J.P.) ..... SB 75 (P)
Repeal of Office of Recovery Services Bail Collection
(Holmgren, J.P.) ..... SB 183 (P)
Review and Modification of Child Support Orders (Frandsen, L.) .. HB 150 (P)
Psychiatric Security Review Board Amendments (Holmgren, J.P.) .. SB 242 (P)
Social Services Divisions Amendments (Holmgren, J.P.) ..... SB 230 (P)
Social Services Licensing Amendments (Price, D.Q.) ..... HB 411 (F)
State Hospital Bed Allocation (Frandsen, L.) ..... HB 324 (F)
State Hospital Trust Fund (Holmgren, J.P.) ..... SB 85 (P)
Utah State Hospital Security Personnel (Rush, H.D.) ..... HB 242 (F)
Youth Corrections Parole Violation Amendments (Cornaby, K.S.) .. SB 226 (P)

STATE AFFAIRS IN GENERAL (See also ADMINISTRATIVE RULES)

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Apportionment by County Commissioners (Christensen, T.) ..... HB 231 (F)
Attorney General Collections (Hillyard, L.W.) ..... SB 279 (P)
Board of State History Amendments (Bishop, R.W.) ..... HB 229 (P)
Budget Reserve Account Amendments (Waddoups, M.G.) ..... HB 363 (F)
Budgetary Procedures Act Amendments (Hillyard, L.W.) ..... SB 177 (P)
Capital Facilities–State Projects (Moody, H.C.) ..... HB 441 (P)
Central Panel of Administrative Law Judges (Bishop, R.W.) ..... HB 338 (F)

Consolidation of Data Processing and Telecommunications
–Div. of Information Services–(Harward, B.L.) ..... HB 274 (P)
Continuity of Government Act (Cornaby, K.S.) ..... SB 136 (F)
Curation of Archaelogical and Paleontological Specimens
–Museum of Natural History–(Rees, S.J.) ..... SB 148 (P)
Department of Environmental Quality (Holmgren, J.P.) ..... SB 267 (F)
Eligibility for Tax Relief Programs (Barlow, H.J.) ..... SB 29 (F)
Expansion of Sunset Review (Black, W.R.) ..... SB 126 (P)
Fair Competition in Public Bidding (Oscarson, K.E.) ..... HB 3 (F)
Fairness in Government (Evans, R. M.) ..... HB 424 (F)
Fourth Amendments Enforcement Act Repeal (Hillyard, L.W.) ..... SB 11 (P)
Funding for State Government (Black, W.R.) ..... SB 260 (F)
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General Governments Amendments (Dmitrich, M.) ..... HB 430 (F)
General State Government Amendments (Brown, G.E.) ..... HB 435 (F)
Governmental Immunity Amendments (Wilson, J.B.) ..... HB 211 (F)
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(Carling, R.J.) ..... SB 194 (P)
Highway Users' Protection Act (Pace, L.N.) ..... SB 122 (F)
Historic and Cultural Sites Protection (Bishop, R.W.) ..... HB 234 (P)
Human Resource Management and Group Insurance Amendments
(Bishop, R.W.) ..... HB 98 (P)
Indian Relations Act (Myrin, A.) ..... SB 71 (F)
Independent Agency Audits (McAllister, L.) ..... SB 86 (P)
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Law of Averages (Jensen, J.S.) ..... HB 407 (F)
Military Impacts Planning Act (Wharton, B.D.) ..... HB 182 (F)
Motor Fuel Funding for Motor Vehicle Insurance (Wharton, B.D.) . HB 291 (F)
Natural Hazards Notice and Instruction (Nielsen, R.) ..... HB 392 (F)
Nuclear Facility Siting (Moody, C.) ..... HB 18 (V)
Occupational Information Coordination Act (Hull, J.L.) ..... HB 22 (F)
Office of Child Care (Rush, H.D.) ..... HB 304 (P)
Powers of Division of Facilities Construction and
Management –National Guard (Lunt, L.V.) ..... HB 393 (P)
Preservation of Heritage Act (Leavitt, D.L.) ..... SB 144 (P)
Privatization Policy Board Amendments (Brown, M.R.) ..... HB 367 (F)

Procurement Amendments for State Construction Projects
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Prosecution Council (Cornaby, K.S.) ..... SB 91 (P)
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Publication of Documents in English (McMullin, D.H.) ..... SB 152 (F)
Purchasing Practices in Public & Higher Education (Leavitt, D.) ... SB 24 (P)
Reauthorization of Information Practices Task Force (Steele) ..... SB 30 (P)
Reauthorization of Board of Abstract Commissioners
(Dmitrich, M.) ..... HB 135 (F)
Repeal of Utah Conservation and Research Foundation
(Young, M.W.) ..... HB 30 (P)
Revision in Permanent Community Impact Fund Board
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Revisor's Statute (Bishop, R.W.) ..... HB 126 (P)
Revenue Types (McAllister, L.) ..... SB 154 (P)
Risk Management Fund Amendments (Ockey, R.J.) ..... HB 4 (P)
Seismic Instrumentation Board (Peterson, Craig) ..... SB 83 (F)
Seismic Instrumentation Board (LeBaron, D.R.) ..... HB 342 (F)
Shared Foreign Sales Corporations (Ockey, R.J.) ..... HB 73 (P)
State Affairs Amendments (Black, W.R.) ..... SB 261 (F)
State Affairs in General (Dmitrich, M.) ..... HB 433 (F)
State Arts Endowment (Burningham, K.R.) ..... HB 265 (P)
State Building Ownership Authority Responsibilities (Pace, L.N.) .. SB 172 (F)
State Fire Prevention Amendments (Tuttle, D.H.) ..... HB 273 (P)
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FORTY–EIGHTH LEGISLATURE

GENERAL SESSION

January 8 through February 21, 1990

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SB 1	**Campaign Advertising Cleanup** *Carling*	112(R) R	178	185(R) A.A.V 187.R					1114 SSEC 2/21/90
SB 2	**Disclosure By Exempt Organizations** *Beattie*	113(R) R	177 BL-Ed 214	222(R) CR(a) A.V	236(R) 239 V	239	496 HA.SC V	550 2/5/90 649 HA.SC V 658 2/12/90	Signed by Governor Effective Retro 1/1/90 Chap. 62
SB 3	**Workers" Compensation Fund Amendments** *Cornaby*	113(R) R	178 S-L 214	239(R) CR(a) CofW. 242. 247.V	260(R) V	260	400	400 1/25/90	Signed by Governor 2/21/90 Effective 4/23/90 Chap. 24
SB 4	**DUI Penalty Amendment** *Richards, Fordham, Swan, Bunnell, Black, C.E. Peterson, Steele, McAllister, Cary Peterson, Hillyard, Barlow, Tempest, Nielsen, Finlinson, Pace, Leavitt, Beattie, Money, Farley, Carling*	114(R) R	178 J 221	250(R) CR (a) SUB.V	263(R) V	263	518 HA SEC. SUB. SC	550 2/5/90 789 HA.SC 805 2/16/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 299
SB 5	**Recyling of Waste Tires** *Tempest*	114(R) R	177 H.333	333. SUB.A 393(R) CR.A V	405(R) 416. 421. 432. 452. A. CofW. A.A. V	454	645 HA.SC V	659 2/12/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 185
SB 6	**Employment Discrimination Proceedings** *Cornaby*	115(R) R	177 BL-ED 214	223(R) CR. 228. 237. 242. 247.V	260(R) V	261	633 HA.SC V	659 2/12/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 63
SB 7	**Flag Desecration Offense** *Barton*	115(R) R	587.SS 678	755(R) CR.V	778(R) V	779			1117.HSBC 2/21/90
SB 8	**Right to Prevent Desecration of Flag** *Barton*	115(R) R							1114.SSEC 2/21/90

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SB 10	**Homeowners and Auto Insurance Comparison Table** *Beattie*	116(R) R	177 BL-ED 214	223(R) CR(a), V	225,T 360(R) V	361	928 SUB V	961 2/20/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 219 Sunset 7/1/95
SB 11	**Fourth Amendment Enforcement Act Repeal** *Hillyard*	116(R) R	178	186(R) V	203(R) V	203	463	463 1/30/90	767 Signed by Governor 2/14/90 Effective 4/23/90 Sec. 2 Effective 1/7/90 Chap. 15
SB 12	**Utah Outdoor Advertising Limitations** *Black, Bunnell, McMullin*	117(R) R	207 T-PS 221	267(R) CR, CofW A,V	288(R) V	288	627	627 2/8/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 300
SB 13	**Employers' Reinsurance Fund Amendments** *Tempest*	117(R) R	177 BL-ED 214	225(R) CR, 228, 237, CofW, V	246(R) V	247	499	499 2/1/90	Signed by Governor 3/7/90 Effective Retro 1/1/90 Chap. 64
SB 14	**Adoption Recodification Act** *Steele*	118(R) R	178	203(R) A,V	213(R) V	213	627	627 2/8/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 65
SB 15	**Labor Code Revisions** *Black, Bunnell, Farley, Fordham*	118(R) R	177 BL-ED 214	225(R) CR(a) CofW, V	236(R) 242, 246, 252, T,350 A,V	351			1117,HSEC 2/21/90

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SB 17	**Telecommunications Taxation** *Hillyard*	120(R) R	178 R-T 230	289(R) CR(a), V	299(R) V	300	523	524 2/2/90	Signed by Governor 2/21/90 Effective 7/1/90 Chap. 22
SB 18	**Disclosure of Psychologically Impacted Property** *Beattie*	120(R) R	238, BL-ED, 419	515(R) CR,V	529(R) V	529	884 HA,SC V	960 2/20/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 308
SB 19	**Uniform Securities Act Amendments** *Cornuby*	120(R) R	340, BL-ED, 419	516(R) CR (SUB) CofW, V	529(R) V	529	886	886 2/19/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 133
SB 20	**Real Estate Appraiser Registration and Certification Act** *Barlow, Carling, Rees*	121(R) R	177 BL-ED 503	619(R) CR (SUB,a) V	635(R) 637,A, V	637	886	886 2/19/90	Signed by Governor 3/12/90 Effective 7/1/90 59-2-102 Effective 1/1/90 Chap. 212
SB 21	**Legislators' Compensation** *Black, Richard, Fordham, Finlinson, Barlow, Money*	122(R) R	178 S-L 214	248(R) CR(a), 252, 263, 275,T 293, 300, 318,T					117,SSEC 2/21/90
SB 22	**Revision to State Highways** *Myrin*	123(R) R	207 T-PS 221	275(R) CR,289 V	299(R) V	299	770	770 2/15/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 66

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SB 24	**Purchasing Practices in Public and Higher Education** *Leavitt*	124(R) R	206 E 246	309(R) CR,V	310,T 985(R) A,V	985			1117,HSEC 2/21/90
SB 25	**Withdrawal From Water Conservancy Districts** *Finlinsun, Holmgren, Money,Swun, Myrin, Cary Petersun*	124(R) R	206 ENR-A 254	313(R) CR(a), V	329(R) V 331,V	331	646 HA,SC V	659 2/12/90	Signed by Governor 3/7/90 Effective 3/7/90 Chap. 67
SB 26	**Underground Storage Tank Act Amendments** *Finlinsun, Holmgren, Swun, Myrin, Cary Petersun*	124(R) R	341 E,NR-A; 451	540(R) CR(a), A,563,V	576(R) V	577	887	887 2/19/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 301
SB 27	**Grand Jury Reform** *Hillyard*	125(R) R	207 J 221	252(R) CR(a), 252, 263, A,V	287(R) V	287	1032	1032 2/21/90	Signed by Governor 3/9/90 Effective 7/1/90 Chap. 318
SB 28	**Agricultural Products Dealers Act** *Money, Holmgren, Cary Petersun, Fordham, Myrin*	126(R) R	206 ENR-A 214	227(R) CR,V	236(R) A,V	237	463	463 1/30/90	Signed by Governor 2/21/90 Effective 4/23/90 Chap. 25
SB 29	**Eligibility for Tax Relief Program** *Barlow, Swun, Barton*	127(R) R	429 R-T, 503	666(R) CR,V	703(R) 735, 740, 765, 775, V	775			1118,HSEC 2/21/90
SB 30	**Reauthorization of Information Practices Task Force** *Steele*	127(R) R	207 S-L 230	300(R) CR(a), A,V	324(R) V	325	567	567 2/6/90	Signed by Governor 2/21/90 Effective 4/23/90 Chap. 26

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SB 32	**Fees Limitations on Trust Deeds** *Pace*	127(R) R	207 J,337	408(R) CR(a), 416, 425,V	456(R) V,457 468,V	469			1118,HSEC 2/21/90
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SB 34	**Uninsured Employers' Fund Revisions** *Tempest*	128(R) R	206 BL-ED 246	307(R) CR,V	328(R) V	328	643	643 2/9/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 68
SB 35	**Standardized Reporting of Industrial Injuries and Occupational Diseases** *Tempest*	128(R) R	206 BL-ED 246	307(R) CR(a), V	328(R) V	329	659	659 2/12/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 69
SB 36	**Farm Equipment Definition Amendments** *Mowry, Holmgren, Cary Peterson, Myrin*	129(R) R							1114,SSEC 2/21/90
SB 37	**Mortgage Lending and Servicing Act** *Beattie, Craig Peterson, Barlow, Nielsen, Carling, Storey*	129(R) R	207 J 221	264(R) CR, 265,V	287(R) V	288	497 HA,SC V	550 2/5/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 172
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SB 39	**Property Tax-Personal Property Penalties** *Barton*	130(R) R							1114,SSEC 2/21/90
SB 40	**Property Tax-Personal Property Exemption** *Barton*	130(R) R							1114,SSEC 2/21/90

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SB 42	**Movements of Implements of Husbandry** *Holmgren*	131(R) R	341, T-PS	457,R					1114,SSEC 2/21/90
SB 43	**Jail Amendments** *Money*	132(R) R							1114,SSEC 2/21/90
SB 44	**Sales Tax Exemption for Pollution Control Facilities** *Cary Peterson*	132(R0 R	479 R-T, 553	683(R) CR,V	710(R) V	711	983	983 2/20/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 291
SB 45	**Trespass Amendments** *Tempest*	132(R) R	220 E,NR-A 277	331(R) CR (SUB) V	342(R) V				Failed in Senate 1/22/90
SB 46	**Collection of Personal Property Taxes and Fees** *McMullin*	133(R) R	551, R-T, 678	754(R) CR(a), 758, A,V	780(R) V	781	1046 HA,SC V	1107 2/22/90	Vetoed 3/13/90 1122
SB 47	**Juvenile Court Filing Amendment** *Barlow*	133(R) R	268 J,310	363(R) CR,V	386(R) V	386	643	643 2/9/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 71
SB 48	**Theft of Cable TV Services Amendments** *Barlow*	133(R) R	341 E,NR-A	450(R) CR,CC	505(R) V	505	887	887 2/19/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 130
SB 49	**Nonconforming Uses Amendments** *Barlow, Christensen, Black*	133(R) R	221 S-L, 553	689(R) CR(SUB V	713(R) A,V	715	960	960 2/20/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 309
SB 50	**Retirement Benefit Amendments** *McMullin, Barlow, Rees, Steele, Storey, Cornaby*	134(R) R	296 S-L 842,R						1114,SSEC 2/21/90

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SB 51	**Sales Tax–Exemption for Factory Built Homes** *Tempest*	134(R) R	347, BL-ED, 419	520(R) CR,V	521,T				1117,SSEC 2/21/90
SB 52	**Group Criminal Activity Penalties** *Fordham*	134(R) R	268 J,310	364(R) CR,V	386(R) V	387	994	994 2/21/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 207
SB 53	**Purchase of Retirement Credit** *McMullin, Black, Rees*	135(R) R	207 S-L 230	301(R) CR(a), V	325(R) V	325			1118,HSEC 2/21/90
SB 54	**Great Salt Lake Development Authority Act Amendments** *Farley*	135(R) R	395 E,NR-A 484	613(R) CR(a), 624, 638, 642, 666, 685, 687, 735, 748, 765, 785, A,V	812(R) V	813	989	989 2/21/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 72
SB 55	**Regulation of Automobile Insurance Premiums** *Holmgren, McAllister*	135(R) R	221 T-PS, 337	412(R) CR (SUB,a), 416, 426, A,V	457(R) V	457			1118,HSEC 2/21/90
SB 56	**Dam Safety Amendments** *Farley, Finlinson, Black, Leavitt, Swan, McMullin, Bunnell, Barlow, Tempest, Richards, Fordham, Storry, Pace, Christensen, Rees, Cary Peterson, Money, Craig Peterson, C.E. Peterson, Steele, Beattie, McAllister, Nielsen, Barton, Myrin*	136(R) R	268 E,NR-A; 298	357(R) CR(a), AA, Cof W, V	384(R) V,386, V 393,V	393	994	994 2/21/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 319
SB 57	**Recodification of Special Districts** *McMullin*	137(R) R	296 S-L, 347	427(R) CR, 429, 432, 458, 461, 469, 476, A,V	510(R) V	511	1083 HA,SC V	1107 2/22/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 186

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SB 58	**Standardized Emission Inspections** *Rees*	169(R) R	295 H.419	537(R) CR (Third SUB) V	560(R) A.A.V	561	930	930 2/20/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 187
SB 59	**Contractors' Licensing Amendments** *Nielsen, Christensen, Fordham, Tempest, Craig Peterson, Beattie Rees, Barlow*	170(R) R	220 BL-ED 337	405(R) CR(a) A.V	421(R) A.V	422	647 HA, SC.V	659 2/12/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 73
SB 60	**Optional Titling of Collector Motor Vehicles** *Nielsen, Holmgren, C.E. Peterson, Fordham*	170(R) R	296 T-PS, 337	410(R) CR.V	424(R) V	424	887	887 2/19/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 292
SB 61	**Interest Payable on Property Tax Judgments** *Cary Peterson*	171(R) R	479 R-T	563(R) CR(a), CC	631(R) V	632	931	931 2/20/90	Signed by Governor 3/12/90 Effective Retro 1/1/90 Chap. 188
SB 62	**Applications for Property Tax Exemptions** *Storey*	171(R) R	296 R-T, 398	471(R) CR.V	507(R) V	508	685	685 2/12/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 74
SB 63	**Transportation Fund Monies** *McMullin, Black, Money, Richards Fordham, Myrin*	171(R) R	479 T-PS	524(R) CR,CC	609(R) V	609			1118,HSEC 2/21/90
SB 64	**Judges' Retirement Benefit Enhancements** *Cornaby*	172(R) R	656 S-L 773	855(R)	855(R) CR(a), V	856	989	989 2/21/90	Signed by Governor 3/7/90 Effective 7/1/90 Chap. 75
SB 65	**Legislative Retirement Plan** *Cornaby*	172(R) R							1114,SSEC 2/21/90
SB 66	**Retirement System Transfer** *Cornaby*	173(R) R	221 S-L 277	356(R) CR.V	383(R) V	384			1118,HSEC 2/21/90

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SB 67	**Sales Tax–Repeal Exemptions** *McAllister*	173(R) R	296 R–T	502,CR R					1114,SSEC 2/21/90
SB 68	**Products Manufacturers' Liability Amendments** *McAllister*	173(R) R	429 BL–ED 842,R						1114,SSEC 2/21/90
SB 69	**Products Liability Defenses** *McAllister*	173(R) R	429 BL–ED 627	719(R) CR(a), V 734,V	748(R) 765, 775,V	776			1118,HSEC 2/21/90
SB 70	**Products Sellers' Liability Amendments** McAllister	174(R) R	429 BL–ED, *553*	672(R) CR(a), 679 *A,V*	707(R) V	707			1118,HSEC *2/21/90*
SB 71	**Indian Relations Act** *Myrin*	174(R) R							1114,SSEC 2/21/90
SB 72	**Bicycle Paths and Trails Development** *McAllister*	198(R) R	268 E,NR–A 398	425, 454(R) CR (SUB,a) Co(W, V 456,T	469,T 794 2nd SUB. T. 981(R) A,V	982			1118,HSEC 2/21/90
SB 73	**Good Samaritan Protection for Ski Patrol** *Beattie*	198(R) R	296 T–PS, 337	411(R) CR(a), 416, 427, 432, 458, 461 564, 566, 584, 611, 624, 636, 637, A,V	651(R) V	651	928 HA SC V	961 2/20/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap.320
SB 74	**Workers' Compensation Fund Task Force** *Leavitt, Beattie, Bunnell*	198(R) R	655 BL–ED	764, CR 795,R 796, 826(R)	826(R) V	827			1118,HSEC 2/21/90

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SB 75	**Probation Criteria** *Holmgren*	199(R) R	341,J 484	614(R) CR(SUB) V	632(R) V	633	1108	1108 2/22/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 134
SB 76	**Property Damage Protection Against Uninsured Motorists** *Steele*	199(R) R	221 T-PS 254	317(R) CR,A,V	330(R) V	330	1108	1108 2/22/90	Signed by Governor 3/9/90 Effective 10/1/90 Chap. 321
SB 77	**Contingent Attorney Fees** *Leavitt, Barlow*	199(R) R	479,H	568,R					1114,SSEC 2/21/90
SB 78	**Post-Retirement Restrictions for Elected Officials** *Barlow, Cornaby*	200(R) R	221 S-L	286(R) CR,CC	341(R) V	342	499	499 2/1/90	Signed by Governor 2/21/90 Effective 2/21/90 Chap. 27
SB 79	**Procurement Amendments for State Construction Projects** *Tempest*	200(R) R	395 BL-ED 503	621(R) CR,624, 638,V					638 Failed in Senate 2/8/90
SB 80	**Phase Out of Intangible Reduction** *Bunnell*	200(R) R	268 R-T	397(R) CR,R					1114,SSEC 2/21/90
SB 81	**Sales Tax-Exemption for Manufactured Homes** *Craig Peterson, Steele* SUB. Regulation Exemption for Manufactured Homes	201(R) R	656, R-T, 764	833(R)	833(R) CR (SUB,a) V	836	1045 HA,SC V	1108 2/21/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 293
SB 82	**Amendments to Employment Security Act** *Tempest*	201(R) R	295 BL-ED 464	613(R)	613(R) CR,V	613	983	983 2/20/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 322
SB 83	**Seismic Instrumentation Board** *Craig Peterson, McAllister, Holmgren, Tempest, Bunnell*	201(R) R	268 E,NR-A 333	392(R) CR(a), V	404(R) T				1117,SSEC 2/21/90
SB 84	**Insurance Coverage for Adoption-Related Expenses** *Holmgren*	202(R) R	429 SS, 553	562,R					1114,SSEC 2/21/90

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SB 85	**State Hospital Trust Fund** *Holmgren*	202(R) R	296 SS	344(R) CR,CC	403(R) V	403	643	643 2/9/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 76
SB 86	**Independent Agency Audits** *McAllister*	202(R) R	268 S-L, 310	368(R) CR(a), V	388(R) V	388	885 HA, SRC	931 2/20/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 323
SB 87	**Respiratory Care Practice Act Amendments** *Carling, Richards, Christensen*	209(R) R	341,H 419	531(R) CR (SUB),V	558(R) V	558	887	887 2/19/90	Signed by Governor 3/12/90 Effective 7/1/90 Chap. 298
SB 88	**Small Claims Court Amendments** *Barton*	209(R) R	268 J,524	669(R) CR (SUB),V	704(R) V	704	989	989 2/21/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 135
SB 89	**Extortion Amendments** *Carling*	210(R) R	296 J	397(R) CR(a), CC	451(R) V	452			1118,HSBC 2/21/90
SB 90	**Solicitation of Criminal Act** *Carling*	210(R) R	296 J,484	615(R) CR,V	633(R) V	633	1108	1108 2/22/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 189
SB 91	**Prosecution Council** *Cornaby*	210(R) R	296 J,451	565(R) CR(a), V	577(R) V	577	931	931 2/20/90	Signed by Governor 3/8/90 Effective 7/1/90 Chap. 136
SB 92	**Death Penalty Repeal** *Farley* **SUB: Capital Offenses Penalty Amendment**	211(R) R	296 J,451	456, 639(R) CR (SUB), A.A. Conf. V	651(R) V	652	930 Failed		930 Failed in House 2/20/90 1114,SSBC 2/21/90

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SB 93	**Common Measure Property Description** *Beattie*	211(R) R		410, SSEC					410,SSEC 1/25/90
SB 94	**Post-Employmnet Benefits Liabilities** *McAllister*	211(R) R	296 S-L, 347	428(R) CR(a), V	458(R) V	458	770	770 2/15/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 77
SB 95	**Transient Room Tax Collections** *Hillyard*	212(R) R	551, R-T 588	692(R) CR,V	716(R) V	716	1033	1033 2/21/90	Signed by Governor 3/12/90 Effective 7/1/90 Chap. 190
SB 96	**Standardized Reporting of Public Education Data** *Beattie*	212(R) R	395,E 842,R						1114,SSEC 2/21/90
SB 97	**Prosecution Amendments** *Carling*	213(R) R							1114,SSEC 2/21/90
SB 98	**Title 53A Revisions-Public Education** *Hillyard*	217(R) R	295 E,333	370(R) CR(a), A,V	389(R) V,393, V	393	648 HA,SC V	659 2/12/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 78
SB 99	**Communications Fraud Amendments** *Carling*	219(R) R	296 J,484	616(R) CR(a), V	634(R) V	634	931	931 2/20/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 79
SB 100	**Interjurisdictional Transfer of Prisoners** *Pace*	219(R) R	296 J,484	617(R) CR, 618,V	634(R) V	635	1108	1108 2/22/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 324
SB 101	**Higher Education Institutional Name Change** *Barlow, Storey, Beattie, Richards, Pace, Nielsen, Craig Peterson, Barton, Christensen, McMullin Rees, Steele, Fordham, C.E. Peterson Leavitt, Money, Holmgren, Myrin, Cary Peterson*	220(R) R	395,E	471, 492(R) CR(a), 494, CofW, A,V	512(R) A,V, 517 A,V	518	627	627 2/8/90	767 Signed by Governor 2/14/90 Effective 1/1/91 Chap. 12

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SB 102	**Utah Lake Authority** **SUB: Utah Lake Task Force** *Craig Peterson*	230(R) R	341 E,NR-A 524	667(R) CR (SUB.a) V	703(R) V	704			1118,HSEC 2/21/90
SB 103	**Judicial Amendments** *Cornaby*	231(R) R	296 J,451	577(R) CR, A,V	609(R) V	609	887	887 2/19/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 80
SB 104	**State Grass Designated** *Myrin*	231(R) R	479 S-L	562(R) CR,CC	632(R) V	632	1108	1108 2/22/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 209
SB 105	**Sentence Guidelines Regarding Aggravation and Mitigation** *Swan, Pace*	232(R) R	347,J	484(R) CR,CC	557(R) V	557	887	887 2/19/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 81
SB 106	**Conflicts of Interest** *Hillyard*	232(R) R	347 S-L 842,R						1114,SSBC 2/21/90
SB 107	**Uniform Anatomical Gift Act** *Barton*	232(R) R	341,H 464	582(R) CR, Co/W V	611(R) 617, A,A V	618	931	931 2/20/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 131
SB 108	**Public Choice on Transit Tax Amendments (Light Rail)** *Cornaby, Tempest*	233(R) R	551 BL-ED 684	712, 761(R) CR(a), A,V	782(R) V	782	1100 HA,SC V	1107 2/23/90	Signed by Governor 3/12/90 Effective 1/1/91 Chap. 191
SB 109	**Settlement of Litigation Relating to Savings and Loans** *Carling, Bunnell*	233(R) R							1114,SSBC 2/21/90
SB 110	**Governmental Employee Indemnification** *Carling, Bunnell*	234(R) R	395,J 842,R						1114,SSBC 2/21/90
SB 111	**Sales Tax-Manufacturing Machinery Exemption** *Bunnell, Barlow*	234(R) R	551, R-T, 842-R						1114,SSBC 2/21/90

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SB 112	**Income Tax–Federal Tax Deductibility** *Bunnell, Swan*	234(R) R	395, R-T 842,R						1114,SSEC 2/21/90
SB 113	**Appropriation for Water Projects** *Leavitt, Finlinson, Money, Holmgren, Bunnell, C.E. Peterson*	235(R) R	268 E,NR-A 288	291(R) CR CofW, A	292(R) V	292	336	336 1/22/90	523 Signed by Governor 2/1/90 Effective 2/1/90 Chap. 3
SB 114	**Utah Living Will Amendments** *Finlinson*	235(R) R							1114,SSEC 2/21/90
SB 115	**Public Telecommunications Amendments** *Finlinson, Fordham, Steele, C.E. Peterson, McMullin, Tempest Money, Leavitt, Rees, Hillyard Cary Peterson, Black, Barton, Carling, McAllister, Cornaby*	236(R) R	295 E,NR-A 398	458(R) CR(a), A,467, A,V	490(R) V	490	770	770 2/15/90	Signed by Governor 2/28/90 Effective 4/23/90 Chap. 29
SB 116	**Amendments to Public Officers and Employees Ethics Act** *Barton*	244(R) R	341,J 524	670(R) CR(a), A,V	705(R) V	705			1118,HSEC 2/21/90
SB 117	**Negative Credit Report** *Nielsen, Craig Peterson*	245(R) R	479 BL-ED	630, R					1114,SSEC 2/21/90
SB 118	**Professional Boxing Fees** *Barton*	245(R) R							1114,SSEC 2/21/90
SB 119	**SUSC Name Change** *Leavitt, Richards, Money, Barlow, Cary Peterson, Beattie, Craig Peterson, Storey, Steele, Fordham, Barton, Pace, Myrin, Nielsen, C.E. Peterson, McMullin, Christensen, Holmgren*	246(R) R	395, E	471, 493(R) CR(a), 495, V	513(R) A,V	514	627	627 2/8/90	767 Signed by Governor 2/14/90 Effective 1/1/91 Chap. 13
SB 120	**Motor Vehicle Business Act Amendments** *C.E. Peterson*	255(R) R	429 T-PS, 524	671(R) CR(a), V	705(R) V	705	960	960 2/20/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 192

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SB 121	**Massage Practice Act** *Carling*	256(R) R	479,H, 553	676,(R) CR(a), T 679, 681,V	709(R) V	709	929 HA,SRC 964, HRR, Hc,Sc 995, JCCR, HC,SC V 1031	1031 2/21/90	Signed by Governor 3/12/90 Effective 7/1/90 Chap. 193
SB 122	**Highway Users' Protection Act** *Pace, Richards, McMullin*	257(R) R	700 BL–ED 842,R						1114,SSBC 2/21/90
SB 123	**Physician Assistant Licensing Act** *Carling*	258(R) R	479,H	562(R) CR(a), CC, 630, 673, A,A	673(R) V	674	929 HA, SRC	961 2/20/90	Signed by Governor 3/12/90 Effective 7/1/90 Chap. 213
SB 124	**Venue for Consumer Transactions** *Carling*	269(R) R	395,J	584(R) CR(a), CC	662(R) V	663	1090 HA, SRC, 1108 HR	1108 2/22/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 194
SB 125	**Investigatory Powers Over Crimes in State Prison** *Pace*	270(R) R	551,J 842,R						1115,SSBC 2/21/90
SB 126	**Expansion of Sunset Review** *Black, Finlinson, Carling, Cornaby, Christensen, McMullin, Cary Peterson*	270(R) R	341 S–L	450(R) CR,CC	505(R) V	506	887	887 2/19/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 137
SB 127	**Audits of State Land Leases and Permits** *Steele*	270(R) R	429 E,NR–A, 573	691(R) CR(a), V	715(R) V	715	887	887 2/19/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 325
SB 128	**Decertification of Peace Officers** *Cornaby*	271(R) R	395, T–PS 842,R						1114,SSBC 2/21/90

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SB 129	**Early Graduation Incentives Amendments** *McMullin, C.E. Peterson, Rees*	271(R) R	347,E 419	530(R) CR,V	558(R) 561,V	561	1054	1054 2/21/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 326
SB 130	**Fair Market Value Determination** *Beattie, McMullin, Christensen*	271(R) R	551, R-T 764	837(R)	837(R) CR,V	837			1118,HSEC 2/21/90
SB 131	**Income Tax Amendments** *Black, Bunnell, Farley, Swan, Fordham, Money*	272(R) R							1115,SSEC 2/21/90
SB 132	**Governance of Public Education** *Leavitt, Swan, Steele, Barlow, Cary Peterson, C.E. Peterson, Pace, Bunnell, McMullin*	272(R) R	344,E 419	535(R) CR (SUB) A,V	559(R) V	559	1033 HA SC V	1108 2/22/90	Signed by Governor 3/7/90 Effective 3/7/90 Chap. 82
SB 133	**Sex Offender Treatment** *Swan, Hillyard, Storey*	272(R) R	500 SS. 588	717(R) CR,V	740(R) A,V	741	931	931 2/20/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 138
SB 134	**Chiropractic Improvement Amendments** *McMullin*	273(R) R	479,H 627	722(R) CR (2nd SUB) V	742(R) V	742	997 HA SC V 1031	1031 2/21/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 310
SB 135	**Cancellation of Automobile Purchase** *Holmgren*	273(R) R	347 BL-ED	502, CR (SUB) R					1115,SSEC 2/21/90
SB 136	**Continuity of Government Act** *Cornaby*	273(R) R							1115,SSEC 2/21/90
SB 137	**Task Force on Juvenile Arson** *Finlinson*	277(R) R							1115,SSEC 2/21/90
SB 138	**Insurance Code Amendments** *C.E. Peterson*	278(R) R	341 BL-ED. 553	674(R) CR (SUB a) A, Co/W, V	706(R) V	706	1054	1054 2/21/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 327

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SB 139	**Utah Administrative Rulemaking Act Revision** *McAllister*	279(R) R	656 S-L 773	857(R) CR(a), 864	882(R) V	882			1118,HSEC 2/21/90
SB 140	**Compensation for Teaching Experience** *Pace*	279(R) R							1115,SSEC 2/21/90
SB 141	**Alcoholic Beverage Laws Revision** *Christensen, Cary Peterson, McMullin, Black, Money, Carling, C.E. Peterson, Rees, Leavitt, Fordham, Richards, Pace, Cornaby, Beattie, Steele, Holmgren, Hillyard, Tempest, Finlinson, Storey, Myrin, Craig Peterson*	279(R) R	328 BL-ED 363	413(R) CR,A	415(R) V	538 HA,SC V	550	550 2/5/90	Signed by Governor 2/21/90 Effective 2/21/90 Chap. 23
SB 142	**Intercollegiate Competition Among the State's Universities and Colleges** *Leavitt, Barlow*	297(R) R							1115,SSEC 2/21/90
SB 143	**Pardons and Parolee Amendments** *Hillyard*	297(R) R	479,J 524	560 636(R) CR, A, Cof W. V	650(R) V	650	1031	1031 2/21/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 195
SB 144	**Preservation of Heritage Act** *Leavitt*	297(R) R	395, S-L 451	579(R) CR,V	610(R) V	610	931	931 2/20/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 302
SB 145	**Gross Receipts Tax Amendments** *Hillyard*	298(R) R	772	846(R)	846(R) V	846	1054	1054 2/21/90	Signed by Governor 3/12/90 Effective 7/1/90 Chap. 196
SB 146	**Lemon Law Expansion** *Beattie*	298(R) R							1115,SSEC 2/21/90
SB 147	**Unlawful Use of Firearms** *Carling*	310(R) R	500 E,NR-A	583(R) CR(a), CC	663(R) V	664	989 HA,SC V	1009 2/21/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 328

No.	(Check Reference Code on Page 72) Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SB 148	**Curation of Archaeological and Paleontological Specimens** *Rees*	311(R) R	500 E,NR-A 649	726(R) CR(a), A,V	744(R) V	744	961	961 2/20/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 303
SB 149	**Fire Fighters' Retirement Credit Purchase** *Pace*	311(R) R	395, S-L	451(R) CR,CC	506(R) V	506			1118,HSEC 2/21/90
SB 150	**Uniform Commercial Code--Leases** *Finlinson*	311(R) R	429 BL-ED, 503	622(R) CR,V	635(R) V	635	931	931 2/20/90	Signed by Governor 3/12/90 Effective 7/1/90 Chap. 197
SB 151	**Prisoner Defined** *Barlow*	320(R) R	479,H	584(R) CR,CC	662(R) V	662			1118,HSEC 2/21/90
SB 152	**Publication of Documents in English** *McMullin*	320(R) R							1115,SSEC 2/21/90
SB 153	**Amendments to State Personnel Longevity Program** *McAllister*	321(R) R	429 S-L 678	762(R) CR (SUB) V	782(R) V				783 Failed in Senate 2/15/90
SB 154	**Revenue Types** *McAllister*	321(R) R	479 R-T, 553	683(R) CR,V	711(R) V	711	888	888 2/19/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 198
SB 155	**Adult Abuse Data Base** *Richards*	321(R) R	479 SS, 553	687(R) CR, A,A,V	711(R) V	711	961	961 2/20/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 139
SB 156	**Land Sales, Timeshare, and Camp Resort Amendments** *Rees*	322(R) R	479,H 553	677(R) CR(a), V	706(R) V	707	931	931 2/20/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 199

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SB 157	**Lien Against Retirement Benefits** *Hillyard*	322(R) R	395, S–L	451(R) CR,CC	506(R) V	507	768 HA,SC V	805 2/16/90	Signed by Governor 3/7/90 Effective 3/7/90 Chap. 83
SB 158	**Bonding for Public School Improvements** *Pace*	322(R) R	395,E 503	548, 611(R), CR(a), CofW, V	612,T				1117,SSEC 2/21/90
SB 159	**Public Safety Needs Task Force** *Black, McMullin, Carling, Farley, Richards, Fordham*	323(R) R	501 SS						1115,SSBC 2/21/90
SB 160	**UAPA Exemption of State Actions Regarding Child Placement** *Steele*	323(R) R	501 SS, 588	717(R) CR (SUB) A,V	741(R) V	741	932	932 2/20/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 132
SB 161	**Uniform Foreign Money Claims Act** *Finkbinder*	324(R) R	500 R–T. 579 BL–ED	764,CR 790(R) CofW V 795,R 796(R)	815(R) V	815	932	932 2/20/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 200
SB 162	**Fees of Sheriffs and Precinct Officers** *Pace*	338(R) R							1115,SSBC 2/21/90
SB 163	**Uniform Commercial Code–Check Amendments** *Carling*	338(R) R	479 BL–ED 684	787(R) CR, 789,V	814(R) V	814	1108	1108 2/22/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 312
SB 164	**Special Fuel Tax Amendments** *Craig Peterson*	338(R) R	479 T–PS, 524	672(R) CR,680 CofW,V	707(R) A,V	709	960	960 2/20/90	Signed by Governor 3/12/90 Effective 7/1/90 Chap. 210
SB 165	**Credit Services Act Amendment** *Carling*	339(R) R	479 BL–ED	627(R) CR(a) CC	701(R) A,V	701	1108	1108 2/22/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 140

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SB 166	**School Building State Supported Program Amendments** *Hillyard*	339(R) R							1115,SSEC 2/21/90
SB 167	**College Student Immunization** *Richards*	339(R) R	587,H 842,R						1115,SSEC 2/21/90
SB 168	**Standards for Imposition of the Death Penalty** *Cornaby, Hillyard*	347(R) R	700,J 842,R						1115,SSEC 2/21/90
SB 169	**Insurance Benefit for Line of Duty Death** *Fordham*	348(R) R							1115,SSEC 2/21/90
SB 170	**Criminal Penalties for Hazardous Waste Violations** *Rees*	348(R) R	500 H,533	681(R) CR(a), V	710(R) V	710	888	888 2/19/90	Signed by Governor 3/9/90 Effective 7/1/90 Chap. 173
SB 171	**Public Safety Salary Package** *Black, Myrin, Carling, Cornaby, Hillyard, Money, Tempest*	376(R) R	587, T-PS, 649	749(R) CR,V	749,T				1117,SSEC 2/21/90
SB 172	**State Building Ownership Authority Responsibilities** *Pace*	377(R) R							1115,SSEC 2/21/90
SB 173	**State-Owned Health Care Facilities** *Carling*	377(R) R	500 H,842, R						1115,SSEC 2/21/90
SB 174	**Fireworks Dealer License Fees** *McMullin, Christensen*	377(R) R							1115,SSEC 2/21/90
SB 175	**Funding for Tourism, Recreation and Convention Facilities** *McMullin, Christensen, Finlinson, Carling, Pace, Black, Fordham, Barlow, Tempest, Steele, Storey, Cornaby*	378(R) R	551, S-L 588	719(R) CR(a), 723, CofW, A,A,V	743(R) V	743	1102 HA, SC, V	1107 2/23/90	Signed by Governor 3/13/90 Effective 4/1/90 Became law without signature Chap. 311 1123
SB 176	**Utah Homestead Rights** *Hillyard*	378(R) R	551,J, 649	745(R) CR,V	776(R) V	776	1033	1033 2/21/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 142

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SB 177	**Budgetary Procedures Act Amendments** *Hillyard*	378(R) R	551,H	629(R) CR(a), CC	702(R) V	703	888	888 2/19/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 174
SB 178	**Public School Class Size** *Pace*	400(R) R							1115,SSBC 2/21/90
SB 179	**Community Control Corrections** *Pace*	400(R) R	772, T-PS, 842,R						1115,SSBC 2/21/90
SB 180	**Divorced Parents Compliance with Residential Provisions for a Child** *McMullin, Steele, Hillyard, McAllister, Christensen, Storey, Black*	420(R) R	587,SS 678	755(R) CR, 760,V	781(R) T, 1078, A,V	1082	1104 HSBC		1104 HSBC 2/21/90
SB 181	**Criminal Offense Charges** *Tempest*	420(R) R	587,J	727(R) CR(a), CC	810(R) V	810	1109	1109 2/22/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 201
SB 182	**Educational Telecommunication** *Tempest*	420(R) R	551,E	628(R) CR(a), CC	664(R) A,CC 702,V	702	932	932 2/20/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 84
SB 183	**Repeal of ORS Bail Collection** *Holmgren*	421(R) R	700,SS 792	860(R)	860(R) CR,V	861	1109	1109 2/22/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 175
SB 184	**Cougar and Bear Permits** *Tempest*	435(R) R	500 E,NR-A 842,R						1115,SSBC 2/21/90
SB 185	**Mudguard and Fender Requirement** *Steele*	436(R) R	551, T-PS, 649	749(R) CR(a), V	776(R) V	777	1109	1109 2/22/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 202

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SB 186	**Notice Period for Water District Report** *Cary Peterson, Finlinson*	436(R) R	500 E,NR-A	583(R) CR,CC	663(R) V	663	1109	1109 2/22/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 176
SB 187	**Forfeiture Hearing Jurisdiction** *Richards*	436(R) R	587,J	728(R) CR(a), CC	810(R) V	811	1109	1109 2/22/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 304
SB 188	**Subcontractor Oil and Gas Mechanics Lien Law** *Myrin, Finlinson*	436(R) R	500 E,NR-A 649	730(R) CR, A,V	744(R) V	745	961	961 2/20/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 203
SB 189	**Department of Financial Institutions Amendments** *C.E. Peterson*	437(R) R	479 R-T 588	693(R) CR(a), A,V	715(R) A,V	716	932	932 2/20/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 177
SB 190	**User Fees** *McAllister*	437(R) R	586,E 842,R 903	910(R) SUB, A,V	938(R) A,A,T				1115,SSEC 2/21/90
SB 191	**Uniform Commercial Code Amendments** *Finlinson*	448(R) R	551 BL-ED 684	787(R) CR, 790, Cof/W, V	814(R) V	815	932	932 2/20/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 294
SB 192	**Rejection of Water Appropriation Application** *Tempest*	464(R) R							1115,SSEC 2/21/90
SB 193	**Diesel Emission Inspections** *Rees*	464(R) R	587,H 684	787(R) CR(SUB), A,V	813(R) V	814	1109	1109 2/22/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 85

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SB 194	**Governmental Immunity for Damages of Police Pursued Vehicle** *Carling*	465(R) R	587 T-PS 649	750(R) CR(a), V	777(R) V	777	932	932 2/20/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 204
SB 195	**Salt Lake Skills Center** *Barlow*	465(R) R	940	957(R), T					1117,SSBC 2/21/90
SB 196	**Organic Food Act** *Barton*	465(R) R							1115,SSBC 2/21/90
SB 197	**Utah Conservation Corps** *Pace*	465(R) R 883(R)	700 E,NR-A 735	795,R 796 821(R) 883(R)	821(R) CR,V 883(R) V	821 877 884	883 1084 HA,SC V	1109 2/22/90	Signed by Governor 3/12/90 Effective 7/1/90 Chap. 205
SB 198	**Operator Services Requirements** *Cornaby*	466(R) R	500 E,NR-A 649	731(R) CR (SUB) V	746(R) A,V	746	941 HA, SC, V	960 2/20/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 141
SB 199	**Severance Taxes on Metalliferous Minerals** *Hillyard*	466(R) R	587 R-T, 764	839(R)	839(R) CR(a) V,846, V	847	1047 HA,SC V	1109 2/22/90	Signed by Governor 3/13/90 Effective Retro 1/1/90 Chap. 295
SB 200	**Special Improvement District Amendments** *Finlinson*	480(R) R	656 S-L, 773	858(R)	858(R) CR (SUB,a) V	860	1109	1109 2/22/90	Signed by Governor 3/12/190 Effective 4/23/90 Chap. 214
SB 201	**Customer Service Practice of Cable TV** *Finlinson*	485(R) R	587 E,NR-A, 649	732(R) CR, CofW V	746(R) V	747			1118,HSBC 2/21/90
SB 202	**Tribal-State Relations Act** *Bennett*	485(R) R							1115,SSBC 2/21/90

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SB 203	**Aftermarket Crash Parts Act** *C.E. Peterson*	486(R) R	587 T-PS 649	751(R) CR,V	778(R) A,V	778	963 HA,SC V	984 2/20/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 296
SB 204	**Sales Tax Nexus** *Leavitt*	486(R) R	587 R-T 764	847(R)	847(R) CR,V 876,V	877	1033	1032 2/21/90	Signed by Governor 3/12/90 Effective 7/1/90 Chap. 215
SB 205	**Definition of Fair Market Value** *Cornaby*	487(R) R							1115,SSEC 2/21/90
SB 206	**Expansion of Initiative and Referendum Procedures** *Barton*	487(R) R							1115,SSEC 2/21/90
SB 207	**Uniform Child Custody Jurisdiction Act Amendments** *Holmgren*	487(R) R	700,SS 792	861(R)	861(R) CR,V	862	1110	1110 2/22/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 143
SB 208	**Utah Controller General Act** *Finlinson*	503(R) R	771 E,NR-A 842,R						1115,SSEC 2/21/90
SB 209	**Salary Averaging for Pay Increases** *C.E. Peterson*	504(R) R	587. R-T. 764	847(R)	847(R) CR(a) SSEC				848,SSEC 2/16/90
SB 210	**Off-Highway Vehicle Registration Amendments** *Holmgren*	504(R) R							1115,SSEC 2/21/90
SB 211	**Bonding for Water Projects** *Finlinson, Holmgren*	504(R) R	655 E,NR-A 727	818(R) CR, 837 V	871(R) T				1117,SSEC 2/21/90
SB 212	**Public Safety Eligibility Amendments** *Cornaby, Carling*	525(R) R	772 S-L 842,R 903	909(R)	909(R) V	909	1032	1033 2/21/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 225

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SB 213	**Boating Amendments** *Swan, Bunnell*	526(R) R	587 E,NR-A 649	733(R) CR(a), A, CoW, V	747(R) A,V	748	932	932 2/20/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 216
SB 214	**Indian Burial Appropriation** *Swan, Barton*	526(R) R	656,SS 773	850(R) CR(a), A,V	877(R) V	878	1032	1032 2/21/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 211
SB 215	**Subpoena Powers Act Amendment** *Carling*	527(R) R	656,J 727	818(R)	818(R) CR(a) 821 SUB,V	822	961	961 2/20/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 217
SB 216	**Corporations Amendments** *Leavitt*	527(R) R	586 BL-ED	684(R) CR(a), CC	740 A,CC 774(R) V	774			1118,HSBC 2/21/90
SB 217	**Water Projects Appropriation** *Leavitt*	527(R) R	587 E,NR,A; 649	748(R) CR,V					1117,SSBC 2/21/90
SB 218	**Rural Fire Protection Apparatus Fund** *Swan*	527(R) R	587 T-PS 649	752(R) CR(a), V	753,T 984(R) A,V	985			1118,HSBC 2/21/90
SB 219	**Money Laundering and Precursor Chemical Violations Amendments** *Craig Peterson*	538(R) R	587, SS 678	756(R) CR, 756,V	779(R) V	780	932	932 2/20/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 218
SB 220	**Income Tax Checkoff for Higher Education** *Leavitt*	528(R) R	587,E 735	795,R 796 820(R)	820(R) CR,V	820	1086 HA,SC V	1110 2/22/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 178
SB 221	**Medicaid Shortfall Funding** *McAllister, C.E. Peterson, Money, Craig Peterson*	528(R) R	656,H 684	791(R) CR,794 V 798,V	889 SSBC				889,SSBC 2/19/90

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SB 222	**Governance of Quasi Public Bodies** *McMullin, Hillyard, Nielsen, McAllister*	529(R) R	656, S-L, 842,R	877, 882(R)	882(R) V	883			1118,HSEC 2/21/90
SB 223	**Unclaimed Property Act Amendments** *Craig Peterson*	554(R) R	656,J	728(R) CR,CC	811(R) V	811	989	989 2/21/90	Signed by Governor 3/9/90 Effective 3/9/90 Chap. 179
SB 224	**Business Corporation Act Amendments** *Leavitt*	554(R) R	655 BL-ED	764,CR 795,R 796 826(R)	826(R) V	826			1118,HSEC 2/21/90
SB 225	**Attorneys' Fees for Enhanced Workers' Compensation Benefits** *Myrin*	554(R) R	655 BL-ED 842,R						1115,SSEC 2/21/90
SB 226	**Youth Corrections Parole Violation Amendments** *Cornaby*	555(R) R	656,J	728(R) CR,CC	811(R) V	812	984	984 2/20/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 86
SB 227	**Adoption Restrictions** *Steele, Cornaby*	555(R) R	656,SS 773	851(R) CR,864 881, CofW	881(R) V	882			1118,HSEC 2/21/90
SB 228	**Amendments to Controlled Substances Precursor Act** *Craig Peterson*	555(R) R	587,SS, 678	757(R) CR(a), V	780(R) V	780	932	932 2/20/90	Signed by Governor 3/9/90 Effective 7/1/90 Chap. 180
SB 229	**Insurance Coverage Expansion** *Money, Richards, Fordham, Holmgren, McAllister, Finlinson*	556(R) R	700 BL-ED 842,R						1116,SSEC 2/21/90
SB 230	**Social Services Divisions Amendments** *Holmgren*	556(R) R	656,SS 773	852(R)	852(R) CR(a) V	853	1031	1033 2/21/90	Signed by Governor 3/9/90 Effective 7/1/90 Chap. 181
SB 231	**Treatment and Commitment of Mentally Retarded Offenders** *Holmgren*	569(R) R							1116,SSEC 2/21/90

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SB 232	**Legal Penalties for Prostitution by HIV Positive Persons** *Swan*	570(R) R							1116,SSEC 2/21/90
SB 233	**Actions or Proceedings on Unclaimed Property** *Craig Peterson*	570(R) R	877	890(R)	890(R) A,V	891	1032	1032 2/21/90	Signed by Governor 3/9/90 Effective 3/9/90 Chap. 182
SB 234	**Civil Penalty for Violation of Ordinance** *Carling*	570(R) R	656 T–PS 727	819(R) CR(a), 822,V	823,T				1117,SSBC 2/21/90
SB 235	**Utah Health Data Committee** *C.E. Peterson*	570(R) R	656,H 684	796(R) CR, A,V	815(R) A,T, 978 A,V	980	1106	1106 2/21/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 305
SB 236	**Interlocal Cooperation Act Amendments** *Hillyard*	571(R) R	655 E,NR–A 842,R						1116,SSBC 2/21/90
SB 237	**Higher Education Institutional Council Amendments** *Barlow, Christensen*	571(R) R							1116,SSBC 2/21/90
SB 238	**Motor Vehicle Act Amendments** *C.E. Peterson*	572(R) R	655 BL–ED	764,CR 795,R 796 829(R)	829(R) A,V	830	1110	1110 2/22/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 219
SB 239	**Water and Sewer Service Delinquencies** *Rees*	573(R) R	980						1116,SSBC 2/21/90
SB 240	**Pension Income Taxation Amendments** *Nielsen, Storey*	573(R) R							1116,SSBC 2/21/90
SB 241	**Access to Sales Tax Records** *Cornaby*	573(R) R	772	848(R) 864, 881, 903,R					1116,SSBC 2/21/90

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SB 242	**Psychiatric Security Review Board and Mentally Retarded Offenders Amendments** *Holmgren*	590(R) R	700,SS 773	854(R)	854(R) SUB,V	855	1039 HA SC,V	1110 2/22/90	Signed by Governor 3/13/90 Effective 3/13/90 Chap. 306
SB 243	**Interlocal Cooperation Agreements on Prison Space** *Pace*	591(R) R	771,J 842,R						1116,SSEC 2/21/90
SB 244	**Task Force on Criminal Sentencing** *Pace*	591(R) R	771,J 842,R						1116,SSEC 2/21/90
SB 245	**Limitation on Cancellation of Insurance** *Money*	592(R) R	700 BL–ED 842,R						1116,SSEC 2/21/90
SB 246	**Meat and Poultry Products Inspection Amendments** *Money*	592(R) R	700 E,NR–A 842,R 846	862(R)	862(R) V	863	960	960 2/20/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 144
SB 247	**Municipal Building Authorities** *Money*	592(R) R							1116,SSEC 2/21/90
SB 248	**Security Personnel Licensing and Exemption** *C.E. Peterson*	592(R) R							1116,SSEC 2/21/90
SB 249	**Department of Social Services Reorganization** *Holmgren*	593(R) R	657	753(R) 759, A,V	781(R) V	781	1110	1110 2/22/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 183
SB 250	**Election Code for Municipalities** *Leavitt*	594(R) R	772	849(R)	849(R) 860,V	860			1118,HSEC 2/21/90
SB 251	**Penalty for Failure to File Tax Return** *Leavitt*	595(R) R	772	849(R) 863,V	878(R) V	878			1118,HSEC 2/21/90
SB 252	**Appropriation and Funding Amendments** *Cory Peterson, Hillyard, Black, Christensen, McMullin, Money*	595(R) R	786	799(R)	799(R) V	799	1031	1031 2/21/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 307

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SB 253	**Tax Evasion Whistleblowers** *Richards*	595(R) R	903	909(R) V,940					909 Failed in Senate 2/19/90 1116,SSBC 2/21/90
SB 254	**Expansion of Certified Driver License Examiners** *McMullin*	596(R) R	903	910(R)	910(R) 924, A,V	925	1054	1054 2/21/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 220
SB 255	**Waste Management Amendments** *Rees, Craig Peterson, Christensen, Cary Peterson, McMullin, Hillyard, Myrin, Barlow, Black, Bunnell, Fordham, Richards, C.E. Peterson*	596(R) R	841	843(R) A,V	874(R) A,V	875	1032	1032 2/21/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 297 1124
SB 256	**Supplemental Appropriations Act** *Hillyard*	597(R) R	1094	1094(R)	1094(R) V	1094	1106	1106 2/21/90	Signed by Governor 3/13/90 Item 62 Vetoed 1123 Effective 4/23/90 Chap. 313
SB 257	**Amendments to Landlord and Tenant Act** *Pace*	597(R) R							1116,SSBC 2/21/90
SB 258	**Bonding for Capital Facilities** *Hillyard*	597(R) R							1116,SSBC 2/21/90
SB 259	**Financing for the Heber Creeper** *Myrin*	598(R) R	980	992(R)	992(R) V	992	1106	1106 2/21/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 221
SB 260	**Funding for State Government** *Black*	598(R) R							1116,SSBC 2/21/90
SB 261	**State Affairs Amendments** *Black*	599(R) R							1116,SSBC 2/21/90

No.	(Check Reference Code on Page 72) Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SB 262	**Income Surtax for Public Education** *Leavitt, Barlow, Farley, Steele, Richards, Pace, Craig Peterson, Storey, C.E. Peterson*	599(R) R							1116,SSEC 2/21/90
SB 263	**State Affairs Amendments** *Cary Peterson*	599(R) R							1116,SSEC 2/21/90
SB 264	**State Bonding for Capital Facilities** *Cary Peterson*	599(R) R	1098	1098(R)	1098(R) A,V	1100			1118,HSEC 2/21/90
SB 265	**General Government Amendments** *McMullin*	600(R) R	846	862(R)	862(R) 864,V	864	1110	1110 2/22/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 298
SB 266	**Insurance Claims Practices Amendments** *Holmgren*	600(R) R							1116,SSEC 2/21/90
SB 267	**Department of Environmental Quality** *Holmgren*	600(R) R							1116,SSEC 2/21/9
SB 268	**Supplemental Appropriations Act I** *Hillyard*	601(R) R	1090	1090(R)	1090(R) V	1091	1097 HA,SC V	1107 2/23/90	Signed by Governor 3/12/90 Effective 3/12/90 Chap. 222
SB 269	**Merger of The Division of Mental Health and The Division of Substance Abuse** *Holmgren*	601(R) R	980	994(R)	994(R) 1013 SSEC				1013,SSBC 2/21/90
SB 270	**Limiting Birth Control Abortions** *McAllister*	605(R) R							1116,SSEC 2/21/90
SB 271	**Motor Vehicle Inspections** *C.E. Peterson*	605(R) R	772	849(R)	849(R0 SUB,V	850	984	984 2/20/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 223
SB 272	**Disclosure of Vacant Land Transfer Information** *Beattie*	606(R) R	940	958(R), T					1117,SSEC 2/21/90

No.	(Check Reference Code on Page 72) Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SB 273	**Judicial Review of Administrative Rules** *McAllister*	606(R) R	656, S-L	825, 862(R) 864	889(R) SUB,V	890	1110	1110 2/22/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 224
SB 274	**Rights of Prison Mothers** *Pace*	606(R) R							1116,SSBC 2/21/90
SB 275	**Open Enrollment Option in Public Education** *Barton*	607(R) R							1116,SSBC 2/21/90
SB 276	**Awards for Excellence in Public Education** *Hillyard*	607(R) R							1116,SSBC 2/21/90
SB 277	**Teacher Salary Increase** *Barlow, Craig Peterson, Bunnell, McMullin, Cory Peterson, Carling, Pace*	607(R) R		642, 665(R) 685, 687, 735, 748, 765, 784,T					1117,SSBC 2/21/90
SB 278	**Anti-Drug License Places** *Christensen*	608(R) R							1117,SSBC 2/21/90
SB 279	**Attorney General Collections** *Hillyard*	623(R) R	876	876(R)	876(R) V	876	1033	1033 2/21/90	Signed by Governor 3/9/90 Effective 3/9/90 Chap. 184

No.	(Check Reference Code on Page 72) 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	**Tenth Amendment Resolution** *Christensen*	108(R) R	178	204(R) V	213(R) V,215,V	215	499	499 2/1/90	Signed by Governor 2/21/90 Trans. to Lt. Gov.
SCR 2	**Resolution Urging Congressional Repeal of the Requirement for a 55 MPH Speed Limit** *Carling, Myrin*	109(R) R	178	204(R)	205(R) V	206	499	499 2/1/90	Signed by Governor 3/7/90 Trans. to Lt. Gov.
SCR 3	**Resolution Urging Protection of the Flag** *Nielsen, Holmgren, Steele, Fordham, Leavitt, Craig Peterson, Black, Storey, McMullin, Christensen, Tempest, Money, Richards, Beattie, Cary Peterson, McAllister*	109(R) R	429 SS,503	666(R)	666(R) CR,V	667	930	930 2/20/90	Signed by Governor 3/9/90 Trans. to Lt. Gov.
SCR 4	**Resolution Honoring Utah's Mother and Young Mother of the Year** *Hillyard*	230(R) R	296	327(R)	327(R) CofW V	327	336	336 1/22/90	767 Signed by 2/14/90 Trans. to Lt. Gov.
SCR 5	**Resolution Honoring Ralph Blackham** *Cary Peterson, Hillyard*	376(R) R	431	431(R) CC	489(R) V	489	685	685 2/12/90	Signed by Governor 2/21/90 Trans. to Lt. Gov.
SCR 6	**Resolution Honoring Brighton High School** *Finlinson, Christensen*	435(R) R	500	500(R) CC	574(R) V	574	886	886 2/19/90	Signed by Governor 3/9/90 Trans. to Lt. Gov.
SCR 7	**Resolution Commemorating Chesley Peterson** *Black, and all members of the Senate*	521(R)		522(R)	522(R) V	522	550	550 2/5/90	Signed by Governor 2/21/90 Trans. to Lt. Gov.
SCR 8	**Resolution Commemorating John and Glenn Wallace** *Tempest*	553(R) R	657	657(R) CC	739(R) CofW,V	740	1032	1032 2/21/90	Signed by Governor 3/9/90 Trans. to Lt. Gov.
SCR 9	**Strategic Planning for Education Resolution** *Barlow, Black, Hillyard, Leavitt, Rees, Pace, Christensen, Cary Peterson, Steele, Carling, McMullin*	590(R) R	764	784(R)	784(R) A,V	784	832	832 2/16/90	Signed by Governor 2/21/90 Trans. to Lt. Gov.

No.	(Check Reference Code on Page 72) Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SCR 10	**Resolution Honoring Utah Emergency Medical Training Programs** *McMullin, Myrin, Rees, Christensen, Bunnell, C.E. Peterson*	712(R) R	712	725(R)	725(R) A,V	725	1032	1032 2/21/90	Signed by Governor 3/7/90 Trans. to Lt. Gov.
SCR 11	**McGruff Tenth Anniversary Resolution** *McMullin, Black, Myrin*	712(R) R	712	800, 878(R)	878(R) Co/W, V	879	930	930 2/20/90	Signed by Governor 3/7/90 Trans. to Lt. Gov.
SCR 12	**Resolution Urging Land Trade in Trappers Loop Area** *Christensen, Nielsen, Richards, Steele*	805(R)		817(R)	817(R) V	817	983	983 2/20/90	Signed by Governor 3/7/90 Trans. to Lt. Gov.
SCR 13	**Recognizing the 50th Anniversary of the Utah Symphony** *Barlow, Cornaby*	828(R)		828(R)	828(R) V	829	1032	1032 2/21/90	Signed by Governor Governor Trans. to Lt. Gov.
SCR 14	**Resolution Recognizing the Carey Brennan Family** *Holmgren*	838(R)		838(R)	838(R) V	839	988	988 2/21/90	Signed by Governor 3/12/90 Trans. to Lt. Gov.

No.	(Check Reference Code on Page 72) Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SJR 1	**Wendover Economic Development Resolution** *Barton*	109(R) R	220 BL-ED 842,R						1116,SSEC 2/21/90
SJR 2	**Special Session Amendments Resolution** *McAllister*	109(R) R	221 S-L 277	357(R) CR,R					1116,SSEC 2/21/90
SJR 3	**Legislative Auditor General Resolution** *Black, Bunnell, Richards, McMullin*	110(R) R	178	204(R)	204(R) V	205	626	627 2/8/90	Trans. to Lt. Gov. 2/14/90
SJR 4	**Legislative Fiscal Analyst Resolution** *Christensen*	110(R) R	178	205(R)	205(R) V	205	626	627 2/8/90	Trans. to Lt. Gov. 2/14/90
SJR 5	**Income Tax Earmark Amendment** *Swan, Hillyard, Bunnell, Barton, Leavitt, Nielsen, Pace*	110(R) R	207 R-T 230	292(R) CR, 300 V	324(R) 322,V 333, 342, 344, 349, 366,V	366	1104 H, Rejected		1104 Failed in House 2/21/90 1116,SSEC 2/21/90
SJR 6	**Joint Rules Amendments Resolution** *C.E. Peterson, McMullin, Cary Peterson, Rees, Tempest, Bunnell, Farley*	110(R) R							1116,SSEC 2/21/90
SJR 7	**Labor Article Revision** *Hillyard, Christensen, Black*	111(R) R	206 BL-ED, 337	406(R) CR,V	422(R) V	423	765 Failed		765 Failed in House 2/14/90
SJR 8	**Legislative Constitutional Amendment** *Hillyard, Christensen, Black*	111(R) R	207 S-L 230	302(R) CR(a) 303 A,A,V	326(R) A,A,V 331,V	331	688 HA, SRC 729, Hc Sc		1118,HSEC 2/21/90
SJR 9	**Emergency Powers Amendment** *Hillyard, Christensen, Black*	111(R) R	207 S-L, 230	303(R) CR,V	325(R) V	326	627	627 2/8/90	Trans. to Lt. Gov. 2/13/90
SJR 10	**Personal Property Tax Exemption** *Barton*	112(R) R	207 R-T 842,R						1116,SSEC 2/21/90
SJR 11	**Education Article Revision Resolution** *Holmgren, Tempest, Bunnell, Nielsen, C.E. Peterson, Fordham, Storey, Beattie, Farley, Christensen, Cary Peterson, Myrin, Richards*	112(R) R	206 E,419	536(R) CR, 548, 564,V					564 Failed in Senate 2/5/90

No.	(Check Reference Code on Page 72) Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SJR 12	**Compensation of Legislative In-Session Employees** *Nielsen*	112(R) R	221	250(R) V	262(R) A,V	263	294	294 1/18/90	Trans. to Lt. Gov. 1/30/90
SJR 13	**Consolidation of Retirement Systems Study** *Beattie*	197(R) R	341, S-L,	580(R) CR,V	610(R) V	611	930	930 2/20/90	Trans. to Lt. Gov. 2/27/90
SJR 14	**Joint Rules - Interim Committee Amendments Resolution** *Leavitt*	197(R) R							1116,SSBC 2/21/90
SJR 15	**Early Graduation Credit Resolution** *Steele*	197(R) R	220 E,333	372(R) CR,V	390(R) V	390	832	832 2/16/90	Trans. to Lt. Gov. 2/21/90
SJR 16	**Promoting Math and Science in the Public Schools Resolution** *Steele*	244(R) R	295 E,333	373(R) CR,V	391(R) V	391	832	832 2/16,90	Trans. to Lt. Gov. 2/21/90
SJR 17	**Century of Service Resolution** *Black*	253(R) R	259	259(R) A	259(R) V	260	499	499 2/1/90	Trans. to Lt. Gov. 2/7/90
SJR 18	**Motor Fuel Tax Constitutional Amendment** *Pace*	255(R) R	296 T-PS 842,R						1116,SSBC 2/21/90
SJR 19	**Resolution Honoring Frank C. Carman** *Bunnell*	484(R) R	552	552(R) CC	631(R) V	631	960	960 2/20/90	Trans. to Lt. Gov. 2/26/90
SJR 20	**Fair Market Value Determination** *Beattie*	485(R) R	656 R-T, 764	848(R)	848(R) CR, 864 880,V				881 Failed in Senate 2/19/90 1116,SSBC 2/21/90
SJR 21	**Special Service Districts Resolution** *Cornaby*	503(R) R	656, S-L	770(R) CR,CC	774(R) V	775 1029	1104 House Rejected		1104 Failed in House 2/21/90 1116,SSBC 2/21/90
SJR 22	**Anthony Commission Resolution** *Christensen, Craig Peterson, Pace, Hillyard*	525(R) R	587, R-T	678(R) CR,CC	773(R) V	774	1032	1032 2/21/90	Trans. to LT. Gov. 3/2/90
SJR 23	**New Alcoholic Beverage Laws Implementation Review** *Carling, Christensen*	525(R) R	943	943(R)	943(R) V	944	1110	1110 2/22/90	Trans. to Lt. Gov. 2/27/90

No.	(Check Reference Code on Page 72) Title and Sponsors	Read (1)	Rules (Sifting) and Sec. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
SJR 24	**Limitation of Congressional Terms Amendment Resolution** *C.E. Peterson*	623(R) R	698	698(R) CC	806(R) V	806	1044 HA,SC V	1111 2/22/90	Trans. to Lt. Gov. 3/5/90
SJR 25	**State Spending Limitation** *Barton, Tempest, McAllister, Myrin, Nielsen*	569(R) R							1117,SSEC 2/21/90
SJR 26	**Special District Resolution** *Nielsen, McMullin, Fordham*	588(R) R	701	797(R)	797(R) V	797	983	983 2/20/90	Trans. to Lt. Gov. 2/27/90
SJR 27	**BYU Football Resolution** *C.E. Peterson*	589(R) R							1117,SSEC 2/21/90
SJR 28	**Resolution Honoring Utah Emergency Medical Organizations** *McMullin*	589(R) R							1117,SSEC 2/21/90
SJR 29	**World Senior Games Resolution** *Christensen, Cornaby, Leavitt*	589(R) R							1117,SSEC 2/21/90
SJR 30	**Resolution Commemorating McGruff** *McMullin*	589(R) R							1117,SSEC 2/21/90
SJR 31	**Resolution Honoring Bae B. Gardner** *Carling, Finlinson*	589(R) R	657	657(R) CC	806, 816(R) A,V	817	832	832 2/16/90	Trans. to Lt. Gov. 2/21/90
SJR 32	**Indian Affairs Resolution** *Myrin, Bunnell*	590(R) R	821	863(R)	863(R) V	864	983	983 2/20/90	Trans. to Lt. Gov. 3/5/90
SJR 33	**Sales Tax Exemptions Sunset** See SR2 also. It was changed to SJR 33 *McAllister*	See SR2 867(R)	See SR2	See SR2 867(R)	See SR2 867(R) V	See SR2 846 868	867 1032	1032 2/21/90	Trans. to Lt. Gov. 3/2/90
SJR 34	**Joint Rules–Ethics Resolution** *Barlow*	905(R)		925(R)	925(R) A,1013 SSEC				1013,SSEC 2/21/90
SJR 35	**Master Study Resolution** *Cary Peterson*	1062(R)		1062(R)	1062(R) A,A,V	1062	1089 HA,SC V	1107 2/23/90	Trans. to Lt. Gov. 3/6/90

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SR 1	**Senate Rules–Chairmen and Vice–Chairmen Resolution** *Leavitt*	197(R) R							1117,SSBC 2/21/90
SR 2	**Sales Tax Exemptions Sunset** See also SJR 33. *McAllister*	525(R) R	701	798(R)	798(R) SJR 33 V				Changed to SJR 33
SR 3	**Winter Sports Authority Responsibility Resolution** *Tempest*	553(R) R	698	698(R) CC	756, 826(R) 864, 879 A, CofW, V				880 Failed in Senate 2/19/90
SR 4	(No resolution was introduced with this number)								
SR 5	**Resolution Honoring Richard Mehorney and John Flynn** *Christensen, Black*	806(R)		817(R)	888(R) CofW, V			889 2/19/90	Trans. to Lt. Gov. 2/26/90
SR 6	**Resolution Recognizing Senator Frances Farley** *All members of the Senate*	922(R)		923(R)	923(R) V			924 2/20/90	Trans. to Lt. Gov. 2/27/90
SR 7	**National Voter Registration Resolution** *Barton*	1045(R)		1092(R)	1092(R) V			1093 2/21/90	Trans. to Lt. Gov. 3/5/90

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HOUSE BILLS AND RESOLUTIONS

FORTY-EIGHTH LEGISLATURE

GENERAL SESSION

January 8 through February 21, 1990

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2nd SUB HB 1	**Political Contribution Disclosure** *Slack*	276(R) R	340 S–L, 451	865,R 865 891(R)	891(R) CR(a) V	892	962 HC	962 2/20/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 96
2nd SUB HB 3	**Fair Competition in Public Bidding** *Oscarson*	626(R) R	699 BL–ED	764,CR 795,R 796, 865,R 865 902(R)	902(R) V	902			902 Failed in Senate 2/19/90
HB 4	**Risk Management Fund Amendments** *Ockey*	345(R) R	396, S–L 451	865,R 865 892(R)	892(R) CR(a), V	893	927 HC	927 2/20/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 97
HB 5	**Suggestion Awards Program** *Smedley*	433(R) R	1085	1087(R)	1087(R) V	1087		1087 2/21/90	Signed by Governor 3/12/90 Effective 4/1/91 Chap. 243
HB 10	**Subcontractor Listing on Public Construction Contracts** *Jones*	335(R) R	346 BL–ED 464	865,R 865 895(R)	895(R) CR,925 939,V	939		939 2/20/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 244
HB 13	**Driver License Act Amendments** *Fox*	216(R) R	238 T–PS 254	352(R) CR,V	381(R) V	381 R		381 1/24/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 30
HB 14	**Free Distribution of Tobacco Products** *Rush*	229(R) R	269 SS	344(R) CR,CC	403(R) V	403		403 1/25/90	768 Signed by Governor 2/14/90 Effective 4/23/90 Chap. 14
HB 15	**Smoke Detector Act** *Hull*	434(R) R	699 T–PS 842,R						1111 SSEC 2/21/90

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HB 16	**Real Estate Licensure Continuing Education Requirements** *Bradford*	208(R) R	238, BL-ED 419	530(R) CR(a), 533 A.A.V	558(R) V	559	585 HRC SRR, Sc. 626,Hc 903, JCCR, SC 962,HC	962 2/20/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 145
HB 17	**Certification Requirements of Sheriffs** *Dmitrich*	195(R) R	214 T-PS 254	353(R) CR,V	381(R) V	381		381 1/24/90	Signed by Governor 2/21/90 Effective 4/23/90 Chap. 17
SUB HB 18	**Nuclear Facility Siting** *C. Moody*	345(R) R	430,H 464	865,R 865 894(R)	894(R) CR,V	895		895 2/19/90	Vetoed 3/13/90 1124
SUB HB 20	**Licensure of Addictions Counselors** *White*	319(R) R							1111,SSEC 2/21/90
HB 21	**P.O.W. License Plate Renewal Exemption** *Wasden*	346(R) R	396 T-PS, 451	865,R 1034 1072(R)	1072(R) CR,V	1073		1073 2/21/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 259
HB 22	**Occupational Information Coordination Act** *Hull*	801(R) R							1111,SSEC 2/21/90
HB 23	**Liability Protection for Volunteers** *Lunt*	243(R) R	269 SS, 310	364(R) CR,V	387(R) V	387		387 1/24/90	625 Signed by Governor 2/7/90 Effective 4/23/90 Chap. 4
SUB HB 24	**Handicapped Services Act** *Frandsen*	586(R) R	991	1039(R)	1039(R) V	1040		1040 2/21/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 87 Sunset 12/1/90

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HB 26	**Uniform Transfers to Minors Act** *Valentine*	195(R) R	214 J 254	350(R) CR,V	380(R) V	380		380 1/24/90	Signed by Governor 3/13/90 Effective 7/1/90 Chap. 272
HB 27	**Utah Steam Coal Tax Credit** *Dmitrich*	1009(R) R	1023	1060(R)	1060(R) V	1060		1060 2/21/90	Became law without Governor's signature Effective 4/24/90 Chap. 316 1124
HB 29	**Health Care Insurance Task Force** *J. Moody*	276(R) R							1111,SSBC 2/21/90
HB 30	**Repeal of Utah Conservation and Research Foundation** *Young*	686(R) R	982	1006(R)	1006(R) V	1007		1007 2/21/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 98
SUB HB 34	**Waste Tire Recycling** *Osier*	375(R) R	430	454, SSBC					454,SSBC 1/29/90
HB 35	**Statute of Limitation Amendment** *White*	229(R) R	269 J	336(R) CR,CC	403(R) V	403		403 1/25/90	767 Signed by Governor 2/14/90 Effective 4/23/90 Chap. 5
SUB HB 37	**Traffic Right-of-way Amendment** *Goodfellow*	295(R) R	340 T-PS, 398	472(R) CR,V	508(R) A,V	509	549	549 2/5/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 31
HB 38	**Residency Requirements of Certain Elected Officials** *Bodily*	195(R) R	214 T-PS 254	354(R) CR(a), V	382(R) V	382	417	417 1/26/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 32
HB 39	**Regulation of Automated Dialing Telephone Solicitation** *Lewis*	243(R) R	268 E,NR-A; 400	474, 476(R) CR(a) SUB,V	511(R) A,V	512	549	549 2/5/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 33

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HB 40	Terms of Office for County Commissioners *Yardley*	244(R) R	269 S-L 310	369(R) CR(a), A,V	388(R) V	389	417	417 1/26/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 146
HB 43	Utah Fit Premises Act *C. Moody*	399(R) R	430 SS.503	865,R 990 1030(R)	1030(R) CR,1035 A,A,V	1038	1106 HC	1106 2/22/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 314 1126
HB 47	Utah Health Care Information Act *Rush*	319(R) R	430,H	865,R					1111,SSEC 2/21/90
HB 50	Fishing License Fee for Mentally Retarded *Tuttle*	229(R) R	236 E,NR-A	333(R) CR,CC	379(R) V	379		379 1/24/90	Signed by Governor 2/21/90 Effective 4/23/90 Chap. 18
HB 51	Juror and Witness Fees Amendment *Ellertson*	195(R) R	214 J,298	361(R) CR(a) V	384(R) V	385	417	417 1/26/90	Signed by Governor 2/21/90 Effective 4/23/90 Chap. 19
HB 52	Domestic Violence Amendments *R.M. Evans*	276(R) R	340 SS.400	474(R) CR, 476 491 CofW V	510,T 1056(R) V	1056		1056 2/21/90	Signed by Governor 3/12/90 Effective 10/1/90 Chap. 256
HB 53	Domestic Violence Programs *Milner*	967(R) R	1023	1055(R)	1055(R) V	1055		1055 2/21/90	Signed by Governor 3/12/90 Effective 7/1/90 Chap. 257
HB 54	Domestic Violence No-Contact Requirements *R.M. Evans*	277(R) R	340 SS	475(R) CR,V	510(R) T,1055 V	1056		1056 2/21/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap 258

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HB 55	**Itemization of Fees for Adoption** *Rush*	244(R) R	269 SS,310	365(R) CR,V	387(R) V	388		388 1/24/90	767 Signed by Governor 2/14/90 Effective 4/23/90 Chap. 6
HB 56	**Adoption Act Amendments** *Rush*	254(R) R	340 SS,400	478(R) CR,V	512(R) A,V	512	549	549 2/5/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 245
HB 57	**Vehicle Size, Weight, and Load Revisions** *Fox*	518(R) R	656, T-PS, 727	764, 824(R)	824(R) CR(a) V	825	927 HC	927 2/20/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 88
HB 58	**Rules of Criminal Procedure Revision** *Harward*	196(R) R	214 J 254	351(R) CR,V	380(R) V	381		381 1/24/90	767 Signed by 2/14/90 Effective 7/1/90 Chap. 7
HB 59	**Retirement Service Credit Increase** *Bishop*	644(R) R	653	653(R) V	664(R) 685, 690 695, 724 A,V	725	833 HC	833 2/16/90	Signed by Governor 3/12/90 Effective 7/1/90 Chap. 253
HB 61	**Wilderness Task Force** *Adams*	320(R) R	396 E,NR-A 727	865,R 1087(R)	1087(R) CR(a) V	1088	1105 HC	1105 2/22/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 246
HB 62	**Insurance Companies Disclosure** *R.M. Evans*	376(R) R	826	865,R					1111,SSBC 2/21/90
SUB HB 63	**Oil and Gas Severance Tax Amendments** *Lewis*	434(R) R	699 R-T 764	865,R 866 954(R)	954(R) CR,V	955		955 2/20/90	Signed by Governor 3/12/90 Effective 3/12/90 Chap. 247

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HB 65	**Revisions to Labor Code** *Knowlton*	346(R) R	396	431(R)	431(R) V	432		432 1/26/90	767 Signed by Governor 2/14/90 Effective 2/14/90 Chap. 8
HB 67	**Comprehensive Health Insurance Pool Act** *G. Davis*	1030(R)		1042(R)	1042(R) V	1042		1042 2/21/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 232
HB 68	**Insurance Benefits for Beneficiaries of Peace Officers** *R.M. Evans*	418(R) R	501 T-PS	649(R) CR,CC	738(R) V	738		738 2/14/90	Signed by Governor 3/7/90 Effective 3/7/90 Chap. 34
HB 72	**Extension of Adoption Authority** *Oscarson*	244(R) R	269 SS.310	368(R) CR, 374, 392 V	404(R) V	404		404 1/25/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 147
SUB HB 73	**Shared Foreign Sales Corporations** *Ockey*	686(R) R	990	1023(R)	1023(R) V	1024		1024 2/21/90	Signed by Governor 3/12/90 Effective 7/1/90 Chap. 248
HB 74	**Program for Suggestions and Complaints** *Lewis*	216(R) R							1111,SSEC 2/21/90
HB 75	**Scope of Authority for Division of Corporations and Commercial Code** *Lewis*	217(R) R	238 J.298	362(R) CR(a) V	385(R) V	385	418	418 1/26/90	767 Signed by Governor 2/14/90 Effective 4/23/90 Chap. 9
HB 77	**Enforcement of New Motor Vehicles Warranties** *Protzman*	295(R) R	340 T-PS 451	865,R 990 1024(R)	1024(R) CR A,V	1027	1105 HC	1105 2/22/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 249

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HB 79	**Removal of Unenforceable Covenants** *C. Moody*	335(R) R	347 J	524(R) CR,CC	608(R) V	608		608 2/7/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 35
HB 81	**Impersonating a Peace Officer** *Pignanelli*	295(R) R	340 J	524(R) CR,CC	608(R) V	608		609 2/7/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 262
HB 82	**Local Sales and Use Tax–Population Figures** *Bain*	319(R) R	501,E 553	865,R 865 941(R)	941(R) CR,V	942		942 2/20/90	Signed by Governor 3/12/90 Effective 7/1/90 Chap. 250
HB 85	**Sales Tax–Aircraft Exemption** *Ostler*	482(R) R	587, R–T 764	865,R 865 897(R)	897(R) CR,V	898		898 2/19/90	Signed by Governor 3/7/90 Effective 7/1/90 Chap. 36
HB 87	**Brewery Licensee Amendments** *Dmitrich*	217(R) R	238 H,337	407(R) CR 409,V	424(R) V	424		424 1/26/90	767 Signed by Governor 2/14/90 Effective 2/14/90 Chap. 10
HB 89	**Stopping at Ports of Entry** *Bodily*	295(R) R	340 T–PS 398	473(R) CR,V	509(R) V	510		510 2/1/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 37
HB 90	**Special Fuel Tax Permit Amendments** *Bodily*	209(R) R	238 T–PS 254	354(R) CR,V	382(R) V	382		383 1/24/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 38
HB 91	**Civil Penalties for Vehicle Violations** **SUB. Minimum Fines for Overweight Vehicles** *Bodily*	196(R) R 208 To House 660 SUB. R	982	1004(R) A,1020 A,V	1060(R) 1070,A V	1071	1102 HRC 1104		1113,SSBC 2/21/90

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HB 92	**Oversight of Ports of Entry** *Bodily*	277(R) R	340 T-PS	473(R) CR,V	510(R) V	510		510 2/1/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 39
HB 94	**Retirement System Compliance** *Bishop*	376(R) R	430 S-L 503	865,R 865 899(R)	899(R) CR A,V	900	927 HC	927 2/20/90	Signed by Governor 3/13/90 Effective Retroactive 1/1/90 Chap 273
HB 95	**Prohibition of Certain Animals as Pets** *Allen*	230(R) R	268 H,337	407(R) CR CofW A,V	423(R) V	423	463	463 1/30/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 40
HB 96	**Ticket Scalping Restrictions** *Lunt*	217(R) R							1111,SSEC 2/21/90
HB 97	**Retirement Operation Status** *Bishop*	376(R) R	501 S-L, 588	865,R 866 948(R)	948(R) CR,V	949		949 2/20/90	Signed by Governor 3/9/90 Effective 3/9/90 Chap. 153
HB 98	**Human Resource Management and Group Insurance Amendments** *Bishop*	367(R) R	430 S-L 503	865,R 865 898(R)	898(R) CR(a) V	899	962 HC	962 2/20/90	Signed by Governor 3/8/90 Effective 7/1/90 Chap. 89
SUB HB 99	**Campaign Signs** *Holt*	482(R) R							1111,SSEC 2/21/90
HB 100	**Telephone Fraud** *LeBaron*	319(R) R	430 BL-ED 553	865,R 865 908(R)	908(R) CR(a) V	909	962 HC	962 2/20/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 154
HB 101	**Utah Substance Abuse Council** *C. Moody*	320(R) R	990	1027(R)	1027(R) V	1027		1027 2/21/90	Signed by Governor 3/8/90 Effective 3/8/90 Chap. 99

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HB 102	**Rural Physician Education Loan Repayment Act** *J. Moody*	1030(R)		1040(R)	1040(R) V	1041		1041 2/21/90	Signed by Governor 3/9/90 Effective 3/9/90 Chap. 148
HB 103	**Rural Physician Scholarship Act** *J. Moody*	1091(R)		1092(R)	1092(R) V	1092		1092 2/21/90	Signed by Governor 3/9/90 Effective 3/9/90 Chap. 149
HB 105	**Property Tax Amendments** *Valentine*	375(R) R	430 R-T 503	865,R 865 896(R)	896(R) CR,V	897		897 2/19/90	Signed by Governor 3/7/90 Effective Retroactive 1/1/90 Chap. 41
HB 106	**Child Support Guidelines Amendments** *Atkinson*	399(R) R	430,SS 553	865,R 866 944(R)	944(R) CR,V	944		944 2/20/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 100
HB 107	**Revised Uniform Limited Partnership Act** *Lyon*	217(R) R	238 R-T 277	355(R) CR,V	383(R) V	383		383 1/24/90 521 2/1/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 233
HB 108	**Interference with Arresting Officer Amendment** *Tuttle*	277(R) R	396 T-PS	419(R) CR,CC	487(R) V	488		488 1/31/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 274
HB 109	**Amendments to Controlled Substances Act** *Bain*	277(R) R	340 T-PS 451	865,R 865 893(R)	893(R) CR,V	894		894 2/19/90	Signed b Governor 3/8/90 Effective 4/23/90 Chap. 101
SUB HB 110	**Severance Tax Incentive for Petroleum Industry Recovery** *Adams*	990(R) R	1023	1059(R)	1059(R) V	1060		1060 2/21/90	Signed by Governor 3/13/90 Effective Retroactive 1/1/90 Chap. 284 1123

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HB 114	**Inmate Income and Expenses** *Protzman*	399(R) R	501,J 573	865,R 866 945(R)	945(R) CR,V	946		946 2/20/90	Vetoed 3/13/90 1124
HB 115	**Retirement Allowance Increase Amendments** *Harward*	375(R) R	430 S-L	502(R) CR,CC	575(R) V	575		575 2/6/90	Signed by Governor 3/7/90 Effective 3/7/90 Chap. 42
HB 116	**Process Server Amendments** *Lewis*	196(R) R	214 J,398	469(R) CR(a) V	490(R) A,V	491	519	519 2/1/90	Signed by Governor 2/21/90 Effective 4/23/90 Chap. 20
HB 118	**Property Tax Payment Amendments** *Davis*	830(R) R							1111,SSEC 2/21/90
HB 119	**Licensure of Youth Services Programs** *Oxcarson*	482(R) R	656 SS	792(R) CR,CC 872	937(R) 972,A Cof W V	973	1010	1010 2/21/90	Signed by Governor 3/8/90 Effective 7/1/90 Chap. 90
HB 120	**Minimum Retirement Allowance for Public Employees** *Harward*	367(R) R	430 S-L	501(R) CR,CC	575(R) V	575		575 2/6/90	Signed by Governor 3/7/90 Effective 7/1/90 Chap. 43
HB 121	**International Fuel Tax Agreement** *Fox*	277(R) R	340 T-PS	397(R) CR,CC	452(R) V	452		452 1/29/90	767 Signed by Governor 2/14/90 Effecctive 7/1/90 Chap. 11
HB 122	**Corporate Trademarks and Service Marks** *Lewis*	375(R) R	551 BL-ED	628(R) CR,CC 702 865,R					1111,SSEC 2/21/90
HB 125	**Applied Technology Centers** *Protzman*	550(R) R	699,E 784	865,R 1034, 1073(R)	1073(R) CR,V 1074 1097,V	1097		1097 2/21/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 263

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HB 126	**Reviser's Statute** *Bishop*	196(R) R	214	249(R) V	261(R) V	261		261 1/16/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 93
SUB HB 127	**Licensing Financial Planners** *Fawson*	626(R) R	699 BL-ED 842,R						1111,SSBC 2/21/90
HB 128	**Sunset Act Revisions and Reauthorizations** *Lewis*	196(R) R	214	249(R) V	262(R) V	262		262 1/16/90	419 Signed by Governor 1/25/90 Effective 1/25/90 Chap. 1
SUB HB 129	**Student Discipline in the Public Schools** *Fawson*	736(R) R							1111,SSBC 2/21/90
HB 130	**Farmland Assessment Act Amendments** *R.M. Evans*	482(R) R	552 R-T	771(R) CR,CC	936(R) V	936		936 2/20/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 260
HB 132	**Postsecondary Proprietary School Amendments** *Protzman*	336(R) R	346 E,419	564(R) CR,V	576(R) V	576		576 2/6/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 155
HB 133	**Constable Amendments** *Lewis*	196(R) R	214 J,398	470(R) CR,V	491(R) CofW, V,519 V	520		520 2/1/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 44
HB 137	**Theft Offense Amendments** *Anderton*	346(R) R	396,J 524	865,R					1112,SSBC 2/21/90
SUB HB 139	**Vehicle Child Restraint Devices** *Frandsen*	765(R) R	1035	1074(R) V	1074(R)	1074		1074 2/21/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 156

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HB 140	**Agriculture Amendments** *Allen*	295(R) R	340 E-NR,A 649	865,R 866 950(R)	950(R) CR(a) A,V	952	987 HC	987 2/20/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 157
HB 144	**School Warning Devices** *James*	483(R) R	552, T-PS 727	865,R					1112,SSEC 2/21/90
HB 145	**Privileged Communications Amendments** *Karras*	346(R) R	396,SS	450(R) CR,CC	507(R) V	507		507 2/1/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 45
HB 146	**Juvenile Court Protective Orders** *Jensen*	498(R) R	699,J 842,R 865	902(R)	902(R) V	903		903 2/20/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 105
HB 147	**Amendments to Crime Victims Preparations** *R.M.Evans*	498(R) R	699,J 842,R 1023	1060(R)	1060(R) V	1061		1061 2/21/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 91
HB 148	**Requirement to Furnish Social Security Numbers** *Frandsen*	418(R) R	501,SS 588	865,R 866 946(R)	946(R) CR V	947		947 2/20/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 92
SUB HB 149	**Immediate Income Withholding** *Frandsen*	644(R) R	699,SS 773	865,R 982, 1007(R)	1007(R) CR,V 1013,V	1013		1013 2/21/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 251
SUB HB 150	**Review and Modification of Child Support Guidelines** *Frandsen*	830(R) R	982	1010(R)	1010(R) 1015,V	1015		1015 2/21/90	Signed by Governor 3/13/90 Effective 10/13/90 Chap. 275

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HB 152	**Reauthorization of Special Districts** *G.E. Brown*	483(R) R	552 S-L	623(R) CR,CC	661(R) V	662		662 2/12/90	Signed by Governor 3/7/90 Effective 4/23/90 Repealed 1/1/92 Chap. 46
HB 153	**Compensation for Wildlife Damage** *B.A. Evans*	498(R) R	551 E,NR-A 727	865,R 943 958(R)	958(R) CR(a) 964 A,A,V 976 A,V	976	1010 HC	1010 2/21/90	Became law without Governors Signature Effective 7/1/90 Chap. 290 1125
HB 154	**Tree Planting Fund** *Lewis*	336(R) R	346 E,NR-A 573	582 678(R)	678(R) CR(a) Co(W V	679	696	696 2/13/90	Signed by Governor 2/22/90 Effective 4/23/90 Chap. 28 1126
HB 155	**Entrance Requirements at Institutions of Higher Education** *Holmes*	434(R) R							1112,SSBC 2/21/90
HB 157	**Reporting Campaign Contributions** *H.C. Moody*	483(R) R							1112,SSBC 2/21/90
HB 158	**School District Accountability** *Bradford*	483(R) R	551,E 627	827(R) CR,V	871(R) A,874 V	874	886	886 2/19/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 264
HB 159	**Licensing Requirements of Insurance Agents** *Lewis*	736(R) R	959	970(R)	970(R) A,V	971	996 HRC SRA V	997 2/21/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 94
HB 160	**Task Force on Volunteers for Community Service** *Jones*	418(R) R	699,SS 792	865,R					1112,SSBC 2/21/90
SUB HB 161	**Asbestos Abatement in the Public Schools** *Bradford*	831(R) R	841	841(R) V	871(R) V	872		872 2/19/90 894, 926,A V 962,HC 2/20/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 265

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HB 162	**Funding Textbooks for Public Education** *Bradford*	346(R) R	396,E 451	654(R) CR,V	664(R) V	665		665 2/12/90 779,V 2/15/90	801 Signed by Governor 2/15/90 Effective 2/15/90 Chap. 16
HB 163	**Arraingment Jurisdiction** *White*	483(R) R	551,J	648(R) CR,CC	737(R) V	738		738 2/14/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 47
HB 167	**Notaries Public Reform Act Amendments** *Lewis*	320(R) R	501,J 649	865,R 991 1048(R)	1048(R) CR,V	1049		1049 2/21/90	Signed by Governor 3/8/90 Effective 7/1/90 Chap. 106
HB 168	**Corporation and Business Name Standards** *Lyon*	434(R) R	501,E 573	865,R 866 945(R)	945(R) CR(a) 948 V	948	987 HC	987 2/20/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 48
HB 169	**DUI Alcohol and Drug Testing Fee** *Ockey*	462(R) R	982	1011(R)	1011(R) V	1012		1012 2/21/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 49
HB 170	**School District Performance Reports** *Bradford*	831(R) R	841	842(R) V	872(R) V	872		872 2/19/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 50
HB 173	**Retirement Office Amendments** *Bishop*	434(R) R	501, S-L 588	865,R 866 949(R)	949(R) CR,V	950		950 2/20/90	Signed by Governor 3/13/90 Effective 7/1/90 Chap. 285
HB 174	**Fire Fighters System Social Security Offset** *Bishop*	367(R) R	501 S-L	624(R) CR,CC	661(R) V	661		661 2/12/90	Signed by Governor 3/7/90 Effective 7/1/90 Chap. 51

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HB 175	**Retirement Option Amendments** *Fawson*	483(R) R	699,J 842,R	866 953(R)	953(R) V	953		953 2/20/90	Became law without Governors signature Effective 3/12/90 Chap. 236
HB 176	**Retirement System Credit Transfer** *Harward*	483(R) R	656 S-L 773	865,R 959 971(R)	971(R) CR,V	972		972 2/20/90	Signed by Governor 3/12/90 Effective 7/1/90 Chap. 254
HB 177	**Armory and Arsenal Building Lease** *Lunt*	729(R) R	991	1043(R)	1043(R) V	1043		1043 2/21/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 107
HB 178	**Funding for Libraries in Higher Education Institutions** *Stephens*	967(R) R	1068	1074(R)	1074(R) V	1075		1075 2/21/90	Signed by Governor 3/12/90 Effective 4/23/90 Sunset 6/30/93 Chap. 226
HB 179	**Elderly Residential Zoning** *Harward*	568(R) R							1112,SSBC 2/21/90
HB 181	**Reporting of Litigation and Litigation Costs in the Public Schools** *Wasden*	434(R) R							1112,SSBC 2/21/90
HB 183	**Concealed Weapons Amendment** *Hull*	320(R) R	656 T-PS	727(R) CR,CC	812(R) V	812		812 2/16/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 276
HB 185	**Procedural Amendments to the Nonprofit and Business Corporations Act** *Lyon*	434(R) R	699 BL-ED	764,CR 795,R 796 865,R 983 1012(R)	1012(R) A,V	1013	1105 HC	1105 2/22/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 108
HB 188	**Driving Privileges Amendments** *Holt*	644(R) R							1112,SSBC 2/21/90

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SUB HB 189	**State Forest Nursery** *Christensen*	568(R) R							1112,SSEC 2/21/90
HB 191	**Municipal Improvement District Amendments** *Hunter*	434(R) R							1112,SSEC 2/21/90
HB 193	**Teaching Experience Employment Factor** *Hull*	801(R) R	1016	1016(R)	1016(R) V	1017			1017 Failed in Senate 2/21/90
HB 195	**Workers' Compensation Act Amendments** *Ostler*	434(R) R	588 BL-ED 684	865,R 865 939(R)	939(R) CR,V	940		940 2/20/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 109
HB 196	**Legal Counsel for the Industrial Commission and Employers Reinsurance Fund** *Ostler*	802(R) R	959	998(R)	998(R) V	998		998 2/21/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 110
HB 199	**Child Guardian Ad Litem Appointment** *R.M. Evans*	498(R) R	699,J 842,R 865	905(R)	905(R) V	906		906 2/20/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 95
SUB HB 201	**Qualifications of Administrative Law Judges** *Atkinson*	483(R) R	656 S-L	770(R) CR,CC	936(R) V	937		937 2/20/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 255
HB 202	**Public Education Options** *Bradford*	686(R) R	841	842(R) V	872(R) V	873		873 2/19/90	Signed by Governor 3/7/90 Effective 1/1/91 Chap. 52
HB 203	**Supplemental Appropriations Act** *Karras*	230(R) R	269 S-L	310(R) CR,CC	348(R) V	349		349 1/23/90	443 Signed by Governor 1/26/90 Effective 1/26/90 Chap. 2

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HB 206	**Utah Commission for Women and Families** *White*	644(R) R	699,SS	792(R) CR,CC	937(R) V	937		937 2/20/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 158
HB 209	**Number of Juvenile Court Judges** *C. Moody*	697(R) R	865	904(R)	904(R) V	905		905 2/20/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 53
HB 212	**County Surveyor Amendments** *Wilson*	483(R) R	552, S-L 678	865,R 959 969(R)	969(R) CR,V	969		969 2/20/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 159
HB 213	**Health Facility Licensure and Inspection Act** *J. Moody*	498(R) R	587 866	946(R)	946(R) V	946		946 2/20/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 114
HB 214	**Second Degree Murder Amendment** *Milner*	644(R) R	959	1000(R)	1000(R) V	1001		1001 2/21/90 1071 HA,SC V 2/21/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 227
HB 216	**Escape Offense Amendments** *Tuttle*	686(R) R	1068						1113,SSBC 2/21/90
HB 219	**Late Registration of Voters** *Bradshaw*	418(R) R							1112,SSBC 2/21/90
SUB HB 221	**Lengthening of the School Year** *Lunt*	686(R) R 848 To House							848 To House HSBC
HB 223	**Notaries Public Bonding Amendments** *Stephens*	484(R) R	982	1003(R)	1003(R) V	1003		1003 2/21/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 286
HB 224	**Criminal Sentencing Amendment** *Tuttle*	645(R) R	772,J 842,R 1068						1113,SSBC 2/21/90

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HB 225	**Solid Waste Management Supervision** *White*	697(R) R							1112,SSEC 2/21/9
HB 226	**Telecommunications Access for Hearing Impaired** *Goodfellow*	660(R) R	1034	1065(R)	1065(R) V	1065		1065 2/21/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 150
HB 228	**Durable Power of Attorney Amendments** *Lewis*	435(R) R							1112,SSEC 2/21/90
HB 229	**Board of State History Amendments** *Bishop*	419(R) R	587,SS 678	865,R 990 1018(R)	1018(R) CR,V	1019		1019 2/21/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 115
HB 230	**Commerce Service Fund** *Allen*	697(R) R	959	976(R)	976(R) V	977		977 2/20/90	Signed by Governor 3/12/90 Effective 7/1/91 Chap. 240
HB 231	**Apportionment by County Commissioners** *Christensen*	783(R) R	1068						1113,SSEC 2/21/90
HB 232	**Fee for Collection of Child Support Repealed** *Atkinson*	463(R) R	866	954(R)	954(R) V	954		954 2/20/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 116
HB 233	**Archaeological, Paleontological, and Historic Site Vandalism Protection Act** *Bishop*	586(R) R	622,SS 678	865,R 990 1019(R)	1019(R) CR,V	1020		1020 2/21/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 277
HB 234	**Historic and Cultural Sites Protection** *Bishop*	586(R) R	623,SS 678	865,R 990 1022(R)	1022(R) CR,V	1022		1022 2/21/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 117

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HB 235	**Credit Reporting Amendments** *Anderton*	660(R) R	699 BL.-ED	764,CR 795,R 796 865,R 990 1028(R)	1028(R) V	1028		1028 2/21/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 111
HB 236	**Income Tax–Schools Checkoff** *Nix*	802(R) R							1112,SSEC 2/21/90
HB 239	**Pharmacy Practice Act Amendments** *Bain*	498(R) R	699,H 842,R 959	997(R)	997(R) V	998		998 2/21/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 252
SUB HB 240	**Prohibition of Unsolicited Facsimile Advertising** *Ockey*	586(R) R	1068						1113,SSEC 2/21/90
HB 241	**Use of Campaign Contributor List** *Jensen*	737(R) R							1112,SSEC 2/21/90
SUB HB 243	**Peace Officer Qualification of County Sheriffs** *Dmitrich*	435(R) R	552 T–PS	649(R) CR,CC	739(R) V	739		739 2/14/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 54
HB 244	**Juvenile Traffic Offenses Amendment** *Bradshaw*	484(R) R	699,E 865	906(R)	906(R) V	906		906 2/20/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 55
SUB HB 248	**Public Safety Regarding Temporary Amusement Device** *Moran*	783(R) R	1034	1065(R)	1065(R) V	1066		1066 2/21/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 278
HB 250	**Metalliferous Severance Tax Amendments** *Maxfield*	769(R) R	983 1016,R						1112,SSEC 2/21/90
HB 251	**Prosecutor Amendments** *Jensen*	484(R) R	990	1027(R)	1027(R) V	1028		1048 2/21/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 118

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HB 257	**Personal Representative Compensation** *Lewis*	498(R) R							1112,SSEC 2/21/90
SUB HB 259	**Tax Technical Amendments** *Valentine*	568(R) R	698	698(R) CC	808(R) V	808		808 2/16/90 947 V 2/20/90	Signed by Governor 3/13/90 Effective Retroactive 1/1/90 Chap. 287
HB 261	**Possession of Dangerous Weapon** *James*	568(R) R	1034	1066(R)	1066(R) V	1066		1066 2/21/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 160
HB 263	**Obtaining Controlled Substances Amendment** *Bain*	463(R) R	699 R-T 842,R 959	999(R)	999(R) V	999		999 2/21/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 161
HB 264	**Disclosure of Budget Notices** *Knowlton*	686(R) R	959	969(R)	969(R) V	970		970 2/20/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 228
HB 265	**State Arts Endowment** *Burningham*	697(R) R	991	1040(R)	1040(R) V	1040		1040 2/21/90	Signed by Governor 3/9/90 Effective 7/1/90 Chap. 151
HB 266	**Tax Review Commission** *Knowlton*	765(R) R	866	957(R)	957(R) 965,V	965		965 2/20/90	Signed by Governor 3/12/90 Effective 7/1/90 Sunset 59-1-9 7/1/94 Chap. 237
SUB HB 268	**Certified Public Accounting Licensing Act** *Lyon*	769(R) R	959	999(R)	999(R) A,V 1001,V	1001	1104 HC	1104 2/21/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 242

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HB 271	**Amateur Ham Radio Operator's Special License Plate** *Holt*	686(R) R							1112,SSBC 2/21/90
SUB HB 272	**Reading Remediation Pilot Program in the Public Schools** *Jensen*	1009(R) R	1075	1075(R)	1075(R) V	1076		1076 2/21/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 266
HB 273	**State Fire-Prevention Amendments** *Tunie*	435(R) R	552 T-PS	649(R) CR,CC	738(R) V	739		739 2/14/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 56
SUB HB 274	**Consolidation of Data Processing and Telecommunications** *Harward*	660(R) R	1034	1066(R)	1066(R) V	1067		1067 2/21/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 57
SUB HB 276	**Motorcycle Rider Education Act** *Halverson*	686(R) R	772 T-PS 842,R 991	1049(R)	1049(R) V	1049		1049 2/21/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 162
HB 279	**Department of Corrections Amendments** *James*	737(R) R	1068						1113,SSBC 2/21/90
HB 281	**Judicial Conduct Commission Amendments** *Bodily*	498(R) R	699,J 842,R 865	906(R)	906(R) A,V	907	963	963 2/20/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 119
HB 284	**Administrative Rules Reauthorization** *Harward*	586(R) R	866	956(R)	956(R) A,V	956	987 HC	987 2/20/90	Became law without Governors signature Effective 5/1/90 Chap 315 1126
HB 285	**Revision of Statutory Authorization for Administrative Rules** *Harward*	831(R) R							1112,SSBC 2/21/90

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HB 286	**Finality of Divorce Amendments** *Jensen*	697(R) R	1068						1113,SSEC 2/21/90
HB 287	**Cigarette Licensing Fees** *Valentine*	568(R) R	698	698(R) CC	808(R) V	808		808 2/16/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 58
SUB HB 288	**Joint Custody Amendments** *Ockey*	802(R) R	1034	1061(R)	1061(R) V	1061		1061 2/21/90	Signed by Governor 3/8/90 Effective 3/8/90 Chap. 112
2nd SUB HB 289	**Redevelopment Review Committee** *G.E. Brown*	802(R) R							1112,SSEC 2/21/90
HB 295	**Consumer Protection Amendments** *Bradshaw*	697(R)							1112,SSEC 2/21/90
HB 297	**Rules of Criminal Procedure Citations** *Harward*	687(R) R	983	1015(R)	1015(R) V	1016		1016 2/21/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 163
HB 301	**Utah Columbus Quincentenary Commission** *Pignanelli*	802(R) R	959	966(R)	966(R) V	967		967 2/20/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 102
HB 302	**Consumer Sales Practice Act Penalties** *Pignanelli*	730(R) R							1112,SSEC 2/21/90
HB 304	**Office of Child Care** *Rush*	1009(R) R	1085	1085(R)	1085(R) V	1086		1086 2/21/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 152
HB 306	**Division of Occupational and Professional Licensing Act Amendments** *Ockey*	1009(R) R	1053	1053(R)	1053(R) V	1054		1054 2/21/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 103

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HB 307	**Hearing and Safety Equipment for Railroad Employees** *Nielsen*	885(R) R	959	1001(R)	1001(R) V	1001		1001 2/21/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 104
HB 308	**Transportation Funds Use** *Harward*	736(R) R	959	981(R) V	991(R) 1041 SUB V	1042	1105 HC	1105 2/21/90	Signed by Governor 3/12/90 Effective 3/12/90 Chap. 239
2nd SUB HB 309	**County Attorney Amendments** *Yardley*	802(R) R	959	1000(R)	1000(R) V	1000		1000 2/21/90	Signed by Governor 3/8/90 Effective 3/8/90 Chap. 120
HB 310	**Transporting Arrested Juvenile** *Adams*	730(R) R	1034	1068(R)	1068(R) V	1069		1069 2/21/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 113
HB 311	**County Recording of Federal Liens** *Jones*	868(R) R	959	968(R)	968(R) V	968		968 2/20/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 121
HB 312	**Authority to Accept Bonds From Indian Tribes for Water Projects** *Adams*	687(R) R	866	942(R)	942(R) A,V	943	987 HC	987 2/20/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 234
2nd SUB HB 318	**Protection of Olympics Use** *Lyon*	737(R) R	1023	1058(R)	1058(R) V	1058		1058 2/21/90	Signed by Governor 3/12/90 Effective 3/12/90 Chap. 241
HB 319	**Justice Court Revisors** *Jensen*	697(R) R	865	907(R)	907(R) V	908		908 2/20/90	Signed by Governor 3/7/90 Effective 4/23/90 Chap. 59

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HB 321	**Achievements Test in the Public Schools** *Bradford*	660(R) R	841	843(R) V	873(R) V	874		874 2/19/90	Signed by Governor 3/13/90 Effective 7/1/90 Chap. 267
HB 322	**Utah Housing Finance Agency Amendments** *Karras*	660(R) R	866	953	953(R) V	954		954 2/20/90	Signed by Governor 3/7/90 Effective 3/1/90 Chap. 60
HB 323	**Partisan School Elections** *Wharton*	687(R) R							1112,SSEC 2/21/90
HB 328	**Rulemaking Powers of Executive Directors** *Olsen*	802(R) R	959	986(R) A. CofW V	992(R) 997, SSBC				997,SSEC 2/21/90
HB 329	**Property Tax Intangibles Study Date** *Knowlton*	765(R) R	1038	1038(R)	1038(R) V	1038		1038 2/21/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 288
SUB HB 330	**Purchase of Recycled Paper** *White*	737(R) R	991	1059(R)	1059(R) V	1059		1059 2/21/90	Signed by Governor 3/13/90 Effective 7/1/90 Chap. 279
HB 332	**Contraband in Correctional Facilities** *White*	831(R) R	991	1050(R)	1050(R) V	1050		1050 2/21/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 238
SUB HB 334	**Escrow Account Provisions** *Harward*	804(R) R	991	1048(R)	1048(R) V	1048		1048 2/21/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 164
HB 335	**Child Abuse Amendments** *Bush*	769(R) R	991	1051(R)	1051(R) V	1051		1051 2/21/90	Signed by Governor 3/8/90 Effective 7/1/90 Chap. 122

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SUB HB 337	**Special Districts Telephone Listing** *Ostler*	869(R) R	1093	1093(R)	1093(R) V	1094		1094 2/21/90	Signed by Governor 3/8/90 Effective 6/30/90 Chap. 123
HB 344	**Probate Code Amendments** *Lewis*	868(R) R	1068						1113,SSBC 2/21/90
HB 348	**Recognition of Acknowledgement Act Amendments** *Lewis*	804(R) R							1112,SSBC 2/21/90
HB 349	**Health Insurance for Dependent Children** *Atkinson*	868(R) R 1096(R)	982	1010(R) 1096(R)	1010(R) V 1096(R)	1011		1011 2/21/90 1096 HA 2/21/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 165
HB 351	**State Employees Drug-Free Workplace** *Olsen*	769(R) R	866	955(R) A,965 A,V	991(R) 1014 SUB V	1014	1031	1031 2/21/90	Singed by Governor 3/13/90 Effective 4/23/90 Chap 280 1127
HB 352	**Liability for Medical Expenses for Children** *Atkinson*	868(R) R	982	1011(R)	1011(R) V	1011		1011 2/21/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 166
HB 354	**Administrative Teaching in the Public Schools** *Protzman*	831(R) R							1112,SSBC 2/21/90
HB 355	**Utah Coordinate System Recording Amendments** *Valentine*	783(R) R	939	967(R)	967(R) V	968		968 2/20/90	Signed by Governor 3/9/90 Effective 7/23/90 Chap. 167
HB 358	**Limited Immunity for Certain HMO Activities** *Bishop*	805(R) R							1112,SSBC 2/21/90
HB 367	**Privatization Policy Board Amendments** *M. Brown*	783(R) R	1068						1113,SSBC 2/21/90

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HB 370	**Radon Certification** *Rush*	994(R) R							1112,SSEC 2/21/90
HB 373	**Tax Filing Amendments** *Karras*	534(R)		535(R)	535(R) V	535		535 2/2/90	Signed by Governor 2/21/90 Effective 2/21/90 Chap. 21
HB 377	**Consumer Sales Practice Act Definitions** *Lyon*	869(R) R							1112,SSEC 2/21/90
HB 378	**Education Stabilization Fund** *M. Brown*	869(R) R							1112,SSEC 2/21/90
HB 379	**State Treasurer Amendments** *Ellertson*	831(R) R	1034	1067(R)	1067(R) V	1067		1067 2/21/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 229
HB 382	**Alternative Certification** *Wilson*	769(R) R	983						113,SSEC 2/21/90
HB 383	**State Land Law Amendments** *Christensen*	868(R) R	959	971(R)	971(R) 977,A V	978	1105 HC	1105 2/21/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 168
HB 384	**Hunter Education Amendments** *Christensen*	870(R) R	1034	1069(R)	1069(R) V	1069		1069 2/21/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 169
HB 387	**Court Funds and Interest** *Ellertson*	868(R) R	991	1046(R)	1046(R) V	1046		1046 2/21/90	Signed by Governor 3/7/90 Effective 3/1/90 Chap. 61
HB 388	**Private Probation Provider Licensing Act** *Ellertson*	869(R) R	991	1071(R)	1071(R) A,V	1072	1105 HC	1105 2/22/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 124

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HB 390	**Supreme Court Rulemaking** *Harward*	869(R) R							1112,SSBC 2/21/90
HB 391	**Court Commissioner Amendments** *Valentine*	869(R) R	990	1028(R)	1028(R) V	1029		1029 2/21/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 230
HB 393	**Powers of Division of Facilities Construction and Management** *Lunt*	885(R) R	959	972(R)	972(R) V	972		972 2/20/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 231
HB 396	**Unauthorized Release of Animals** *G. Brown*	831(R) R	991	1049(R)	1049(R) V	1050		1050 2/21/90	Signed by Governor 3/8/90 Effective 4/23/90 Chap. 125
SUB HB 401	**Amendments to State Government** *Karras*	831(R) R	983	1021(R)	1021(R) A,V	1022	1105 HC	1105 2/22/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 261
HB 402	**Transfer of Title on Local Roads** *Holmes*	831(R) R							1112,SSBC 2/21/90
HB 411	**Social Services Licensing Amendment** *Price*	869(R) R							1112,SSBC 2/21/90
HB 414	**Limited Guardianships for State Training School Residents** *Rush*	832(R) R	991	1016(R)	1016(R) A,V	1016	1106 HC	1106 2/22/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 289
HB 417	**Great Salt Lake Development Authority Amendment** *Smedley*	870(R) R							1113,SSBC 2/21/90
HB 436	**Salary Increases for Teachers** *Adams*	645(R) R	653	654(R) V	664(R) 685 690 A,695 703,V	703	833 HC	833 2/16/90	Signed by Governor 3/13/90 Effective 7/1/90 Chap. 268

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HB 439	**Guarantee Association Amendments** *Lewis*	885(R) R	1023	1064(R)	1064(R) V	1065		1065 2/21/90	Signed by Governor 3/9/90 Effective 4/23/90 Chap. 170
HB 440	**Expansion of Block Grant Funding Pilot Program** *Harward*	832(R) R	1023	1043(R)	1043(R) V	1044		1044 2/21/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 269
HB 441	**Capital Facilities State Project** *Hunter*	1077(R)		1077(R)	1077(R) A,V	1077	1088 HRC, SRR Sc 1093,Hc 1103 HC,V	1103 2/21/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 281
HB 443	**Appropriations Act** *G. Brown*	1076(R)		1076(R)	1076(R) V	1076		1076 2/21/90	Signed by Governor 3/13/90 Effective 7/1/90 Chap. 282
HB 450	**Retirement Contribution Rates** *Bishop*	832(R) R	932	1002(R)	1002(R) V	1002		1003 2/21/90	Signed by Governor 3/8/90 Effective 7/1/90 Chap. 126
HB 454	**Bail Commissioner Amendments** *Pignanelli*	885(R) R	990	1029(R)	1029(R) V	1029		1029 2/21/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 283
HB 456	**Competency Evaluations Amendments** *Frandsen*	766(R) R	991	1017(R)	1017(R) A,V	1018	1106 HC	1106 2/22/90	Signed by Governor 3/8/90 Effective 3/8/90 Chap. 127
HB 457	**Optional Forms of County Government** *Bodily*	870(R) R							1112,SSEC 2/21/90

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HB 462	**Utah Sports Authority Act** *Karras*	769(R) R 828 To House 886 R	1023	1057(R)	1057(R) V	1057		1057 2/21/90	Signed by Governor 3/9/90 Effective 3/9/90 Chap. 171
HB 468	**Educational Technology in Public and Higher Education** *Bradford*	886(R) R	982	1003(R)	1003(R) V	1003		1004 2/21/90	Signed by Governor 3/12/90 Effective 4/23/90 Chap. 235
SUB HB 474	**School Board Leeway (2 Mill)** *Adams*	988(R)		992(R)	1008(R) V	1008		1008 2/21/90	Signed by Governor 3/13/90 Effective 4/23/90 Chap. 270
HB 475	**School Finance Act** *G. Brown*	1077(R)		1078(R)	1078(R) V	1078		1078 2/21/90	Signed by Governor 3/13/90 Effective 7/1/90 Section 8 Effective 4/23/90 Chap. 271
HB 476	**Court Fees** *Ellertson*	869(R) R	991	1052(R)	1052(R) A.V, 1057 A.V	1058	1106 HC	1106 2/22/90	Signed by Governor 3/8/90 Effective 7/1/90 Chap. 128

No.	(Check Reference Code on Page 72) 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
HCR 2	**Multiple Uses of Public Lands Resolution** *Yardley*	345(R) R	396 E,NR-A 524	865,R 865 900(R)	900(R) CR,V	900		900 2/20/90	Signed by Governor 3/7/90
HCR 3	**Resolution Honoring Betty Calder** *B. Evans*	399(R) R	430	430(R) CC	488(R) V	488		488 1/31/90	Signed by Governor 2/21/90
HCR 6	**Waterfowl Resolution** *Bodily*	229(R) R	268 E,NR-A	333(R) CR,CC	379(R) V	379		379 1/24/90	Signed by Governor 2/21/90
HCR 7	**Ute Indian Recognition Resolution** *B. Evans*	265(R)		265(R)	265(R) CofW V	265		265 1/16/90	419 Signed by Governor 1/16/90
HCR 8	**Rocky Mountain Tobacco-Free Challenge Resolution** *Frandsen*	462(R) R	553	865,R 865 900(R) V	937(R) A	938	987 HC	987 2/2/90	Signed by Governor 3/8/90
SUB HCR 9	**Resolution on Sharon Steele Site** *M. Brown*	462(R) R	551 E,NR-A	727(R) CR,CC	809(R) V	810		810 2/16/90	Signed by Governor 3/8/90
HCR 10	**Utah Tar Sands Development** *Tuttle*	567(R) R	698	698(R) CC	807(R) 809,V	809		809 2/16/90	Signed by Governor 3/7/90
HCR 11	**Resolution Honoring R. LaVaun Cox** *Dmitrich*	433(R) R	552	552(R) CC	630(R) V	631		631 2/8/90 792 792 CofW	Signed by Governor 3/12/90
HCR 13	**Air National Guard Resolution** *Lewis*	729(R) R	771	771(R) CC	933(R) V	933		933 2/20/90	Signed by Governor 3/12/90
HCR 14	**Resolution Recognizing Weber State College** *Halverson*	345(R) R	396	412(R)	412(R) V	412		412 1/25/90	768 Signed by Governor 2/14/90
HCR 15	**Arbor Day Resolution** *Lewis*	625(R) R							1113,SSEC 2/21/90

No.	(Check Reference Code on Page 72) 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
HCR 16	**Earth Day 1990 Resolution** *White*	644(R) R 1095(R)	991	1051(R) 1095(R)	1051(R) V 1095(R) V	1052		1052 2/21/90 1095 HA 2/21/90	Signed by Governor 3/8/90
HCR 18	**1990 Utah Summer Games Resolution** *Hunter*	729(R) R	771	771(R) CC	933(R) V	934		934 2/20/90	Signed by Governor 3/12/90
HCR 19	**United Mine Workers of American Resolution** *Dmitrich*	418(R) R	500	500(R) CC	574(R) V	574		574 2/6/90	Signed by Governor 3/7/90
HCR 20	**Native Plant Day Resolution** *Milner*	696(R) R							1113,SSBC 2/21/90
HCR 21	**Federal Regulation of State Retirement Plans** *Bishop*	685(R) R	771	771(R) CC	934(R) V	934		934 2/20/90	Signed by Governor 3/7/90
HCR 22	**Gender Pay Equity Survey Resolution** *Atkinson*	729(R) R	866	952(R)	952(R) V	953		953 2/20/90	Signed by Governor 3/7/90
HCR 23	**Snowbird Women Trans-Antarctic Expedition Resolution** *Rose*	626(R) R	698	698(R) CC	743(R) V	744		744 2/14/90	768 Signed by Governor 2/14/90
HCR 26	**Resolution Honoring Kathy Garcia** *Rose*	644(R) R	698	698(R) CC	807(R) V	807		807 2/16/980	Signed by Governor 3/9/90
HCR 27	**Ben Hogan Golf Tour Commemoration** *Dmitrich*	644(R) R	771	771(R) CC	935(R) V	935		935 2/20/90	Signed by Governor 3/12/90
HCR 28	**Utah Housing Finance Agency Resolution** *Burningham*	866(R) R							1113,SSBC 2/21/90
HCR 30	**Resolution Honoring Carr Printing Company** *Swedley*	652(R)		652(R)	652(R) CofW V	652		652 2/9/90	Signed by Governor 2/21/90
HCR 31	**1990 Census Resolution** *Karras*	769(R) R	1023	1062(R)	1062(R) V	1063		1063 2/21/90	Signed by Governor 3/9/90

No.	(Check Reference Code on Page 72) 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 HCR 32	**Resolution Opposing the The Wasatch Variation Pipeline** *Lyon*	765(R) R	799	799(R)	799(R) V 813 823,V	823		823 2/16/90	Signed by Governor 3/1/90
HCR 33	**Resolution Commending Calvin F. Black** *Adams*	652(R)		653(R)	653(R) Co/W V	653		653 2/9/90	658 Signed by Governor 2/9/90

No.	(Check Reference Code on Page 72) 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	**Salt Lake Regional Trails Council Resolution** *Rose*	243(R) R	266	355(R) 373,V	390(R) V	391		391 1/24/90	Trans. to Lt. Gov. 2/13/90
HJR 2	**Scheduling of Annual General Sessions** *Slaxk*	367(R) R							1113,SSBC 2/21/90
HJR 3	**Domestic Violence Prosecution Resolution** *Milner*	276(R) R	340 SS,400	514(R) CR,V	515,T 1056(R) V	1057		1057 2/21/90	Trans. to Lt. Gov. 3/2/90
HJR 4	**Resolution Recognizing Medical Alert Program** *Julander*	243(R) R	268 H	337(R) CR,CC	401(R) V	402		402 1/25/90	Trans. to Lt. Gov. 2/5/90
HJR 7	**Televised Legislature Resolution** *Pignanelli*	659(R) R							1113,SSBC 2/21/90
HJR 8	**Joint Rules Resolution** *Bishop*	196(R) R	266	274(R) A,275 T,290 A	290(R) V	291	367 HRC SRR,Sc 390,Hc		1113,SSBC 2/21/90
HJR 9	**Strategic Planning Committee Resolution** *Burningham*	216(R) R	238 BL-ED 464	865,R 865 895(R)	895(R) CR,A	896	962 HC	962 2/20/90	Trans. to Lt. Gov. 3/2/90
HJR 10	**Commemorative Resolution for Howard D. Johnson** *G. Davis*	294(R) R	430	430(R) CC	489(R) V	489		489 1/31/90	Trans. to Lt. Gov. 2/16/90
HJR 15	**Renovation of Pioneer Trail State Park Commendation Resolution** *LeBaron*	418(R) R	665	665(R) CC	773(R) V	773		773 2/15/90	Trans. to Lt. Gov. 2/27/90
HJR 16	**Resolution Honoring Utah's Outstanding Teachers** *Karras*	355(R) R	347	441(R)	411(R) V	441		411 1/25/90	Trans. to Lt. Gov. 2/5/90
HJR 17	**Transportation Fund Amendments Resolution** *G. Brown*	869(R) R							1113,SSBC 2/21/90
HJR 18	**Income Tax Deduction for Health** *Fuller*	685(R) R							1113,SSBC 2/21/90
HJR 19	**Voluntary Water Conservation Resolution** *M. Brown*	462(R) R	553	865,R 865 901(R)	901(R) V	902		902 2/20/90	Trans. to Lt. Gov 2/22/90

No.	(Check Reference Code on Page 72) 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 20	**Earthquake Hazard in Public Schools** *Bradshaw*	660(R) R							1113,SSEC 2/21/90
HJR 22	**Historic Site Preservation Resolution** *Pignanelli*	729(R) R	1034	1082(R)	1082(R) V	1083		1083 2/20/90	Trans. to Lt. Gov. 3/5/90
HJR 23	**Resolution Honoring Paul McCarty and Hill View School** *Rose*	586(R) R	698	698(R) CC	807(R) V	808		808 2/16/90	Trans. to Lt. Gov. 3/2/90
HJR 24	**Resolution Recognizing Jack A. Olson** *Karras*	686(R) R	771	771(R) CC	935(R) V	935		935 2/20/90	Trans. to Lt. Gov. 3/2/90
HJR 26	**Economic Diversification Study** *Burningham*	768(R) R	1034	1069(R)	1069(R) V	1070		1070 2/21/90	Trans. to Lt. Gov. 3/5/90
HJR 28	**Department of Environmental Quality** *Frandsen*	830(R) R	1023	1063(R)	1063(R) V	1063		1063 2/21/90	Trans. to Lt. Gov. 2/28/90
HJR 30	**Tax Recodification Commission Property Tax Policy** *Knowlton*	830(R) R	982	1005(R)	1005(R) V	1005		1005 2/21/90	Trans. to Lt. Gov. 3/2/90
HJR 31	**Tax Recodification Commission Income Tax Policy** *Knowlton*	830(R) R	982	1006(R)	1006(R)	1006		1006 2/21/90	Trans. to Lt. Gov. 3/2/90
HJR 32	**Tax Recodification Commission Sales and Use Tax Policy** *Knowlton*	830(R) R	982	1004(R)	1004(R) V	1005		1005 2/21/90	Trans. to Lt. Gov. 3/2/90
HJR 33	**Resolution Urging National Recognition** *Ockey*	769(R) R							1113,SSEC 2/21/90
HJR 34	**Vocational-Technical Education Funding Resolution** *LeBaron*	994(R) R							1113,SSEC 2/21/90
HJR 35	**Highway 89 Resolution** *Knowlton*	869(R) R	1068	1092, 1103(R)	1103(R) V	1104		1104 2/21/90	Trans. to Lt. Gov. 3/5/90

No.	(Check Reference Code on Page 72) Title and Sponsors (Co-sponsors in House Journal)	Read (1)	Rules (Sifting) and Soc. Reports	Read (2)	Read (3)	To House	From House	Signed by Pres.	Other Action
HJR 36	**Drug and Alcohol Abuse Resolution** *Wright*	768(R) R							1113,SSEC 2/21/90
HJR 39	**Abortion Limitation Resolution** *E. Olsen*	885(R) R	1035	1092, 1100(R)	1100(R) V	1100		1100 2/21/90	Trans. to Lt. Gov. 3/2/90
HJR 40	**Resolution Urging Federal Earthquake Project Study** *Davis*	927(R) R	959	1002(R)	1002(R) V	1002		1002 2/21/90	Trans. to Lt. Gov 3/2/90
HJR 41	**Resolution Discouraging Interstate Semi-Trailer Truck Traffic in Provo Canyon** *Harward*	1009(R) R	1023	1064(R)	1064(R) V 1093 1098,V	1098		1098 2/21/90	Trans. to Lt. Gov. 2/28/90

STATE OF UTAH

SENATE JOURNAL

FIFTH EXTRAORDINARY SESSION OF THE FORTY–EIGHTH LEGISLATURE

Wednesday, April 18, 1990

CERTIFICATION

The undersigned, as the duly appointed committee on revision of the Senate Journal for the Fifth Extraordinary Session of the Forty-Eighth Legislature of the State of Utah, do hereby certify that herein contained is an accurate record of the proceedings of the Fifth Extraordinary Session convening on Wednesday, April 18, 1990, at 12:00 noon and adjourning sine die on the same day at 1:55 p.m.

Sophia C. Buckmiller
Secretary of the Senate

Joan B. Thomas
Administrative Assistant, and
Minute Clerk

STATE OF UTAH

SENATE JOURNAL

FIFTH EXTRAORDINARY SESSION
of the
FORTY-EIGHTH LEGISLATURE

Pursuant to the proclamation by His Excellency, Governor Norman H. Bangerter, the Senate of the Forty-Eighth Legislature of the State of Utah met in the Senate Chamber at the State Capitol in the Fifth Extraordinary Session at 12:00 noon on April 18, 1990.

The Senate was called to order by President Arnold Christensen.

Prayer – Senator Boyd Storey

Sophia C. Buckmiller, Secretary of the Senate, read the following Proclamation and Certification.

PROCLAMATION

WHEREAS, since the close of the General Session of the 48th Legislature of the State of Utah, certain matters have arisen which require immediate legislative attention; and

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

NOW, THEREFORE, I, NORMAN H. BANGERTER, Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and the Laws of the State of Utah, do by this Proclamation call the Senate only of the 48th Legislature of the State of Utah into a Fifth Extraordinary Session at the State Capitol in Salt Lake City, Utah, on the 18th day of April, 1990, at 12:00 p.m., for the following purpose:

For the Senate to advise and consent to appointments made by the Governor to positions within the Executive and Judicial Branches of the government of the State

of Utah since the close of the Second General Session of the 48th Legislature of the State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol in Salt Lake City, Utah, this 4th day of April 1990.

Norman H. Bangerter
Governor, State of Utah

W. Val Oveson
Lieutenant Governor, State of Utah

Communication filed.

CERTIFICATION

I, W. VAL OVESON, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, do hereby certify that the attached copy of the proclamation issued under date of April 4, 1990 and signed by Governor Norman H. Bangerter, is a true and correct copy of the original proclamation calling the Senate only of the Forty-Eighth Legislature into a Fifth Extraordinary Session at the State Capitol in Salt Lake City, Utah on the 18th day of April 1990, at the hour of 12:00 p.m., for the purposes named in the proclamation.

I FURTHER CERTIFY that the membership of the Utah State Senate has not changed from that of the 1989 General Session of the Utah State Legislature.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol in Salt Lake City, Utah, this 4th day of April, 1990.

W. Val Oveson
Lieutenant Governor, State of Utah

David Hansen
Deputy Lieutenant

Communication filed.

Roll Call – All Senators present except Senators Finlinson and Carling.

On motion of Senator Cary Peterson, the Senate voted to adopt the Senate Rules of the 1989 General Session of the Forty–Eighth Legislature as the rules for the Fifth Extraordinary Session.

President Christensen appointed a committee to wait upon the Governor, consisting of Senators Nielsen, Steele, and Richards. The committee was asked to advise the Governor that the Senate is fathered in the Fifth Extraordinary Session in accordance with his proclamation.

On motion of Senator Cary Peterson and at 12:20 p.m. the Senate recessed. The Senate reassembled at 2:00 p.m.

COMMUNICATION FROM THE GOVERNOR

President Christensen and Senate Members: April 18, 1990

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

COMMUNITY AND ECONOMIC DEVELOPMENT

Executive Director

Stanley B. Parrish appointed to the position of Executive Director of the Department of Community and Economic Development replacing David Adams. Section 63–33–2, Utah Code Annotated, 1953.

Utah Sports Authority

Charles Wintzer appointed to the Utah Sports Authority for a term expiring January 1, 1994. Section 62–1–101, Utah Code Annotated, 1953.

Utah Technology Finance Corporation

Laury Alder appointed to the Utah Technology Finance Corporation Board of Trustees for a term expiring June 1, 1993. Section 63–60–4, Utah Code Annotated, 1953.

Larry Rigby appointed to the Utah Technology Finance Corporation Board of Trustees for a term expiring June 1, 1993. Section 63–60–4, Utah Code Annotated, 1953.

Robert Mathes appointed to the Utah Technology Fiance Corporation Board of Trustees for a term expiring June 1, 1993. Section 63–60–4, Utah Code Annotated, 1953.

CORRECTIONS

Board of Pardons

Donald E. Blanchard appointed to the Board of Pardons replacing Paul Boyden for a term expiring March 1, 1991. Section 77–27–2, Utah Code Annotated, 1953.

Michael R. Sibbett appointed to the Board of Pardons for a term expiring March 1, 1995. Section 77–2–7–2, Utah Code Annotated, 1953

William L. Peters appointed to the Board of Pardons for a term expiring March 1, 1994. Section 77–27–2, Utah Code Annotated, 1953.

NATURAL RESOURCES

Board of Big Game Control

Darrel Clark Kunzler appointed to the Board of Big Game Control replacing Greg Cunningham for a term expiring March 20, 1993. Section 23–14–5, amended 63–34–3, Utah Code Annotated, 1953.

Central Utah Water Conservancy District

David Wilson reappointed to the Central Utah Water Conservancy District Board for a term expiring January 15, 1993. Section 73–9–9. Utah Code Annotated 1953.

David Rasmussen reappointed to the Central Utah Water Conservancy District Board for a term expiring January 15, 1993. Section 73–9–9. Utah Code Annotated 1953.

Kent Peatross reappointed to the Central Utah Water Conservancy District Board for a term expiring January 15, 1993. Section 73–9–9. Utah Code Annotated 1953.

ADMINISTRATIVE SERVICES

CAREER SERVICE REVIEW BOARD

Bruce T. Jones reappointed to the Career Service Review Board for a term expiring January 1, 1993. Section 26–19–20, Utah Code Annotated, 1953.

Dr. Jose L. Trujillo reappointed to the Career Service Review Board for a term expiring January 1, 1993. Section 26–19–20, Utah Code Annotated, 1953.

Kathleen Hirabayashi reappointed to the Career Service Review Board for a term expiring January 1, 1993. Section 26–19–20, Utah Code Annotated, 1953.

HEALTH

Emergency Medical Services Committee

Dr. Richard R. Price reappointed to the Emergency Medical Services Committee for a term expiring July 1, 1994. Section 26–1–7 and 26–8–3, Utah Code Annotated, 1953.

Dr. Keith Hooker reappointed to the Emergency Medical Services Committee for a term expiring July 1, 1994. Section 26–1–7 and 26–8–3, Utah Code Annotated, 1953.

Cheryl Soshnik appointed to the Emergency Medical Services Committee for a term expiring July 1, 1994. Section 26–1–7 and 26–8–3, Utah Code Annotated, 1953.

Solid and Hazardous Waste

Connie McCourt appointed to the Solid and Hazardous Wastes Committee replacing Norman Jones for a term expiring May 8, 1991. Section 26–14–4, Utah Code Annotated, 1953.

Jeff Utley appointed to the Solid and Hazardous Wastes Committee replacing Tom Mann for a term expiring May 8, 1993. Section 26–14–4, Utah Code Annotated, 1953.

Lorin T. Powell appointed to the Solid and Hazardous Wastes Committee replacing James Reynolds for a term expiring May 8, 1991. Section 26–14–4, Utah Code Annotated, 1953.

Safe Drinking Water Committee

Daniel McArthur appointed to the Safe Drinking Water Committee replacing Paul Jenkins for a term expiring May 8, 1993. Section 26–1–7 and 26–12–4, Utah Code Annotated, 1953.

Marie Huff appointed to the Safe Drinking Water Committee replacing Joseph Jenkins for a term expiring May 8, 1993. Section 26–1–7 and 26–12–4, Utah Code Annotated, 1953.

Water Pollution Control Committee

Bruce Dursteler appointed to the Water Pollution Control Committee replacing Peter Knudsen for a term expiring March 1, 1993. Section 26–11–5, Utah Code Annotated. 1953

SOCIAL SERVICES

Board of Aging and Adult Services

Norma Baker appointed to the Board of Aging and Adult Services replacing William G. Larson for a term expiring April 1, 1991. Section 62A–1–105 and 62A–3–107, 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.

Norman H. Bangerter
Governor, State of Utah

On motion of Senator Myrin, under suspension of the rules, the Senate voted to consent to the appointments listed on the communication dated April 18, 1990 on the following roll call:

Yeas, 27; Nays, 0; Absent, 2

Voting in the affirmative were: Senators

Barlow	Barton	Beattie	Black
Bunnell	Cornaby	Farley	Fordham
Hillyard	Holmgren	Leavitt	McAllister
McMullin	Money	Myrin	Nielsen
Pace	Peterson, C.E.	Peterson, Cary	Peterson, Craig
Rees	Richards	Steele	Storey
Swan	Tempest	Pres. Christensen	

Absent or not voting were: Senators

Carling	Finlinson

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

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

On motion of Senator Cary Peterson, and at 1:55 p.m., the Senate adjourned sine die.

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